

AN ANALYSIS OF THE LIBYAN CEASEFIRES AS PART OF A PEACE  
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PROCESS**

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## ABSTRACT

### AN ANALYSIS OF THE LIBYAN CEASEFIRES AS PART OF A PEACE PROCESS

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This thesis is revolved around three main inquiries. Firstly, the types of the three Libyan ceasefires, the Libyan Political Agreement (LPA), the Palermo Conference Conclusions and the Permanent Ceasefire of Libya, are examined. The examination was made with three sections structured by Malin Åkebo, (i) initiation, (ii) form and content and (iii) implementation and unfolding of the process. Then, how the ceasefires have influenced the peace processes of 2015, 2018, and 2020 and how the peace processes have influenced the ceasefires are scrutinised. To comprehend the dynamics of this reciprocal relation, six factors of influence, recognition, trust, claims, international involvement, contextual changes, and intra-party dynamics, are taken into consideration. It has been found as a result of the analyses that the LPA and the Palermo Conclusions have derailed the Libyan Peace Process while the Permanent Ceasefire agreement brought a peaceful change to the process.

**Keywords:** Libyan Civil War, Ceasefire Agreement, Peace Process, Conflict Resolution

## ÖZ

### LİBYA ATEŞKES ANLAŞMALARININ BARIŞ SÜRECİ BAĞLAMINDA BİR ANALİZİ

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Bu tez üç soru etrafında şekillenmiştir. Öncelikle Libya ateşkes anlaşmalarının, Libya Siyasi Anlaşması (2015), Palermo Sonuçları (2018) ve Kalıcı Ateşkes Anlaşması'nın (2020), yapıları anlaşılmaya çalışılmaktadır. Bu amaçla, ateşkesler (i) başlama, (ii) içerik, ve (iii) uygulama ve ortaya çıkan süreç şeklinde Malin Åkebo'nun üç başlıklı çerçevesiyle analiz edilmektedir. Sonrasında ise ateşkeslerin yapılarının 2015, 2018 ve 2020 Barış Süreçlerini nasıl etkiledikleri ve barış süreçlerinden nasıl etkilendikleri araştırılmıştır. Bu karşılıklı ilişkinin dinamiklerini anlamak için ise altı faktör göz önünde tutulmuştur. Bunlar tanınma, güven, iddialar, uluslararası müdahillik, durumsal değişimler ve parti içi dinamiklerdir. Bu çerçeve ile yapılan analize göre Libya Siyasi Anlaşması ve Palermo Sonuçları barış sürecinde olumsuz gelişmelere mahal verirken, Kalıcı Ateşkes Anlaşması Libya Barış Sürecini pozitif bir şekilde yönlendirmiştir.

**Anahtar Kelimeler:** Libya İç Savaşı, Ateşkes Anlaşması, Barış Süreci, Çatışma Çözümü

*To victims of wars...*

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## LIST OF ABBREVIATIONS

BDB	Benghazi Defense Brigades
CBMs	Confidence Building Measures
CBL	Central Bank of Libya
CSBMs	Confidence and Security Building Measures
DDR	Disarmament, Demobilization, and Reintegration
GNA	Government of National Accord
GNC	General National Congress
GNU	Government of National Unity
HCS	High Council of State
HoR	House of Representatives
JCP	Justice and Construction Party
JMC	Joint Military Commission
LD	Libyan Dialogue
LNA	Libyan National Army
LPA	Libyan Political Agreement
LPDF	Libyan Political Dialogue Forum
LSF	Libyan Shield Forces
NATO	North Atlantic Treaty Organization
NFA	National Forces Alliance
NOC	National Oil Corporation
NSG	National Salvation Government
OPF	Oil Protection Force
PC	Presidential Council
PFG	Petroleum Facilities Guard
PIL	Political Isolation Law
UN	United Nations
UNSC	United Nations Security Council
UNSG	United Nations Secretary-General
UNSMIL	United Nations Support Mission in Libya



## CHAPTER I

### INTRODUCTION

Scholars have explored various stages and periods of war-to-peace transitions in depth since the end of Second World War. However, peace agreements had not been a focus point in studies until the end of the Cold War. Potentially because peace agreements seem to appear more on the international scene after the end of the Cold War. Studies go back into 1800s and compare the frequency of agreements during wars. It is found that battles have gradually been less of a place for the last call for victory since 1800s (Smith, 1995, p.5). Furthermore, while negotiated settlements were carried out between parties for only 10% of the conflicts during the Cold War, the number rose to 38% from the end of Cold War until 2005 (Kreutz, 2010, p. 246). Fortna (2004) argues that battle victories in intrastate wars also became less common in the post-1989 due to sharp increase in peacekeeping activities. Accordingly, peace agreements and ceasefires became more common in civil war settlements (Kreutz, 2010, 246). Although these findings suggest an increase in the importance of peace processes and negotiated settlements, the rising international intervention in intrastate conflicts is partially behind this situation. Some argue that the decrease in battle victories hinder the natural outcome of wars and eventually protract conflicts (Luttwak; 1999, p. 36; Mac Ginty, 2006, p. 167). Some also contend that decisive military victories are more likely to bring (negative) peace than negotiated settlements (Quinn, Mason, & Gürses, 2007, p. 172; DeRouen & Sobek, 2004).

The rise in mediation activities in 1990s did not eventually achieve a considerable accomplishment in terms of bringing peace since 40% of the peace process between 1989 and 2005 went back on fighting in the course of five years (Harbom, Högladh & Wallensteen, 2006). Furthermore, recent studies demonstrate that post-Cold War increase in resolution through negotiation was short-winded and that peaceful war-to-peace transitions are on the decline albeit stronger international mediation infrastructure (Lundgren & Svensson, 2020, p. 2). Hence, it seems that although the concept of agreement gradually became more prevalent in terms of attracting more finance and interest, the field of conflict settlement is in desperate need of de facto success in peace processes all over the world.

## **1.1. Research Problem and Outline of the Thesis**

The failure to solve Libyan Civil War is an embodiment of the low level of success in peace processes. Despite countless initiatives internally and externally, the conflict protracted and caused thousands of deaths. I chose to study the Libyan ceasefires and peace process because there is not yet a comprehensive study owing to its recentness. This research is done to fill this void and improve the workability of agreements and productivity of peace processes. In line with this objective, I endeavour to understand how the nature of ceasefire agreements affect the peace process in this thesis. Three questions are asked to answer this question:

- What types of ceasefire agreements were reached in the Libyan Peace Process?
- How have the Libyan ceasefire agreements influence the ongoing of the Libyan Peace Process?
- How has the peace process influenced the Libyan ceasefire agreements?

Hence, *Introduction* reviews relevant theories and scholars in the literature. Then, *Chapter I* presents an analytical framework based on Akebo's analysis of peace processes in Southeast Asia. *Chapter II* introduces the Libyan Civil War with its background and details. *Chapter III* analyses the Libyan Ceasefire Agreements. Lastly, *Conclusion* sums up the findings of the thesis.

## **1.2. Methodology**

This thesis mainly uses an inductive approach to analyse the qualitative data. This method of study is built on detailed readings of raw data, or models made from raw data by researchers. In this sense, inductive approach allows the case to form its own theory instead of dominating it with built-in methodologies. It is described as "goal-free" assessment of events where the researcher is concerned with comprehending and elucidating the actual emerging effects of a certain phenomenon (Thomas, 2006, p. 238). Through this approach, the thesis uses three agreements signed in 2015, 2018, and 2020 throughout the Libyan Civil War. The selection of the agreements was made by taking their time, scope, level (national

rather than local) and permanency of their ceasefire arrangements into consideration. Akebo's analytical framework is used to orient the research to an orderly breakdown.

Document analysis is the main method of collecting information throughout the research. This form of analysis systemically reviews and evaluates both printed and electronic documents (Bowen, 2009, p. 27). In line with it, academic journal articles, and books are used as well as official ceasefire agreement documents, the UNSC, the UNSG and the UNSMIL 's minutes of meetings, maps, charts, press releases. Newspapers are also heavily used for the purpose of detecting instant events and reactions prior, during and after the signing of agreements. Since I could not travel to Libya or get in contact with main actors of the ceasefires and peace process, I had to rely mainly on internet sources. Moreover, this study mostly used sources written in English. Although I endeavoured to utilise the works of bilingual researchers who are fluent both in Arabic and English, it is a drawback of this thesis not to use Arabic sources directly.

### **1.3. Literature Review**

#### **1.3.1. Transitioning from war to peace**

There are several theories in conflict resolution literature that lay the groundwork of today's perspectives on war-to-peace transitions in protracted intrastate conflicts and significant for the framework of this thesis. Johan Galtung's (1969) triangle of conflict, or ABC triangle, is one of the earliest and revolutionary in attempting to explain the necessity of an altered attitude from the conflicting parties in order for any transition to occur. This theory builds up a triangle with three corners being Attitude, Behaviour and Context. The iceberg-shaped drawing indicates that while Behaviour is visible, Attitude and Context -the 'objective' background- are invisible, the latter being more invisible than the former. Thus, Galtung basically asserts that it does not matter how much of a behaviour is changed during or following the conflict as long as transforming the attitude and construing the context are not done properly and adequately. Hence, change in attitudes of the conflicting parties and creation of an objective reality is a must for any sustainable peaceful transition.

Another considerable theory on how to resolve violence was developed by I. William Zartman (1995, 2008) with theory of ripeness and mutually hurting stalemate. Zartman's theory takes two variables in the centre of research. These are for how long the conflict ends and how prepared the parties are to sit on the negotiation table. These two

factors determine whether the parties eventually find themselves “in an uncomfortable and costly predicament” (Zartman, 2001, p. 1). In the moment of this costly position, party(s) are inclined to accept the terms of agreement that has been in the air for a long time (Zartman, 2001, p. 1). Thus, Zartman with his theory provides a deep insight on how and under what conditions the transition is more likely to occur.

Wallensteen (2002) introduces a synthesis of three concepts which are “conflict dynamics”, “needs-based conflict origins” and “rational and strategic calculations”. Through this synthesis, he opens the gates for different modes of analysis to be applied in a single research. Firstly, he underscores the significance of identifying the conflict dynamics well enough to be able to transform the factors of the conflict. With the second pillar he stresses that if the underlying causes of the conflict cannot be detected fairly, the conflict is bound to revive itself on multiple layers. With the third pillar, the rational calculations approach, he emphasises the importance of taking the interests of the parties in consideration well to see beyond their stated positions (pp. 34-50). On a similar line with the Wallensteen’s third pillar, Aggestam (1999) asserts how actions of political actors are guided with normative expectations and how profoundly restrained these actions with her constructivist study on the Israeli-Palestinian Conflict and its resolution process in the 1990s (p. 40).

The final significantly relevant theory of conflict resolution to this thesis is path dependency theory. This system of thinking provides a useful analytical means to examine the transitional process not as one separate phenomenon but as a holistic one. What is stressed in this theory is mainly the chain effect. Stages of conflict are highly interconnected and what occurs at one stage has “downstream consequences” in the following stage (Diehl, 2006). It is also stated that the most important stage becomes the initial stage because its effects may go beyond not only the second but also third, fourth, etc. stages (Levi, 1997, p. 28; Pierson, 2004, p. 20; Diehl, 2006, p. 206). Levi likens the process to a tree rather than a path (Levi, p. 28). Jarstad and Belloni (2011) and Belloni (2012) argue that steps in the process bear their own outcomes creating “a self-reinforcing dynamic” making reversals difficult (Belloni, p. 29). Path dependency theory puts emphasis on the importance of the initial events and contextualisation of the conflict (Akebo, 2013, p. 29). Hence, Galtung’s emphasis on the requirement of attitude change and an objective reality, Zartman’s theory of ripeness, Wallensteen’s synthesis of three concepts and Pierson’s path dependency theory have immensely fed the thesis overall.

### 1.3.2. What is a peace process?

Ramcharan (2009) defines peace process as settling conflicts through diplomatic and non-violent methods (p. 228). Darby and Mac Ginty (2003) on the other hand consider the peace process as “persistent peace initiatives” involving the belligerent parties (p. 2). Akebo (2017) follows a similar definition and states that a peace process is “structured initiatives aimed at enabling a transition from war to peace through engaging in peaceful means and procedures” (p. 3). She also asserts that these initiatives should have a persistent and strategic character (p. 25). Tonge (2014), despite emphasising the blurry meaning of a peace process, adopts more of an action-based perspective towards peace processes. To Tonge, a peace process is “an active attempt at the prevention and management of conflict”. He also underscores the importance of wording: ‘process’. Tonge considers that the wording admits that wars do not end suddenly, and the ending period spreads over a lengthy period of time (pp. 7-8).

Different themes in peace processes are scrutinised by Darby and Mac Ginty (2003) in their book *Contemporary Peacemaking: Conflict, Violence and Peace Processes*. These themes or stages are (1) *preparing for peace*, (2) *negotiations*, (3) *violence*, (4) *peace accords* and (5) *peacebuilding*. Despite the ordered categorisation, Darby and Mac Ginty acknowledge and emphasise the fact that peace processes rarely have a linear path. At any point of five stages, the process may progress forward or regress backwards. In their words, “Violence in particular is a feature of all phases of all processes, as are distrust and fear” (p. 256).

The first theme of Darby and Mac Ginty is preparing for peace or pre-negotiation process. This is the stage when the warring parties aim to initiate the negotiation process. Their timing for this initiation is determined by Zartman’s ripeness concept: either stalemate of war or victory of one party. The authors state most peace process fail in this stage. The second phase is the negotiation stage where the belligerent parties commence negotiating to have a peace accord. The parties’ belief in negotiations is very significant at this point even if they distrust each other. Discussing the core problems of the conflict, involving main actors, and getting adequate backing from third parties, both local and international, are what makes the negotiation stage successful. Thirdly, violence can spring from anywhere anytime

during a peace process. Peace initiatives can be considered a threat by certain groups in the society. Risk of spoilers increase if the conflict is protracted. The duration of this stage depends on spoiler's arsenal and public support, and negotiator's ability to withstand the spoiler's attack. The stage of peace accords will speed and succeed to the extent of the accords dealing with actual core problems of the conflict rather than symptoms of the conflict. Finally, although the peacebuilding theme seems to assume there should be a peace to build upon certain reforms, peacebuilding activities can be carried out at any point of a peace process. It can be before ceasefire or negotiation phase. Its focus should especially be around reforming the institutions of security and judiciary since these sectors are closely linked with the "old order". The five themes of Darby and Mac Ginty (2003) provides a breakdown of peace processes that are often misconstrued as having a linear progress.

There are at least two schools of peace process definitions in the literature as elaborated by Höglund (2004, pp. 21-24, as cited in Akebo, 2017, p. 24). One is a broader definition that covers the relationships and behaviours of people at all levels of society and their transforming of the means of dispute resolution: from violent to peaceful. The narrower definition is what I will adopt in this thesis: a conception of a peace process focusing on relationship and attitudes of the belligerent parties of the conflict and their learning of resolving disputes in a peaceful way.

### **1.3.3. What is a ceasefire agreement?**

Both the wording and meaning of ceasefire, and how a ceasefire is situated within a peace process vary across the field. Barsa, Holt-Ivry, and Muehlenbeck (2016) differentiate between two types of ceasefires in the literature. They argue that while preliminary ceasefire agreements are concerned with ending the violence, permanent ceasefires aim to be part of a comprehensive peace agreement. Preliminary ceasefires do not deal with root causes of the conflict. Their main target is to stop the immediate violence. However, that parties of preliminary ceasefires not giving up on their arms while negotiating with other actors of the conflict may demonstrate itself as a major drawback in the peace process. Permanent ceasefires are mostly ceasefires intertwined within comprehensive peace talks while parties of the conflict have laid the arms down. Barsa, Holt-Ivry, and Muehlenbeck (2016) argue that it is permanent ceasefires that cause the confusion of terms in the literature between a ceasefire agreement and a peace agreement. They also note that while the object of

preliminary ceasefires is negative peace, the aim of permanent ceasefires is, to a degree, positive peace (pp. 9-10).

For Bercovitch and Gartner (2006, p. 825) on the other hand, a ceasefire is a ceasefire if it is concerned with ending the military confrontation only. If the agreement is wider in content, e.g. mentioning several conflict problems, they call it a partial settlement. And if the agreement is designed both to stop the fight and encompass most conflict issues, they call it a full settlement. Similarly, the Uppsala Conflict Data Program (UCDP) considers ceasefires as agreements that aim to “regulate the conflict behaviour of warring parties”, thence, end military confrontation. According to the UCDP definition, if the agreement addresses the incompatibility between the parties, i.e. reasons behind the armed confrontation, it is not called a ceasefire but a peace agreement (UCDP Definitions, n.d.).

Smith (1995), Bell (2000), Fortna (2004) and Akebo (2013,2017) on the other hand place ceasefires in broader terms. This group in literature considers ceasefires as part of most peace agreements. Afterall, all wars end at some point and ceasefires are the minimum requirement for a peace process (Smith, 1995, p. 3). Hence, ceasefires could be a separate agreement that solely aims at stopping the armed confrontation or part of pre-negotiation agreements, substantive peace agreements, implementation agreements depending on the timing of the agreement (Akebo, 2013, 21). Since the aim of this study is to qualitatively analyse ceasefire agreements with respect to peace processes, it will give me a flexibility to use a broader definition of a ceasefire. In this thesis, therefore, I consider ceasefires both as separate agreements and part of peace agreements.

Regarding terminology, the words ceasefire, truce, armistice, cessation of hostilities and suspension of arms are interpreted differently in the literature by several scholars. De Montluc (1971, as cited in Smith, 1995) notes, “Cease-fire, truce and armistice are not... absolutely exclusive, one from the other; they can intersect or superimpose themselves [on one another] by so much that a certain terminological confusion dominates the matter” (p. 252). Hague Conventions of 1907 define armistice as suspension of “military operations by mutual agreement between the belligerent parties” that is to be coupled with a more permanent agreement later (Art. 36). To Wählisch (2015), an armistice can be seen as the middle stage between the truce and a final peace agreement. Cessation of hostilities, on the other hand, is considered a de-facto armistice when for instance war-weariness leads to ending of the war. Hence, ‘armistice’ is more formal than ‘cessation of hostilities’.

Smith (1995) asserts that the efforts of scholars to define the terms have at best made the field more complicated and the terms vaguer. He attempts to draw all a frame with which

he becomes able to differentiate the terms from narrowest sense to broadest. According to Smith, the terms go as suspension of hostilities, ceasefires, truce and armistice respectively as political content thickens (pp. 265-267). However, the terms even after Smith's proposal were used interchangeably. For example, Wählisch (2015, p. 966) prefers and suggests the use of ceasefire for intrastate agreements rather than use of truce and armistice. He argues that ceasefires have become a modernised concept of armistices and that they refer to non-international armed conflicts. Ceasefires in this sense "lay the ground for more substantial peace agreements" (p. 968). He also asserts the word 'peace agreement' should be used for intrastate conflicts whilst 'peace treaty' for interstate conflicts.

The UN Peacemaker, on the other hand, consider truce as 'informal cessation of hostilities' for free passage of peoples or humanitarian activities hence as an agreement that does not aim for any conflict resolution or negotiation for resolution. 'Cessation of hostilities' is seen as temporary cessation of violence with an intention to begin a peace process while 'armistice' is defined as the end of military operations regardless of whether the incompatibilities between the conflicting parties are solved. Lastly, the UN Peacemaker describes 'ceasefire' as an agreement closer to a peace settlement compared to other terms. Accordingly, ceasefires are seen to undertake significant role at the start of the peace process in terms of creating room for negotiations. As for the difference between 'truce' and 'armistice', although the two is used for interstate agreements, 'truce' is mostly preliminary and local compared to 'armistice'. 'Armistice' is relatively more permanent and formal along with 'cessation of hostilities' (Forster, 2019, p. 2; Barsa, Holt-Ivry, & Muehlenbeck, 2016, p. 9; Wählisch, 2015, p. 966).

It appears that the literature considers the political content thickening from truce, cessation of hostilities, armistice to ceasefire. Still, however, the terms are used interchangeably. A general definition of all would be an agreement that aims to bring suspension of hostilities between warring parties during an armed conflict. Current scholars of ceasefire agreements have mostly adopted the use of ceasefire- encompassing all the terms above, and hence, that is the term I will use in this thesis.

#### **1.3.4. Contextualising ceasefire agreements**

The main departure point of the thesis is the conceptual connection between ceasefire agreements and peace processes as explored by Smith (1995), Darby and Mac Ginty (2003), Wallensteen (2002), Mac Ginty (2006), and Akebo (2013, 2017). Although all

peace processes are unique, their general constituents are ceasefire agreements, direct negotiations between the conflicting parties, mediation and comprehensive agreements that aim to solve the core problems behind the conflict (Akebo, 2013, p. 3). Considering ceasefire agreements are the most apparent “signpost” from war environment to a peaceful setting and the building blocks of the pending peace process, ceasefires hold a great potential in sparking peace processes (Smith, 1995, p. 3). Wallensteen (2002) emphasises that although ceasefires that do not have any political content or are not coupled with a peace agreement may create an unjust environment fertile to spoiler emergence, all kinds of ceasefires still carry significance in peace processes with their disarmament provisions that make the conflicting parties less able to resort to immediate violence (p. 287). Despite this importance, however, he points out that there is an ongoing discussion in the field of conflict resolution whether ceasefires should “precede, be parallel to, or come after the more political agreements” (p. 9). The reason behind this discussion is several conflict examples around the world, eg. Nagorno-Karabakh, Sri Lanka, Nepal, Colombia, and Israel–Palestine, that were frozen after the ceasefire agreement and did not result in any peaceful change. Mac Ginty (2008) calls this a “no war no peace” situation where the language of peace process persists, and a ceasefire holds with no comprehensive peace deal (p. 4). These types of ceasefires are mostly truces that aim to stop the armed confrontation only without any political resolution and can potentially protract the conflict. Hence, Wallensteen argues that the type of ceasefire agreements that are counted as part peace process are those that “both solve incompatibilities and end fighting” (p. 9).

Although early studies on peace processes consider ceasefires as an important constituent of peace processes, ceasefires were not separately studied in the field until 1990s. The earliest direct focus on ceasefires is from James D. D. Smith in his book *Stopping Wars* (1995). His general question in mind whilst writing the book was what stops wars from ending. His main and specific concentration is ceasefires since “there must be a ceasefire before any war can end and since the ceasefire is the most obvious sign that the war may be ending” (p. 2). Thus, he attempts to explore the most common drawbacks before reaching a ceasefire in international and intrastate conflicts. His case studies are The Algerian War of Independence (1954-1962), the Nigerian Civil War (1968-1970), the October War (1973), the Iran-Iraq War (1980-1988), the Gulf Crisis (1990-1991) and the Yugoslav Conflict (1991-1992).

Smith’s primary argument is that for sides to agree on any ceasefire requires first and foremost a willingness to have an agreement. If there is no political will to have an

agreement, a successful ceasefire cannot be achieved. For the sides to have a political will, one or both of three conditions are needed: either the war is stalemated and seems to continue in that direction, or one side evidently gained the upper hand, or the sides are under pressure by the third parties to have an agreement. He proceeds with reasons why belligerents might hesitate from having a ceasefire. (1) being afraid to look weak; (2) getting concerned of changing previous public statement that possibly encouraged fighting, hence looking untrusting; (3) a totalitarian or oligarchic decision-making structure of the belligerent group who is not positive towards a ceasefire agreement; (4) a mere inability to have a ceasefire either because of not believing that the two sides' wishes are reconcilable in any sense or because the leader has simply lost control over actions of the armed forces. Hence, such factors above may hinder the willingness of the conflicting parties for a ceasefire. Or even if they are willing, above factors may prevent their actions towards achieving a ceasefire.

Smith also examines the possible problems even after sides' agreeing to have a ceasefire. Getting over the issues that might be faced before deciding to cease fire, it is assumed that the two sides are convinced that a ceasefire is needed i.e. the political will exists. Even then, it is possible that the belligerent party may just want to make it look like it wants peace but really it is a show. Smith at this point makes a differentiation between a ceasefire and a workable acceptable ceasefire. Four factors may get in the way. The first two factors are (1) communication failure between the parties and (2) ceasefire proposals made by one side happen to be extremely one-sided hence misunderstandings and ill-definitions are common, leading to the rejection of the proposal by one of the parties. Smith's third factor is wisely detected: (3) that the ceasefire is either too political or not political enough. Smith explains the point:

This results in the side which sees it as too political demanding that all negotiations toward political settlement be dealt with after the cease-fire, whereas for the other side which sees the proposal as not political enough, political negotiations are seen as a necessary adjunct or precursor to any cease-fire. (1995, p. 155)

Smith's fourth factor is unclarity of the ceasefire: (4) that is if what is supposed to happen after the ceasefire is not explicitly defined, also for non-political ceasefires, the sides are more inclined to get involved in a renewed conflict.

Smith's final assertion pertains to the effect of third-party involvement in the conflict on a possible ceasefire. Underscoring the most significant aspect of the third party i.e. its impartiality, "transparent honesty, trustworthiness, an ability to respect confidentiality, a

good knowledge of the parties and their problems, an attitude of acceptance and a professional knowledge of conflict resolution procedures” are other qualities a mediator should possess (p. 181). Hence, the third party may very well be a successful mediator, or it might be an obstacle before a ceasefire if for example the sides are not convinced that it is unbiased. Although Smith’s study is highly valuable for this thesis with its specific focus on and broader interpretation of ceasefires, that he studied the wars happened during the Cold War and analysed both intra and interstate wars limits its ability capture the dimensions of recent intrastate conflicts in a multipolar world order.

Virginia Page Fortna’s *Peace Time: Cease-fire Agreements and the Durability of Peace* (2004) is another book that deals with the issues of ceasefire success. Her main questions are (1) how the situational factors affect the prospects for peace and (2) how the content of ceasefires influence whether war ends or restarts. With these questions in mind, she forms her own database covering forty-eight agreements signed in twenty-five international wars from 1946 till 1997 and employs several complementary methods to test and further develop cooperation theory of international relations. She finds out in her examination that five “situational” or “structural factors”, that the belligerents have little or no control over, are highly significant at the time of the ceasefire in determining an answer to her question: “the decisiveness of military victory, the cost of war, belligerents’ history before the war, the stakes of conflict and whether the fighting states are contiguous” (p. 9). Variables like relative power, the number of states in the war, whether conflict is over territory, changes in regime type, etc. seem to be less related with the durability of peace (pp. 112-113).

Fortna finds certain features in ceasefire agreements to be effective in keeping peace. These features, what she names “peace-enhancing attempts”, include variables like troop withdrawal, the creation of demilitarised zones, arms control, monitoring by international observers, guarantees by third parties, confidence-building measures, and dispute-resolution mechanisms (pp. 209-210). She states findings as follows,

Arms control, third-party mediation, and statements of responsibility for hostile acts do not help maintain peace. Confidence-building measures, formalising an agreement, and withdrawal of forces to the pre-war lines may help, but the evidence is not clear-cut. The most effective mechanisms ... are withdrawal beyond the status quo ante, demilitarised zones, explicit third-party guarantees, peacekeeping, joint commissions for dispute resolution, specification of cease-fire terms, and the invocation of international audience costs (2004, p. 210).

The peace-enhancing attempts overall aim to increase the cost of breaking the ceasefire, abate uncertainty about actions and intentions of the parties, and curb accidents that might disturb the barely stable post-war environment (p. 173).

Although Fortna's method-rich study contributes substantially to our understanding of ceasefire and peace agreements, and how these agreements influence the durability of peace, the fact that it being limited with only international wars restricts its contribution to this thesis. She asserts however in the finality of her book that some of the strategies suggested in the book to prevent states from falling back in war could apply civil wars as well. She underscores the significance of third-party guarantees in the resolution of intrastate conflicts along with specificity of agreements and measures to deal with "potential rogue factions". She detects an important distinction between interstate and intrastate ceasefires; it is unlikely for civil wars to end with a ceasefire that does not have any political resolution. She asserts that states can subsist with territorial, or policy disputes unsettled, but it would not be possible for countries torn by civil war to carry on with their business while issues of secession or who will run the country are not resolved (p. 215).

In the literature of ceasefires in relation to peace processes, works of Malin Akebo stand as the most related to this study. Akebo's (2013, 2017) general interest is to understand the process of change from war to peace. Since she sees ceasefires as the first peace initiative in a long and multi-directional peace process that determine whether the peace process will continue towards a better future, ceasefires have been her focus of attention. Akebo analyses two protracted identity-based intrastate conflicts in South Asia; Aceh in Indonesia and Sri Lanka.

Akebo considers conflicts as part of all societies and sees them as a way and means towards a better future. Therefore, the endeavour of Akebo is to explore how conflicts are managed and what changes come about with respect to this management. Ceasefires in Akebo's equation is the first formative constitution that have the potential to change patterns of interaction between the belligerent parties. However, she does not specify whether this change is positive or negative. Hence, Akebo underscores that ceasefires are not "achieving peace", rather, she argues that ceasefires are a result of a political process and that they are linked to the broader peace process (2013, pp. 12-13).

In her PhD dissertation *The Politics of Ceasefires* (2013) and later in her book *Ceasefire Agreements and Peace Processes* (2017), Akebo questions the relation between ceasefires and peace processes. To construe the connection, she asks two set of questions: "1. What is the nature of ceasefire agreements in the conflicts in Aceh and Sri Lanka in

terms of their initiation, form and content and implementation? ...and 2. How can ceasefire agreements be characterized and analysed in relation to peace processes in these two protracted intrastate armed conflicts? For instance, do they contribute to changing the conflicting parties' attitudes, behaviours and relationships?"

To achieve her results, Akebo gives a background of Aceh and Sri Lanka conflicts with an emphasis on the main actors of the conflict and the commencement of the armed conflict. This background is grounded with the influential factors: (1) *recognition, status, and legitimacy*, (2) *trust and confidence*, (3) *claims*, (4) *external incentives and resources*, (5) *contextual changes*, and (6) *intra-party dynamics*. These six factors of influence are conflict dynamics that both influence ceasefires and are influenced by ceasefires. According to Akebo, ceasefires and influential factors are "dynamic and mutually reinforcing" (Akebo, 2013, p. 38).

After positioning the background, Akebo (2013, 2017) analyses the ceasefires signed during the peace process of each conflict. Her analytical framework is composed of three steps: (1) *the initiation of ceasefire agreements* (2) *form and content*, and (3) *implementation and unfolding of the process*. The main purpose of the ceasefire analysis is to understand the nature of the ceasefire (her first research question). After analysing the ceasefires of the conflict, Akebo describes the consequence of the peace process as one of the three possible paths: (i) *derailed; resumed violence*, (ii) *stalled; frozen in status quo*, and (iii) *proceeding; peaceful change*. Akebo answers her second question by (i) comparing all ceasefires analysed with six set of factors in mind, (ii) exploring how ceasefires influenced the peace process, i.e., changes and continuities in the behaviours and attitudes of the actors involved. Lastly, after completing the steps above for each conflict, Akebo concludes her work with an across-case comparison: comparing the findings of each conflict around six set of factors. Her method of study is qualitative comparative case study utilising written documentation and interviews as primary resources.

Although studies of peace-making and ceasefires are growing now, they were not systemically studied by many in the recent past. Having noted this negation in literature, Akebo's works provided me a conceptual and an analytical framework through which I could conduct my research. Firstly, the framework is building a bridge between peace processes and ceasefires. Owing to expanding definition of ceasefires, especially in civil wars, how a conflict ends determines how the peace process proceeds. The security dynamics created through ceasefires have immense consequences in the aftermath of the agreement because ceasefires are first agreements to define and characterise power relations

in a war environment. Hence, searching and examining how ceasefires influence peace processes is of high significance when it comes to contributing to how peace can be achieved in more bloodless and faster way. Secondly, Akebo's six factors of influence allowed me to comprehend conflict dynamics at play, emerging dependently or independently of the ceasefire agreement. These factors enabled me to understand the changing and continuing patterns of the conflict throughout the peace process. Finally, since I am examining the Libyan ceasefires in the context of peace processes and try to understand how the two is in relationship with one another, ceasefires that are part of substantial peace accords or permanent ceasefires that aim to contribute to peace in multiple ways rather than just creating a pause in the armed conflict is my focus. In this context, that Akebo's expanded definition of ceasefires has facilitated my work as her eight elements within the form & content, enabled me to broaden the concept of ceasefire in this thesis.

## CHAPTER II

### THEORETICAL FRAMEWORK

I assume in this thesis that ceasefires are part of peace processes and that they have the power to transform relations, behaviours, and attitudes. Building on this assumption, my goal is to try to understand how the Libyan ceasefires, the Libyan Political Agreement, the Palermo Conclusions and the Permanent Ceasefire, have been shaping and being shaped by the Libyan Peace Process. In this direction, I will use six factors of influence to capture the dynamics at play in the conflict and the peace process. Then, to comprehend what kind of a ceasefire it is, I will use three-stepped analytical framework which are “initiation” “form and content,” and “implementation” (Akebo, 2013). In this section, I delve into the specifics of the analytical framework. How the literature on ceasefires and peace processes have situated and explored the analytical factors and tools while asking my research questions is covered in line with Akebo’s ordering. This framework will allow me to scrutinise the Libyan ceasefires thoroughly.

#### 2.1. Influential Factors

There are six factors of influence debated in the literature that are effective in shaping the behaviours, attitudes, and relationships of the belligerent parties from conflict to ceasefire agreements and peace processes. The subject of study is ‘change’ with an assumption that interactions are transformed as a result of one party’s action influencing the action of the other party (Akebo, 2013). This interactive process is evaluated with six factors of influence. These factors are (i) *recognition, status and legitimacy*, (ii) *trust and confidence*, (iii) *claims*, (iv) *external incentives and resources*, (v) *contextual changes and* (vi) *intra-party dynamics*.

The first factor that can impact the attitude of a conflict party is whether the party is locally or internationally recognised. This factor is especially determinant in intrastate conflicts. Because recognition may change the dynamics of the asymmetric power relations between the parties. For instance, in a conflict where one actor is a government and the other

is a non-state actor, a ceasefire would mean the recognition of the non-state actor. This higher status of the non-state actor would influence the attitude of the parties and the ongoing of the peace process (Aggestam & Björkdahl, 2009, p.26). Furthermore, the factor of recognition may be used by the non-state actor as a strategy where the non-state group starts or accepts a ceasefire in order to be recognised.

When a public peace process starts, the process will include some groups while excluding some (Akebo, 2013, p. 34). The excluded groups in civil wars, ‘spoilers’, are classified with various terms according to their types and rationales. For example, Stedman differentiates three types of spoilers which are total, greedy and limited spoilers. While the total spoilers are strongly opposed to any peace steps, limited spoilers can be included in the peace process given their demands are negotiated. Greedy spoilers are somewhere between the two: their demands are situated by their leaders according to cost and benefit calculations (Stedman, 1997, p. 11). Following Stedman’s departure, Darby makes distinctions between the rationales behind spoiler violence under four headings: dealers, zealots, opportunists, and mavericks (Höglund, 2006, p. 158). Dealers are those prepared to negotiate and sign an agreement while zealots are those who aim for spoiling the deal. Opportunists will participate in no violence rule under pressure and sanctions whilst mavericks will seek to destroy the deal for personal interests (Darby, 2001, pp. 46-58). These spoiler groups might become dangers to the peace process, and legitimacy of the authorities it creates, especially at the start of it (Darby & Mac Ginty, 2008, p.233). Hence, who is included in the ceasefire negotiation will have consequences on the peace process and how parties of the conflict behave towards the peace process.

The second factor of influence is the level of trust and confidence between parties. Lack of trust between the parties can become an inhibiting factor before of a ceasefire. Especially in protracted civil wars, it is expected for the parties to develop distrust, suspicion, and fear towards each other and each other’s actions (Darby & Mac Ginty, 2003, p. 228). If the commitments made in the ceasefire are fulfilled by the parties, trust between the conflict parties will be restored. Statements in the ceasefire that pledges observable changes in behaviour and proposes cooperative measures will likely improve the level of trust between the sides (Akebo, 2013, p. 35). The restored trust will make a successful ceasefire.

External actors can be mediators of forming trust between the conflict parties (King, 1997, p. 77). A constant communication line, for example, will make the parties opt for words rather than guns as a first step. External actors can also provide security guarantees for

the belligerents during the negotiation and implementation stages of the ceasefire. In this way, external actors can create a secure atmosphere where the warring sides can always have a negotiation table. However, it may be observed that in some cases, the involvement of foreign powers strengthens the extremist groups and eventually makes things worse (King, 1997, p. 77).

Thirdly, whether the interests, values and needs of the conflict parties are addressed in the ceasefire will have influence on the success of the ceasefire and attitudes of the conflict parties. The interests, values and needs of the parties, which are termed as political claims, have both tangible and intangible aspects. Issues regarding power politics and economics of the conflict may be regarded as tangible aspect while the root causes of the conflict as intangible. Intangible aspects are more likely to be overlooked by the relevant parties (Akebo, 2013, p. 35; Kaufman, 2006, 202). It is found that ceasefires that include intangible aspects of the conflict, e.g. emotional and symbolic roots of the conflict, will have more chances of success (Kaufman, 2006, p. 202; Guelke, 2008, p. 67).

The fourth factor of influence is external incentives and resources. Most peace processes require the help of the third party (Mitchell, 2008, p. 94). Neutrality of the third party will have a positive influence on the success of the ceasefire. External actors can use different kinds of tactics with various levels of incentives and/or sanctions during peace processes to create a negotiating atmosphere between the conflict parties. It should be noted that both intrastate and interstate conflicts require mediation activities. Alongside mediation activities, external aid will also influence the success of the ceasefire. A financial support will help the belligerent parties see whether they are capable of institutionalising and transforming the old structure for the better (Akebo, 2013, p. 36).

Fifthly, contextual changes will influence the attitudes of the conflict parties, hence, will impact the success of a ceasefire. This change could be a regional or an international political, economic, or social change (Akebo, 2013, p. 36). This influence could be in a positive or negative way (Darby & Mac Ginty, 2008, p. 2). The effect of 9/11 is an example to this change. 9/11 is an international contextual change that made sovereign states around the world become more aggressive towards Islamist insurgent groups (Darby & Mac Ginty, p. 2). Ramsbotham, Woodhouse and Miall (2005) explains how the contextual factors works,

Internal wars have external effects on the region through the spread of weaponry, economic dislocation, links with terrorism, disruptive floods of refugees, and spill over into regional politics when neighbouring states are dragged in or the same people straddles several states. Conversely, regional instability affects the internal politics of states through patterns of clientage, the actions of outside governments,

crossborder movements of people and ideas, black market activities, criminal networks, and the spread of small arms. (p. 100)

Hence, both the actors of the conflict and neighbouring regions of the conflict affect and are affected by the contextual changes which in turn influence the success of the ceasefire and attitudes of the conflict parties.

The final factor of influence is intra-party dynamics. Any change within the ranks and subgroups of a conflict party will have influences on the attitudes of the parties and the success of the ceasefire (Akebo, 2013, p. 37). Moreover, although each conflict party has principal goals recognised and cherished by its subgroups, each subgroup may still have its own specific and different interests. Hence, a peace process can be disturbed by the actions of these subgroups who may be tempted to follow their own interests. In some cases, even if the leader is open to the idea of negotiation, their followers may not be. If the followers strongly resist the idea of negotiation, either the leader will be dismissed, or s/he will have to do what his or her followers want him or her to do (Darby & Mac Ginty, 2008, p. 365).

## **2.2. Analytical tools**

Three areas of inquiry structured by Akebo (2013, 2017) will allow me to systemically analyse the Libyan ceasefires in relation to the peace process. These are (1) initiation, (2) form and content, and (3) implementation. I will further examine each in the following paragraphs.

### **2.2.1. Initiation**

A ceasefire can be initiated in several ways. It can be initiated by only one of the conflict parties, unilateral initiation; by both of the conflict parties, bilateral initiation. A unilateral declaration can be made by a conflicting party either to demonstrate good will for a political resolution or as a response to a rejection from the other conflicting party to have a ceasefire agreement. A ceasefire can also be initiated by external actors.

Who initiates the ceasefire agreement is significant in determining the status of the agreement. The actors involved in the decision-making for when, where and how the ceasefire agreement will take place, do not all have same levels of authority within their groups. On the other hand, the actors that are not involved in the decision-making of the ceasefire may have broad support among their constituencies. The more different factions

are involved in the initiation period of the ceasefire, the more chance of success the ceasefire will have. Hence, who is included in the initiation period of the ceasefire will influence the legitimacy of the agreement (Akebo, 2013, pp. 41-42).

Timing of initiation also influences the success of the ceasefire. If a conflict is protracted, and attempts to maintain a ceasefire failed before, the conflict parties will have less trust towards each other, hence, less trust to the ceasefire agreement. In this case, ceasefire will have less chance of success (Akebo, 2013, p. 42). It is suggested in such cases for the conflict parties to believe in the ability of the ceasefire and the peace process rather than being distracted by previous failed attempts. In these cases, the sides should agree on substantive causes of the conflict as part of the ceasefire (Ramsbotham, Woodhouse, & Miall, 2011, pp. 184-187).

An initiation of a ceasefire agreement by a conflicting party does not always signify the conflicting party's real objective. There are various reasons why a party demands or accepts a ceasefire agreement (Fortna, 2004, p. 13). The initiation can be made for tactical reasons: to gain time for rearming, regrouping, recruiting, collecting intelligence, or to make a surprise attack, or to strengthen the position before negotiations (Chounet-Cambas, 2011, p. 7; Akebo, 2013, p. 42). It is possible that a conflicting party demands or accepts a ceasefire because of domestic political pressure. The more protracted the conflict is, the more domestic political pressure there is (Chounet-Cambas, 2011, p. 7).

A belligerent party can initiate a ceasefire for strategical reasons. A strategic reason can be to "gain recognition as a party of the conflict". This mostly happens in intrastate ethnic conflicts (Akebo, 2013, pp. 42-43). A ceasefire can also be initiated for "genuine" reasons. A genuine reason can be to stop the bloodshed for humanitarian reasons, or to resume with political means as a result of being convinced that the armed conflict leads to nowhere (Smith, 1995, p. 156). Finally, a ceasefire can be initiated because of an external pressure in the shape of sanctions, donor conferences, an admitted recognition. It should be taken into consideration that forcing the belligerent parties to sign a ceasefire can end up with the parties not living up to their commitments (Akebo, 2013, pp. 43-44).

It should be kept in mind, however, the objectives of the belligerent parties throughout the conflict are changing. Because all the six factors of influence are dynamic and in constant transformation throughout the conflict. Hence, the objective of a ceasefire initiation should be treated as astatic (Akebo, 2013, p. 44).

Table 1: Varieties of Initiation

How and by whom?	When?	Why?
<ul style="list-style-type: none"> <li>• unilaterally</li> <li>• bilaterally</li> <li>• externally</li> <li>• state or non-state actor</li> </ul>	<ul style="list-style-type: none"> <li>• prior to, during, or after peace talks</li> <li>• prior to or after substantive agreement</li> </ul>	<ul style="list-style-type: none"> <li>• tactical</li> <li>• ‘genuine’</li> <li>• incentive-driven</li> <li>• forced upon</li> </ul>

Source: Akebo, 2017.

### 2.2.2. Form and Content

As is the case with the initiation of a ceasefire, form, content, and scope of the ceasefire is also constantly in mutual interaction with the six factors of influence. There are various ways a ceasefire agreement can be constituted. Although this thesis focuses on written permanent ceasefire agreements, a ceasefire can be a verbal agreement, or an agreement that only aims to cease the armed confrontation between the belligerent parties for a defined period of time.

Written ceasefire agreements generally cover or attempt to cover substantial issues regarding war. There are number of topics that can be covered in these ceasefires: (1) *the aim or stated understanding* (2) *what would violate the ceasefire* (3) *separation of forces* (4) *non-military measures agreed to be undertaken* (5) *organisational structure* (6) *verification, supervision, and monitoring* (7) *time frame and geographical coverage* and (8) *signatory*. These eight factors would determine the scope and content of the ceasefire agreement (Akebo, 2013, p. 45).

When it comes to content, a ceasefire can be a comprehensive/strong or a limited/weak agreement (Fortna, 2004 p. 29; Akebo, 2013, p. 45). Whether it is comprehensive or not is determined by its degree of involving Akebo’s eight factors. The first factor, the stated understanding, is the parties’ intention about the ceasefire. The stated understandings in ceasefires are mostly empty phrases. However, in some agreements, it can

actually play a role in building trust between the two sides or earning trust from population and even from external actors (Akebo, 2013, p. 45). The stated intention might give a clue about whether and how the ceasefire is linked to the peace process in general (Chounet-Cambas, 2011, p. 13).

The second factor pertains to the prohibited acts. This factor is the most significant because the main objective of ceasefires is to regulate the behaviours of the conflicting parties and define what is considered a violation. However, ceasefire agreements vary in the level of their specification of what is considered a violation. For instance, prohibition of certain types of weapons is a detailed prohibited act. Ban of verbal attacks and acts of hostility are also prohibited acts. (Akebo, 2013, p. 45). The third factor of ceasefire formation is separation of forces. Separation of forces can be counted as an essential prohibited act. It can be determinative in intrastate conflicts because while separating the troops, a conflict party might consolidate its control over the territory (Akebo, 2013, p. 46).

The fourth factor is agreeing on undertaking non-military measures. It may include reopening roads, hospitals, public schools, and removing checkpoints. These measures aim to make the civilian population feel the normalcy again. (Akebo, 2013, p. 46). This factor may also include allowing the international and local humanitarian assistance to be delivered to poor districts and war-torn regions. Thus, a ceasefire can aim to remedy the inequalities of both the war and “structural” and “cultural violence” (Akebo, 2013, p. 46; Galtung, 1969).

The fifth factor points out the need of an organisational structure to successfully implement the ceasefire. Communication line allowing parties to have a constant contact is an example of an organisational structure and it is essential in ceasefire content (Chounet-Cambas, 2011, p. 12; Akebo, 2013, p. 46) Because misunderstandings between the sides are common at the start of peace processes. A communication line can be formed via mediators too if the conflicting parties reject communicating face-to-face (Darby and Mac Ginty, 2003, p. 51). Thus, the involvement of mediators in forming this line increases if the parties do not trust each other.

An organisational structure can serve as a forum where the conflicting parties can manage the implementation process of the ceasefire and later, the peace agreement. This organisational structure can develop over time, having more horizontal and vertical bodies. Having a leadership figure in the organisational structure will strengthen the ceasefire agreement. In cases of protracted conflicts, where the belligerent parties do not have trust towards each other, the positions in the organisational body are mostly occupied by external

actors representing the belligerent parties. This can undermine the success of the ceasefire (Akebo, 2013, p. 47).

The sixth factor is including verification, supervision, and monitoring systems in the ceasefire agreement (Fortna, 2004, p. 10; Akebo, 2013, p. 47). Creating a supervision mechanism assigned to monitor how and whether the measures agreed in the ceasefire agreement are implemented will influence the success of the ceasefire (Chounet-Cambas, 2011, p. 12).

The seventh factor pertains to restrictions on time and space in the ceasefire agreement. Time frames are mostly drawn at the start of peace processes and can play a positive role in building trust between the sides. Limiting the validity of the ceasefire agreement to certain dates is an example of time restriction. Timing in a ceasefire can also be used to designate when a certain implementation will be undertaken (Akebo, 2013, p. 47). As regards to space restrictions, certain geographical areas in ceasefires may be subject to different rulings. Some areas in land, air or sea may be specifically referred in the agreement (Chounet-Cambas, 2011, p. 12).

Lastly, the signatory of the ceasefire agreement matters. If the signatory of the agreement is composed of high level, credible and popular politicians and external actors, the ceasefire agreement will have more chance of surviving. Alongside signatory, the more actors witness the signing of the agreement, the more chance of success the ceasefire agreement will have (Akebo, 2013, pp. 47-48).

Table 2: Varieties of Form and Content

<b>Form?</b>	<b>Scope?</b>	<b>Content?</b>
<ul style="list-style-type: none"> <li>• verbal or written accord</li> <li>• separate agreement or part of substantive agreement</li> </ul>	<ul style="list-style-type: none"> <li>• mandate</li> <li>• timeframe</li> <li>• spatial/geographic coverage</li> </ul>	<ul style="list-style-type: none"> <li>• comprehensive or limited agreements</li> <li>• organizational structure</li> <li>• conflict regulatory mechanisms</li> </ul>

Source: Akebo, 2017.

### **2.2.3. Implementation and unfolding of the process**

The implementation phase is the main determinant of the conflicting parties' decision to stick with the political settlement or return to war. The decision of the parties will

depend on whether the ceasefire is truly being implemented. Changing the patterns of interaction is the main objective of this phase. However, there are many ways the communication between the sides may fail. Possible emergence of violence and risk of spoilers are the main and most common risks.

To prevent any misunderstandings and communication failure, visible actions should be taken for the sides to be able to observe each other's commitment to the ceasefire. This can potentially form trust between the belligerent parties. If the sides take visible actions, it means the actors involved in implementing the ceasefire agreement are able to control over their groups (Akebo, 2013, p. 48).

Main missions of a ceasefire agreement are to deescalate the violence and build trust. This can best be done with withdrawal of troops, creation of demilitarised zones and disarmament. Hence, these actions are what implementation phase consists of. However, for the basics to be carried out properly, the requirements span to monitoring, incident verification and dispute settlement mechanisms. All these reinforce the success of the ceasefire. If this step is successfully completed, the trust between the sides will be sufficiently built to further the peace talks (Fortna, 2004, p. 2; Chounet-Cambas, 2011, p. 12; Akebo, 2013, p. 49).

A ceasefire agreement can be implemented immediately or carried out step-by-step. Belligerent parties prefer an incremental process when there is a deep-seated distrust in between. In this case, the primary aim should be building trust between the sides through visible actions from both sides (Akebo, 2013, p. 49). However, visible actions in a threatening atmosphere could be tricky. If demilitarisation is required as a first step of the ceasefire, a belligerent party could make use of this opportunity to alter the power-balance system of the conflict. There are cases that groups' cadres are assassinated by the other subject of the conflict after the disarmament process (Chounet-Cambas, 2011, p. 25-26). Therefore, significance of political reform in ceasefires weighs more than the significance of disarmament (Chounet-Cambas, 2011, pp. 25-26). Small committees could be useful during this process. It could make the ex-warring parties get used to working with words rather than guns (Weiss, 2003, p. 113).

Creation of peace zones, safe zones or demilitarised zones can be part of ceasefire implementation. Peace zones guarantee some form of protection to the resident population. The zone could be for permanent protection of non-combatants (spatial protection) (Mitchell (2007, p. 2). The zone could also be allocated for aid deliveries and humanitarian activities.

Certain actions might be prohibited and/or encouraged in such zones (Hancock and Iyer, 2007, pp. 29-30).

Peace zones could be created in three different time frames: during a conflict, during a peace process and in post-conflict environment. If the zone is forged during an on-going violence, humanitarian issues like protection of human life are prioritised. If it is created during a peace process, then the zone can serve as an area for DDR (Disarmament, Demobilisation and Reintegration) (Hancock and Iyer, 2007, p. 30). Peace zones may later in the peace process prove to be an area for “incremental confidence building”. The two sides being able to live together will influence the peace process positively. Furthermore, during the implementation stage of ceasefires, peace zones can be utilised to experiment trust among community members after years of war. It is suggested to launch public information campaigns to build trust between the sides (Akebo, 2013, p. 50).

Monitoring of a ceasefire can be requested by the conflicting parties or/and external actors. The monitoring board can consist of single states or coalitions (Rost and Greig, 2011, p. 173). The objective of monitoring is to make sure the commitments stated in the ceasefire are met by the parties (Akebo, 2013, p. 50). It is pointed out in the literature that a failure of implementing one requirement of a ceasefire is not an indication of a ceasefire failure. Calling ceasefire agreement failed requires a failure of more than several commitments (Mac Ginty, 2008, pp. 85-86; Akebo, 2013, p. 50-51).

There are three possible paths in the literature that a peace process may end up in (Ramsbotham, Woodhouse and Miall, 2011; Darby, 2001; Darby and Mac Ginty, 2008; Akebo, 2013). However, it is crucial to think of these possible destinations not as the ultimate outcome, but as a transitional stage. Because peace processes are in constant transformation. If violence resumes despite the ceasefire, the peace process is “derailed”. If there is no de facto change made post-ceasefire, the peace process is “stalled”. If peaceful changes are happening post-ceasefire, then the peace process is “proceeding” (Akebo, 2013, pp. 31-32).

Table 3: Varieties of implementation

<b>Actors?</b>	<b>Procedure?</b>	<b>Mechanisms?</b>
<ul style="list-style-type: none"><li>• internal</li><li>• external (domestic/international)</li></ul>	<ul style="list-style-type: none"><li>• immediately or step-by-step approach</li><li>• resources</li></ul>	<ul style="list-style-type: none"><li>• monitoring</li><li>• incident verification</li><li>• dispute settlement</li><li>• cooperative elements</li></ul>

Source: Akebo, 2017.

Table 4: Framework for analysing ceasefire agreements in relation to peace processes

	<i>Context and dynamics</i>	<i>Initiation of ceasefire agreement and by whom</i>	<i>Form and content of ceasefire agreement</i>	<i>Implementation of ceasefire agreement</i>	
<p><b>Factors that can influence changes in the parties' attitudes, behaviours and relationships and help characterize and analyse ceasefire agreements in relation to peace processes:</b></p> <p>(i) Recognition, status and legitimacy</p> <p>(ii) Trust and confidence</p> <p>(iii) Claims are met</p> <p>(iv) External incentives and resources</p> <p>(v) Contextual changes</p> <p>(vi) Intra-party dynamics</p>	<p><b>Main actors</b></p> <ul style="list-style-type: none"> <li>• claims and positions</li> <li>• internal factions</li> <li>• geo-political setting</li> </ul> <p><b>Conflict dynamics</b></p> <ul style="list-style-type: none"> <li>• attitudes</li> <li>• behaviours</li> <li>• relationships</li> </ul> <p><b>Experiences</b></p> <ul style="list-style-type: none"> <li>• history of violent conflict</li> <li>• earlier peace processes and ceasefire agreements</li> </ul>	<p><b>How and whom?</b></p> <ul style="list-style-type: none"> <li>• unilaterally</li> <li>• bilaterally</li> <li>• externally</li> <li>• state or non-state actor</li> </ul> <p><b>When?</b></p> <ul style="list-style-type: none"> <li>• prior to, during, or after peace talks</li> <li>• prior to or after substantive agreement</li> </ul> <p><b>Why?</b></p> <ul style="list-style-type: none"> <li>• tactical</li> <li>• 'genuine'</li> <li>• incentive-driven</li> <li>• forced upon</li> </ul>	<p><b>Form?</b></p> <ul style="list-style-type: none"> <li>• verbal or written accord</li> <li>• separate agreement or part of substantive agreement</li> </ul> <p><b>Scope?</b></p> <ul style="list-style-type: none"> <li>• mandate</li> <li>• timeframe</li> <li>• spatial/geographic coverage</li> </ul> <p><b>Content?</b></p> <ul style="list-style-type: none"> <li>• comprehensive or limited agreements</li> <li>• organizational structure</li> <li>• conflict regulatory mechanisms</li> </ul>	<p><b>Actors?</b></p> <ul style="list-style-type: none"> <li>• internal</li> <li>• external (domestic/international)</li> </ul> <p><b>Procedure?</b></p> <ul style="list-style-type: none"> <li>• immediately or step-by-step approach</li> <li>• resources</li> </ul> <p><b>Mechanisms?</b></p> <ul style="list-style-type: none"> <li>• monitoring</li> <li>• incident verification</li> <li>• dispute settlement</li> <li>• cooperative elements</li> </ul>	<p><b>Paths for peace processes:</b></p> <ul style="list-style-type: none"> <li>• Derailed; resumed violence</li> <li>• Stalled; frozen in status quo</li> <li>• Proceeding; peaceful change</li> </ul>

Source: Akebo, 2017.

## CHAPTER III

### BACKGROUND OF THE LIBYAN CIVIL WAR

#### 3.1. Libyan Uprisings and the Arab Spring

Tunisian protests, seen as the initiator of the ‘Arab awakening’, started with the self-immolation of Mohamed Bouazizi on 17 December 2010. Consequently, Tunisia’s long-time ruler Ben Ali was ousted with popular protests on 14 January 2011. On 12 February, Hosni Mubarak, was overthrown by popular protests in Egypt. On 15 February, the protests started in Libya. Hence, it is conspicuous that the protests in these three countries have fed off of each other. Ultimately, Libya’s uprisings are considered as part of the ‘Arab Spring’ owing to its timing and certain characteristics.

The common characteristics of Egyptian, Tunisian, and Libyan protests were calls for human rights and an accountable government. Some scholars argue, however, that these two characteristics are the only intersection points of the three cases. Firstly, Libyan protests got very violent in a matter of one week both from protesters and Qadhafi’s forces side. This will be covered in detail in the next heading. Another difference of the Libyan protests was its Islamist aspect, which did not exist in Egyptian and Tunisian protests. During the initial stage of the protests, a coalition of Libyan Muslim leaders called every Muslim to rebel against the Qadhafi regime (“Libyan Muslim Leaders”, 2011). It was in fact Islamists from eastern Libya who first premeditated violence in protests (Kuperman, 2019, p. 42). This Islamist aspect was completely overlooked by the Western media at the time. Thirdly, in the Libyan case the protestors identified their cause solely with the removal of the Qadhafi’s regime (Roberts, 2011, p. 2-3). However, Libya after the protests struggled for state formation since Qadhafi was not an ordinary ruler but the Libyan state itself while Egypt and Tunisia struggled for democratisation (Anderson, 2011, p. 7; Wehrey, 2016).

Lastly, main actor of the Tunisian protests was the labour movement while in Egypt the actor was the country’s educated youth (Anderson, 2011, p. 7). Hence, it seems in the two countries the protests were revolving around sophisticated discussions on how to make the country more open and democratic. Tunisia and Egypt demonstrated their existing and -

more or less- functioning political structures by not falling into a civil war after toppling their leaders. In Libya, however, the main actor was protestors from eastern cities. Hence, the division was geography-based rather than class-based.

The characteristics of the division were distinct due to Libya's political and sociological history. For 42 years in power, Qadhafi ruled Libya by relations of kinship and tribes. On paper, he justified his actions with what he called the 'Third Universal Theory' (first issued on 15 April 1973) both in domestic and international politics. His theory aimed to combine Islamism, socialism, and Arab/ African nationalism. Despite his idealist actions in the first years of his rule, Qadhafi governed Libya with random and contradictory decrees (Mezran and Pickard, 2014, p. 1). He created a totalitarian political system in which ordinary Libyan people had no say unless they had connections with Qadhafi and his tribe (Schnelzer, 2016, p. 36- 38). The political system Qadhafi created and maintained banned political parties since 1972 on the pretext that political parties hinder 'direct democracy'. This rendered Libyan people inactive in establishing independent political organisations. Absence of political organisations made Libyan people embrace tribal and city-based identities rather than national identities (Lacher, 2020, p. 4-5; Anderson, 1986, p. 70; Schnelzer, 2016, p. 52). Comparatively, eastern Libya is more tied to the tribal affiliations than the western Libya. Due to highly urbanised population of Libya (80% in 2016), some cities like Misrata have come to create a city-based identity (Scolari, 2017). Therefore, Libya's civil war was not between tribes only, but to a large degree, between cities too. Hence, the Libyan uprisings differed from Tunisian and Egyptian protests in terms of its characteristics which led to a Libyan Winter that was to last a decade (Prashad, 2012).

### **3.2. The NATO Intervention**

Starting from 15 February 2011, protests in Libya spread to its eastern cities like Benghazi and al-Bayda as well as Tripoli, Misrata, Zawiya and Zintan (See Figure 1). These country-wide protests, later causing Qadhafi regime to fall, started in Benghazi. The initial reason for the Benghazi protests was the arrest of Fathi Terbil, a human rights activist and a representative of relatives of more than 1,000 prisoners allegedly massacred by security forces in Tripoli's Abu Salim Prison in 1996. However, inspired by currents of the 'Arab Spring' in the neighbouring countries, Tunisia and Egypt, the protestors demanded the



Figure 1: Map of Libya

Source: Jeffrey L. Ward, 2018 in Wehrey, 2018

removal of Qadhafi from power. On 17 February, what protestors called ‘the Day of Rage’ and also the fifth anniversary of a brutal repression of a protest in Benghazi, number of activists and writers were detained by the Libyan authorities. The arrests sparked the protests even more, pervading the protests all around the country. In a matter of days, the rebellion became a country-wide struggle between the government forces and the protestors (Kuperman, 2013, p. 107). Although the protestors gained control of half of the country by early March 2011, Qadhafi and his forces got the authority back by using heavy weapons against protestors. All cities except Benghazi was under control of Qadhafi by mid-March. However, the military intervention of the North Atlantic Treaty Organisation (NATO) backed by the United Nations Security Council (UNSC) altered the trajectory of the conflict. The UNSC during Libyan protests passed two Resolutions. The first one, Resolution 1970, passed on 26 February 2011, imposed travel bans and financial sanctions on Qadhafi, his family and Qadhafi’s close associates. This resolution also banned any supply of arms to Libya. The resolution was unanimously adopted. Despite adoption, however, throughout the Libyan conflict, from 2011 until 2020, the supply of arms from various external actors continued (Resolution 1970, 2011; Mezran & Varvelli, 2017).

When the political uncertainty continued in Libya, the UNSC convened again. The second resolution, Resolution 1973, passed on 17 March 2011, imposed a no-fly zone over Libyan airspace. The theoretical mandate was to protect the civilians of Benghazi who revolted against the regime. In practice, no-fly zone meant launching aerial attacks on government forces (Resolution 1973, 2011). The resolution was adopted by the UNSC with the abstention of two permanent members, Russian Federation and China. Among those who abstained from voting was also non-permanent UNSC members like Germany, Brazil, and India.

Before the adoption of Resolution 1973, the International Crisis Group (ICG) and the African Union (AU) endeavoured to get in the way of the UNSC’s adoption process to prevent an international intervention in Libya and broker a ceasefire. Accordingly, a proposal was made by ICG with the backing of the AU. The proposal suggested to broker an immediate ceasefire followed by political talks aimed at replacing the Qadhafi regime with a more representative government. This proposal was presented to the UNSC on 16 March, a day before the adoption of Resolution 1973. However, the UNSC overlooked the proposal (Roberts, 2011, p. 11). Furthermore, crucial NATO countries like Turkey and Germany had disagreements over the scope of the military intervention with the US, France, and the UK. While Turkey and Germany insisted on keeping the Resolution’s mandate limited to ‘no-fly-

zone’, the latter group demanded to include the phrase “all necessary measures” in the Resolution (Al Jazeera English, 2011). The latter group, led by French President Sarkozy, won the discussion and the phrase “all necessary measures” shaped the course of events in Libya leading to a NATO intervention.

The resolution was followed by the NATO’s ‘Operation Unified Protector’ commenced on 21 March. The NATO intervention was carried out to implement the requirements of Resolution 1973 justified by the Responsibility to Protect (R2P). Moreover, although officially denied, the intervention included “boots on the ground” in the form of foreign special operations forces and intelligence personnel, from France, the UK, the U.S., the United Arab Emirates (UAE) and Qatar. These countries also provided weapons and training to anti-Gaddafi groups during the Libyan uprisings (Wehrey, 2020). Meanwhile, the International Criminal Court (ICC) issued arrest warrants on 16 May for Colonel Qadhafi, his son Saif al-Islam, and his intelligence chief Abdullah al-Senussi. The ICC argued that “the suppression of the popular revolt by force had been premeditated and planned” (Wester, 2020, p. 267).

Inside Libya, violence between protestors and Qadhafi’s forces escalated quickly (Roberts, 2011; Kuperman; 2013, p. 108; Anderson, 2011, p. 2). Both sides resorted to violent methods of confrontation. Reports suggest that protestors threw petrol bombs and firearms, set vehicles alight, captured an army garrison in Benghazi, burnt down a government building in Tripoli, and captured police cars within one week of the start of the uprisings (“Libya Protests”, 2011; “Police Station on fire”, 2011; Black& Taylor, 2011; Amnesty International, 2011). On the other hand, government forces used rubber bullets and live ammunition against the protestors. The targets of the government forces switched from legs and abdominal areas of the protestors to chests and heads of the protestors in a matter of days (Malye, 2011). Within only five days, 233 people were dead (“Libya: Governments Should Demand”, 2011).

In the initial days of the uprisings, Qadhafi tried to persuade protestors in Benghazi to lay down their arms. He said, “Throw away your weapons, exactly like your brothers in Ajdabiya and other places did. They laid down their arms and they are safe. We never pursued them at all”. His main message was that as long as we do not find a weapon in your house, we will not do anything (Al Jazeera English, 2011). By February 20, however, their discourse turned aggressive. Qadhafi’s son Saif al-Islam declared that “we will fight to the last man and woman and bullet”. Qadhafi gave a speech on 22 February in which he said, “We will come house by house, room by room... We will find you in your closets. We will

have no mercy and no pity... We will march in our millions to purify Libya inch by inch, house by house, street by street, person by person” (SLOBoe, 2011). Qadhafi justified the killing of protestors by security forces by reading a prescript from the Green Book. He basically stated anyone taking up arms against the state deserves to die (SLOBoe, 2011). Despite the fierce rhetoric, however, Qadhafi made five ceasefire announcements on 18 March, 20 March, 30 April, 26 May, and 9 June in conformity with article I and II of Resolution 1973 throughout the Libyan uprisings. These calls were either rejected, dismissed, or ignored by the local and the international community (Wester, 2020, p. 256).

Meanwhile, Qadhafi’s regime kept losing blood throughout the uprisings because of constantly defecting high-level officials. Former Interior Minister and then Chief-of-Staff Abdul-Fattah Younis, Minister of Justice Mustafa Abdul Jalil, Libya’s Deputy Ambassador to the United Nations Ibrahim Dabbashi, and former Libyan ambassador to the US Ali Suleiman Aujali defected from their positions within days of the start of the protests (Beaumont, 2011; Moynihan, 2011). Within two months of the protests, the Libyan Foreign Minister Moussa Koussa, and former Foreign Minister and President of the UN General Assembly in 2009–2010 Ali Abdussalam Treki defected from their positions (Wester, 2020, pp. 255-226). Qadhafi’s regime was crumbling from inside.

On 14 April, the US President Obama, French President Sarkozy, and the UK Prime Minister David Cameron published a joint article under the title “Libya's Pathway to Peace”. The text asserted that the main mission of the NATO Operation in Libya is to protect Libyan citizens from Qadhafi. And the operation is planned to continue until Qadhafi is gone “for good”. They argued that for a democratic transition to occur in the country, Qadhafi should not be in power (Obama, Cameron, & Sarkozy, 2011). On the other hand, the AU, and the BRICS (Brazil, Russia, India, China & South Africa) declared in their statements that they do not agree with the use of force against the Libyan Government and criticised the scale of air strikes conducted by the NATO. These actors were suggesting a peaceful transition through ceasefire and dialogues. However, the NATO operation continued until 20 October, when Qadhafi was brutally killed by the fighters allied to then recognised authority of the country, the National Transitional Council (NTC). The NATO was the responsible actor for spotting and air-bombing some part of the Qadhafi’s convoy leaving Sirte on the day Qadhafi was killed. On 31 October, the UNSC finalised the NATO authorisation in the country. According to a US government official, throughout the NATO operations of eight months, 8,000 Libyan lives were lost from both Qadhafi loyalists and opposing sides. According to the NTC figures, 25,000 lives were lost, and 4,000 people went missing within

the eight months (O'Donnell & Vaisse, 2011). The HRW asserts that 72 civilians died because of the NATO bombings ("Unacknowledged Deaths", 2012). In the end, the NATO intervention caused civilian deaths while also extending the conflict duration.

There was an enormous power vacuum left after Qadhafi's death (Berlingozzi, 2019). The UNSC did not have a post-intervention plan (Mezran and Varvelli, 2017, p. 112). Although the doctrine of R2P on which the Libya intervention was justified consists of three pillars (to prevent, to react and to rebuild) the third pillar was not given much importance in the Libyan case. Furthermore, unlike all NATO operations, no peacekeeping or stabilization forces were deployed after the intervention in Libya (Chivvis & Martini, 2014, p. 2). Then US President Obama asserts in the interview he gave to Fox News, the Atlantic and BBC that his worst mistake was failing to plan the aftermath of the ousting of Qadhafi (Goldberg, 2016; President Obama: Libya aftermath 'worst mistake' of presidency, 2016). This failure resulted in rapid proliferation of armed militias all over the country and costed thousands of Libyan lives from 2011 to 2020 (Zambakari, 2016, p. 45). It seems that the Libyan uprisings of 2011 had a potential to be solved by peaceful means in its initial phase. The attempts taken by some international and regional organisations to broker ceasefire and political talks for a ceasefire were overlooked. Consequently, the Libyan civil war took a detrimental turn with a UNSC sanctioned international intervention.

### **3.3. Failed Political Transition Period: the NTC and the GNC**

The National Transitional Council (NTC) was established on 2 March 2011 and declared itself as the sole representative of the Libyan people on 5 March 2011, with the former Justice Minister Mustafa Abdul Jalil as the President, and former head of the National Planning Council of Libya and of the National Economic Development Board of Libya and a close friend of Qadhafi's second eldest son and apparent heir Saif al-Islam Gaddafi, Mahmoud Jibril as the Prime Minister. The Council announced the Constitutional Declaration on 3 August 2011. The Constitution consisted of thirty-seven articles in five sections covering provisions regarding Libya's new system of governance, civil rights, judiciary, and details about transitional government structure. According to the Constitution, democracy and shari'a are deemed to be the main elements of the new Libya's governance. On 20 October 2011, the same day Qadhafi was killed, the UN awarded the country's seat to the NTC. Afterwards, the Council officially acted as the transitional government of Libya.

The NTC stayed in power until the elections in July 2012. Throughout its tenure, the NTC could not achieve to monopolise the physical use of force over the country despite backing from international community and several Libyan cities (Wehrey, 2016; Arraf, 2017, p. 2). Although there were endeavours to bring the armed groups under the control of interior and defence ministries, the result was not successful owing to increasing political fractioning in state entities, lack of finances and time. Consequently, the NTC ended up witnessing the proliferation of militias during its tenure (Wehrey, 2016; Richtárechová, 2017, p. 15). In addition to feeble military power, the Council lacked representative power. It was set up by Libyan expatriates and Qadhafi's ex-officials while the heroes of the revolutionary Libya were military leaders (Richtárechová, 2017, p. 14). The NTC transferred its powers to the General National Congress (GNC) peacefully after the July 2012 elections.

First democratic election of Libya since 1964 was held on 7 July 2012 for the GNC. This was a very early election considering that Libya did not have a national election for more than half a century (Wehrey, 2016). Despite widespread insecurity in the country, the elections had 62% turnout. The high participation was interpreted as an indication of people's interest in democracy (Richtárechová, 2017, p. 15). The congress was to consist of 200 seats. 80 seats were to be held by political entities while 120 seats were to be held by individual candidates. The winner political party of the election was the National Forces Alliance (NFA) with 39 seats of 80 seats in the congress. The NFA was a coalition of over 40 small parties. It was a liberal, centrist, and secular party led by Mahmoud Jibril. The Justice and Construction Party (JCP), a party affiliated with the Muslim Brotherhood, got 19 seats out of 80. Although the NFA was the largest political party (39/80), the main cast of the GNC were Islamists because of high number of individual candidates (120) (The Carter Center, 2012, p. 7). The GNC's main defence forces, Libyan Shield Forces (LSF) located mostly in Tripoli and Misrata, consisted mainly of Islamists too. Throughout its rule, the GNC could not achieve to unarm the heavily armed population. Let alone unarming the population, the GNC was subjected to and threatened by its own police force. Libyan Prime Minister Ali Zeidan was kidnapped on 10 October 2013 by a militia that was serving as part of the GNC's security force, and held hostage for less than a day. The kidnapping was done over Zeidan's cooperation with the US over its counterterrorist activities (capturing of an al-Qaeda leader) in the country (Kirkpatrick & Mullany, 2013). Another failure of the GNC was to reach a consensus on significant issues due to extreme difference between political agendas of parties and military weakness (Richtárechová, 2017, p. 15).

With two moves, the GNC gave way to the division of Libya. Firstly, in May 2013, it passed the Political Isolation Law (PIL) that banned all people who served in the Qadhafi administration from taking political posts. The passing of the law, which substantially benefits the JCP, was made under the direct threat of the MB-aligned armed militias (Maghur, 2016; Lacher, 2020, p. 31; Feliu & Aarab, 2017, p. 167). The law mainly aimed to eliminate Islamists' main rival, the leader of NFA Mahmoud Jibril who used to be an economic advisor in the Qadhafi regime. It also eliminated figures like the GNC Speaker Muhammad al-Magariyaf and Khalifa Haftar. Magariyaf who served as Libyan Ambassador to India in 1970s dismissed from his position in the Qadhafi government later in 1980 and became the head of an exile opposition group the National Front for the Salvation of Libya (NFSL). However, he was not exempted from the PIL and resigned after the passing of the law in order not to be suspended. Khalifa Haftar who was once in Qadhafi's government but later an exiled opponent after taken captive by enemy forces during the 1980s Libya-Chad war, was also subject to the law. He returned to Libya on 15 March 2011 and held senior military positions in the uprisings (Lacher, 2020, p. 32).

Although the NFA tried to prevent the adoption of the law by boycotting the GNC sessions, the boycott backfired and weakened the NFA even more (Lacher, 2020, p.32). Hence, the PIL eventually excluded many competent, moderate, mostly non-Islamist politicians from the stage who acted as key figures in the transitional period. Secondly, due to political deadlock that resulted in protracted decision-making in the Congress, the GNC failed to complete its main mission, which was drafting a constitution and legislative framework for elections, in 18 months. For this reason, in December 2013, the GNC voted to extend its electoral mandate without elections for another year, until 24 December 2014 (Anderson, 2017, p. 242; Richtárechová, 2017, p. 15). The GNC's this move resulted in widespread protests all over the country (Markey & Shennib, 2014).

In sum, starting from the NATO intervention, security situation in Libya gradually worsened and had its lowest levels in late 2013 and early 2014. The NTC's failure to disarm militias, the GNC's excluding and undemocratic actions and thence rising popular discontent towards the failures of the Libyan politics culminated in the backtracking of the political transitional process. Most Libyan cities were lawless. The armed groups that fought together against the Qadhafi regime were now polarised on ideological, ethnic, religious, and tribal lines. Two main groups appeared to be leading the stage although the boundaries of the division were at times quite blurry and intersecting. While one group consisted of Islamists and 'revolutionary' groups, the other was composed of former Libya's elite, nationalist,

federalist and secular figures and groups. This political polarisation incrementally led to the proliferation of militias even more.

### **3.4. Haftar's Rise and Commencement of the Armed Conflict**

Khalifa Haftar who was one of the officers in Qadhafi's group that ousted King Idris from power in 1969 was left to his fate by Qadhafi when he was captured in the Chad-Libyan War in 1987 and held prisoner for approximately one year. Qadhafi in an endeavour to deny his involvement in the war rejected having any soldiers in Chad let alone his top lieutenant. Haftar later was saved by the Central Intelligence Agency (CIA) along with several of his subordinates and spent 23 years of his life living in Virginia (US), working with the CIA as an unofficial agent ("a reserve individual for specific operations") against the Qadhafi regime. When the protests erupted in Libya in 2011 against the Qadhafi regime, Haftar quickly came to Libya and held senior military positions in protests. Although he aspired to be included in post-Qadhafi Libyan politics in some way, the composed authorities (the NTC and the GNC, 2011-2014) were not positive towards including him (Fetouri, 2020). Along with the GNC's excluding attitude (PIL) that angered and excluded former regime elements, seculars, nationalist and federalists, there was an unsafe environment for former military figures like Haftar. Some Islamist groups in Benghazi were assassinating military and security officers who once served under Qadhafi regime.

Appalled but also encouraged by the changing circumstances, Haftar tried to organise Qadhafi's army that was ravaged by eight-month NATO attacks and called himself the 'General Leadership of the Libyan Army'. And with this group of soldiers, Haftar attempted a coup d'état on 14 February 2014 alleging the GNC's cooperation with "militias with extremist agendas" (Allahoum, 2020). He announced on a satellite television the unilateral dissolution of the GNC and called for the establishment of a "presidential committee" and a cabinet that would govern until new elections (Anderson, 2017, p. 242). However, Haftar was not taken seriously and even ridiculed for his actions (Lacher, 2020, p. 35; Anderson, 2017, p. 242). Although the coup was not successfully completed, Haftar garnered substantial support in a matter of three months by travelling throughout eastern Libya, organising eastern army officers. Resented by the East's political marginalisation, continuing assassinations and lack of security in the area, eastern army officers were positive

about Haftar's move (Lacher, 2020, p. 35). The successful emergence of Haftar should also be read in relation to events happening in Egypt at the time. In July 2013, Muslim Brotherhood-affiliated Egyptian president Mohamad Morsi was deposed from his post and Abd al-Fattah al-Sisi, a military figure opposed to the Islamists, namely the MB, came to power. The "Sisi effect" encouraged and strengthened Haftar's rise in Benghazi (Wehrey, 2016).

On 16 May 2014, Haftar launched Operation Dignity (aka Operation Karama). Haftar's main objective in the Dignity operation was "to cleanse Benghazi of extremists and outlaws" from Benghazi (Lacher, 2020, p. 35). This time, he had considerable amount of power. The operation wielded large-scale air and ground forces, mostly provided by Egypt and the UAE. Moreover, through the local alliances he built in the East over the past months and cooperating with some Libyan businessmen who were afraid of Islamic agenda, his forces grew in number. Main portion of his forces consisted of Zintani Brigades that included a dozen of militias formed in the 2011 uprisings like the Zintani Revolutionaries Military Council, the Tripoli Revolutionary Council, the Qa'qa' Brigade, al-Madani Brigade, the Sawa'iqa Brigade. These militias opposed to Islamist governance. Tribal Army of the Wershefana tribe was also supporting Haftar. The Dignity Coalition also included the Libyan Army (remnants of Qadhafi's army) and Islamist groups who did not agree with Tripoli such as Salafists. In time, Haftar's forces were to be called the Libyan National Army (LNA) to which he was appointed as chief military commander in early 2015 (al-Warfalli, 2015).

Resented with loss of political influence in June 2014 elections and threatened by the Dignity Operation, Libya Dawn Alliance was formed mainly by supporters of the GNC who backed an Islamic agenda. These groups included Misratan Brigades, several Islamist militias, and militias from Tripoli, Zawiya, Sabratha, Zuwara and Gharyan. The Libya Shield Force which was formed by the Libyan Ministry of Defence also took its position in anti-Haftar camp. Lastly, the Shura Council of Benghazi Revolutionaries, or Benghazi Defence Brigades (BDB) which was composed of Brigade 319, the 17 February and Rafallah Sahati battalions and all Ansar al-Sharia militias in Libya positioned against Haftar (Lacher, 2020, p. 35). It is important to note that the Dawn coalition was not simply an Islamist bloc. It also included "revolutionary" militias who were in support of transitional institutions (Lacher, 2020, p. 39).

Amidst the military tension commenced with the Dignity Operation, demonstrations grew in Tripoli. Protestors demanded a new election since the GNC's mandate ended in February. Eventually, elections were held on 25 June 2014. However, the turnout was only

18% because of violence, assassination of prominent activists in Benghazi, boycotts, and prevalent disillusionment among public towards the political process (Lacher, 2020, p. 36). Although the (relatively) liberal bloc, later announced themselves under the name of the House of Representatives (HoR) won, the legitimacy of election was constantly questioned owing to low turnout (Eriksson, 2015, p. 35). The GNC rejected the validity of elections, but the HoR still declared its establishment and located its headquarters in Tobruk, an eastern city near Egyptian border. In October 2014, the HoR officially made an alliance with Haftar and his Dignity operation. In response, the Libyan Supreme Court in Tripoli referred the HoR illegal on 6 November 2014. The United Nations Support Mission in Libya (UNSMIL), on the other hand, recognised the HoR after the elections as the legitimate authority of Libya. (Eriksson, 2015, pp. 34-36).

Starting from July 2014, the six-week armed confrontation between Dignity and Dawn coalitions resulted with Dawn's victory. The Dawn coalition, then, demanded the dissolution of the HoR and established the GNS. At this point, there were two governments. The first one was the reinstated GNC, the Government of National Salvation, led by Omar al-Hassi until March 2015, and by Khalifa al-Ghweil after March 2015. It was militarily backed by the Dawn coalition. The second one was the HoR, led by al-Thinni. It was backed by the Dignity coalition and recognised by the UN. Meanwhile, Egypt and the UAE got physically involved in the armed conflict in August 2014, launching attacks on Tripoli and Derna, supporting Haftar's position. Turkey and Qatar, on the other hand, were aiding the Libya Dawn movement. However, Egypt and the UAE's support were comparatively more comprehensive and solid (Lacher, 2020, p. 41). Despite extensive foreign backing, the conflict militarily stalemated from mid-September 2014 on.

Coupled with the stalemate was an economic trap that both parties fell into. Central Bank (CBL) led by al-Saddiq al-Kabir, and National Oil Corporation (NOC) led by Mustafa Sanallah started acting independently of both governments. Despite al-Thinni's new appointments to the head positions of the CBL and the NOC, the West continued doing business with al-Kabir and Sanallah. Furthermore, al-Kabir kept distributing salaries as usual, including some members of both governments and armed militias. Hence, both governments in practice were internationally and, to some extent domestically, ignored. Eventually, the military, political and economic stalemate became more visible from early 2015, when the UN mediation activities got intense (Lacher & al-Idrissi, 2018, p. 3).

It is important to note that the Libyan civil war did not initially emerge as a nation-wide war. While this study aims to focus on 'national' actors of the conflict who took part of

ceasefire agreements, it is a fact that Libya's war is a multidimensional war with many conflict actors and reasons. Although for the sake of generalisation Libya's war is said to be between Islamists vs. Nationalists, the real division is much more complex. Libyan conflict is fraught with a "myriad of micro-conflicts" (Harchaoui & Lazib, 2019, p. 5). Therefore, alliances between local militias constantly shifted throughout the war. Sometimes, a militia that has an Islamist inclination could well be cooperating with Haftar. Moreover, one of Haftar's supporters is Salafi groups, who are Islamists. Furthermore, a force in Benghazi can be backing the Tripoli's position in the war. There were camps opposing to their regional rulers all in Benghazi, Tripoli, al-Bayda and Tobruk, which demonstrate that Libyan Civil War was not simply an inter-regional war (Lacher, 2017, p. 143). Thus, complexity of divisions and constantly changing rivalries should be kept in mind.

### **3.5. External Actors in the Libyan Civil War**

Besides internal divisions, Libyan Civil War had a broad international dimension. Starting with the intervention, throughout the battles in Tripoli, Misrata, Sirte and Benghazi, until the Permanent Ceasefire of 2020 and the ongoing peace process, external actors either physically took place or assisted with military equipment to the Libyan conflict. Hence, the Libyan conflict is an overly internationalised conflict (Mezran & Varvelli, 2017, pp. 8-9; Wehrey, 2020).

The GNA created by the LPA as a rival government to the HoR was supported by the UN, the EU and the U.S. However, these external actors, in particular the US, have been very passive in terms of their support to the GNA (Megerisi, 2020, p. 7). In fact, Donald Trump, former US President, in contradiction with his Secretary of State's stance, called Haftar in April 2019 signalling support for his 'antiterrorism' activities (Capasso, Czerep, Dessi, & Sanchez, 2019, pp. 24-25). Hence, main backers of the GNA were Turkey, Qatar, and Italy. Haftar and the HoR, the other conflict party, enjoyed support from Egypt, the UAE, Russia, Saudi Arabia, Jordan, and France (Weise, 2020).

Behind Egypt's collaboration with Haftar lies Abdel Fattah Al-Sisi's fear of Libyan Muslim Brotherhood's possible victory. Sisi's prioritisation of Libya in Egypt's national security agenda is due to the substantial power of Egyptian Muslim Brotherhood and extremist insurgencies it is dealing with in the Sinai Peninsula (Mezran & Miller, 2018, p. 106). Coup against former President Muhammed Morsi on 3 July 2013 followed by Sisi regime's labelling the Muslim Brotherhood as a terrorist group on 25 December 2014 made

the organisation more dangerous for the Sisi regime (Eriksson, 2015, p. 56). Furthermore, Egypt seeks to improve its regional influence, establish security on its western border, make economic gains through having access to Libyan natural resources and promoting the Sisi model through Haftar. Egypt provided the LNA with arms, supplies, intelligence, and funds (Gearan, 2014; Kirkpatrick, 2015; Megerisi, 2020, p. 8).

The UAE like Egypt had similar motives in supporting Haftar against the GNA (Eriksson, 2015, p. 56). The UAE provided equipment and training for militias on Haftar's side, along with drone and air support (Megerisi, 2020, p. 8). The UAE support to Haftar was discovered through leaked e-mails between the Head of the UNSMIL, Bernardo Leon, and the Emirati diplomats. The e-mails portrayed Leon's planned high-paid academic position in the UAE along with the UAE's involvement in the Libyan conflict. The involvement in the mails encompassed the UAE's shipping of arms to Haftar and their strategizing about hiding the shipments from a UN monitoring panel (Kirkpatrick, 2015). The UAE, after the released mails, had to acknowledge its violation of the Resolution 1970 which was the UN embargo on supply of arms to the conflicting parties in Libya (Anderson, 2017, p. 244). Hence, both Egypt and the UAE were active players in supporting Haftar against the GNA.

France started backing Haftar over his 'counterterrorism' activities. France was already carrying out counterterrorism missions in the Sahel, southern Libya before 2014. Therefore, it was in France's national interest to back the Libyan actor, Haftar, who sees Islamists/extremists the way France sees. Moreover, the UAE and France are closely associated via security partnerships. Hence, France and Haftar were natural allies. France provided security assistance to the LNA through the UAE and Egypt (Megerisi, 2020, p. 4).

Russia's support to Haftar was considerably generous (Wehrey, 2020). A full-fledged Russian involvement in Libyan conflict was between 2016 and 2017 when private Russian military contractors, operatives of the RSB-Group (Russian Security Systems), worked with Haftar to clear the mines in the oil facilities under Haftar's control, in exchange for sharing the revenue. Also, in late 2018, at least 300 personnel from the Wagner Group came to Libya to support Haftar's position in the conflict. Putin's collaboration with local actors with limited authority, like Syria's Assad and Libya's Haftar, is Russia's new foreign policy for the Middle East, called 'military first, then contracts' approach. Russia's aim is to increase Russia's influence overseas and utilise the country's natural resources. If Haftar won, potential economic cooperation between Libya and Russia, particularly in the fields of

security, nuclear technology, railway construction and mining, would be established (Capasso, Czerep, Dessi, & Sanchez, 2019, p. 31).

Saudi Arabia was another guarantor of Haftar. Khalifa Haftar and Crown Prince Mohammed bin Salman had a meeting in Riyadh on 27 March 2019 before Haftar's offensive to Tripoli. Prince Salman promised financial support to Haftar's LNA during the Tripoli offensive. According to the reports, the UAE officials were also present in the meeting and together they planned the Tripoli offensive of April 2019 (Megerisi, 2020, p. 5-6). Furthermore, it was reported by French newspaper *Le Monde* that Saudi Arabia had also funded the activities of Russian Wagner mercenaries in Libya (Alharathy, 2020).

Turkey provided the GNA with drones, air support, ground forces (mostly mercenaries from Syria and Tunisia), military equipment, and training crews starting from 2018 (Megerisi, 2020, p. 8; Blanchard, 2020, p. 4; Lederer, 2021; Abueish, 2020). Turkey's involvement in the Libyan civil war was induced by two subsequent events in 12-13 November 2018 and 14-15 January 2019. First, Turkey was excluded from a significant security summit of the Palermo Conference upon Haftar's request, which included key players of the Mediterranean. Second, Turkey was not invited to the Eastern Mediterranean Gas Forum held in Egypt. The forum included Cyprus, Greece, Israel, Jordan, Palestine, Egypt, and Italy (Yackley, 2019; Saied, 2019). Following these events, Turkey developed more active politics in Libya. Other than having Libya as the only ally in Mediterranean, Turkey's specific interests in the country was to prevent Libya from falling under the influence of Egypt (ICG, 2020) and to secure the 2019 Maritime and Security Agreement, signed between the Turkish President Recep Tayyip Erdoğan and al-Sarraj on 27 November 2019. This agreement was signed as a memorandum of understanding (MoU) and aimed to form both a military pact and an economic partnership between the two countries ("Four Mediterranean countries", 2020). Mentioning Turkey's southwestern coast of Fethiye-Marmaris-Kaş and the Derna-Tobruk-Bordia coastline of Libya., the treaty establishes an exclusive economic zone (EEZ) between Turkey and Libya. This partnership might eventually lead to claims of the two countries over hydrocarbon resources in the East Mediterranean (Casin, 2019).

The MoU was portrayed as controversial in the international media because it undermined the coastal claims of Greek islands of Crete, Kasos, Karpathos, Kastellorizo and Rhodes. Hence, the MoU was alleged to be 'null' and 'void' or illegal by Greece, Egypt, the EU, France, Israel, the LNA, Russia, the UAE, and the USA (Baran, 2020). The argument of the above countries is that the MoU impairs the sovereign rights of the third states. However,

since Turkey is not party to the UN Convention on the Law of Sea (UNCLOS) (1982) and Greece is, the disputability of the issue is still valid (Ulaşoğlu, Kurt, Karzaoğlu, Çetin, & Tol, 2021).

According to the LPA article 8/2/f, the PC and the GNA does not have the authority to make international deals without the backing of the HoR (LPA, 2015). However, by the time of the agreement, the LPA had lost its legitimacy long ago. Both sides, the GNA and Haftar/HoR, were recognised as the main Libyan actors in the international sphere. Hence, despite receiving no support from the HoR, the GNA and Turkey sent the deal to the UN to be registered. Although France, Egypt, The Greek Administration of Southern Cyprus, Egypt, and the UAE sent a joint note to the UNSG demanding the rejection of the deal, the MoU was registered by the UN Secretariat-General Antonio Guterres on 1 October 2020.

Qatar and initially Italy were also GNA supporters. Qatar aiming to expand its regional influence and support the Islamist fraction provided military equipment and training to the GNA. Italy's main objective was to stop influx of refugees flowing from Libya. Hence, it first bet on the GNA by procuring intelligence and security assistance to the GNA and founding a field hospital in Misrata (Megerisi, 2020, p. 8). However, after Haftar's military achievements post-2017, Italy followed a more balanced policy between Haftar and al-Sarraj.

The UN presence in Libya was mostly limited to the establishment of the UN Support Mission to Libya (UNSMIL) in 2011. The stated aim was to support the transitional government (NTC) through adopting democratic measures in the post-conflict setting of the country. When the de-facto split happened between Haftar/HoR and the GNC in September 2014, the Special Representative of the Secretary-General (SRSG) and the Head of UNSMIL Bernardino Leon, on duty from 1 Sept 2014 until 14 Nov 2015, initiated a negotiation process which gave birth to the LPA. However, besides the failure of the agreement, Bernardino Leon's later-discovered connections to the UAE severely damaged the credibility of the UN in Libya and in the eyes of the parties of the conflict (Mezran & Miller, 2018, p. 105; Capasso, Czerep, Dessi, & Sanchez, 2019, p. 25).

The most productive figure within the UNSMIL was Ghassan Salamê, Lebanese academician and Lebanon's former Minister of Culture (2000-2003). He was an influential figure in the Libyan peace process as the SRSG, from 22 June 2017 until his resignation on 2 March 2020. In July 2019, Salamê proposed his second Action Plan. His proposal gave way to a ceasefire on 12 Jan 2020 and the Berlin Conference on 19 Jan 2020. However, after attacks by Haftar on Tripoli's strategic port in mid-February 2020, the ceasefire was violated

and the peace talks halted (“Libya government suspends peace talks”, 2020). Salamê resenting the continued foreign help to the conflict parties resigned citing his health problems (United Nations Libya envoy resigns citing stress, 2020). After Salamê’s resignation, his Action Plan for Libya was continued by his deputy head Stephanie Williams, who then became the Acting Head of the UNSMIL. Williams turned the track of negotiations into the Libyan Political Dialogue Forum (LPDF), having a Permanent Ceasefire Agreement on 23 October, holding the first peace meeting in Tunisia in early November 2020 (UNSMIL Statement on the Resumption of Intra-Libyan Political and Military Talks, 2020). As of 10 March 2021, a new government, the Government of National Unity (GNU) was formed following talks in the LPDF. Abdul Hamid Dbeibeh was elected by the LPDF on 5 February 2021 as the Prime Minister of the GNU (Zaptia, 2021).

## **CHAPTER IV**

### **ANALYSIS**

#### **4.1. The 2015 Peace Process**

The peace process started with the Libyan Political Agreement was a result of two main conditions. The first is the military, political and economic stalemate on Libyan grounds since the start of the civil war in early 2014. Despite recognising the HoR as the legitimate representative of the Libyan people, the West's dismissal of al-Thinni's appointees to the Central Bank of Libya (CBL) and National Oil Corporation (NOC) demonstrates that neither the GNC nor the HoR was fully recognised by the West. This created a political stalemate in which no authority is fully legitimate. Economic stalemate is also caused by the recognition problem. Economic institutions were mostly functioning independently from the two sides, the GNC and the HoR. Moreover, external actors were not as much involved as they used to be, therefore, resources that were funding the war were not as fruitful. A military stalemate was also in place. Despite Haftar's full-fledged campaign against 'the Islamists' which included pro-revolutionary camps like Rafallah Sahati Brigade, there was no constant and decisive victory in these armed confrontations. Hence, the conflict was politically, economically, and militarily leading to nowhere, making the belligerent parties more positive towards having an agreement. Second condition was a contextual change in the conflict dynamics emerging with the expansion of the ISIS in Libyan territories. The West's continuing horrors from 9/11 peaked with the swift spread of the ISIS in Libya's war-torn and lawless cities. The negotiation process of the LPA was heavily influenced by this contextual change and how this change was perceived by the West.

##### **4.1.1. The Libyan Political Agreement**

###### **4.1.1.1. Initiation**

The political talks that led to the signing of the Libyan Political Agreement on 17 December 2015 was initiated by then UN Special Representative and Head of the UNSMIL

Bernardino Leon on 29 September 2014 in Ghademes, Libya. The negotiation process of the LPA called the Libyan Dialogue (LD) was conducted respectively in four different countries Ghadames (Libya), Geneva (Switzerland), Berlin (Germany), and Skhirat (Morocco). Although the main objective of the negotiations was to reach a ceasefire agreement and create a government that can end the division in the country, there was a rush behind Leon's negotiation activities. This rush was due to a pressure from the UNSC for a signed deal by 17 June 2015, the date that marks the beginning of the holy month of Ramadan (Galustian, 2015). The international community was forcing the issue because they were in panic over the rapid rise of the ISIS in Libya. They needed a Libyan government to help fight against the expanding ISIS presence in the country (Anderson, 2017, p. 245; Güneş, 2018, p. 282).

The first meeting was held on 29 September 2014. The participants consisted of the HoR members and 40 deputies who boycotted the HoR. Since the UNSMIL recognised the HoR as the legitimate authority of Libya after the June 2014 elections, the GNC was not seen as a valid body, hence, not invited in this first meeting. Accordingly, the UNSMIL was focused on creating a peace process with the HOR. However, the peace process that started with the HoR members, and 40 other deputies was deadlocked. After this unproductive initial stage, Leon changed his stance towards the GNA in a positive way. This time, Leon organised a meeting in Geneva on 15 January 2015 and invited more actors of the conflict, namely representatives of city councils, militia forces, and the GNC members. Although the GNC declined to participate to the Geneva meeting and announced a boycott, some GNC members and representatives of Misrata City Council still attended the meeting. However, the talks failed to produce an agreement once again (Yaşar, 2015, pp. 9-10).

Despite the failure to reach a consensus on major political issues, Geneva talks were effective in welcoming unilateral ceasefires from various conflicting parties of Libya. These ceasefires, however, were mostly negotiated and signed independently of the UN-led peace process. Although many armed groups from Misrata, Warshafana, Zintan and Zawiya had local ceasefires by the end of June 2015, the factions associated with Haftar, parts of Zintani and Warshafana groups, were prone to acting as spoilers to these ceasefires. Other figures that were publicly opposing the peace process were Tripoli's mufti Imam Ghariani, Khalifa al-Ghweil, and some former Libya Dawn elements (Lacher, 2020, p. 42).

Next series of meetings for the LPA were organised in Skhirat (Morocco) on 12 March, 26 March, 15 April, and 16 April 2015. These meetings were originally planned to take place inside Libya over the GNC's request. However, because of suicide attacks that killed 47 people in Derna and Haftar's sudden raids into Tripoli, the UN moved the meeting

to Morocco. These meetings were significant in terms of including the official GNC participation. The participants consisted of four representatives from both the HoR and the GNC. There were also four members from the NTC, six mayors including the mayors of Tripoli, Benghazi, Misrata and Zintan. Several representatives from the National Forces Alliance and Justice and Construction Party, tribal leaders, and women's organizations were also included in the meetings. In total, twenty-two Libyan participants were involved in this negotiation process (LD). It should be noted that representatives and leaders of armed groups, which were at the heart of power politics in Libya, were still absent in these negotiations (Lacher & al-Idrissi, 2018, p. 2). One of these armed groups was Haftar's LNA who was a spoiler to the peace process.

Although a draft agreement was finalised and released to public at the end of these meetings on 28 April, the GNC rejected this agreement, complaining of Leon's positive stance towards the HoR, i.e., his partiality. The GNC demanded a new SRSR and head of UNSMIL to head the talks. Leon, however, was not replaced (Yaşar, 2015, p. 11-12). In response to the GNC's rejection, another meeting was held on 8 June, and the LPA was reformulated in a way that the GNC was given a more balanced power in comparison to the HoR. According to the agreement, the new government (GNA) required two third of no confidence vote of the GNC along with the HoR. This time, however, the HoR rejected the agreement. On 11 July, the LPA was revised again and followed a more HoR-aligned approach compared to the draft of 8 June's. In this version, the GNC was turned into a consultative council. The HoR signed this version of the LPA. However, the GNC boycotted meeting and did not sign the agreement (Yaşar, 2015, p. 12; ICG, 2015). Although the agreement was signed by the other eighteen participants of the talks regardless of the GNC's boycott, the agreement was not finalised, hence, talks continued after 11 July (LPA, 2015; Yaşar, 2015, p. 9). Later meetings in October witnessed withdrawals from both camps. The GNC declared that it was not ready to sign the LPA because they demanded further changes in the agreement. The HoR also rejected to sign the deal after a voting session full of disagreements regarding the agreement.

Alongside sheer divisions between the conflicting parties throughout the initiation process, there were fractions within each group. This intra-party tension was present in both the GNC and the HoR. In both camps, although the hardliners were a minority, they were quite dominant and opposed to the agreement (Zway & Gall, 2015). For example, Saleh Makhzoum, the deputy president of the GNC and a senior member of the Justice and Construction Party, was the head of the GNC's group to the LPA meetings. He was a

supporter of the peace process. However, due to pressure from hardliners, specifically from the GNC president Nuri Abu Sahmain, al-Makhzoum resigned both from his post at the negotiating table and as deputy GNC president in August 2015, prior to resumption of political talks (“Tripoli negotiator quits”, 2015; Head of GNC dialogue team quits dialogue, 2015). Although Sahmain accepted his resignation, al-Makhzoum continued to be present in the negotiations and unofficially signed the final LPA agreement on behalf of the GNC on 17 December.

Intra-party tension in the eastern camp was between between Abdullah al-Thinni, the Prime Minister of the HoR, and Haftar over al-Thinni’s dismissal of Al-Mihdi Allabad, deputy for security affairs who had close relations with Haftar. Consequently, Haftar pressurised al-Thinni with two moves. In the same week of September 2015, Al-Thinni was prevented from leaving Libya by Haftar-allied militias on his way to an oil conference to Malta and to an Eid holiday to Egypt (“Haftar militias spoil Al-Thani's vacation”, 2015). He was forcibly dragged out of the plane on both occasions. In short, both the GNC and the HoR was facing internal fluctuations.

One problem of the LPA’s initiation process was Leon’s high authority. Many decisions that should be taken by the Libyan actors, e.g. the participants of the dialogue location of the meetings and sometimes content of the drafts, were taken by Leon. Even the names for the Presidential Council (PC) and the Government of National Accord (GNA) were proposed by Leon (Names of Government of National Accord Proposed, 2015). His high authority along with constant iterations of the draft created a sense of insecurity and doubt among public towards the peace process. Throughout October and November, city-wide protests in Benghazi against “Leon’s agreement”. After the e-mail scandal between Leon and the UAE diplomats, all Libyan factions rejected Leon’s involvement in the peace process. Therefore, Leon was dismissed from his mission in Libya and replaced with Martin Kobler in November 2015 (Maghur, 2015). Kobler proceeded with proposals and the eighth version of the LPA was eventually signed on 17 December 2015 both by the HoR, the GNC and other parties involved in the LD.

Prior to the signing on 17 December, Article 67 of the LPA that required vote of confidence from each parliament, the GNC and the HoR, to sign the LPA was removed since Kobler had realised that the LPA would have been rejected in both parliaments (Eljarh, 2015). Though signed the agreement both conflicting parties maintained that the LPA was a stillborn agreement, and a national consensus was not as yet reached, and more time was needed. However, the West was worried about the influx of refugees from Libya and

expansion of the ISIS day by day in the country. Therefore, the international community was in a rush to turn the scales in favour of any kind of settlement, while the conflicting parties were focused more on having a consensus about national matters like militia proliferation and lack of public services (Anderson, 2017, p. 246). The negotiation process and the content of the LPA did not reflect the priorities of the Libyan conflicting parties. The international community threatened the Libyan conflicting parties with sanctions if the agreement was not signed (El Yaakoubi, 2015). Thus, the LPA was signed reluctantly by the conflicting parties under international pressure. As such, the LPA was an externally imposed agreement.

#### **4.1.1.2. Form and Content**

The Libyan Political Agreement is a written accord in the form of a substantive peace agreement. The LPA considers democracy and separation of powers as essential principles of the new Libya. The main aim of the agreement is stated as fighting terrorism and building state institutions that can ensure the supremacy of the rule of law. The LPA whose significant percentage pertains to the security arrangements of Libya considers the HoR, the GNC and the NTC as the main parties to Libya's war (Maghur, 2016). Alongside, the agreement mentions variety of entities like armed groups, municipal councils, political parties, tribal leaders, and women's organizations as stakeholders. The LPA also emphasises Libya's debt to "Libyan Revolutionaries" for their sacrifices to liberate the country from autocracy. Hence, the stated understanding of the agreement is an aspiration for a democratic Libya.

The mission of the LPA is to establish a new unity government, the Government of National Accord (GNA), to bring together the divided legislative bodies, the HoR and the GNC. The GNA would act as the main actor of the transitional period and base itself in Tripoli. The mandate of the GNA will last for one year after the signing of the agreement and can be extended for only one more year. According to this new political structure, a Presidential Council composed of nine members is formed with the leadership of Fayeze al-Sarraj. The PC acts as the head of state while the GNA acts as the executive branch. Appointments of military leadership would be carried out by the PC. The HoR is situated as the legislative body that approves the members of the GNA. The High Council of State, mostly made up of the GNC members but headed by an HoR member Abdul Rahman

Swehli, is a consultative body to the GNA and the HoR. The HoR would be the body to accept or refuse the proposals of the High Council of State (LPA, 2015, Art. 8).

The PC annexed to the agreement includes Fayez Mustafa Al-Sarraj as the President, Ahmed Omar Maiteeq, Fathi Al-Majbari, Musa Al-Kuni, Ali Faraj al-Qatrani and Abdelsalam Saad Hussein Kajman as Vice Presidents, Omar Mohammed Ahmed Al-Aswad as Minister for the Presidency of the Council of Ministers and Legislation Affairs, Mohammed Amari as the Minister for Specialized Councils Affairs and finally Ahmed Hamza Mahdi as Minister for Civil Society Affairs (LPA, 2015). These figures were chosen because they had connections with powerful actors on the ground. Ahmet Maiteeq represents Misrata, a city-state that has been very influential and effective since the start of the Libyan uprisings. Al-Qatrani was included as a representative of Haftar. Al-Aswad was included as a representative of Zintan, a western city-state. Kajman took position as a representative of the Muslim Brotherhood while al-Kuni was representing southern Libya. Amari was chosen to be a representative of the ‘moderates’ from the GNC. Finally, al-Majburi took position in the GNA owing to his close ties with the commander of the Petroleum Facilities Guards (PFG), Ibrahim Jadhran. In terms of connections to powerful militias, Al-Aref al-Khuja and Mahdi al-Marghati are actors with most influence that were included in al-Sarraj’s cabinet (Fitzgerald & Toaldo, 2016).

Al-Sarraj was a former member of the HoR as a representative of Tripoli constituency. He was not a very popular figure in both parliaments. After the announcement of al-Sarraj’s leading position, which was decided by Leon, Abdulsalam Bilashahir, member of the GNC commented, “We are not a part of this [proposed] government. It means nothing to us and we were not consulted”. Ibrahim Alzaghiat, member from the HoR stated, “This proposed government will lead to the division of Libya and will turn it into a joke. Mr Leon's choice was unwise” (“Libya crisis: Doubts over UN unity government proposal”, 2015). Despite extreme criticism from both camps, the LPA was annexed with these names as the PC.

The “comprehensive and permanent ceasefire” declaration of the agreement made in Article 38 determines the beginning of the ceasefire as of the time the LPA is signed. All kinds of military activities are required to cease. The prohibited acts shall later be decided by the Committee for Monitoring the Implementation of the Interim Security Arrangements. This Committee shall be established and chaired by the GNA immediately after gaining vote of confidence from the HoR (LPA, Art. 37). The Committee can branch itself with sub-committees and other supporting mechanisms if necessary. Periodical reports will regularly

be submitted to the GNA regarding the ongoing situation of the ceasefire. If help necessary, the GNA will be able to demand assistance to the Committee from the international bodies after consulting the HoR and the HCS. The specific duties of the Committee are:

Supervising the implementation of the ceasefire and the temporary redeployment of armed formations according to the agreed arrangements and timelines. b. Investigating reports on ceasefire violation and taking any suitable measures in this regard. c. Taking the necessary decisions related to the withdrawal of armed formations from cities, residential areas and vital installations, as well as cantonment and disarmament of all weapons and ammunition. d. Facilitating the withdrawal of armed formations to specific assembly areas outside cities and monitor these areas to ensure compliance with the ceasefire plan. e. Facilitating the delivery of humanitarian aid. f. Taking the necessary procedures and developing the operational plans for the implementation of this Agreement. g. Other necessary tasks for the Committee to perform its work. (LPA, Art. 37/3)

The Committee is also responsible for involving all important and necessary actors of the civil war in the ceasefire procedure (LPA, Art. 37/4). Separation of forces is to be completed according to a written plan of the Committee that is expected to be ready and agreed within fourteen days of the entry into force of the ceasefire (Art. 38/1). This plan will include specifications regarding what is considered a violation of the ceasefire and how the mechanism to monitor the violations will be structured (Art. 38/2). Details regarding separation of forces and withdrawal of forces are expected to be ready within thirty days of the LPA's entry date (Art. 40). Disarmament plans covering the collection of medium and heavy weapons and ammunition are expected to be agreed within sixty days of the LPA entry date (Art. 41). The GNA is also expected to develop plans to integrate and rehabilitate armed militias into civilian and military institutions of the state. The members of the militias shall be allowed to work for state military if they meet the conditions (Art. 45). Also, the GNA is the only body that has the authority to import weapons (hence the UN arms embargo is still valid for actors other than the GNA) (Art. 43). Thus, the Committee would be the main organisational body to plan, supervise, verify, and monitor the ceasefire arrangements.

However, until the GNA forms the Committee (LPA, Art. 37/1), there will be a temporary security committee that will be established soon after the signing of the LPA (LPA, Annex. 6). Until the GNA is formed, the temporary committee will be responsible for preliminary arrangements for the implementation of the ceasefire; withdrawal of troops, disarmament, arrangements to fight against terrorist threats, and a monitoring mechanism. Also, the GNA's formation is required to be completed to de facto start the implementation of ceasefire arrangements (LPA, Art. 46). Hence, formation and recognition of the GNA is of critical importance for the implementation of the ceasefire.

The parties of the LPA are prohibited from launching or participating in “any media campaign that aim to incite or promote any form of violence, hatred, or threat to civil peace and national unity for any reason whatsoever” (LPA, Art. 29). It is also prohibited for any parties of the LPA “to take any action intended to obstruct air, maritime, and land transportation and navigation” (LPA, Art. 30/3). Furthermore, any individual, body or group in Libya are prohibited from establishing “military or para-military formations, groups or organizations outside the legitimacy of the state” (LPA, Governing principles, No. 18).

As part of the confidence building measures of the LPA, all parties are required to lift their siege in all areas. Moreover, the Committee is tasked with providing humanitarian assistance to the parts of Libya that are affected by the conflict. The GNA could accept probable help from civil society organisations and international organisations on this matter. Special attention is to be given to the cities that are most affected (Art. 28). Moreover, the measures included creating a list of missing persons, release of prisoners and detainees, resumption of the works of National Council on Civil Liberties and Human Rights and safe return of the internally displaced and refugees to their cities. The agreement allows and encourages all Libyans to get back to their normal lives with the right to move freely both within Libya and abroad. Furthermore, GNA pledges to support the National Number System to ensure the fair payment of salaries of Libyan people (LPA, Art. 26-32).

The LPA was signed at a time the ISIS was expanding its strongholds in Libya. Therefore, expansion of the ISIS is a major contextual change of 2015-2016. It was stated in the previous section that expansion of the ISIS was behind the haste of the international community’s pressure for signing of the LPA. It is explicitly stated in the LPA that the ceasefire does not encompass the fighting against the ISIS, Ansar Al Sharia and Al Qaeda. Article 35 defines these organisations as terrorist organisations and Article 36 welcomes all parties to combat against these non-state armed actors.

The highest political and military authority in the agreement can be respectively ordered as the PC, GNA, the HoR and the High Council of State (the GNC). Despite the signing of the LPA, the parties of agreement had disagreements regarding certain articles. The GNC, for example, throughout the negotiation process rejected any level of involvement in the governing structures with less power than the HoR (Maghur, 2015). The agreement, however, gives the HoR more power than the GNC. Moreover, the GNC was not content about the GNA’s authority to appoint military posts (LPA, Art. 8/2/a, Art. 33/3; Maghur, 2015). Despite this, because of internal fractions, despairing negotiation process and external pressure, the GNC was a signatory to the LPA. The HoR was also not content with the

GNA's authority to appoint senior military posts. After all, the HoR appointed Khalifa Haftar as the Chief Commander of the LNA. Therefore, the GNA's authority over military was a direct threat to Haftar's position, an ally of the HoR. Another matter the HoR rejected was the proposed ministers of the GNA by the PC. The HoR demanded a proposal of a new cabinet of no more than seventeen ministers (Report of the Secretary-General on the UNSMIL, 2016). Comparatively, the GNC had more problems with the LPA than the HoR. While eighty members of the HoR attended the signing ceremony in Skhirat, the GNC had only thirty members (Details of signing the "historic agreement" in Skhirat, 2015).

Although the LPA was signed by deputy presidents of the GNC and the HoR, it was not formally endorsed by the two main parties. The signatories of the agreements were Martin Kobler, Moroccan Foreign Minister Salah Eddine Mezouar, HoR representative Emhmed Shuaib, GNC chief deputy Saleh Al-Makhzoum. However, the actors of the conflict were hardly those of the signatories. The agreement did not involve Khalifa Haftar and other armed group leaders neither in its drafting process nor in the signatory of the final form. Some of the militias had connections with politicians of the GNC and the HoR. However, these militias were by no means under the sole authority of individual politicians. Hence, both negotiation process and the final signatory of the LPA lacked the vital actors of the conflict (Zubia, 2015, as cited in Kingsley, 2015; Asiedu, 2017). Moreover, there was already plethora of actors who were divided over legislative, constitutional, and military issues. The LPA created yet another body, hence, brought confusion rather than clarity (Wehrey, 2015, as cited in Kingsley, 2015). Furthermore, the security arrangement of the LPA requires armed militias to help secure the safety of the country. While the LPA did not include the armed militia in the meetings and the final agreement, it relies on them for its survival.

#### **4.1.1.3. Implementation and unfolding of the process**

Following the signing of the LPA, the UNSC adopted Resolution 2259 on December 23 welcoming the LPA and urging all parties to work towards achieving the objectives of the agreement. The PC arrived at Tripoli on 30 March 2016 and located itself in the Abu Sittah navy base, in Tripoli. However, by 30 March, the GNA was still not recognised by the HoR, which was a prerequisite for the LPA to be implemented. Moreover, for the LPA to enter into force and be part of the Constitutional Declaration of 2011, the HoR was required to convene and issue the constitutional amendment needed. However, HoR did not convene on

this matter either. Hence, constitutional amendment could not be done. The formation of the GNA and the PC was simply not acknowledged by the HoR, the recognised legislative authority of Libya.

The HoR had two demands regarding the reformulation of the LPA. The first demand was a new GNA cabinet of no more than seventeen members. In line with it, a new cabinet was formed with fifteen ministers and five ministers of state. It was presented to the HoR on 14 February 2016 (Report of the Secretary-General on the UNSMIL, 2016). However, the HoR never endorsed this cabinet (Fitzgerald & Toaldo, 2016). The second demand was the removal of Article 8, which entitles the GNA to become the sole authority over military and police. Accordingly, the HoR also demanded more power to the LNA. This demand was specifically insisted by the Speaker of the HoR, Aguila Saleh who was a hard-liner. However, the second demand was not answered. Consequently, the HoR voted to reject the LPA in August 2016. Later, in September 2016, Saleh called upon the members of the HoR to stop collaborating with the ministries responding to the PC. Saleh could be said to act as a political spoiler in the process. He blocked al-Sarraj's every move towards political unification (Asiedu, 2017, p. 2).

On Haftar's side, there were four points of tension regarding the LPA's and the GNA's legitimacy. The first one was Article 8. Haftar demanded to continue in his post as the chief commander of the LNA with no civilian authority over him (Rupp & Fussi, 2017, p. 2). The second source of tension was regarding how the GNA was perceived in the east of Libya. The GNA was thought of having connections with the Islamist groups. Thirdly, the GNA was seen as a Western-backed government by the Libyans in the east. Lastly, eastern Libyans demanded a more decentralised form of government (de Bruijne, El Kamouni-Janssen, & Molenaar, 2017, p. 3). However, Haftar's demands were left unanswered. Consequently, he acted as a greedy spoiler who persistently disrupted the peace process to officially own the chief-of-commander title of the LNA and not be under any civil authority. He was also a 'maverick spoiler' because he did not refrain from resorting to violence to keep his position throughout the peace process (Stedman, 1997, p. 11; Darby & Ginty, 2001, pp. 46-58). Eventually, Haftar and the HoR annulled the GNA's legitimacy and thence the implementation of the LPA.

Another greedy spoiler of the Libyan Political Agreement (LPA) and threat to the Government of National Accord (GNA) was from within Tripoli, the Prime Minister of the Government of National Salvation (GNS) (2016-2017), Khalifa al-Ghweil. Al-Ghweil based his and the GNS's authority on the -now dissolved- General National Council (GNC), whose

most members were absorbed in the HSC, the consultative council established with the LPA. Al-Ghweil, an Islamist with links to the influential Grand Mufti of Tripoli Imam Ghariani and Egyptian Muslim Brotherhood, attempted a coup against the GNA and take back the executive authority on 14 October 2016 (Rupp & Fussi, 2017, p. 1). Al-Ghweil, elements of the GNS and the Presidential Guard seized premises of the High Council of State (HCS) at Rixos Hotel, former venue of the GNC, and called on al-Thinni in Tobruk, the PM of the House of Representatives (HoR), to form a new unity government. Although al-Ghweil's call was rejected (Watanabe, 2016), al-Thinni and al-Ghweil had series of meetings later on 13 February 2017 challenging the Presidential Council ("Letter dated 1 June 2017 from the Panel of Experts on Libya", 2017, p. 10). Eventually, the attempted coup did not change much in terms of distribution of power in Libya. However, it did demonstrate the volatility of the GNA's position and unreliability of the Tripoli militias (e.g. the Presidential Guard and the Libya Revolutionary Operations Room) (Apap, 2017, p. 6). By 2017, al-Ghweil lost his power following his reported injury and expulsion from Tripoli ("Letter dated 1 June 2017 from the Panel of Experts on Libya", 2017, p. 9).

Despite not being recognised by the HoR and the continuing violence in the country, the GNA attempted to proceed with the implementation of the LPA. A temporary security committee to carry out the planning of the security arrangements was established on January 13 and expected to commence its duties on January 16. The committee included eighteen military officers with varying degrees from brigadier-general to colonel, police-colonel, and retired captain, headed by Abdelrahman Omran al-Taweel. Its first mission was to bring the members of the PC to Tripoli peacefully and it was successful (Apap, 2017, p. 5). The PC's plan was first to take steps for transitional security arrangements with the Temporary Security Committee. Then, the LNA's reorganisation and eventual modernisation were seen as next steps for the security of Libya (Report of the Secretary-General on the UNSMIL, 2016; "The Presidential Council of the Government of National Accord Decree No.1", 2016). However, none of these happened. The LNA/Haftar did not recognise the PC as the chief military commander. Failing to be recognised and hence lacking an army of its own, the GNA had to rely on Tripoli's militias who were acting for their self-interest, therefore, not a dependable partner. Besides security and legitimacy problems, the PC/GNA failed to provide basic services like electricity, fuel, and water to the public. Furthermore, as a country depending on almost only natural resources, specifically oil, Libya was facing extreme low productions of oil, steel, and iron. The GNA could not reach consensus over

share of authority on Central Bank and National Oil Corporation (Wehrey, 2018, p. 232). Eventually, the GNA could not gain legitimacy in the eyes of the public either.

Alongside not being recognised by the HoR and Haftar/LNA and failing in the eyes of the public, the new unity government was having intra-party problems. Initially the nine-membered PC kept losing blood due to boycotting, inactivity, and resignations. The PC was eventually left with only two main figures, the President al-Sarraj and his deputy, Ahmed Maiteeq. Al-Koni resigned in January 2017 while al-Aswad, al-Qatrani and al-Mejbari have been very critical of al-Sarraj's political initiatives from the start ("Letter dated 1 June 2017 from the Panel of Experts on Libya", 2017). On the GNA side, four ministers of the GNA, Finance Minister Fakhr Muftah Bufernah, Justice Minister Juma Abdullah Drissi, National Reconciliation Minister Abdeljawad Faraj Al-Obeidi and Economy and Industry Minister Abdulmutalib Ahmed Abu Farwaall resigned by July 2016. All the four figures are from eastern Libya. Regarding their resignations, there are two explanations. The first is that they resigned stating the absent recognition from the HoR on the formation of the GNA. The second one is that they had never taken up their duties because of security concerns, meaning they could not relocate to Tripoli (Mustafa, 2016). Both explanations could be true and mutually enforcing. Eventually, the unity government's intra-party problems proved to be deeper and more complex than the two governments it was meant to descend (Lacher, 2017, p. 144).

The recognition problems and intra-party problems the GNA faced hindered the LPA's implementation. Therefore, the extent the LPA was implemented was limited to the external assistance provided by the external actors to end the ISIS presence in Libya. In line with it, the US started Operation Odyssey Lightning in Sirte on 1 August 2016. The British followed the US and provided intelligence services. Eventually on 6 December, the last stronghold of the ISIS, which was Sirte, fell (Raghavan, 2016). Within Libya, Misratan forces and Haftar/LNA (with significant backing from France, the UAE, and Egypt) were essential groups that fought the war against the ISIS (Wehrey, 2018, p. 232). Despite the LPA, which was endorsed by France, the UAE, and Egypt, allowed only the GNA to receive external assistance to fight against the ISIS, these countries aided Haftar. Hence, it seems the international community was inconsistent and thereby invalidated the LPA with their actions. Consequently, the LPA could not be implemented because the unity government it established was not recognised by the HoR. Thereafter, political, and military spoilers emerged in the process. Since a communication line could not be built with the agreement, violence between the conflicting sides escalated.

The security and political landscape in Libya worsened in post-LPA period. Haftar militarily got stronger by making alliances with more armed militias, thus, expanded in central and southern Libya. Haftar's securing of the oil crescent of Libya benefitted him both politically and economically. Despite intermittent offensives throughout second half of 2016 and early 2017 from Benghazi Defence Brigades and the ex-holder of the crescent and commander of the PFG Ibrahim Jadhran, Haftar managed to keep the oil facilities. Although the oil exports were still carried out by one institution, the Tripoli-based National Oil Corporation (NOC), the Petroleum Facilities Guard (PFG) was now divided into western and eastern forces. Majority of the forces, eastern forces, was working under the LNA authority owing to Haftar's expansion (Re-unifying Libya's Petroleum Facilities Guard, 2020). However, the revenues from the oil facilities were accruing in the Tripoli-based Central Bank. This helped increase Haftar's popularity (Lacher, 2020, p. 48). Furthermore, following the lifting of a 'self-imposed moratorium' on foreign investment in the oil sector in January 2017 by the NOC, international oil companies, the US's Schlumberger, Russia's Rosneft and France's Total, came back to Libya for trade agreements (Kabouche, 2018). In sum, in post-LPA environment, Haftar increased his position and became a key figure for reaching a ceasefire and a political settlement.

#### **4.2. Derailed Process-return to armed conflict**

The fact that the Libyan Political Agreement was the first agreement signed after the start of the armed conflict was a positive condition in the 2005 Peace Process. In this sense, trust between the conflicting parties were not much damaged. Hence, if the initiation and content of the agreement were wisely completed, the agreement had a potential to stop the violence and change communication patterns between the belligerent parties. However, the intra-party tension present throughout the 2015 peace process undermined the success of the LPA. While there were constant resignations from the PC, the HoR was struggling with Haftar's dominance within the parliament. The GNC, on the other hand, was divided into moderate and hardliner groups as those positive towards the LPA and not. As a result of these internal disagreements in the GNC, the HoR and the PC, the LPA was not born into a stable environment.

The initiation process is the most important stage. Path dependency theory indicates how important the start of the conflict resolution is because the process is more like tree rather than a path. Once the process does not start with right actions, the rest of the process

will carry the mistakes exponentially (Levi, 1997, p. 28). Three conditions were influential in this stage. The first is that the LPA was not fully agreed. None of the conflicting parties were satisfied with the agreement. Before the signing of the agreement, there were multiple withdrawals both from the GNC and the HoR over contested articles like Article 8, and contested governing authority like the GNA and the PC. The agreement should not have been signed until these matters were resolved. Secondly, not all conflicting parties were included in the negotiation process. Exclusion of certain belligerent groups from the negotiations, especially at the start of the peace process, may turn out to be detrimental to the peace process (Darby & Mac Ginty, 2008, p. 233). These groups emerged as spoilers with different interests and objectives in mind. Haftar, al-Ghweil, Saleh, countless armed militias are only some of the spoilers of the 2015 Peace Process. Thirdly, and probably the reason for the first problem, the West and the Libyan actors had different objectives and different expectations from the agreement. Martin Kobler said on 19 October 2016, “there are three main problems in Libya to be addressed as a matter of urgency: fight against terrorism, irregular migration and organised crime”. A HoR speaker, on the other hand, stated that Kobler’s ordering demonstrates how the UN prioritises the Westerns interests and objectives in the Libyan peace process. His remark about the main Libyan problems was “the proliferation of militias rather than terrorism itself, the associated impunity that feeds crime and corruption, and the lack of public services” (Apap, 2017). The UN’s focus was not to curb the internal problems of Libya but the reflections of the internal Libyan problems on the West.

Theoretically, ceasefires should be coupled with political regulations so that there can be a genuine change in the interactions of the conflicting parties (Chounet-Cambas, 2011, pp. 25-26). The form and content of the LPA were well-thought and covered essential political and security sector issues. However, how they were covered were problematic. Firstly, organisational structure of the agreement was not agreed, which eventually led to the creation of an unrecognised institutions. Consequently, the structures that the GNA and the PC formed to supervise and monitor the ceasefire arrangements, Temporary Security Committee, could not do its job. Secondly, the agreement calls on armed militias to get involved in the national security sector. However, these armed militias have their own interests. Thus, they should have been included in the negotiation process so that they can validate the LPA with their actions. Furthermore, neither in the negotiations nor in the signatory, these armed militias, including Haftar and LNA, were not involved. Although the militias had connections with political figures who were involved in the negotiations, the

political figures did not have any kind of binding authority over them. Finally, the form and content of the LPA was heavily dominated by the UN officials. Leon was the figure to come up with names for the PC and the GNA, which created suspicion and distrust in both governments towards the PC and the GNA.

In terms of implementation, the LPA confronted with recognition and violence/spoiler problems. Although the formation of the GNA was changed as the HoR demanded, it was never approved and gained vote of confidence after the revision. Since the GNA and the PC was never recognised, the LPA never gained legitimacy. Moreover, although external actors were active in Libya post-LPA, the resources they provided were delivered to the actors that they considered the best for their own interest, not to the authority agreed in the LPA. Moreover, the objective behind the resource provision to Libya, which was extermination of Islamist extremist groups, was decided according to Western interests. Hence, external incentives were provided in a different context than that of the Libyans. Eventually, the LPA, although being a milestone and an important framework in the Libyan peace process, could not secure the ceasefire and bring the changes it promised.

### **4.3. The 2018 Peace Process**

Behind the peace process that lasted throughout 2017 and 2018 was three main developments on the ground. The first was Haftar's improved position in the Libyan civil war. Haftar grew more important as a conflicting party in the post-LPA period owing to his military victories on the battle ground. The external actors like France, Italy, and several others, altered their stance towards Haftar in a positive way. Haftar's recognition was a turning point for the peace process. The second condition behind 2018 peace process was Haftar's failure to achieve a decisive victory. Despite his success in battles, Haftar failed to consolidate his authority in the territories he took under control. Thirdly, a military and political stalemate was prevalent in Libya (Lacher, 2020, p. 50). This stalemate made the parties more sympathetic towards peace accords. Hence, series of meetings were organised, and agreements signed throughout the 2018 peace process was built over these three developments.

### **4.3.1. Palermo Conference Conclusions**

#### **4.3.1.1. Initiation**

Although official initiation of the Palermo Conference (12-13 November 2018) started in October 2018, there were similar series of (failed) peace initiatives made prior to the Palermo Conference that influenced the peace process in a negative way. Since this thesis considers the initial stages of peace processes as of utmost importance, these gatherings initiated by the UN, the UAE, Egypt, France, and Italy starting from early 2017 will be mentioned. Among these meetings, Abu Dhabi meeting, initiated by Mohammed bin Zayed Al-Nahyan, Crown Prince of Abu Dhabi, on 2-3 May 2017, marks the first time Haftar and al-Sarraj were present in the same room. The Abu Dhabi meeting was organised for the sides to sign a ceasefire. However, the talks did not achieve the initial objective. Although the Abu Dhabi failed its goal, it marked a significant change in conflict dynamics, which was the official recognition of Haftar as an indispensable conflicting party. Until Abu Dhabi, Haftar constantly rejected getting involved in peace talks (Maguid, 2017) There are three possible motives behind Haftar's changed stance towards negotiation talks. Firstly, Haftar was pressured to attend the talks by his significant backers, Egypt, and the UAE. Secondly, he might have wanted to be officially recognised and used the negotiation opportunity as a strategy. Third, Haftar could also have wanted to buy time to recruit and stockpile arms as a tactic. All these possibilities could be mutually reinforcing.

The second important meeting was initiated by France and held in Paris on 25 July 2017 where Joint Declaration was announced. The parties of this declaration were al-Sarraj and Haftar, in presence of the new SRSR Ghassan Salamê and newly elected French President Emmanuel Macron (Wintour & Stephen, 2017). The declaration commits to a ceasefire, referring to Article 33 and 34 of the LPA and holding of a Libyan national election in early 2018 with the institutions created with the LPA through the help and guidance of the UN. The meeting did not involve any names from the HCS, or the HoR. Following the Paris Declaration, al-Sarraj and Haftar had disagreements regarding their power shares in the path forward. Moreover, the Justice and Construction Party swiftly announced that it does not recognise any talks initiated by individual countries but only the UN (Wintour & Stephen, 2017). The HoR was not supportive of the deal either. Furthermore, France's initiative excluding any other European country, specifically Italy, was resented by the European actors (Falchi, 2017). In the end, the initiative failed. Planning of a national election on an

undetermined date with unrecognised institutions without a secured ceasefire was already carrying all signs of a failed peace deal.

Since the LPA was expiring by December 2017, conflicting parties of Libya was under pressure to have a new framework that can bring the country together. Salamê's Action Plan, first announced at a high-level event of General Assembly on 20 September 2017, offered a new framework for the resolution of the Libyan Civil War. The plan consisted of three main stages to be completed respectively. The first step of this plan was the amendment of the LPA by the HoR and the HCS. The second was to hold a National Conference and agree on a constitution. And the third step was to hold national elections within one year. The Action Plan was limited in terms of ceasefire arrangements. Aly R. Abuzaakouk, a former Minister of Foreign Affairs in the GNS, commenting on Salamê's action plan said, "Without security you cannot have elections, you cannot have civil society" (Elshinnawi, 2018). Meanwhile, on 17 December 2017, Haftar declared that he does not recognise the LPA and any institutions emanating from it. He argued that the LNA is now the legitimate authority in Libya. Haftar was critical of the political process as being just "an ink on the paper" ("Haftar declares Skhirat agreement finished", 2017).

In line with this plan, Salamê held multiple meetings with the LNA officials, Haftar, Saleh and officials from the HCS. The Joint Drafting Committee, composed of members from both the HoR and the HCS, was established to complete the amendment of the LPA throughout late 2017 and early 2018 ("Remarks of Ghassan Salamê", 2017; "Haftar and Salamé hold action plan talks", 2017). However, this Committee could never finalise the amendments on the LPA because the sides involved were blocking any progress. Both members of the HoR and the HCS, and specifically their presidents Aguila Saleh Issa and Abdulrahman Sewehli, were acting as political spoilers throughout the time from late 2017 and early 2018 (Megerisi, 2018). Hence the first step of Salame's plan could not be completed.

The next peace initiative was organised by France again. An international conference was planned in Paris on 29 May 2018. By this time, it was apparent that the previous promise made in the Joint Declaration of 2017, which was to have held elections by July 2018, failed. Following that failure, more actors were involved in the Paris meeting. The Libyan participants included Fayez al-Sarraj, Aguila Saleh Issa, the new President of the HSC and member of the JCP Khalid al-Mishri and Khalifa Haftar. Additionally, representatives from the US, the UK, France, China, Russia, Italy, Turkey, the UAE, Qatar, and Libya's neighbours participated in the meeting.

The Libyan conflicting parties made several verbal agreements in the Paris meeting. Accordingly, it was decided to finalise the constitutional law for elections by 16 September and hold presidential and parliamentary elections on 10 December 2018. The text also called for the unification of the Libyan Central Bank and an end to parallel government establishments. As part of ceasefire arrangements, the Declaration emphasises the importance of unifying and building security institutions (Political Statement on the Matter of Libya, 2018, Art. 7). Furthermore, the text states, “The Libyan security forces shall undertake ensuring the safety of the elections process” (Art. 5). Although the Conference Conclusions was initially planned to be signed, it eventually was not owing to disagreements over several issues (“Libyan factions commit to Dec. 10 elections”, 2018). These issues were not officially reported in the media but there could be two possibilities. The conflicting parties may have not wanted to recognise each other’s legitimacy officially (Irish & Pennetier, 2018; Wintour, 2018). It could also be possible that the conflicting parties at the meeting did not want to resent other actors in Libya that were not present in the meeting (Making the best of France’s Libya Summit, 2018).

Important security meetings were also organised by Egypt in Cairo starting from 2017. The meetings aimed to unite the overly fractioned Libyan militias, security institutions and the LNA. The unification was planned to be followed with the restructuring of the Libyan army. Most of the Cairo meetings welcomed broad presence of the powerful militia leaders from the Western Libya, the PC’s defence ministry and security officials and military commanders of the LNA. The most important improvement of these meetings was an agreement reached over Haftar’s appointment as the general commander (Mikhail, 2018). However, the disagreement regarding hierarchy within the military institutions was not resolved. The main discord between the parties was whether general commander should be under the civilian authority, meaning who is to hold the title of ‘commander-in-chief’. Another disagreement was regarding the ranks of people who is to join the army from militia groups (Jawhar, 2018; Mahmoud, 2018).

Meanwhile, security in Libya was gradually decreasing. The summer of 2018 was particularly violent. The oil crescent crisis started when Ibrahim Jadhran and the Benghazi Defence Brigades (BDB) captured the Ras Lanuf and Es-Sider export terminals back from the LNA on June 14 (Lewis, 2018). Haftar eventually defeated Jadhran on June 21 with an air support from the UAE. However, the armed confrontation in oil facilities caused damages to the pipelines. These damages caused a decrease in oil production by 450,000 barrels per day (bpd) (Kabouche, 2018). After this event, Haftar attempted to establish a parallel NOC

in the east accusing the Tripoli-based NOC of financing terrorist militias. However, the NOC head Mustafa Sanalla stopped Haftar by reporting him to the US. The US then asked Haftar to withdraw from the facilities and give the authority back to the Tripoli-based NOC. Haftar did what he was asked and handed down the authority back to the Tripoli-based NOC on 11 July (Badi, El-Jarh, & Farid, 2019, p. 15). Although the NOC was kept exclusive in Tripoli, the PFG, forces responsible for keeping the oil terminals safe, was divided into western and eastern forces (Libya Economic Monitor, 2021).

Another series of events that contributed to the peak of insecurity in the country was Tripoli clashes. Due to the GNA's reliance on independent armed militias in the capital, some armed factions gradually became more powerful than others. The exclusion of some groups from city turned them into 'maverick spoilers', waiting for an opportunity to disrupt the fragile balance of power in the city for their gains (Darby, 2001, pp. 46-58; Zaptia, 2018; Badi, El-Jarh, & Farid, 2019, p. 16; Lewis & Elumami, 2018). This militia war started in southeast Tripoli. On the one side was the Tripoli Revolutionaries Brigade and its allies the 301, Rada, the Abu Salim Brigade and the Nawassi. On the other was the Salah Badi-aligned Kaniyat militia, also called the Seventh Brigade, from the Tripoli suburb of Tarhuna (Lewis & Elumami, 2018). Badi, who was a key leader in 2011 uprisings, and senior commander of Libya Dawn coalition, was against the authority of the GNA (Prentis, 2018). The armed confrontation in Tripoli, which left 115 dead, lasted for a month, from August 26 until approximately September 25 (Wehrey, 2018, p. 3). The UNSMIL-brokered ceasefires, initiated on September 4, 7, 9, 21, 23, between various factions of the conflict was forced upon to the parties. However, it was repeatedly violated afterwards (Tripoli: Joint Rapid Situation Overview, 2018; Statement Attributable to the Spokesperson for the Secretary-General on Libya, 2018).

Palermo Conference, organised on 12-13 November 2018, followed these developments on the ground. After two failed peace initiatives from Macron and no prospects for elections in immediate future let alone 10 December, Italian PM Giuseppe Conte was dedicated to host a peace conference consisting of significant actors of the conflict. Besides countering the French involvement in the Libyan peace process, Italy had strategic interests vested in Libya. Security of Libya would benefit Italy's energy sector, specifically its energy company ENI, and slow down migrant flows to the country (Recher, 2019; Wehrey, 2018, p. 1).

In preparations for the Palermo Conference, Conte endeavoured to make sure Palermo talks have the backing and presence of the top leadership of countries (presidents),

specifically that of the UNSC's permanent members. Accordingly, Conte invited Vladimir Putin to the Palermo Conference in his visit to Russia on 23-24 October. Although Putin did not attend the conference and sent Russian Prime Minister Dimitri Medvedev instead, Russia made significant contributions to the Palermo preparations with experts and academicians with speciality on conflict resolution. Conte also invited both the US President Donald Trump and the US Secretary of State Mike Pompeo. He especially endeavoured to at least assure the participation of the US Secretary of State Mike Pompeo (De Mario, 2018). However, the US instead sent the Acting Assistant Secretary for Near Eastern Affairs David Satterfield. Although the US backed the Italian peace initiative, it was resented due to Russia's deep involvement in the conference. Hence, a high-level official like Pompeo was not sent to the Conference. The rivalry between France and Italy also undermined the success of the Conference. Although Macron was very active in seeking solution for the Libyan Civil War in the past two years, he declined the invitation and sent his Foreign Minister Jean-Yves Le Drian instead. Furthermore, German Chancellor Merkel was also invited but did not attend. Merkel instead sent Minister of State Niels Annen. The two-day long conference in Sicily's capital, 12-13 November 2018, was also attended by Egypt's President Abdel Fattah Al-Sisi, Turkey's Vice President Fuat Oktay and delegations from Qatar and Saudi Arabia (Fetouri, 2018). Representatives of supranational organisations like the EU, the Arab League, the UN, the African Union, the IMF, and the World Bank were also present at the conference. Overall, despite broad participation with presence of delegations from 36 countries, the conference was not as high level as was planned by Conte (De Maio, 2018).

Prior to the Conference, Conte had separate meetings with al-Sarraj and Haftar in Rome respectively on 26 and 28 October (Pedde, 2018). Meanwhile the Libyan actors were in search for external backers to support their stance in the Libyan conflict. Five days before the Palermo Conference, on 7 November, Haftar met with Russian Defense Minister Sergei Shoigu, Head of the General Staff of the Russian Army Valery Gerasimov, and Head of Wagner Group Yevgeny Prigozhin in Moscow (Goble, 2018). Allegedly, Haftar was persuaded in this meeting to attend the Palermo Conference (Lukyanov, 2018). The GNA, on the other hand, was looking for external backing as well. In this line with this purpose, al-Sarraj and several of his deputies had talks with Turkish President Recep Tayyip Erdogan, Turkish Defence Minister Hulusi Akar and the Chief of General Staff Yasar Guler on 5-6 November in Istanbul. The GNA's request out of these meetings was more Turkish involvement in Libya's reconstruction process, specifically in Libya's army unification

endeavours. Left alone in the Mediterranean politics, Turkey was positive towards this request (Ahmad, 2018).

Libyan actors at Palermo were delegations from the Presidential Council, including al-Sarraj and his Interior Minister Fathi Bashagha, the HoR's President Aguila Saleh Issa, the HSC's President Khalid al-Mishri, several LNA officials and briefly Haftar. Haftar only attended several meetings like security working session and mini summits. However, he laid down conditions for his attendance. These conditions were the partial ban for Turkish and Qatari officials from some significant joint meetings (Tondo & Wintour, 2018). Conte accepted Haftar's conditions and excluded Turkish participation in one mini summit. This mini summit aimed to discuss the Mediterranean security with key actors of the Mediterranean. In response to this exclusion, Turkish Vice President Fuat Oktay and Qatari official were profoundly offended. Consequently, Turkey pulled out of the conference altogether, resented for not being recognised as one of the main actors in the Mediterranean and prioritisation of Haftar's conditions over Turkey's inclusion. Turkey after this exclusion became more involved in the Libyan conflict ("Turkey's Ambition for Libya", 2018; Pedde, 2018).

In sum, the Palermo Conference followed two years of externally brokered failed meetings. Hence, the timing of the talk had a negative effect on attitudes and relationship of the conflicting parties. Most Libyan actors who were constantly fluctuating in military and political stalemate, were uncompromising. It seemed that the Libyan parties had their personal interests at stake in case of a reconciliation. Haftar particularly was incentive-driven, overtly stimulated by external actors to attend the talks. The Conference, which was also externally organised, came up with the Palermo Conclusions that includes a ceasefire agreement. Although the official communique threatened the parties with sanctions in case of any violations, the reality was rather nonpunitive (Blanchard, 2020, p.17).

#### **4.3.1.2. Form and Content**

Palermo Conclusions is a written communique that include general regulations on economic, political and security sectors of Libya. The Conclusions aspire for a democratic and unified Libya where rule of law can flourish. In the prologue of the Palermo Conclusions, the LPA and the Action Plan are stated as bases of the agreement. The Conclusions made clear that the election date set in Paris on 29 May 2018, which was 10 December 2018, was not going to be possible anymore because of the HOR's failure to

finalise the electoral law. Hence, Palermo Conference postponed the elections to spring of 2019, prioritising the holding of an inclusive National Conference (Al-Multaqa Al-Watani), in the first weeks of 2019.

The Libyan delegations from the PC, the HoR, the LNA and the HCS are called on to adopt a referendum law for elections and conclude the constitutional framework by Spring 2019. The international delegations at conference offered their assistance regarding the technical, legislative, political and security needs for a free and fair elections to be carried out in Libya. Sanctions would be imposed to those not respecting the election results (Palermo Conference for and with Libya: Conclusions, 2018, p. 2). It is emphasised in the Conclusions that the National Conference expected to be held in the first weeks of 2019 should act as a communication line between the Libyan actors, who are called on to refrain from any kind of armed confrontation (other than terrorism). It is also underscored that the principle of inclusivity should be adopted while making preparations for the National Conference. The international community at Palermo pledges to monitor the implementation of the decisions taken with the Conference and sanction those who do not abide with it (p. 2). Furthermore, the participants give their support to the ongoing economic reform processes carried out by the GNA and encourage Libyan participants' commitment to end the parallel institutions within the country (p. 3).

The participants of the Conference expressed their willingness to help Libya build 'regular army and police forces' through training activities and provide basic services to those affected by the country's lawlessness, particularly the South (p. 3). They also pledged to improve the capacity of existing security institutions, like Joint Operation Centre, which is a centre that is "meant to protect citizens and property and pave the way for the replacement of militias with regular police" ("Palermo Conference", p. 3; Wehrey, 2018, p. 3). The Conclusions also remind Libya's neighbouring countries of their importance on Libya's stabilisation process. Return of the IDPs, tackling the 'common migration challenge' and fighting against human trafficking are among other topics mentioned in the Palermo Conclusions. The participants recall the objective of extinguishing "terrorism" on Libyan soils (p. 2). However, the Conclusions fail to draw the lines around what terrorism is and what factions it includes. Other than the obvious target like the ISIS, both Tripoli militias and the LNA have different considerations when it comes to terrorism.

The signatories of the Palermo Conclusions include the PC, the HoR, the HCS, the LNA and representatives of 36 countries attended, as well as European Union, the Arab League, the World Bank, the International Monetary Fund, and the United Nations. Despite

his brief attendance, Haftar refrained from signing the official communique of the Palermo Conference. Furthermore, decisions taken at Palermo and communique prepared was under intense influence of the international community, particularly the UN's Salamê and Italy's Conte.

The ceasefire arrangements of the Palermo Conclusions were planned to be conducted in line with the Ceasefires of the Greater Tripoli (Ceasefire Agreement, 4 September 2018; Pledge of Reconciliation and Cooperation, 7 September 2018; Agreement to Consolidate the Ceasefire, 9 September 2018; Agreement, 21 September 2018; Meeting Minutes, 23 September 2018). The most comprehensive ceasefire among these was signed on 9 September, the Tripoli Ceasefire. In line with this agreement, ceasefire in Tripoli was to be monitored, verified, and supervised by the Joint Operations Centre. Moreover, the ceasefire agreed for separation of forces and disarmament of the warring militias in Tripoli. The spatial priorities for withdrawal of forces were “the Mitiga International Airport, the Prime Minister’s office, the Tripoli Port, the Central Bank, bank branches, the sites of the National Oil Corporation (starting with the Hani fuel tanks and the airport), the Electricity Corporation, and especially the control room and the General Authority for Communications and Informatics, and the Libyan Investment Authority” (Art. 4). The detailed plan for the withdrawal was to be made later. Furthermore, the Presidential Council agreed to form a new security arrangements committee for the planning of decisions made with the ceasefire agreement. It was also agreed with the ceasefire as part of prohibited acts that the responsible armed groups for the clashes would publish a written statement, promising not to “extort, pressure, or take over sovereign institutions” (Art. 6). Signatories of these ceasefires were military commanders of the GNA; mayors of Misrata, Tadjoura, Abu Salim, Souq Al Jum’ah; militias leaders and representatives from Tripoli, Tarhuna, and Zawiyah. Moreover, officials from the GNA; Undersecretaries of Minister of Interior Khalid Mazen and Muhammad Lamhanim, and Undersecretary of Local Administration Abdulbari Shimbaro; and officials from the PC who were either assistants or commanders were signatories of the ceasefire (Agreement to Consolidate the Ceasefire, 2018). Although the Tripoli Ceasefire was repeatedly violated after its signing, the Palermo Conference enforced the Ceasefire again by stating its validity and backed it with sanctions. In terms of their content, these ceasefires were more of truces rather than permanent ceasefire agreements. Secondly, the signatories although encompassing broad range of factions and legal personalities did not involve a high-level participant like al-Sarraj or his Interior Minister Abdul Salam Ashour.

The Palermo Conclusions did not bear a comprehensive accord. It is three pages long with no clear organisational and monitoring structure for the changes it aims to bring (Wehrey & Harchaoui, 2018, p. 2; Fetouri, 2018). A monitoring mechanism is planned to be built by the UNSMIL and “its international partners” (Borshchevskaya, Fishman, & Leaf, 2018, p. 3). Moreover, the Conclusions dates the first months of 2019 for the Libyan National Conference and spring of 2019 for the elections. As for the ceasefire arrangements, a permanent ceasefire was to take effect immediately. However, the geographical focus of the ceasefire is Tripoli owing to recent clashes at the city. As part of prohibited acts, the responsible armed groups for the Tripoli Clashes of August-September 2018 are banned to cause any distress for the city residents and within the GNA institutions. Separation of forces was also valid for Tripoli militias only. Hence, the ceasefire arrangements were mostly regarding the security of Tripoli. The Conclusions also included non-military measures like offering basic services to people in need in Libya, which were planned to be undertaken by “the international community”. Considering vague terms used in the text like “international community” and “international partners”, the Palermo Conclusions can be interpreted as a preparatory step for the Libyan conflicting parties and other Palermo participants to build trust towards the political process. If the ceasefire can hold, the political process is planned to proceed with deciding on the details for the organisational and monitoring mechanism with the National Conference and elections (Wehrey & Harchaoui, 2018, p. 2). The biggest negation of the Palermo Conclusions was Haftar’s signature. Furthermore, despite encompassing broad international presence, the Palermo Conclusions was not attended and signed by many high-level political figures.

#### **4.3.1.3. Implementation and unfolding of the process**

In line with the Tripoli Ceasefire, a new Security Arrangements Committee was formed and immediately resumed its duties by October to bring the divided militias from Tarhuna, Zawiya and Tripoli on the negotiating table (Alharathy, 2018). The UNSMIL was also helping to develop Joint Operations Centre in line with the ceasefire (“Remarks of SRSG Ghassan Salamê”, 2019). Later in mid-January, GNA Minister of Interior Fathi Bashagha introduced ‘Security Plan 2019-One’. The plan was tasked to bring the Greater Tripoli region under a single command of the Central Security Agency and the Security Directorate (Varvelli, 2019; Implementation of Tripoli “Security Plan 2019-One” Imminent, 2019). However, Tripoli militias were resisting the reforms that were initiated by Bashagha

because the reforms were posing a threat to their autonomy (Implementation of Tripoli “Security Plan 2019-One” Imminent, 2019).

By 18 January 2019, the Tripoli Ceasefire already broke down when 10 people were killed and 40 injured in the capital. Alongside ongoing clashes in the centre of the city, militias in the periphery of Tripoli, like Kaniyat in Tarhuna, were also trying to penetrate the capital. Kaniyat acted as a spoiler to the Libyan peace process because it was not sharing the economic gain of being a security-provider to the GNA. However, even those militias serving the GNA were having conflicts with one another because of alleged divisions among some GNA members. Consequently, security situation in Tripoli was not bright.

On the other hand, Salamê had been getting prepared for the National Conference throughout 2018 and 2019. This preparation included organising more than seventy-five meetings with the Libyan people. He held face-to-face meetings with 7,000 Libyans and online consultations with 13,000 Libyans. The objective of these meetings was to collect information, ideas, and suggestions from the Libyans over planned-upcoming elections and which topics should be prioritised in the Conference. The results indicated that Libyans wanted a decentralised competent government (not based on identity) who can provide security to all parts of the country and defend its borders against outside threats (Zaptia, 2019). However, the National Conference was delayed owing to ongoing clashes in Tripoli and other parts of the country. Salamê in response to this setback in the peace process called on to the international community to prevent spoilers’ sabotaging the peace process (Wintour, 2019). In response to this call, Salah Badi of Kaniyat militia was sanctioned (“Security Council 1970 Sanctions Committee”, 2021). He was jointly sanctioned by the UN and the US on 16 November 2018 with travel ban and asset freeze (“The United States and UN Sanction Libyan Militia Leader”, 2018). Considering Tripoli’s militia-rich landscape, the number of people sanctioned, eight individuals in 2018, seems low.

In mid-January, while Tripoli militias were busy with infighting, Haftar launched military operation to Fezzan, southwestern region of Libya, on the pretext of the security emergency in the region. Haftar’s arrival to the region was mostly welcomed by the locals because before Haftar’s operation, Fezzan was having a crisis of insecurity due to porous borders, mercenaries, and common criminals. Chadian and Sudanese fighters spread in the region substantially, disturbing the city residents with criminal activities like kidnapping. The region was also suffering from lack of public services due to no investment in basic public infrastructures. Fezzan was entirely overlooked because the GNA whose security was

in the hands of the Tripoli militias could not attempt to expand its military structures outside of Tripoli (Lacher, 2020, p. 53).

By late February, Haftar had the control of the southern Libya including two of the largest oilfields in Libya, al-Sharara and the El Feel (Elephant) field. His operation did not face much armed resistance other than that of Tubu's who were thence brutally repressed (Varvelli, 2019; Lacher, 2020, p. 53). The international reaction to Haftar's southern operation was largely positive. In fact, Haftar's increased international position after the Palermo Conference mounted even more with his Southern operation. The fact that Haftar was now holding almost the total oil production of the country in his hands and that he was mostly welcomed by the southern population brought prestige (Lacher, 2020, p. 53). The national reaction was rather watchful. Bashagha commented, "We hope that Haftar's forces will only play their national role, not invest them politically in order to increase the division or achieve a gain". Bashagha also said that if Haftar attempts to expand further, there would be consequences (Zaptia, 2019).

In late February, Al-Sarraj and Haftar had a meeting in Abu Dhabi brokered by Salamê, the US, France, and the UAE officials. The meeting did not produce a signed agreement, however, the two verbally agreed "to the broad outlines of a deal that would establish a single, unified interim government and military command, combined with a roadmap towards elections" (Lacher, 2020, p. 53). Meanwhile, there were also negotiations going on between the GNA's leading figures and Haftar's representatives over the composition of the government. However, soon after the Abu Dhabi meeting, Haftar backtracked from the verbal agreement, stating his disapproval over the structure of military command drawn in the agreement. As a result, Salamê began to broker another meeting between al-Sarraj and Haftar. However, instead of attending the meeting, Haftar made a surprise attack on Tripoli on 4 April under the name of Operation Flood of Dignity, attempting to expand further north under the premise of "eradicating terrorism" (Trauthig & Ghoulidi, 2019, p. 2).

The timing of Haftar's April attack was salient. The offensive came five days after the municipal elections held in southern and western Libya ("Libya holds municipal elections", 2019). Furthermore, the UN Secretary-General António Guterres was in Tripoli for the National Conference arrangements on the day of the attack. In response to the attack, Salamê postponed the National Conference planned to be held on 14-16 April in Ghadames, Libya. The Tripoli militias that were not so long ago fighting with each other united against the LNA. Misrata, Zawiya, Amazigh towns and Tripoli created a cohesive alliance in a

matter of a week and launched Operation Volcano of Anger in response to the LNA's attacks (Stopping the War for Tripoli, 2019). Consequently, Libyan civil war erupted again and continued for the next fourteen months.

It was found out later that Haftar and the US National Security Advisor had a phone call on 3 April, a day before his Tripoli offensive. The call is interpreted to have given Haftar a green light. After the offensive, the US response to the renewed civil war was to withdraw its forces on the ground on the pretext that the security realities of Libya were turning "increasingly complex and unpredictable" ("Libya: US pulls forces", 2019). On 15 April, the US President Donald Trump gave Haftar a phone call, praising the LNA's initial achievements in capturing the capital. The two "discussed a shared vision for Libya's transition to a stable, democratic political system" (Holland, 2019).

At this point, Haftar was substantially backed by the UAE, the Saudi Arabia and Russia. Russia specifically was more active and visible in supporting Haftar compared to before (Mikhelidze, 2019). The GNA, on the other hand, was supported by Turkey. Other than Turkey, the GNA was fully left alone by the international community. The resumed civil war was more violent compared to previous ones in 2011 and 2014. Use of airpower, heavy weapons, armed drones, and foreign mercenaries were common. Although the LNA made some gains at first, captured Gharyan in south of Tripoli, the civil war eventually hit a military stalemate. The cost of Haftar's offensive was high for Tripoli. At least 3,000 people (including hundreds of civilians) were killed and injured. By the end of 2019, 343,000 people were internally displaced in Libya. Moreover, Haftar also attacked health workers and field hospitals, which is against rules of war (International Humanitarian Law) ("10 Things the Rules of War", 2016; Annual Report, 2020; Blanchard, 2020, p. 4).

In sum, Palermo Conclusions were not properly implemented. Violence never halted, in fact, gradually increased in Libya. Monitoring mechanisms were weak, and sanctions were not properly imposed. The humanitarian assistance that was promised in the Conclusions were not fully delivered. The UNSMIL, which reported to need \$202 million was given only 30% of the figure, hence did not have sufficient resources to help those in need ("Remarks of SRSR Ghassan Salamé", 2019). In terms of ceasefire arrangements, despite Bashagha's initial achievements in establishing a security network, Tripoli militias kept on having armed confrontations hence acted as spoilers to the peace process until Haftar's advancements towards Tripoli (Blanchard, 2020, p. 10). Haftar, on the other hand, appeared to be an unreliable partner due to his disloyalty to the peace process. Despite his apparent breaking of the ceasefire, Haftar was congratulated by Trump rather than being

subjected to sanctions, which is in contradiction with the Palermo Conclusions. Finally, the humanitarian loss of the conflict was immense. The Mitiga Airport used by civilians and detention centres inhabited by hundreds of migrants were bombed.

#### **4.4. Derailed Process-return to armed conflict**

One factor that was influential in the 2018 peace process is the recognition of Haftar. Starting from the Abu Dhabi meeting, Haftar was recognised as a significant party of the Libyan conflict. He turned out to be an indispensable partner for Libya's future peace. Another significant factor was external incentives that was continually granted to rival sides of Libya, the GNA and especially Haftar. This external backing had substantial influence on the length of the Libyan conflict in a negative way. Despite conflict's stalling in military and political stalemate, which is a preparatory condition for a ceasefire, Haftar was not in "an uncomfortable and costly predicament", hence, constantly at profit to disturb the peace process (Zartman, 2001, p. 1). Therefore, the protracted nature of the Libyan civil war owes to the international community's constant breaking of the UN's arms embargo (Harchaoui & Lazib, 2019, p. 13).

The timing of the initiation of the Palermo Conference acted as a negative driver of the 2018 Peace Process. The Conference was done at a time when the parties of the conflict did not have much trust towards each other. Owing to repeated failed meetings, the negotiation process turned into verbal commitments made in the meetings and never implemented. One reason behind these repeated failed meetings was too much focus on election dates rather than security. The prioritisation of elections over the security while ordinary Libyans were not safe and secure on the streets was a mistake. This defective prioritisation caused Palermo Conference born into a distrustful environment. Furthermore, despite Conte's endeavour to include the leadership of the US, Russia, and France in the initiation stage of the Palermo Conference, the rivalries between Italy and France, and the US and Russia hindered the success of the Palermo Conference even before it was made. Italy who was a more significant partner of Libya both in political and economic terms in pre-2011 period was challenged by France's close relations with Haftar and also al-Sarraj, and trade agreements with the country. Hence, the two was competing for a bigger share in Libya's future economy. This rivalry overshadowed the Libyan peace process: the two countries refrained from uniting their power but instead tried to be the leader of the Libyan peace process individually (Recher, 2019). The rivalry between the US and Russia also

influenced the Libyan peace process in a negative way. Conte while planning for the Conference were in close coordination with Russia rather than the US. This prompted the US not to be involved in the preparation of the Conference.

The content of the Palermo Conclusions was problematic in several respects. Firstly, the scope and the details of the agreement was very limited. No clear organisational structure was drawn to implement the agreement. Time frames were blurry. It was an oversimplified agreement that dealt with the symptoms of the conflict rather than actual reasons (Valori, 2018). It is only via discussing actual drives behind the infighting that a conflict can be managed. A conflict that cannot be managed is bound to revive itself in multiple shapes (Wallensteen, 2002, pp. 34-50). Furthermore, Haftar did not sign the communique of the Conference. Haftar's absent signature wiped out the bindingness of the communique if not its validity. Lastly, the international signatories of the Palermo Conference were not high-level politicians that could change the dynamics of the conflict. They were mostly foreign ministers, representatives, and delegations from ministries who lacked executive powers. Furthermore, Libyan attendees of the Palermo Conference almost all acted as spoilers before. Saleh Issa, Head of the HoR and Sewehli, Head of the HCS, acted as political spoilers throughout the 2017 and 2018 when they virtually blocked the amendment process of the LPA while Haftar acted as a military spoiler on multiple times (Zaptia, 2018). This undermined the reliability of the communique.

The implementation stage can be successful if visible actions are taken by the conflicting parties. Especially in protracted conflicts, it is significant to break paradoxical cycle of violence by creating new communication lines. However, the Palermo Conclusions was not productive in terms of forming this non-violent environment where the ceasefire could hold, and a National Conference could proceed. Bashagha's endeavour to implement the ceasefire by introducing 'Security Plan 2019-One' failed. The militias in Tripoli were not satisfied with the resolutions. Each had interest in demanding more power. Along with Tripoli's regional spoilers, Haftar emerged as the strongest spoiler of the Libyan peace process. The GNA's failure to bring security to the country eased Haftar's Southern operation. The retreat of the US forces and Trump's encouraging call further strengthened specifically Haftar's and generally all spoilers' position. Consequently, four months after the Palermo Conference, Libya's civil war resurrected stronger than before.

## **4.5. The 2020 Peace Process**

There are three main influential factors behind the 2020 Peace Process. The first one is that Haftar's military offensive on Tripoli did not achieve its results. The war hit a military stalemate once again. Secondly, behind the military stalemate lies the substantial involvement of Turkey in Libyan conflict. Although Haftar had long been supported by Russia, the UAE, and Egypt, the GNA was mostly left alone by its international partners in terms of military assistance and equipment. Turkey, emboldened by the agreements signed with the GNA and the treatment received in Palermo summits, changed the direction of the Libyan conflict from Haftar's victory to a stalemate. Thirdly, there was a genuine international commitment to resolve the Libyan civil war despite the constant military assistance provided to Libya. Possible drivers behind the commitment were protraction of the war and emerging of the COVID-19 pandemic.

### **4.5.1. Agreement for a Complete and Permanent Ceasefire in Libya**

#### **4.5.1.1. Initiation**

The Permanent Ceasefire of Libya was reached following several setbacks in the peace process. The reignition of weapons in April 2019 over Tripoli's acquisition between the two authorities, the GNA and the LNA, did not deliver victories to each side. Therefore, the conflict stalemated again. Four months into the civil war, on 29 July 2019, Salamê announced his new Action Plan. According to this plan, a ceasefire would come into effect when the Eid al-Adha starts, on around August 10. This ceasefire was planned to be temporary ceasefire that is to be followed with peace talks for details of the process. After the ceasefire, a high-level international meeting would be held. This conference would specifically aim to enforce the UN arms embargo, which had been violated since it was adopted in 2011. The third step of the Action Plan is the National Conference that planned to be held in April 2020. This conference would be the main platform to solve core issues of the conflict in three parallel tracks: economic, military, and political ("Remarks of SRSG Ghassan Salamê", 2019).

Despite brief cessation of hostilities starting from 11 August, the LNA violated the agreement by 20 August when it attempted to capture Gharyan. Throughout the rest of 2019, the civil war continued in full scale. Although the UAE and Egypt were long supporting

Haftar, Russia's deployment of the Wagner Group was a game changer for Haftar. On 12 December, Haftar launched what he called "the final battle" for Tripoli ("Libyan Commander Haftar orders", 2019). On the other side, the GNA was officially supported by Turkey at this point following the MoU signed on 27 November 2019 and the bill for Turkish troop deployment to Libya passed on 2 January 2020 ("Turkish Parliament approves" 2020). Thuswise, the MoU changed the direction of the conflict from possible victory of Haftar to a military stalemate.

Russia and Turkey invited the GNA and the LNA to declare a ceasefire prior to the Berlin Conference. As a result, spokesperson of the LNA Ahmed al-Mismari declared a ceasefire on 12 January, provided that the GNA forces also abide by the agreement. This was a tentative ceasefire that was violated by both parties only hours after signing ("Libya ceasefire: Both sides accuse each other", 2020). Later, Haftar and al-Sarraj met in Moscow on 13 January 2019 over the details of the ceasefire. The ceasefire agreement drafted in Moscow was reported to require Haftar to pull his troops back from the suburbs of Tripoli. The monitoring of the ceasefire was planned to be carried out by Turkey and Russia. Although al-Sarraj signed the agreement the same day, Haftar rejected the agreement and left Moscow without signing after reviewing it for a day. Hence, the 12 January ceasefire was not formalised, and the first step of Salamê's Action Plan failed for the second time (Saleh, Foy, & Pitel, 2020).

Furthermore, on 18 January, one day before the Berlin Conference, Haftar closed all major oil ports to prevent the GNA getting revenue shares from production to support its militias. The oil blockade was an attempt of Haftar to use his control over oil fields to put leverage on the GNA to quit defending the capital. Eventually, the blockade caused oil production to drop below 100,000 barrels per day (bpd) from 1.2 million bpd and costed the NOC \$10 billion in revenue by September (Aydemir, 2020; Libya: Haftar plans to lift 8-month oil field blockade, 2020). Haftar's oil blockade was an indication that he was not "ripe" for any settlement and was still using his chances for a military victory. Constantly arriving cargos from the UAE and Russia since the start of January despite peace initiatives were also no good news for the ongoing peace process (Yasar, 2020).

The Berlin Summit held on 19 January was organised by Chancellor Angela Merkel and German Foreign Minister Heiko Maas in close cooperation with Salamê. The main drive behind preparations for the conference, which began in September 2019, was to halt the third-party involvement in the conflict (Formuszewicz, 2020). While the German officials made negotiations with external parties involved in Libyan civil war, Salamê was tasked

with mediating between the Libyan conflicting parties. Five Senior Official meetings were held between the representatives of Germany, the US, France, the UK, Italy, Russia, Egypt, the UAE, Turkey, the Arab League, the EU, and the African Union prior to the Berlin Summit. There were also unofficial meetings held between Foreign Minister Heiko Mass and his British, French, and Italian counterparts on 7 January; and Merkel, Maas and Putin in Moscow on 11 January and also Mass and Haftar on 16 January. The focus of these meetings was the Libyan conflict and peace (“News conference”, 2020; “Way to the Berlin Conference”, 2020; “Germany's Maas: Libya's General Haftar”, 2020; “SRSG Ghassan Salamé Briefing”, 2019).

The conference was a high-level event. Participants consisted of German Chancellor Merkel, Turkish President Recep Tayyip Erdogan, Russian President Vladimir Putin, French President Emmanuel Macron, British Prime Minister Boris Johnson and Italian Prime Minister Giuseppe Conte, and Egyptian President Abdel Fattah al-Sisi, the US’s Secretary of State Mike Pompeo, the UNSG Antonio Guterres, Algerian President Abdelmadjid Tebboune, and Republic of Congo’s President Denis Sassou Nguessoand. Representatives from the UAE and China were also present in the conference. Nine-page long 55-point Communique in seven sections was issued as the conference conclusions. The sections were 1. ceasefire, 2. arms embargo, 3. return to the political process, 4. security sector reform, 5. economic and financial reform, 6. respect for international humanitarian law (IHL) and human rights and finally 7. follow-up (The Berlin Conference on Libya, 2020). The resolutions of this conference were for the most part a repetition of the decisions taken in Paris and Palermo as well as in the LPA. However, its main mission was, as was the objective of its initiation stage, encouraging and persuading the third parties of the Libyan conflict to abide by the UN’s arms embargo, thereby, not to interfere in the conflict (Feltman, 2020). Hence, the Berlin Communique was an agreement between the international actors on the Libyan conflict to ensure non-interference, which was the second step in the Action Plan.

As part of the Berlin Communique, the UNSMIL annexed four-page long plan in five sections for the operationalisation of the decisions taken at the Summit. The annex addressed Libya’s economic, political and security problems comprehensibly and came up with original and tangible solutions. Accordingly, a process of Political Dialogue Forum, composed of forty Libyan representatives, would be launched by the end of January to form a new Presidential Council (1+2). Also, the ongoing process to unify the Central Banks of Libya, one operating in Tripoli and other in al-Bayda since 2014, is further encouraged

through the creation of a Libyan Experts Economic Commission and Libyan Reconstruction and Development Fund. Moreover, 5+5 Joint Military Commission (JMC) would be established to formulate and complete these steps: 1. truce; 2. DDR (reintegration of armed individuals in the civil society); 3. counterterrorism; 4. security arrangements/border control (UNSMIL Operationalization of Berlin Conclusions, 2020). The names of these figures were also announced in the conference. Lastly, an International Follow-Up Committee (IFC) would be established consisting of all participant country representatives to track the implementation of the Berlin Conclusions (including the annex). This was a comprehensive ceasefire plan with a broad international backing. However, Russia abstained from voting in favour of the Resolution when the UNSC adopted Resolution 2510 by 14 votes in favour to back the Berlin Conclusions on 12 February. Russia stated that the Libyan parties do not have a consent over the implementation of the Berlin Conclusions (“Security Council Endorses Conclusions of Berlin Conference”, 2020).

Despite ongoing ceasefire and peace talks, armed conflict resumed with Haftar’s assault on Tripoli on 19 February. Owing to Turkey’s deep involvement in the conflict, the GNA was able to counterattack and take back the surrounding areas like Tarhuna and part of Sirte starting from 25 March with a new operation named Operation Peace Storm. Despite Haftar’s unilaterally declared ceasefire on 30 April, the GNA rejected the calls to stop fighting, stating Haftar’s unreliability (“Libya's GNA says it will keep fighting”, 2020). The armed confrontation ended with Haftar’s retreat from Tripoli in early June (“Libya conflict: Tripoli rocket attacks”, 2020; “Libya conflict: GNA regains full control of Tripoli”, 2020). Sirte at this point in the Libyan conflict became the mutual venue of the conflicting parties. This was due to its proximity to the Oil Crescent that marks the door to the oil facilities for both sides (Al-Hawari, 2021).

Finally on August 21, two main political sides of the Libyan civil war, al-Sarraj and Saleh Issa, bilaterally declared immediate ceasefires. This was the first time in the Libyan conflict that a ceasefire was domestically declared. However, behind the declarations, there was a mounting international pressure. The US and Germany were primary actors to push for a political process. (Dorda, Crowley, & Moshashai, 2020, p. 5). Haftar did not comment on the ceasefires and the LNA spokesperson al-Mismari dismissed both declarations. The LNA side considered the declaration from the GNA side “a marketing stunt” and not a genuine one because of the GNA’s deployment of troops in Sirte (Haftar rejects GNA’s call for Libya ceasefire, 2020). Overall, intra-party tensions in the East and fading foreign trust and backing to Haftar following his defeat were apparent (El Gomati & Fishman, 2020).

There were three internal conditions behind these ceasefire declarations. Firstly, the conflict hit a stalemate again. Secondly, Haftar's oil blockade brought the country's economy on its knees. The blockade ended after a Russian-mediated productive meeting on 20 September between a member of the GNA's PC, Ahmed Meitig, and the Deputy Finance Minister of the HoR allied with Haftar, Morajea Geith (Fleshing Out the Libya Ceasefire Agreement, 2020). Meanwhile, however, the country lost \$10 billion and ordinary Libyan people were the most affected. Frequent power and water cuts, shortages of fuel and cooking gas, absence of security over the years peaked with Haftar's Tripoli offensive (April 2019) and oil blockade (January 2020). Thirdly, rising number of COVID-19 infections in the country exacerbated the already-poor living conditions of ordinary Libyans, prompting country-wide protests in cities like Tripoli, Zawiya, Misrata, Benghazi, Sabha throughout August and September 2020 (Zaptia, 2020; "Anger in Libya's Benghazi over power cuts", 2020). Considering these conditions, the motive behind the ceasefire declarations seem genuine.

Following ceasefire declarations, the peace process that halted on 19 February resumed. In line with the Berlin Conclusions, military track of intra-Libyan negotiations was to be completed by 5+5 Joint Military Commission. The Commission consisted of ten senior military officials appointed by al-Sarraj and Haftar. Compared to previous ceasefire meetings, this commission included the greatest number of members from various levels of military rank. Al-Sarraj's appointees were Major General Ahmed Ali Abu Shahma, Brigadier General Al-mukhtar Milad Mohammed Nakkassa, Brigadier General Al-Fitouri Khalifa Salem, Colonel Mustafa Ali Mohammed Yahya, Colonel Radwan Ibrahim Mohammed Al-Gharari. Haftar's representative officials were Major General Emraja'a Emhammed Mohammed Al-Ammami, Major General Faraj El-mabrouk Abdul Ghani Al-Soussa'a, Major General Attiya Awadh Mohamed Al-Sharif, Staff Major General Engineer Al-Hadi Hasan Ahmed Al-Falah, Major General Khairi Khalifa Omar Al-Timimi (Agreement for a Complete and Permanent Ceasefire in Libya, 2020). This Commission had five round of meetings in February, September and October respectively in Geneva (Switzerland), Hurgada (Egypt) and finally in Geneva again (Zaptia, 2020). The meetings after early March were mediated by the UNSMIL whose acting president was now Stephanie Williams due to Salamê's resignation on 2 March. As a result of these meetings, the Commission finalised the permanent ceasefire agreement on 23 October 2020.

#### **4.5.1.2. Form and Content**

Permanent Ceasefire of Libya was a written accord that was prepared in line with the Berlin Conclusions and the UNSMIL annex. Accordingly, a security track was carried out as part of intra-Libyan negotiations by 5+5 Joint Military Commission, whose members were announced in the Berlin Conference. Owing to meetings' specific focus, political and economic matters of Libya was not part of the agreement. Its focus was immediate ending to all hostilities within the borders and "sending away foreign fighters from Libya" (Assad, 2020). It consisted of two sections: general principles and terms of agreement. General principles indicated the aim and stated understanding of the agreement. These were inviolableness of Libya's sovereignty, supremacy of International Humanitarian Law and combating UN-designated terrorist groups. The terms of the agreement included measures regarding prohibited acts, separation of forces, time frame and geographical coverage.

The violations and prohibited acts of the agreement were detailed and binding. Firstly, hate speech in all types of media is prohibited. This prohibition is to be monitored and implemented by judicial authorities and a new committee established by the JMC (Art. 5). Secondly, arrests based on identity and political affiliation are banned (Art. 7). With respect to separation of forces, all military units and armed groups are expected to return to their camps in a matter of three months. Foreign fighters, mercenaries and training crews are also required to leave Libya within three months. These would be monitored and implemented by the Security and Operations Room, established under the agreement (Art. 2). Head and deputies of this Room would be selected by the JMC. Also, a limited military and police force would be formed under Security and Operations Room to hinder any violations of the decisions (Art. 3).

Confidence and security building mechanisms (CSBMs), that aim to normalise the lives of ordinary Libyans included opening the coastal road line of Benghazi-Sirte-Misrata-Tripoli. Other roads to be opened are Misrata-Abu Grain-Jufra-Sabha-Ghat and Gharyan-Shwerif-Sabha-Murzug. The roads would also be secured for use by "civilians, supply convoys and humanitarian organisations". The security of these roads would be ensured by an establishment under Security and Operations Room, headed by police officers who participated in previous security track meetings. This establishment is also tasked with maintaining security in other Libyan roads and air routes (Art. 6). Furthermore, prisoner exchanges are planned to be urgently taken care via specialised committees formed by the JMC (Art. 8). Lastly, the JMC is to assign commanders of the Petroleum Facilities Guard

(PFG) both in the Western and Eastern Region. Moreover, the PFG is to be reorganised with help from a delegate of the NOC “to ensure undisturbed and continued flow of oil” (Art. 6).

Disarmament, Demobilization and Reintegration (DDR) activities were also mentioned in the agreement. In line with it, identification, and categorisation of armed groups throughout Libya are to be immediately commenced. If members of these armed groups meet the requirements, they would be reintegrated into state institutions. If the institution is not in need of any recruitment or if the person does not meet the requirements, opportunities and solutions would be created by a joint subcommittee created by the JMC supported by the UNSMIL (Art. 4). Furthermore, the monitoring mechanism of the ceasefire is to be arranged by the JMC with support of the UNSMIL after initial steps decided in the agreement are completed in a positive and reliable atmosphere. Finally, the agreement was signed by each member of the Commission in presence of Williams and three other UNSMIL officials (Agreement for a Complete and Permanent Ceasefire in Libya, 2020).

Permanent Ceasefire Agreement of Libya was a five-page long comprehensive agreement that included many details regarding ceasefire arrangements in the country. However, it lacked several significant points as well. Firstly, sending away the foreign fighters, which is the most important detail of the agreement, was not specified in terms of the number, the place or the nationality of the fighters. This could backtrack the ceasefire because both sides already reject being supported by foreign fighters. Second problem regards the position of separation of forces. In a country torn by civil war for ten years, a requirement of returning to “their camps” is a considerably vague term. Sirte, Jufra and Misrata are expected to be venues of discussion owing to their centrality to the recent clashes. Thirdly, disarmament clause does not specify whether only GNA militias will be identified or both. Military commanders of both sides are reluctant towards integrating the members of armed groups into the state military owing to their lack of professional background. However, both sides, the GNA’s militias and part of the LNA, are already composed of armed militias. And each wants the other sides’ forces disbanded, which can backtrack the ceasefire agreement (Fleshing Out the Libya Ceasefire Agreement, 2020). Fourthly, the plan for monitoring mechanism is simply left to future with no mention of time limit. This could linger the process and endanger the peaceful atmosphere. On the other hand, the CSBMs of the ceasefire were specifically detailed. Furthermore, the agreement aimed to start a process, rather than ending one, that can bring about improvements step by step through expecting visible changes from the sides. This could be effective in rebuilding the trust between the conflicting parties.

#### **4.5.1.3. Implementation and unfolding of the process**

The general international reaction to the agreement was positive. The UNSC saluted the ceasefire agreement on 27 October by releasing a press statement, calling the Libyan parties to abide by the decisions taken and implement them fully. The statement also recalls the Resolution 2510 and the Berlin Conclusions to remind the external powers the arms embargo (Security Council Press Statement, 2020). The EU, the US, Germany, Greece, Saudi Arabia, Norway, and the UAE all hailed the signing of the permanent ceasefire positively and urged all parties to implement the agreement in full coverage. The only slightly negative comment came from Turkish President Recep Tayyip Erdoğan. He commented, “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. So, it seems to me that it lacks credibility” (How the world reacted to Libya ceasefire deal, 2020).

Following the signing of the deal, a meeting was held with the participation of the JMC members and Williams in Ghadames, Libya on 2-4 November to concretise measures regarding the details of the implementation of the ceasefire agreement. This was the first time the JMC met on Libyan soils. Issues discussed in the meeting were establishment of subcommittees to monitor the withdrawal of forces and the departure of foreign fighters from the frontlines. The first monitoring mechanism was planned to be established in an area running from Sawknah to Abu Grein and Bin Jawad, in central Libya. The implementation of the CSBMs were also discussed. Dates and plans were set for a meeting for the PFG unification along with opening of roads and air routes. Also, the Ouagadougou Conference Centre in Sirte was decided to be the headquarters of the JMC. At the end of the meeting, the JMC urged the UNSC to adopt a binding resolution to fully implement the permanent ceasefire of 23 October (“Libya rivals agree”, 2020).

By 19 November, there were achievements regarding the implementation of the CSBMs. Flights between Benghazi and Tripoli as well as to Sabha, Ghat and Ubari resumed. Coastal road between Sirte and Misrata was reopened and secured by the joint security force as planned. Prisoner exchanges between the conflicting parties were carried out although not completed. The NOC resumed producing pre-January levels of oil; 1.2 million barrels per day. The management of oil revenues, however, was yet to be discussed in the economic track of intra-Libyan dialogues. Furthermore, a meeting was held on 16 November between the Chairman of the National Oil Corporation, and the eastern and western commanders of the Petroleum Facilities Guard and Williams in Brega, Libya to discuss the arrangements

regarding the unification and restructuring of the guard force (Remarks by Acting Special Representative, 2020). The meeting, as Sanalla described, was a “historical opportunity” for economic stability of Libya. This meeting redefined the PFG as the Oil Protection Force (OPF) and put the guard force under the administration of the NOC. However, the head of the OPF was not discussed in the meeting (Re-unifying Libya’s Petroleum Facilities Guard, 2020). Moreover, the Supreme Security Operations Room was established on 17 January with the announcement of the Interior Minister Bashagha (“Libya’s Interior Ministry establishes”, 2021). The establishment of the Room was significant since most ceasefire arrangements were to be carried out by this Room. However, there were no progress of foreign fighters leaving the country. At least 20,000 of them, mostly Syrian and Sudanese, and to a lesser extent Chadian, Tunisian and Wagner Group members, were still present in the country as of April 2021 (Wintour, 2021; “UN boss: Foreign fighters still in Libya”, 2021). Overall, compared to previous ceasefire implementations, initial months after the signing of Libya’s Permanent Ceasefire promised potential. Visible actions were taken by both sides.

Action Plan’s other two tracks that are complementary to the security track were also correspondingly carried out following Berlin Conference and were positively influenced by the success of the ceasefire. The economic track of intra-Libyan negotiations had two meetings before the ceasefire declaration in August: one on 6 January 2020 in Tunis with nineteen Libyan economic experts and the other on 9-10 February 2020 in Cairo with twenty-eight Libyan economic experts. The participants consisted of representatives from main Libyan financial institutions, sector specialists and academics (“UNSMIL Statement”, 2020). The focus of these meetings was to enhance transparency and decentralisation in Libyan financial institutions and resolve the banking crisis in the country (Zaptia, 2020). The meetings halted due to resumed infighting in mid-February. After successes in August ceasefire, the economic track of intra-Libyan dialogues resumed from 18 September on. Series of meetings have been held among Members of the Libyan Economic Experts Commission, representatives of both branches of the Central Bank of Libya (CBL), its Audit Bureau, the Ministry of Finance and the National Oil Corporation and independent Libyan experts along with representatives from the UNDP and the World Bank (Zaptia, 2020; Kenny, 2020). As of writing, two Central Banks of Libya have still not fully been united. Salama al-Ghwail, Libya’s Minister of State for Economic Affairs, considers the continuing insecurity in the country as the reason behind economic problems (Mikhail, 2021).

The political track of intra-Libyan negotiations, later called the Libyan Political Dialogue Forum (LPDF), originally started on 26 February 2020 with twenty Libyan figures in total from the HOR, the GNA and the High Council of State. However, the talks were boycotted by the participants afterwards owing to resumed infighting in the country. The talks resumed after successes in ceasefire implementation and started its face-to-face meetings on 9 November 2020 in Tunis. The dialogue in Tunis hosted seventy-five participants; twenty-six of them were elected by the HoR and the High Council of State and forty-nine independents, women and minority representatives selected by the UNSMIL (Remarks by Acting Special Representative, 2020). The participants declared themselves ineligible to 'sovereign' political positions of the new institutions as this was the requirement to participate in the LPDF ("UNSMIL Statement", 2020). The mission of this track was to elect a transitional government that can lead the country to the election that is planned to take place on 24 December 2021. Several setbacks were in the way of a resolution in the process. There were suspicions over Haftar's breach of ceasefire in December near the contact lines around Sirte and Al-Jufrah. Reportedly, Haftar received ammunition from Russia and attacked Awbari, a southern town in west of Sabha. Also in December, deadlock in political talks over the voting mechanism for the transitional government happened. Furthermore, some thirty participants threatened the UNSMIL on 14 December to pull out from the talks, accusing it of handpicking people for certain positions (Abdullah, 2020). Hence, December was a tough month for the Libyan peace process that was ultimately overcome.

Eventually, the Advisory Committee, a committee consists of eighteen forum delegates elected by the LPDF members, agreed on a selection mechanism on 17 January 2021, for the election of country's Presidential Council that is to consist of three figures, and a Prime Minister who is to lead the country until 24 December elections (Zaptia, 2021; Fragile Progress toward a Unity Government for Libya, 2021). On 5 February, following two rounds of voting in the LPDF, the elected names were Mohammad Younes Menfi as the President of the Presidency Council, Mossa Al-Koni as a Member of the Presidency Council, Abdullah Hussein Al-Lafi as Member of the Presidency Council and Abdul Hamid Mohammed Dbeibeh as the Prime Minister of Libya. These four names gained thirty-nine votes against the other group composed of Aguila Saleh as the President of the Presidency Council, Osama Abdul Salam Juwaili as Member of the Presidency Council, Abdul Majeed Ghaith Seif Al-Nasr as Member of the Presidency Council and Fathi Ali Abdul Salam Bashagha as the Prime Minister that gained thirty-four votes (Zaptia, 2021). The PC

assumed its duties right after the election. Dbeibeh and his cabinet, consisting of thirty-five ministers, began active duty on 15 March, after being sworn in before the HoR.

However, six months into the signing of the ceasefire by April, monitoring mechanisms were still not in place. The coastal roads were not opened. Initial opening of Misrata-Sirte line could not be maintained. Foreign fighters did not leave the country and withdrawal of forces were not complete. Consequently, and in line with the JMC's prior request, the UNSC adopted two resolutions on 16 April 2021. The first one, Resolution 2570, urged all foreign fighters and mercenaries to leave Libya immediately. This resolution also adopted measures proposed in the UNSG letter to the UNSC on 19 March (S/2021/281) and 7 April (S/2021/353). These measures, decided mainly by the JMC, aimed to specify the ceasefire monitoring mechanism, now called Libyan-led and Libyan-owned ceasefire monitoring mechanism (LCMM) (Resolution 2570, 2021) Accordingly, 60 monitors are planned to be deployed to Sirte after the UNGA approves funding the mission ("Letter dated 7 April", 2021; Lederer, 2021). The second one, Resolution 2571, renewed the ban of illicit petroleum export from Libya (Resolution 2571, 2021). On 20 April, Libya Quartet, international and regional bodies that came together for Libya's conflict resolution and composed of the League of Arab States (LAS), the United Nations (UN), the African Union (AU) and the European Union (EU), also recalled the importance of Permanent Ceasefire implementation and offered its help for monitoring mechanisms in case it is needed ("Note to Correspondents", 2021). At the time of writing, the end of May, the stated ceasefire requirements above have still long way to go ("Libya: Ceasefire, planned elections", 2021).

Overall, implementation of the Permanent Ceasefire is going well, considering that the main mission of this stage is changing the violent patterns of communication and building trust. Creation of small committees have provided a platform for the conflicting parties to have alternative means of discussion other than violence. The CSBMs have proved to be working immediately after the signing of the ceasefire although certain objectives have not yet been achieved like unification of the Central Banks. However, the fact that the two heads of the Central Banks are having meetings under Action Plan's economic track is a good enough sign to indicate the success of the ceasefire. Moreover, political reforms following the LPDF's sessions have been fruitful in terms of creating the Government of National Unity. The biggest problem standing in the way of the success of the ceasefire is the sheer number of foreign fighters, more than 20,000, still present in the country.

#### **4.6. Proceeding Process- peaceful change**

The process that started with the Berlin Conference on 19 January 2020 resulted with the declaration of Ceasefire on 21 August and signing of the Permanent Ceasefire on 23 October. Although the Conference did not immediately halt the violence in Libyan soils, the committees it established and the meetings these committees had were a good start. Three influential factors were nested in the process. The first one is contextual changes. Arrival of COVID-19 in Libya around March 2020, protests caused by increasing poverty as a result of a decade of civil unrest and Haftar's nine-month long oil blockade forced the conflicting parties to sit on the negotiating table. Secondly, in terms of trust-building between the conflicting parties, formation of the JMC was a productive step. The JMC was relatively more reliable than Haftar and al-Sarraj, who had been involved in numerous failed peace initiatives prior to the Berlin Conference. Thirdly, external actors involved in the Libyan conflict, especially those on Haftar's side, have come to realise that the conflict is not producing a winner. The ceasefire initiation efforts of Russia and Turkey in January, Russian mediation in September for a meeting between two officials from both sides to end the oil blockade, Egypt's hosting of security track meetings in September and the US and Germany's meetings with the Libyan conflicting parties prior to the August ceasefire demonstrate an endeavour of the most involved countries to resolve the Libyan conflict.

The initiation of the Permanent Ceasefire had two main features that impacted on the ongoing of the peace process. Firstly, the ceasefire was not externally initiated. It was declared by both political heads, al-Sarraj and Saleh. Although Haftar was not the one who declared, his representatives had been participating in the security track meetings since February and participated the meetings held after the ceasefire declaration. Hence, the decision to have a ceasefire agreement, unlike previous ceasefire experiences, came from the national actors. The conflict, as Zartman would suggest, have come to bring both conflicting parties to a costly position for maintaining an armed confrontation. Secondly, although the armed confrontation resumed after the Berlin Conference, Berlin Conference was a significant step in Libyan peace process in terms of having the signatures of high-level politicians from the most involved countries. These countries, mainly Russia, Turkey, Egypt, the US and Germany, have been mounting pressure on Libyan conflicting parties since the Berlin Conference.

Form and Content of the Ceasefire had several characteristics that shaped the Libyan peace process. Firstly, the signatories were all Libyan figures. This was significant in terms

of making the process Libyan-owned. Secondly, the Ceasefire was a comprehensive agreement encompassing articles regarding the CSBMs, prohibited acts, separation of forces and DDR. It was a good start in terms of building trust. However, the content of the Ceasefire left vagueness on several subjects like separation of forces (where exactly), foreign fighters (which nationality, numbers, etc. so that their departure could be tracked), DDR (only Tripoli militias that had been under the GNA or both GNA and LNA), and finally mechanism for monitoring the ceasefire. Despite these matters, the Permanent Ceasefire was the most comprehensive since the LPA.

The implementation of the Ceasefire is still ongoing. However, this stage has been shaping the peace process on several aspects. The creation of small committees working interactively on different matters following post-November meetings was a significant step in terms of encouraging the belligerent parties to prefer words rather than guns (Weiss, 2003, p. 113). On this basis, although the DDR activities and the monitoring mechanisms have not yet been established, the fact that the parties are still sticking to the political process reinforces Chounet-Cambas's argument which is building trust between the parties and within the peace process is more important than disarmament (2011, p. 25-26). Lastly, it is especially important in civil conflicts to have political resolution with or after the ceasefire so that the country can maintain existence (Fortna, 2004). Accordingly, the economic and political tracks that followed the ceasefire have been producing results. Furthermore, the method that was used to elect the Government of National Unity was relatively more democratic than how al-Sarraj was picked. This gives the new government more legitimacy. However, more than 20,000 foreign fighters are still in Libya, and it is still not clear how their departure will be achieved. Overall, main mission of ceasefires is to change communication patterns of belligerent parties, i. e., persuade the parties to stick to the political process. And failure of several articles does not mean failure of the ceasefire agreement (Akebo, 2013). Therefore, the Permanent Ceasefire agreement has been successful in directing the conflicting parties towards a peaceful process.

## CHAPTER V

### CONCLUSION

This thesis aimed to examine the three ceasefires of the Libyan peace process to comprehend their nature. Around this analysis is situated two questions. How the ceasefires have influenced the peace process and how the peace process has influenced the ceasefires are examined. To answer these questions, the claims, strategies, and relationships between the conflicting parties of the Libyan Civil War were studied. Accordingly, how the ceasefires have influenced the attitudes and relationship of the conflicting parties is scrutinised. In line with it, the thesis makes a detailed examination of the text of the ceasefire agreements with three analytical sections, (i) initiation, (ii) form and content (iii) implementation and unfolding of the process, whilst searching for how the six factors, i.e. recognition, trust, claims, international involvement, contextual changes and intra-party dynamics, have shaped the type of the ceasefire agreement, the continuation of the conflict, and the peace process.

The LPA was the first agreement that was reached after the onset of the Libyan Civil War in mid-2014. Despite encompassing wide range of issues regarding the new organisational and security structure in Libya, the LPA was not successful in changing the communication patterns between the conflicting parties. According to the analysis of this thesis, there are several reasons behind this failure. Firstly, the content of the agreement and the proposed names for the GNA and the PC, were not agreed and fully approved by the representative authorities of Libya, the GNC and the HoR, in the negotiation stage. In the implementation period, the LPA never gained legitimacy because it never got the vote of confidence from the HoR. In this sense, the LPA was a stillborn agreement when it was signed. Secondly, the negotiation meetings did not involve leaders of powerful militias and most importantly LPA's commander-in-chief Haftar who are significant conflicting parties of the Libyan Civil War. This exclusion contributed to turning these actors into spoilers later in the peace process. Consequently, Haftar did not recognise the agreement and continued his armed operations in the east and south of Libya while militias associated with al-Ghweil, Prime Minister of the GNS, were having clashes with the GNA-aligned militias in Tripoli. Thirdly, the negotiation meetings, proposed names for the PC and the GNA, and the content of the LPA

Table 5: Summary of ceasefire agreements in peace processes of Libya

	The Libyan Political Agreement, 2015	The Palermo Conclusions, 2018	The Permanent Ceasefire, 2020
Initiation of the ceasefire agreement	<p>Initiated on 29 September 2014</p> <p>Signed after 15 months of negotiations</p> <p>Mediated by the UNSMIL; meetings dominated by Leon</p> <p>Members from the HoR and the GNC were in negotiation meetings, Haftar was not included</p>	<p>Followed series of externally-brokered reconciliation meetings throughout 2017-18 between al-Sarraj, Haftar, President of the HoR and the HCS</p> <p>Initiated by Italy with Russian backing</p> <p>Conference preparation approximately a month</p>	<p>Initiated on 19 January with the Berlin Conference on Libya: Conference Conclusions (the UNSMIL annex with details)</p> <p>Negotiation meetings disturbed briefly after Haftar's assault on 19 February but resumed in three months</p> <p>Bilateral declaration of cessation of hostilities on 21 August, formalised on 23 October</p>
Form and Content of the ceasefire agreement	<p>Signed as "Libyan Political Agreement"</p> <p>Lacked official endorsements from main parties although signed by individual members belonging to the HoR and the GNC</p> <p>No time limitations for cessation of hostilities (immediate and permanent ceasefire)</p> <p>Comprehensive peace agreement including details of organisational structure, security sector arrangements, and humanitarian assistance</p>	<p>Signed as "Palermo Conference For and With Libya: Conclusions"</p> <p>Officially signed by the PC, the HoR, the HCS, the LNA but not signed by Haftar</p> <p>No time limitations for cessation of hostilities (immediate and permanent ceasefire)</p> <p>Weak Content; lacked details about the monitoring structure</p> <p>Considered the LPA, which was not recognised by the HoR and HCS, as the basis</p> <p>Included humanitarian assistance</p>	<p>Signed as "Agreement for a Complete and Permanent Ceasefire in Libya"</p> <p>Signed by members of the JMC</p> <p>No time limitations for cessation of hostilities (immediate and permanent ceasefire)</p> <p>Covered variety of details regarding ceasefire arrangements but lacked significant details like monitoring mechanism</p> <p>Included humanitarian considerations like ban on hate speech and random arrests</p>
Implementation of the ceasefire agreement	<p>The GNA and the PC was established although not recognised; the GNC turned into the HCS</p> <p>Temporary Security Committee was established but could not carry out ceasefire arrangements due to resumed violence</p>	<p>SecurityPlan-2019-One and Central Security Directorate was established by Bashagha but failed due to ongoing violence in Tripoli and later with Haftar's Tripoli assault on 4 April</p>	<p>The Security and Operations Room was established by 17 January</p> <p>Parallel political track produced results and elected a new government (GNU)</p> <p>Around 20,000 foreign fighters are still in the country</p>

were heavily dominated by the Head of the UNSMIL, Bernardo Leon, who later turned out to be in close personal relationship with some UAE officials. The result of Leon's undemocratic way of selecting individuals to lead the Libyan peace process was not only the rejection of the names suggested to be in the PC and the GNA but also the institutions LPA created. Alongside not being recognised by the HoR, HCS, and the LNA, the PC had internal issues that led to resignations from several members by mid-2015. Other than Leon's personal dominance in the meetings, the Western countries in general were more focused on eradicating the ISIS in Libyan soils than finding a common ground between the conflicting parties for the resolution of the Libyan Civil War. These factors undermined the success of the agreement.

The next analysis of the thesis is Palermo Conference Conclusions which came three years after the LPA. The Conference Conclusions also failed to put the Libyan Peace Process on a positive track. The reasons behind the failure were multiple. Firstly, the Conference followed a series of failed meetings and verbal agreements, and nevertheless included the same Libyan figures who previously failed to compromise. Since the Libyan figures invited to the Conference were the same figures of the previous meetings in the UAE, Egypt and France throughout 2017 and 2018, there was a sense of distrust between the Libyan conflicting actors. Alongside Haftar, who previously acted as a military spoiler in the peace process, the HoR President Saleh and the HCS President Sewehli acted as political spoilers when they failed to compromise on amending the LPA in the Joint Drafting Committee, the first step of Salamê's Action Plan. Consequently, the timing of the Conference and the distrust between the conflicting actors had a negative effect on the Palermo Conference. Secondly, the objective and focus of the Conference was more getting prepared for elections than agreeing on a ceasefire. However, this was very problematic because Libya was acutely suffering from insecurity within its borders, notably the Tripoli Clashes at the time. In an insecure environment, it is illusionary to plan the holding of free and fair elections. Furthermore, the ceasefire arrangements of the Conclusions were limited to the Tripoli Ceasefire, which was very weak in content, lacking organisational and monitoring mechanism for the implementation of the agreement. Thirdly, Haftar did not sign the Palermo Conference Conclusions, nor did he consistently attend the summits of the Conference. Moreover, he demanded a military authority that is not under the rule of the civil government. However, this claim stands against democratic principles and leads the way to a military dictatorship, the very regime the 2011 uprisings erupted against. Haftar as a military spoiler with an undemocratic request was continuously provided by the external

powers, which is the fourth reason the Conclusions failed. Owing to constant support from Egypt, the UAE, and Russia, which was in contradiction with the 2011 arms embargo of the UN, the conflict was not bringing Haftar to a “costly” position where he could be more inclined towards a reconciliation within the peace process. Fifthly, the success of the Conference was undermined by the participants’ positions. The attendees did not belong to the top leadership of the countries. Furthermore, the rivalries between Italy-France and Russia-the US overshadowed the success of the Conference. While the US was disturbed by deep Russian involvement in the conference, France was having conflictual interests with Italy regarding Libya. Hence, these factors are found to be effective in the failure of the Palermo Conference.

The last analysis of the thesis is the Agreement for a Complete and Permanent Ceasefire in Libya. The agreement signed on 23 October 2020 is the latest ceasefire signed between the members of the Joint Military Commission. This ceasefire agreement along with the other political and economic tracks has been able to have positive effects on the communication patterns of the Libyan conflicting parties. The main condition that rendered this alteration of conflict dynamics is Turkey’s involvement in the conflict. Being isolated from the Eastern Mediterranean Gas Forum in Egypt, and excluded from summits in Palermo, Turkey reasserted its role in the region by deploying troops and training crews in Libya following signed agreements with the GNA. This military assistance the GNA had lacked since its day one, and Haftar had enjoyed all along from Russia, Egypt, Saudi Arabia, changed the direction of the conflict from Haftar’s possible victory to a military stalemate. Second condition that positively influenced the Libyan peace process is the spread of COVID-19 pandemic to Libya. This health emergency coupled with a decade of civil war and Haftar’s nine-month long oil blockade culminated in series of protests in the country throughout August and September 2020. These contextual changes positively affected the peace process. Thirdly, there was a visible effort of the international community, led by Germany, to resolve the Libyan Civil War. The Berlin Conference held on 19 January 2020 hosted the top leadership of most-involved countries in Libyan conflict with an aim to stop international military involvement in the Libyan conflict, therefore, was an important step in the peace process. Fourthly, the ceasefire was for the first time initiated by the Libyan conflicting parties, al-Sarraj and Saleh. Although Haftar was not the actor who declared it, his five representatives from the LNA were part of the committee (JMC) who resumed the security track and concluded the formalisation of the Permanent Ceasefire. The creation of the JMC was also a positive development owing to the damaged trust between Haftar, al-

Sarraj, Saleh and Sewehli because of repeatedly failed meetings. Lastly, the content of the ceasefire was comprehensive although lacking significant details for the implementation stage. The monitoring mechanism and specifications for the departure of foreign fighters from the country were main deficiencies of the agreement. Despite that, however, the implementation of the Permanent Ceasefire was the most successful compared to the LPA and the Palermo Conference.

As a result of these analyses, it has been found that Akebo's analytical framework is helpful while studying the connection between ceasefires and peace processes. Accordingly, it has been found that the initiation of ceasefires should include the main conflicting actors who do not have much failed history as far as the peace initiatives are concerned. External initiation is found to mostly go wrong since the conflict is still blazed by external assistance that prevents the conflict from ripeness. Bilateral initiation is much preferred since it marks a moment of a "hurting stalemate". It is also found that an agreement should not be signed if it still contains contentious articles. In terms of content, it has been found that the agreement text should include details of particularly the first stages of the transitional period in terms of security. The later stages could be decided as the peace process builds up as is in the Permanent Ceasefire. Creation of committees also seem to work well as it increases non-violent communication between the conflicting parties. Signatories consisting of top-leadership of involved countries also signify a high possibility of ceasefire success as in the Berlin Conference. When it comes to implementation, the workability of monitoring mechanisms and committees seem to have influence on the success of the ceasefire. Considering emergence of spoilers as highly probable in the stage, measures like sanctioning should be taken seriously. Lastly, financial, and technic external assistance for the humanitarian disaster in the country seem to matter substantially since it encourages the public support within the peace process.

With regard to the other factors that have influenced the process, inclusion and recognition of actors in the peace process was stated to be positive in terms of potentially eliminating spoiler emergence. However, Despite Haftar's inclusion to the process from the 2017 on, the peace process was derailed. The claims and demands of Haftar were non-negotiable because of their undemocratic character and caused distress in the peace process starting from the LPA's Article 8. Behind Haftar's non-negotiable demands was a sheer external assistance. Hence, it is observed that external actors in civil wars profoundly determine the outcome of the conflict. In the Libyan case, since the external assistance was uneven until 2019, it protracted the conflict even more along with making it more

devastating. It is also found that new political and military figures should be included in the peace process if the history of the peace process is full of same people's disagreements. The success of the JMC in comparison to the failures of Saleh, al-Sarraj, Haftar and Sewehli underpins this finding. Lastly, contextual changes are found to be highly effective in determining the resoluteness of the external actors in the Libyan case. The 2020 peace process was the most positively affected since COVID-19 and oil blockade prompted public protests and demand for an end to armed struggle.

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## APPENDICES

### A. TURKISH SUMMARY / TÜRKÇE ÖZET

İkinci Dünya Savaşı'nın sona ermesinden bu yana savaştan barışa geçişlerin çeşitli aşamaları ve dönemleri çatışma çözümü alanında derinlemesine araştırıldı. Ancak, Soğuk Savaş'ın sonuna kadar yapılan çalışmalarda barış anlaşmaları bir odak noktası olmamıştır. Bunun muhtemel nedeni barış anlaşmaların, Soğuk Savaş'ın sona ermesinden sonra uluslararası sahnede daha fazla ortaya çıkmasıdır. 1800'lere kadar giden ve savaşlar sırasında anlaşmaların sıklığını araştıran çalışma sonuçlarına göre 1800'lerden bu yana savaşların giderek son zafer çağrısının ilan edildiği bir alan olmaktan çıktığı tespit edilmiştir. Ayrıca, Soğuk Savaş dönemindeki çatışmaların sadece %10'unda taraflar arasında müzakere yoluyla anlaşmalar yapılırken, bu oran Soğuk Savaş'ın bitiminden 2005 yılına kadar olan süre içinde %38'e yükselmiştir. Fortna (2004), barış-gücü birliklerinin keskin artışı nedeniyle devletler arası savaşlarda kazanılan muharebe zaferlerinin de 1989 sonrasında daha nadir hale geldiğini savunuyor. Buna bağlı olarak, iç savaş çözümlerinde barış anlaşmaları ve ateşkesler daha yaygın hale geldi. Bu bulgular, barış süreçlerinin ve müzakere yoluyla ulaşılan çözümlerin öneminde bir artışa işaret etse de bu durumun kısmi nedeni devletler arası çatışmalara artan uluslararası müdahaledir. Bazı bilim insanları muharebe zaferlerindeki azalmanın savaşların doğal sonucunu engellediğini ve nihayetinde çatışmaları uzattığını iddia ediyor. Benzer düzlemde olan bazı bilimciler ise kesin askeri zaferlerin, müzakere edilen çözümlere kıyasla (olumsuz) barış getirme olasılığının daha yüksek olduğunu iddia etmektedir.

1990'lardaki arabuluculuk faaliyetlerindeki artış, 1989-2005 yılları arasında gerçekleşen barış süreçlerinin %40'ının beş yıl içinde tekrar savaşa dönmesinden dolayı barışı sağlama açısından kayda değer bir başarıya ulaştığı söylenemez. Ayrıca, son çalışmalar, Soğuk Savaş sonrası müzakere yoluyla çözüm artışının kısa süreli olduğunu ve daha güçlü uluslararası arabuluculuk altyapısına rağmen savaştan barışa barışçıl yollarla geçişlerin düşüşte olduğunu göstermektedir. Dolayısıyla, anlaşma kavramı giderek daha fazla finansman ve ilgi çekmesi açısından daha yaygın hale gelse de uluslararası ilişkiler disiplini ve çatışma çözümü alanı barış süreçlerinde fiili başarıya umutsuzca muhtaçtır. Bu bağlamda, barış süreci ve bileşenlerinin daha fazla çalışılıp, literatüre yeni analiz ve

gözlemlerin katılması gerekmektedir. Bu amaç göz önünde bulundurularak şimdiye dek üzerine kapsamlı araştırma yapılmamış olan Libya Ateşkesleri ve Libya Barış Süreci çalışılmıştır. 2011'in Şubat ayında ülke içi ayaklanmaların başlamasıyla kaosa sürüklenen Libya, Mart ortasındaki NATO müdahalesiyle daha da kontrolden çıkmıştır. Kaddafi'nin Ekim ayında militanlar tarafından vahşice öldürülmesi sonrasında ülkenin siyasi normalleşme çabaları boşa çıkmış, 2014'te fiili anlamda bir iç savaşa sürüklenmiştir. Bu tez ise 2014'te başlayan ve halen süren Libya Barış Sürecinin kalıcı ateşkes anlaşmalarını analiz ederek, bu anlaşmaların barış sürecine etkisini anlamaya çalışmaktadır.

Tezin sorunsalı ateşkesler ve barış süreci arasındaki ilişki ve ateşkeslerin yapısının barış sürecini nasıl etkilediğidir. Öncelikle literatür taramasıyla tezin temelini oluşturan kavramların çeşitli tanımlamaları araştırılmıştır. Ramcharan (2009) barış sürecini çatışmaları diplomatik ve şiddet içermeyen yöntemlerle çözmek olarak tanımlarken Darcy & Mac Ginty (2003) çatışan tarafların dahil olduğu sürekli barış inisiyatifleri olarak tanımlar. Akebo (2013)'ya göre ise barış süreci çatışmadaki çatışan tarafların sorunlarını barışçıl yöntemlerle çözmeye karar verdiğini beyan ettiği süreçtir. Tonge (2014) ise barış sürecinin çatışmayı engelleme ve yönetme amacıyla edilen teşebbüsler ve alınan eylemler olarak tanımlayıp barış sürecinin uzun bir "süreç" olabileceğini vurgular. Barış sürecinin lineer olmadığı ve her adımında şiddet içerebileceği ise Darby & Mac Ginty (2003) tarafından belirtilmiştir. Onlara göre barış sürecinin beş teması vardır. Bunlar (1) barışa hazırlanma, (2) görüşmeler, (3) şiddet, (4) barış mutabakatları, (5) barış inşasıdır. Ateşkesler yapılarına göre çoğunlukla birinci veya ikinci temaya dahil olabilirler. Ateşkeslerin tanımlarına gelince, literatürde temelde silahlı çatışmanın durması (negatif barış) olarak çalışılsa da kendi içlerinde silah bırakma, geçici ateşkes, kalıcı ateşkes, mütakere şeklinde ayrılmıştır. Bu ayrışma net olmamakla beraber, kalıcı ateşkesin pozitif barış amacını daha çok taşıdığı ve barış anlaşmalarına en yakın yapıda olduğu anlaşılmıştır. Bu tez de ateşkesler ile barış süreci arasındaki bağlantıyı araştırdığı için kalıcı ateşkeslerin niteliksel olarak bu araştırmaya daha uygun olduğu düşüncesiyle Libya'nın kalıcı ateşkes yapısında anlaşmalarını incelemiştir.

Tezin temel çıkış noktası, literatürde saptandığı üzere ateşkes anlaşmaları ile barış süreçleri arasındaki kavramsal bağlantıdır. Tüm barış süreçleri kendi şahsına münhasır olsa da barış süreçlerinin genel bileşenleri ateşkes anlaşmaları, çatışan taraflar arasında doğrudan müzakereler, arabuluculuk ve çatışmanın arkasındaki temel sorunları çözmeyi amaçlayan kapsamlı anlaşmalardır. Ateşkes anlaşmalarının, savaş ortamından barışçıl bir ortamına geçişte en belirgin "yol işareti" ve süregelen barış sürecinin temel taşları olduğu düşünüldüğünde, ateşkeslerin barış süreçleri üzerinde büyük bir etki potansiyeli vardır.

Herhangi bir siyasi içeriği olmayan veya bir barış anlaşmasıyla birleştirilmeyen ateşkeslerin *spoiler* oluşumuna elverişli ve adaletsiz bir ortam yaratabilme tehlikesine rağmen, her türlü ateşkesin silahsızlanma hükümleriyle barış sürecinde önemli bir adım olduğu açıktır. Ancak bu önemine rağmen, çatışma çözümü alanında ateşkeslerin “daha politik anlaşmalardan önce mi, paralel mi, yoksa daha siyasi anlaşmalardan sonra mı gelmesi gerektiği” konusunda devam eden bir tartışma olduğuna dikkat çekiyor. Bu tartışmanın arkasındaki neden, çeşitli ülkelerde ateşkes sonrasında donan ya da barışçıl bir değişime dönüşmeyen çatışmalardır (örn. Dağlık Karabağ, Sri Lanka, Nepal, Kolombiya ve İsrail-Filistin). Mac Ginty (2008) bunu, barış süreci retoriğinin sürdüğü ve kapsamlı bir barış anlaşması olmadan ateşkesin sürdüğü bir durum olan “ne savaş ne barış” olarak adlandırır. Bu tür ateşkesler çoğunlukla silahlı çatışmayı herhangi bir siyasi çözüm olmaksızın durdurmayı amaçlayan ve potansiyel olarak çatışmayı uzatabilecek ateşkeslerdir. Bu nedenle, kalıcı ateşkes anlaşmalarının diğer türde ateşkeslere göre barış süreci ile daha doğrudan ilişkili olduğu anlaşılmıştır.

Sorulan ilk soru, Libya ateşkeslerinin yapılarının ne olduğudur. İkinci ve üçüncü sorgulama ise, Libya ateşkesleri ve barış süreci arasındaki karşılıklı ilişkinin dinamiklerini anlama amacıyla yapılmıştır. Bu doğrultuda, ateşkeslerin barış süreci boyunca çatışan tarafların tavır ve ilişkilerini nasıl şekillendirdiği de incelenmiştir. Bu karşılıklı ilişki altı etki faktörüyle araştırılmıştır. Bu etki faktörleri, (1) tanınma ve meşruiyet, (2) güven, (3) isteklerin karşılanması, (4) dış etken ve kaynaklar, (5) bağlamsal değişimler ve (6) parti-içi dinamiklerdir. Bu altı faktör, hem ateşkeslerin başlama sürecine, içeriklerine ve uygulanmasına etkide bulunmuş hem de bunlardan etkilemiştir. Yani ateşkesler ile karşılıklı olarak birbirini etkileyen faktörlerdir. Bu bağlamda, altı faktör tez boyunca yapılan analizde göz önünde bulundurulmuştur.

Ateşkeslerin yapılarını incelemek için ise üç adımlı analitik çerçevesi kullanılmıştır. Bunlar, (i) başlama, (ii) içerik ve (iii) uygulama ve ortaya çıkan süreçtir. Başlama adımı ateşkesin tek taraftan mı, iki taraftan da mı, yoksa dış bir aktör tarafından mı ilan edildiğine bakılmıştır. Aynı zamanda, ateşkes ilan kararında ve ateşkesin maddelerinin karar sürecinde çeşitli grupların dahil olup olmadığına, dahil olan grupların liderlik pozisyonlarının bu süreçte aktif olarak görev alıp almadığına dikkat edilmiştir. İncelenen diğer bir etken ise ateşkesin zamanlamasıdır. Uzun süreli çatışmalarda aleyhte işleyen bu etken, çatışan tarafların birbirlerine olan güvenini etkilemektedir. Son olarak, ateşkes ilanının arkasında yatan durum araştırılmıştır. Bu nedenler, yeniden silahlanıp sürpriz saldırı yapmak gibi taktiksel, tanınmak gibi stratejik, savaşa son verip ölümleri durdurmak gibi hakiki ve dış aktörlerin yaptırımları gibi dış baskı sebeplerinden kaynaklanabilir.

İçerik adımımda ise sekiz ögeye bakılmıştır. Bunların ilki ateşkesin temel amacıdır. Genelde ateşkes metninin girişinde yer alan bu ifadeler, ateşkesin geneline dair bir öngörü verebilir. İkinci öge ise ateşkesi ihlal edecek eylemlerin açıkça belirtilmesidir. İhlal maddeleri ne kadar net olursa ateşkesin başarılı olma ihtimali o kadar artar. Çünkü tarafların ihlal maddelerine uyması ateşkesin güvenilirliğini artırarak taraflar arasındaki itimadı güçlü kılar. Bu maddeler nefret söylemi gibi toplumda yer etmiş bazı yapısal davranışların yasaklanmasından belirli silah çeşitlerinin yasaklanmasına kadar değişim gösterebilir. Ateşkes içeriğinde önemli olan diğer bir öge ise çatışan tarafların silahlı birliklerinin mekânsal olarak ayrılmasıdır. Bu ögenin başarılması ateşkes başarısı için elzemdir. Dördüncü faktör, askeri olmayan önlemlerin alınması konusunda anlaşmaya varmaktır. Bu önlemler yolların, hastanelerin, devlet okullarının yeniden açılması veya kontrol noktalarının kaldırılması gibi sivil halka normalliği tekrar hissettirmeyi amaçlayan eylemlerdir. Beşinci faktör, ateşkesin başarılı bir şekilde uygulanabilmesi için bir teşkilat yapısının gerekliliğine işaret etmektedir. Tarafların sürekli temas halinde olmasını sağlayan iletişim hattı, bir organizasyonel yapıya örnektir ve ateşkes içeriğinde esastır. Altıncı faktör, ateşkes anlaşmasına doğrulama, denetleme ve izleme sistemlerini dahil etmektir. Ateşkes anlaşmasında kararlaştırılan tedbirlerin nasıl ve uygulanıp uygulanmadığını izlemek için atanmış bir denetim mekanizmasının oluşturulması ateşkesin başarısını etkileyecektir. Ateşkes içeriğinde dikkat edilen bir diğer faktör ise zamansal ve mekânsal sınırlamalardır. Zamansal sınırlamalar ateşte alınan kararların ne kadar sürede gerçekleştirilmesinin planlandığından ateşkesin geçicilik sürecine kadar çeşitli şekillere bürünebilir. Mekânsal sınırlama da aynı şekilde ateşte alınan belli kararların belli bölgelerde başlanması şeklinde belirleyiciliğini korur. İçerikteki son madde ise imzacı taraflardır. Eğer ki anlaşmanın imzacıları üst düzey, güvenilir ve popüler politikacılar ve dış aktörlerden oluşuyorsa, ateşkes anlaşmasının ayakta kalma şansı daha fazla olacaktır.

Ateşkesin yapısını anlama çabasındaki son adım uygulama ve ortaya çıkan süreçtir. Uygulama aşaması, çatışan tarafların siyasi çözüme bağlı kalma veya savaşa dönme kararlarının ana belirleyicisidir. Tarafların kararı, ateşkesin gerçekten uygulanıp uygulanmadığına bağlı olacaktır. Etkileşim kalıplarını değiştirmek bu aşamanın temel amacıdır. Ancak, taraflar arasındaki iletişimin başarısız olmasının birçok yolu vardır. Şiddetin olası ortaya çıkması ve bozulma riski, başlıca ve en yaygın risklerdir. Herhangi bir yanlış anlaşılmayı ve iletişim kopukluğunu önlemek için tarafların birbirlerinin ateşkes taahhüdünü gözlemleyebilmeleri için görünür adımlar atılmalıdır. Bu, potansiyel olarak savaşan taraflar arasında güven oluşturabilir. Ateşkes anlaşmasının ana görevleri şiddeti

azaltmak ve güven inşa etmek olarak düşünüldüğünde, uygulama sürecinin önemi yadsınamayacaktır. Bu görevler en iyi şekilde birliklerin geri çekilmesi, askerden arındırılmış bölgelerin oluşturulması ve silahsızlanma ile yapılabilir. Dolayısıyla, bu eylemler, uygulama aşamasının olduğu şeydir. Bununla birlikte, temellerin düzgün bir şekilde yerine getirilmesi için gereklilikler, izleme, olay doğrulama ve uyuşmazlık çözüm mekanizmalarını kapsar. Bütün bunlar ateşkesin başarısını pekiştirir. Bu adım başarıyla tamamlanırsa, taraflar arasındaki güven barış görüşmelerini ilerletmek için yeterince inşa edilecektir.

Literatür ve teorik altyapı sonrasında Libya İç Savaşının kısa bir arka planı verilmiştir. Öncelikle 2011 Libya ayaklanmalarının diğer Arap Baharı ülkelerinden (Tunus ve Mısır) farklı olduğu noktaların dikkat çekici olduğu iddia edilmiştir. Bu noktalar, Libya ayaklanmalarının bir hafta gibi kısa sürede hükümet görevlileri ve protestocular arasında şiddetli ve öldürücü bir çatışmaya dönüşmesi, özellikle doğudaki İslamcı grupların ayaklanmaların başında hükümete karşı şiddete başvuran aktif politika izlemeleri ve protestocuların temel talebinin Kaddafi'nin gidişi olmasıdır. Aynı zamanda Libya'da protestoların ana aktörü doğu şehirlerinden gelen protestoculardır. Yani sosyal bölünme coğrafya temellidir. Fakat Tunus ve Mısır'da protestolarının ana aktörleri sırasıyla işçi hareketi ve ülkenin eğitimli gençliğiydi. Bu sınıf temelli bölünme, Tunus ve Mısır'daki protestoların daha amaca yönelik ve bilinçli tartışmalar etrafında döndüğünü gösteriyor. Dahası, Tunus ve Mısır, liderlerini devirdikten sonra iç savaşa girmeyerek mevcut ve az çok işleyen siyasi yapılarını ortaya koydular. Libya devleti ise Kaddafi'den ibaret olduğu için çok farklı bir yol izledi.

Libya ayaklanmaları 15 Şubat 2011'den itibaren Bingazi ve El-Bayda gibi doğu şehirlerinin yanı sıra Trablus, Misrata, Zawiya ve Zintan'a da sıçradı. Daha sonra Kaddafi rejiminin düşmesine neden olan bu ülke çapındaki protestoların ana merkezi Bingazi'dir. Bingazi protestolarının temel sebebi, bir insan hakları aktivisti ve 1996 yılında Trablus'taki Ebu Salim Hapishanesi'nde güvenlik güçleri tarafından katledildiği iddia edilen 1000'den fazla mahkûmun akrabalarının temsilcisi olan Fathi Terbil'in tutuklanmasıydı. Komşu ülkeler Tunus ve Mısır'daki protestolardan güç olan Libya protestocuları Kaddafi'nin iktidardan uzaklaştırılmasını talep etti. Protestocuların "Öfke Günü" olarak adlandırdıkları 17 Şubat'ta, çok sayıda aktivist ve yazar Libyalı yetkililer tarafından gözaltına alındı. Tutuklamalar protestoları daha da alevlendirdi ve ayaklanmalar ülkenin dört bir yanını sardı. Birkaç gün içinde isyan, hükümet güçleri ile protestocular arasında ülke çapında bir mücadeleye dönüştü. Protestocular Mart 2011'in başlarında ülkenin yarısının kontrolünü ele

geçirmesine rağmen, Kaddafi ve güçleri protestoculara karşı ağır silahlar kullanarak otoriteyi geri aldı. Mart ayı ortalarında Bingazi dışındaki tüm şehirler Kaddafi'nin kontrolü altındaydı. Ancak, Birleşmiş Milletler Güvenlik Konseyi (BMGK) tarafından desteklenen Kuzey Atlantik Antlaşması Örgütü'nün (NATO) askeri müdahalesi, çatışmanın gidişatını değiştirdi.

NATO müdahalesinden başlayarak, Libya'daki güvenlik durumu giderek kötüleşti ve 2013'ün sonlarında ve 2014'ün başlarında en düşük seviyelerine ulaştı. Geçici Ulusal Konsey'in milisleri silahsızlandırmadaki başarısızlığı, Genel Ulusal Kongre'nin dışlayıcı ve demokratik olmayan eylemleri ve dolayısıyla Libya hükümetinin başarısızlıklarına yönelik artan halk hoşnutsuzluğu doruğa ulaştı. Libya şehirlerinin çoğu kanunsuzdu. Kaddafi rejimine karşı birlikte savaşan silahlı gruplar artık ideolojik, etnik, dini ve aşiret çizgilerinde kutuplaşmıştı. Bu kutuplaşmanın sınırları zaman zaman oldukça bulanık olmasına ve kesişmesine rağmen, iki ana grup sahneye öncülük ediyor gibi görünüyordu. Bir grup İslamcılar ve 'devrimci' gruplardan oluşurken, diğeri eski Libya'nın seçkin, milliyetçi, federal ve laik figür ve gruplarından oluşuyordu. Bu siyasi kutuplaşma giderek milislerin daha da çoğalmasına yol açtı.

Libya'daki güvensizlik doğuda daha belirgindi zira çoğunlukla İslamcı olan örgütler Kaddafi döneminde görev yapmış eski ordu liderlerine suikast düzenliyor, öne çıkan seküler aktivistler öldürülüyordu. Değişen koşullardan korkan ama aynı zamanda cesaretlenen Hafter, sekiz aylık NATO saldırılarıyla harap olan Kaddafi ordusunu örgütlemeye çalıştı ve kendisine 'Libya Ordusunun Genel Liderliği' adını verdi. Hafter da bu asker grubuyla 14 Şubat 2014'te Genel Ulusal Kongre'nin “aşırılık yanlısı milisler” ile iş birliği yaptığını iddia ederek bir darbe girişiminde bulundu. Bir uydu televizyonunda Genel Ulusal Kongre'nin tek taraflı olarak feshedildiğini duyurdu ve yeni seçimlere kadar yönetecek bir “başkanlık komitesi” ve bir kabine kurulması çağrısında bulundu. Ancak Hafter, eylemleri nedeniyle ciddiye alınmadı ve hatta alay konusu oldu. Darbe başarılı bir şekilde tamamlanmasa da Hafter üç ay içinde doğu Libya'yı dolaşarak doğu ordu subaylarını örgütleyerek önemli bir destek topladı. Doğu'nun siyasi marjinalleşmesine, devam eden suikastlara ve bölgede güvenlik eksikliğine içerlenen doğu ordu subayları, Hafter'ın hamlesine olumlu baktılar. Hafter'in başarılı bir şekilde ortaya çıkışı, o dönemde Mısır'da meydana gelen olaylarla ilgili olarak da okunmalıdır. Temmuz 2013'te Müslüman Kardeşler'e bağlı Mısır cumhurbaşkanı Mohamad Mursi görevinden alındı ve İslamcılara karşı askeri bir figür olan Abdülfettah es-Sisi iktidara geldi. “Sisi etkisi” Hafter'in Bingazi'deki yükselişini cesaretlendirdi ve güçlendirdi.

Libya Siyasi Anlaşması (LSA), 2014 ortalarında Libya İç Savaşı'nın başlamasından sonra varılan ilk anlaşmaydı. LSA, Libya'daki yeni organizasyon ve güvenlik yapısına ilişkin çok çeşitli konuları kapsamasına rağmen, çatışan taraflar arasındaki iletişim modellerini değiştirmede başarılı olamadı. Bu tezin analizine göre, bu başarısızlığın arkasında birkaç neden var. İlk olarak, anlaşmanın içeriği ile Ulusal Mutabakat Hükûmeti (UMH) ve Başkanlık Konseyi için önerilen isimler, müzakere aşamasında Libya, Genel Ulusal Kongre ve Temsilciler Meclisi temsilcisi makamları tarafından kabul edilmedi ve tam olarak onaylanmadı. Uygulama döneminde, LSA, TM'den hiçbir zaman güvenoyu almadığı için hiçbir zaman meşruiyet kazanmadı. Bu anlamda, LSA imzalandığında ölü doğmuş bir anlaşmaydı. İkincisi, müzakere toplantıları, Libya İç Savaşı'nın önemli çatışan tarafları olan güçlü milislerin liderlerini ve en önemlisi LSA'nın başkomutanı Hafter'ı içermiyordu. Bu dışlama, bu aktörlerin daha sonra barış sürecinde *spoiler* haline gelmesine katkıda bulundu. Sonuç olarak, Hafter anlaşmayı tanımadı ve Ulusal Kurtuluş Hükûmeti Başbakanı Halife el-Gavil ile bağlantılı milisler Trablus'ta UMH ile bağlantılı milislerle çatışırken, Libya'nın doğusunda ve güneyinde silahlı operasyonlarına devam etti. Üçüncüsü, daha sonra bazı Birleşik Arap Emirlikleri yetkilileriyle yakın kişisel ilişki içinde olduğu ortaya çıkan BM Libya Destek Misyonu Başkanı Bernardo Leon Libya müzakere toplantılarında oldukça baskın bir otoriteye sahipti. Başkanlık Konseyi ve Ulusal Mutabakat Hükûmeti için önerilen isimlerden LSA'nın içeriğine kadar esas karar alıcı aktör Leon'du. Leon'un Libya barış sürecini yönetecek bireyleri demokratik olmayan bir şekilde seçmesinin sonucu, yalnızca Başkanlık Konseyi ve Ulusal Mutabakat Hükûmeti'nde olması önerilen isimler değil, LSA'nın oluşturduğu kurumların da reddedilmişti. Temsilciler Meclisi, Yüksek Danıştay ve Libya Ulusal Ordusu tarafından tanınmamasının yanı sıra, Başkanlık Konseyi'nin parti-içi sorunları vardı. 2015 ortasına kadar birkaç üyesi istifa etti. Ayrıca, Libya barış sürecine dahil ülkeler, Libya İç Savaşı'nın çözümü için çatışan taraflar arasında ortak bir zemin bulmaktan çok, IŞİD'i Libya topraklarında ortadan kaldırmaya odaklandı. Bu faktörler anlaşmanın başarısını baltaladı.

Tezin bir sonraki analizi, LSA'dan üç yıl sonra gelen Palermo Konferans Sonuçları'dır. Konferans Sonuçları ayrıca Libya Barış Sürecini olumlu bir yola sokmada başarısız oldu. Başarısızlığın arkasındaki nedenler birden fazlaydı. İlk olarak, Konferans bir dizi başarısız toplantı ve sözlü anlaşmayı takip etti ve yine de daha önce uzlaşmayı başaramayan aynı Libyalı figürleri içeriyordu. Konferansa davet edilen Libyalı rakamlar, 2017 ve 2018 yıllarında BAE, Mısır ve Fransa'da yapılan önceki toplantıların rakamlarıyla aynı olduğundan, Libya'daki çatışan aktörler arasında bir güvensizlik duygusu oluştu. Daha

önce barış sürecinde askeri bir *spoiler* gibi davranan Hafter'ın yanı sıra, Temsilciler Meclisi Başkanı Akile Salih İsa ve Yüksek Danıştay Başkanı Abdulrahman Sewehli, Salamê'nin Eylem Planı'nın ilk adımı olan Ortak Taslak Komitesi'nde LSA'yı değiştirmekten taviz vermediklerinde siyasi *spoiler* gibi davrandılar. Sonuç olarak, Konferansın zamanlaması ve çatışan aktörler arasındaki güvensizlik Palermo Konferansı'nı olumsuz etkiledi. İkincisi, Konferansın amacı ve odak noktası, ateşkes üzerinde anlaşmaktan çok seçimlere hazırlanmaktı. Ancak bu çok sorunluymuş çünkü Libya sınırları içinde, özellikle de o sırada Trablus Çatışmaları'nda ciddi bir güvensizlik yaşıyordu. Güvensiz bir ortamda, özgür ve adil seçimlerin yapılmasını planlamak yanıltıcıdır. Ayrıca, Sonuçların ateşkes düzenlemeleri, içeriği çok zayıf olan, anlaşmanın uygulanması için organizasyon ve izleme mekanizmasından yoksun olan Trablus Ateşkesi ile sınırlıydı. Üçüncüsü, Hafter Palermo Konferansı Sonuçları'nı imzalamadı ve Konferansın zirvelerine sürekli olarak katılmadı. Ayrıca, sivil hükümetin egemenliği altında olmayan bir askeri otorite talep etti. Ancak bu iddia, demokratik ilkelere aykırıdır ve 2011 ayaklanmalarının patlak verdiği rejim olan askeri diktatörlüğe giden yolu açar. Hafter'ın demokratik olmayan bir taleple askeri bir *spoiler* olarak sürekli olarak dış güçler tarafından sağlanması, Sonuçların başarısız olmasının dördüncü nedenidir. BM'nin 2011 silah ambargosu ile çelişen Mısır, BAE ve Rusya'nın sürekli desteği sayesinde, çatışma Hafter'i barış içinde bir uzlaşmaya daha meyilli olabileceği “malîyetli” bir konuma getirmiyordu. Beşinci olarak, Konferansın başarısı, katılımcıların pozisyonları tarafından baltalandı. Katılımcılar, ülkelerin üst düzey liderlerine ait değildi. Ayrıca İtalya-Fransa ve Rusya-ABD arasındaki rekabet de Konferansın başarısını gölgeledi. ABD, Rusya'nın konferansa derin katılımından rahatsız olurken, Fransa'nın Libya konusunda İtalya ile çatışan çıkarları vardı. Dolayısıyla, bu faktörlerin Palermo Konferansı'nın başarısızlığında etkili olduğu bulunmuştur.

Tezin son tahlili, Libya'da Tam ve Kalıcı Ateşkes Anlaşması'dır. 23 Ekim 2020 tarihinde imzalanan anlaşma, Ortak Askeri Komisyon (OAK) üyeleri arasında imzalanan son ateşkestir. Bu ateşkes anlaşması, diğer siyasi ve ekonomik izlerle birlikte, Libya'daki çatışan tarafların iletişim kalıpları üzerinde olumlu etkiler yaratabilmiştir. Çatışma dinamiklerinde bu değişimini sağlayan gelişme Türkiye'nin çatışmaya müdahil olmasıdır. Mısır'daki Doğu Akdeniz Gaz Forumu'ndan tecrit edilen ve Palermo'daki zirvelerden dışlanan Türkiye, Ulusal Mutabakat Hükümeti (UMK) ile imzalanan anlaşmaların ardından Libya'ya asker konuşlandırarak ve mürettebat eğiterek bölgedeki rolünü yeniden ortaya koydu. Ulusal Mutabakat Hükümeti'nin ilk gününden beri yoksun olduğu fakat Hafter'ın ilk gününden beri Rusya, Mısır, Suudi Arabistan'dan edindiği askeri yardım şimdi UMK'ye Türkiye tarafından

sağlanıyordu. Bu durum çatışmanın yönünü Hafter'ın olası zaferinden askeri beraberliğe dönüştürdü. Libya barış sürecini olumlu etkileyen ikinci koşul, COVID-19 pandemisinin Libya'ya yayılmasıdır. On yıllık iç savaş ve Hafter'ın dokuz aylık petrol ablukası ile birleşen bu acil sağlık durumu, 2020'nin Ağustos ve Eylül'ü boyunca ülkede bir dizi protestoyla sonuçlandı. Bu bağlamsal değişiklikler barış sürecini olumlu yönde etkiledi. Üçüncüsü, Libya İç Savaşı'nı çözmek için Almanya liderliğindeki uluslararası toplumun görünür bir çabası vardı. 19 Ocak 2020'de düzenlenen Berlin Konferansı, Libya ihtilafına uluslararası askeri müdahaleyi durdurmak amacıyla Libya ihtilafına en çok dahil olan ülkelerin üst düzey liderliğine ev sahipliği yaptı ve bu nedenle barış sürecinde önemli bir adımdı. Dördüncüsü, ateşkes ilk kez Libya'nın çatışan tarafları Serrac ve Salih tarafından başlatıldı. Bunu ilan eden aktör Hafter olmasa da, Libya Ulusal Ordusu'nun beş temsilcisi, güvenlik konuşmalarını yeniden başlatan ve Kalıcı Ateşkesin resmileştirilmesini tamamlayan komitenin (OAK) bir parçasıydı. Halife Hafter, Fayiz es-Serrac, Akile Salih İsa ve Abdulrahman Sewehli arasında defalarca başarısız toplantılar nedeniyle zedelenen güven nedeniyle OAK'nin kurulması da olumlu bir gelişmeydi. Son olarak, ateşkesin içeriği, uygulama aşaması için önemli ayrıntılar içermemesine rağmen kapsamlıydı. Yabancı savaşçıların ülkeden ayrılmasına ilişkin izleme mekanizması ve şartnameler, anlaşmanın temel eksiklikleriydi. Ancak buna rağmen, Kalıcı Ateşkes'in uygulanması, LSA ve Palermo Konferansı'na kıyasla en başarılı olanıydı.

Bu analizler sonucunda, ateşkes ve barış süreçleri arasındaki bağlantıyı incelerken Akebo'nun analitik çerçevesinin yardımcı olduğu tespit edilmiştir. Buna göre, ateşkeslerin başlama sürecinin, barış girişimleri açısından çok başarısız bir geçmişi olmayan ana çatışan aktörleri içermesi gerektiği tespit edilmiştir. Çatışmanın olgunlaşmasını önleyen dış yardımla çatışma daha da alevlendiğinden, dış başlatmanın çoğunlukla yanlış gittiği bulunmuştur. İkili başlatılma, “acı verici bir çıkmaz” anını işaret ettiği için daha çok tercih edilir. Yine tartışmalı maddeler içeren bir anlaşmanın imzalanmaması gerektiği de tespit edilmiştir. İçerik açısından, anlaşma metninin güvenlik açısından geçiş döneminin özellikle ilk aşamalarının ayrıntılarını içermesi gerektiği tespit edilmiştir. Sonraki aşamalar, Kalıcı Ateşkes'te olduğu gibi barış süreci geliştikçe kararlaştırılabilir. Çatışan taraflar arasında şiddet içermeyen iletişimi arttırdığı için komitelerin oluşturulması da iyi çalışıyor gibi görünüyor. Müdahil ülkelerin üst düzey liderlerinden oluşan imzacılar da Berlin Konferansı'nda olduğu gibi ateşkesin başarı şansının yüksek olduğunu gösteriyor. Uygulamaya gelince, ateşkesin başarısında izleme mekanizmalarının ve komitelerin çalışabilirliğinin etkili olduğu görülüyor. Sahnede *spoiler*'ların ortaya çıkma olasılığının

yüksek olduğu düşünülduğünde, yaptırım gibi önlemler ciddiye alınmalıdır. Son olarak, ülkedeki insani felakete yönelik mali ve teknik dış yardımlar, barış sürecinde kamu desteğini teşvik ettiği için büyük ölçüde önemli görünmektedir.

Sürece etki eden diğer faktörlerle ilgili olarak, aktörlerin barış sürecine dahil edilmesi ve tanınması, potansiyel olarak *spoiler* oluşumunun ortadan kaldırılması açısından olumlu olduğu belirtildi. Ancak Hafter'in 2017'den itibaren sürece dahil olmasına rağmen barış süreci raydan çıktı. Hafter'in iddia ve talepleri demokratik olmadığı için müzakere edilemez nitelikteydi ve LSA'nın 8. Maddesinden başlayarak barış sürecini sıkıntıya soktu. Dolayısıyla iç savaşlarda dış aktörlerin çatışmanın sonucunu derinden etkilediği görülmektedir. Libya örneğinde, 2019 yılına kadar dış yardımın düzensiz olması, çatışmayı daha da yıkıcı hale getirmenin yanı sıra daha da uzattı. Barış sürecinin tarihi, aynı insanların anlaşmazlıklarıyla doluyorsa, yeni siyasi ve askeri figürlerin barış sürecine dahil edilmesi gerektiği de tespit edilmiştir. OAK'nin Saleh, es-Serrac, Hafter ve Sewehli'nin başarısızlıklarına kıyasla başarısı bu bulgunun temelini oluşturuyor. Son olarak, Libya örneğinde dış aktörlerin kararlılığını belirlemede bağlamsal değişikliklerin oldukça etkili olduğu bulunmuştur. Ayrıca, COVID-19 ve petrol ablukası, halk protestoları ve silahlı mücadeleye son verilmesi taleplerine yol açarak 2020 barış sürecini olumlu etkilemiştir.

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