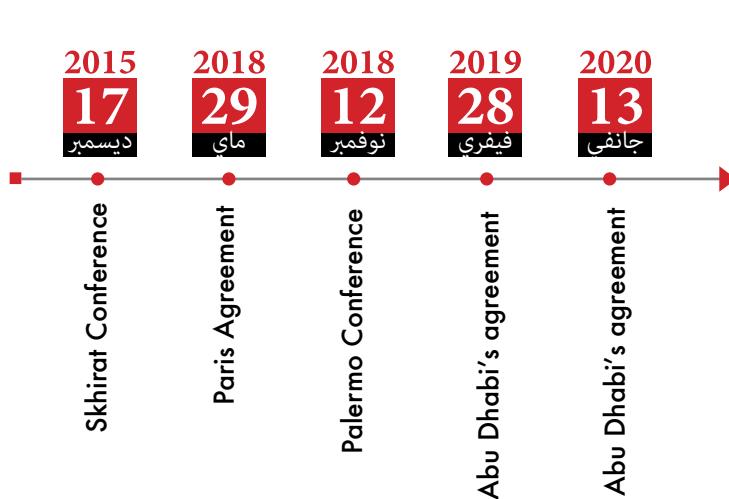




Berlin Conference: A consensus between Libyans or a re-balance between Westerners?

Over nine consecutive years, there were numerous initiatives that sought to resolve the Libyan crisis, the first of which was Skhirat Conference (17 December 2015) which sought to establish a political and institutional framework for Libya's Transitional process.

And while Paris Agreement (29 May 2018) failed to facilitate adopting a Libyan constitution, launch an electoral process and build a unified military and security institutions Palermo Conference (12 November 2018) ran into the same fate too as its predecessor, as its outcomes was focused on the matters that did not have a joint Libyan consensus upon, especially as Field Marshal Khalifa Haftar boycotted it, and Abu Dhabi's agreement (27 and 28 February 2019) ended with the same outcome when armed groups imposed their will on the ground and on the Conference's outcomes. And while Moscow Conference (12 and 13 January 2020) was about to declare its practical outcomes, the talks about the Berlin Conference initiated in an attempt to restore the European Union's role that shrunk comparably with the Russian and Turkish roles. And in this context, it shall not be forgotten that Turkey played out all its political cards when they signed a Memorandum of Understanding with Libya's Government of National Accord on Maritime Borders (27 November 2019) to achieve a strategic economic aim of their own.



All of Russia, China, United States of America, France, Italy, Britain, Turkey, Egypt, United Arab Emirates, Algeria, the presidency of the African Union, the Presidency of the European Council and the Secretary-General of the United Nations attended Berlin Conference while Tunisia declined to attend as the Tunisian Ministry for Foreign Affairs announced Tunisia's refusal to attend as the invitation came too late especially as Germany announced launching this Conference months ago without determining its exact time. It is possible that Germany's position regarding the Tunisian attendance is related to the issue of refugees which is a major concern for Angela Merkel since the sharp disagreement between German parties on the subject in the 2017 elections.

Libya along with Turkey represents the main gates which refugees cross to Germany, and Tunisia earlier confirmed its adherence to international standards regarding refugees' issues and its rejection for being a final destination for them to settle in. It can be said also that Tunisia's neutrality towards the Libyan conflict, unlike Algeria which Turkey pressured to ensure their presence, along with the country's political instability made the Tunisian presence in the Conference not a priority for Germany despite the good relationship ties which Germany have with Tunisia.

In turn, Morocco also was absent from the Berlin conference, despite its key role during several periods in international and regional efforts that was made in Libya. The Moroccan Foreign Ministry affirmed its shock from not receiving an invitation to attend the conference which pushes them to question the criteria, motives and basis on which the participating countries was selected.

The absence of several countries from the Conference or the delay in inviting them to attend in addition to their absence from the Conference's preparatory work promotes the idea that the Conference is made to bring together the Western international parties in addition to Turkey, in order to narrow the divergences in views and to strike a re-balance that would preserve Europe's primarily leading role.

It is worth to be noted that the failure of rounds and negotiations and the futility of international conferences are due to the atmosphere of mistrust between the Libyan Parties, and this cannot be also separated from the authoritarian state's legacy that made the Libyans attitude towards differences aggressive in a destructive manner, all that in addition to the situation of political division made non-state actors that reject the State and its unity very effective in political developments. And that made all parties not reluctant or hesitant to achieve every possible military victory as they would give them more political weight in negotiations.

Libyans was not allowed to have a common national identity through their history other than their common legacy of struggling against colonialism to achieve an independent state, only through the February Revolution of 2011, as it was characterized by a thrust of emotional struggle to establish a modern state and society.

Berlin's context and what happened in it!!

Since the beginning of the war on the outskirts of Tripoli's walls as a consequence for the attack led by Field Marshal Khalifa Haftar , the militarily influential man in the Country's east and west , on 4-4 -2 019, some international efforts are made to find a path which through it the violence could be stopped, and the Libyan issue could return back to the political track, especially after the attempt to make a conference in Ghadames on 16-4-2019 failed as result for the operation of Flood of Dignity. The aforementioned conference came within the context of a proposal made by the United Nations Mission in Libya as a new path for gathering the Libyan

parties on a Libyan land to conclude a consensus formula to end the state of division which the country suffer from.

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But on the contrary, military tensions escalated gradually from a proxy war to threats of direct military intervention where every party sought to arm his ally with various types of weapons that shall ensure a strategic balance between the conflicting parties. UAE and Egypt are keen to maintain coordinated air strikes, while Turkey has provided the Government of National Accord with drones, a Sudanese and Russian presence was witnessed as well allied with Field Marshal Haftar, while fighters from Syria are still to arrive to Libya from Turkey.

In an advanced stage, tensions escalated after signing the Libyan-Turkish Memorandum of Understanding as Turkey sought to impose its effects through threatening to directly intervene militarily in Libya which required an Egyptian response that came in the form of carrying out a three armies military exercise “Kader 2020”, that mounting tensions both domestically and internationally caused are-promoting for international initiatives in order to avoid any direct confrontation between the intervening countries.



The Russian initiative to gather the Libyan parties in Moscow, in addition to the Turkish activity, whether through the Memorandum of Understanding on Maritime Borders or through Turkey's intention to intervene militarily, are all indicators on the fact that the Libyan issue is getting out of the European's hands and control especially as the Russian-Turkish presence and their cooperation with their allies is more influential to the conflict's course since the battles of Tripoli.

And in a related context after Istanbul's meeting on Wednesday 8 January 2020 between the Russian President Vladimir Putin and the Turkish President Recep Tayyip Erdogan a call for unconditioned ceasefire in Libya was made as of Sunday 12 January 2020.

And exactly at 12 am on Sunday 12 January 2020, both parties to the Libyan conflict announced cessation of militaristic operations in Libya as response Russian-Turkish call, and immediately during that week Moscow received delegations that represent parties to the conflict in Libya as Field Marshal Khalifa Haftar came along with Aguila Saleh Head of Libyan Parliament, and Fayed al-Sarraj Head of Government of National Accord came along with Khalid al-Mishri Chairman of the High Council of State to officially sign the ceasefire agreement, but Field Marshal Khalifa Haftar demanded a to be given some time to consider the agreement which was considered by some well-informed people on the Libyan issue a maneuver especially as Fayed al-Sarraj has already signed it.

Fayez al-Sarraj signing of the agreement and Field Marshal Haftar's rejection to sign and his request for some time to consider the matter illustrated that Haftar has no real intention to stop his military attack on Tripoli and that Russia is in a very sensitive position regarding their ally in Libya as he presumably not satisfied with what was decided in Moscow.

Hence, the Europeans sensed danger as they felt that Libya is taking another route and that the Turkish-Russian rapprochement would often result in situation where the Libyan issue gets out of the European's control and that made the German Chancellor Angela Merkel quickly invite the international parties to the conflict to the Berlin Conference so as to obstruct Russia from unilaterally taking any decision regarding this issue.

The Parties attended the Conference and an international agreement regarding Libya was concluded in Berlin as framework for achieving peace, but the fragility of the cease-fire as well as divisions increase the ambiguity of the peaceful situation there, and the parties to the conflict silence, i.e., Fayez al-Sarraj Head of Government of National Accord and Field Marshal Khalifa Haftar increased the uncertainty surrounding the fate of this Conference's outcomes.

And on the contrary to the aforementioned political silence, south of Tripoli is witnessing sporadic fighting, despite the ceasefire's entry into force. The sound of heavy artillery was heard downtown just before a relative calm prevailed. And despite the acceptance of Fayez al-Sarraj and Khalifa Haftar to participate in the Berlin conference, but they refused to meet face-to-face which reflects the huge gap existing between the two conflicting authorities in Libya.

At the end of the conference, which lasted a few hours, the main countries concerned with the Libyan conflict has pledged to commit to the prohibition of sending arms to Libya and to the non-interference in their affairs. Commenting on the results of the conference, German Chancellor Angela Merkel seemed realistic, saying it was a "small step forward" toward peace.

The outcomes of Berlin Conference

The final statement included the following main points:

- Ceasing fire and forming a military committee that consists of representatives of both parties so as to develop the truce agreement which entered into force long ago.
- Applying an arms embargo to Libya, based on Security Council resolution 1973 for the year 2011 and the subsequent resolutions, and to support the UN mission's efforts in this regard by all means. And reaffirming all parties' commitment to the embargo and the ceasefire.
- Returning to the political course and working towards unifying the political institutions and Libya's unity and independence. In addition to emphasizing the neighboring countries' role. The irony here is Tunisia's absence from the Conference. In this context, the statement was committed to support the Libyan-Libyan internal political course's outcomes.
- Reforming the security sector: the statement calls for the necessity of unifying the legitimate forces whether police or military under the command of a civilian central authority, these efforts should be based on Cairo talks and its aftermath.
- Financial and economic reform: regarding primarily, the Central Bank of Libya and the Libyan oil and wealth

One of the military committee's functions (which includes ten members, five soldiers from each party) is to determine the application of the ceasefire mechanisms on the ground.

And the United Nations organization demanded from parties to the conflict several weeks ago to provide the names of their representatives in the committee but no one responded yet. It is scheduled that the military committee should meet this week, according to the United Nations, to work on transforming the current truce into a “permanent” ceasefire. But what stands as a true obstacle to that is the actual division between Libyans which the Conference was seeking to reduce.

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The final statement of the Berlin Conference acknowledged with regard to the political track, the need to support each agreement resulting from a Libyan-Libyan consensus. The fact which makes all the outcomes of Berlin conference hanging on what is essentially the main cause of the conflict and the main reason for the internationalization of the war in Libya, namely the Libyan internal dispute.

And the submitting of the Conference's outcomes to the Security Council, would not actually offer much of the needed solutions, given that the same Council had actually failed during nine months to issue a unanimous decision on Khalifa Haftar's later operation to control Tripoli.

Therefore, obstacles still exist in face of resolving the Libyan crisis because of the reality of military balances in the field, in addition to international balances which casted a shadow over the Berlin Conference and over UN Mission sponsored attempts for dialogue which the Mission have been trying to launch for a while in conference that would bring together 12 representatives from each party, and 12 representative chosen by the United Nations that would represent the Libyan civil society.

Khalid Montaser, the Libyan Professor of International Studies said to Agence France-Presse that “Hypothetically speaking, the Berlin Conference succeeded and included all the details of the Libyan crisis and its causes. But the application mechanisms of the Conference's outcomes are not clear yet”. The Libyan analyst mentioned in a statement made for Libya Al Ahrar TVchannel that the Berlin Conference did not intend to achieve a consensus among Libyans but it intended to achieve consensus among westerners or rather to restore the balance between the parties intervening in the Libyan affairs.

What is hoped for the Berlin conference to achieve:

It seems that the intervening countries in Libya have felt the gravity of the situation that the country is being dragged to. Especially given that Libya is located in a large geographical location close to Europe and deeply connected to the African continent, in addition to owning a lot of natural resources, and thus it might turn into a possible location for a grave hotbed of tension, even more than it is now, especially if Libya actually split.

Berlin conference sought to create a framework through which Germany and Europe are trying to narrow the gap in views of the intervening countries in the Libyan affairs regarding their interests and especially to bring closer the Italian-French parties which their differences made the Libyan issue goes toward Turkey and Moscow.

The conditions surrounding this conference were difficult and serious, and this conference had many shortcomings too, particularly the breach of the rules of effective mediation guidelines issued by the Secretary-General of the United Nations Ban Ki-moon in 2012. These rules provided for the comprehensiveness of mediation procedures for all as a necessary condition for the success of any international negotiations. However, the Libyan parties should seize the opportunity to push the internal political course towards progress, which the Conference itself commented on by supporting every international progress and international effort towards this end. The Conference may have relatively eased the tension between international parties, but this tension may return at any moment unless a Libyan-Libyan dialogue was actually launched.