

# **Master in Advanced European and International Studies**

Mediterranean Studies

***Divided and Conquered: How an  
incohesive EU missed its chance  
to play a role in Libya***

Supervised by Dr. Soeren Keil

Ali Etoubashi

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**List of Acronyms**

BP: British Petroleum

CDSP: EU Common Defence and Security Policy

EEAS: European External Action Service

ENI: Ente Nazionale Idrocarburi

EU: European Union

EUBAM: European Union Border Assistance Mission (in Libya)

EUMC: European Union Military Committee

EUNAVFOR: European Union Naval Force

EUTF: European Union Trust Fund

GNA: Libya's Government of National Accord

GNS: Libya's Government of National Stability

GNU: Libya's Government of National Unity

HoR: Libya's House of Representatives

IOM: International Organization for Migration

LNA: Libyan National Army

LPDF: Libyan Political Dialogue Forum

MENA: Middle East and North Africa

NATO: North Atlantic Treaty Organisation

NOC: Libya's National Oil Corporation

UAE: United Arab Emirates

UfM: Union for the Mediterranean

UK: United Kingdom (of Great Britain and Northern Ireland)

UN: United Nations

UNHCR: United Nations High Commissioner for Refugees (now the UN Refugee Agency)

UNSMIL: United Nations Special Mission in Libya

USA: United States of America

WTO: World Trade Organization

**Abstract**

Libya has historically represented a political and economic challenge to the European Union (EU) and its member states. Despite its geographic proximity to Europe and its abundance of oil, the EU and most of its member states have made little to no inroads in the country (with the exception of Italy). To understand why this is the case, it is vital to examine key moments that have guided EU foreign policy towards Libya in the 21<sup>st</sup> century. This examination is done using a historical institutionalism approach that investigates the EU-Libya relationship through three distinct timeframes: the relationship in the late-Gaddafi era, the relationship after the Libyan Revolution, and the relationship after the Russian invasion of Ukraine in 2022. From the research, it is clear that EU foreign policy and integration efforts with Libya throughout the 21<sup>st</sup> century were unsuccessful due to their narrow focus on limiting irregular migration coming from Libya to EU borders and from their inability to persuade member states to commit to a common unified strategy in the country.

Keywords: *Libya, EU, foreign policy, migration, energy, historical institutionalism*

## **Introduction**

Despite its small population and relatively limited stature on the global stage, events in Libya have had a direct impact on political and economic proceedings in the European Union (EU) throughout the 21<sup>st</sup> century. Stability and prosperity in Libya are therefore not only vital to Libyans, but they are also important to Europe. However, the EU's lack of a cohesive approach to foreign policy in Libya has resulted in missed opportunities to stabilize the country and address problems that continue to plague both Libya and the EU, namely the migrant crisis, lack of diversified energy supply for Europe's needs, and overall security of the EU's Southern Neighbourhood. The following research paper presents an analysis of the developments between the EU and Libya throughout the 21<sup>st</sup> century, with the purpose of understanding the factors that have prevented the establishment of a mutually beneficial relationship between the two regions. Specifically, a historical institutionalism approach was employed to study three separate timeframes in order to determine how key critical junctures guided EU-Libya economic and political relations during these periods. The three timeframes were: the EU-Libya relationship in the late-Gaddafi era (2000-2010), the EU-Libya relationship after the Libyan Revolution (2011-2021), and the EU-Libya relationship after the Russian invasion of Ukraine in 2022.

In the first timeframe, Libya and Gaddafi enjoyed a return to international politics following their condemnation of the 9/11 terror attacks on the United States of America (USA). The 2000s were marked by Western hopes that Libya would become a valuable economic and political ally in the Mediterranean region and the Arab world. Although Libya already had economic ties with EU member states, most notably Italy, this was a chance for the EU and other member states to establish agreements with Libya that could address two main areas of convergence: stopping irregular migration coming from Libya and accessing the energy resources of the country. The EU tried to supersede Italo-Libyan bilateralism by attempting to integrate Libya into Euro-Mediterranean partnership schemes such as the Barcelona Process and the Union for the Mediterranean (UfM) and thus create a more common EU foreign policy in Libya.

The second timeframe focuses on EU-Libya relations in the decade following the Libyan Revolution and the death of Muammar Gaddafi. The revolution corresponded with the EU's most explicit attempt at creating a common foreign policy with the establishment of the European External Action Service (EEAS). However, instead of a democratic transition occurring after NATO's intervention in Libya, the country fell into total disorder. The EEAS was unable to gain the support needed from member states to fill the void left by NATO and was unable to provide the humanitarian aid in Libya that was an integral part of its initial mandate. This timeframe is characterised by conflicting approaches from the EU and its member states as the situation in Libya worsened. While irregular migration coming from Libya continued to be the main concern of the EU and its member states, France and Italy pursued their own foreign policy strategies in Libya, suited to their own national interests. The disjointed European efforts were quickly overshadowed by the involvement of more implicated countries like Russia, the United Arab Emirates (UAE), and specifically Türkiye.

The third timeframe looks at how the EU-Libya relationship was affected by Russia's invasion of Ukraine. The energy crisis that hit the EU following its decision to cut-off Russian energy supplies provided an opportunity where Libya could be reconsidered as an energy partner for the EU. However, Libya's lasting instability has yet to allow for a mutually beneficial agreement for both parties.

After completing a thorough analysis of the existing literature and by using a historical institutionalist approach to critically study major events between the EU and Libya in the 21<sup>st</sup> century, the goal is to see how developments in Europe and in Libya have guided the EU's foreign policy objectives in the country, and to understand the factors that are hindering the possibility for a strong EU-Libya relationship.



## Literature Review

### *EU-Libya Relations near the end of Gaddafi's rule*

The literature in the late 2000s discusses the many attempted agreements between Libya and EU member states after the reintegration of Libya as an economic partner on the world stage. Despite the lack of official negotiations and the existing UN sanctions on Libya prior to the beginning of the 21<sup>st</sup> century, there was already extensive economic activity between Libya and certain EU member states, most notably with Italy.

Italy and Libya famously signed the “Treaty of Friendship, Partnership, and Cooperation<sup>1</sup>” in August of 2008. As discussed by Ronzitti (2009), the agreement was essentially a normalisation of the economic relationship that existed between the two countries throughout the decades, even when Libya was isolated from the international community. The Treaty outlined energy and infrastructure initiatives, as well as Italian recognition for crimes committed against the Libyan people during Italian colonisation in the first half of the 20<sup>th</sup> century. However, the main emphasis of this agreement from an Italian perspective was the fight against irregular migration. Ronzitti highlights this by mentioning that the only funds the Italian government allocated to the “Partnership” part of the Treaty were funds to fight against “illegal immigration” (Ronzitti, 2009, p.129).

As mentioned by Zoubhir (2009), the economic and geopolitical implications of Libya's proximity to EU borders led to the eventual readmission of the country and Gaddafi back into the international economic arena. Negotiations were rooted in pragmatism rather than from a relationship-building perspective. Italy's Prime Minister at the time, Silvio Berlusconi, was quoted as saying that the goal of the agreement was “less illegal immigrants and more oil,” referring to both the investment the Italian government promised to make in surveying the Libyan coast-line and to the opportunity for Italy's largest energy company “Ente Nazionale Idrocarburi” (ENI), to continue working in the country (Zoubhir, 2009, p.411).

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<sup>1</sup> Also referred to as the “Treaty of Benghazi.”

Outside of Italy, other EU member states tried to have a more uniform, common EU foreign policy in the late 2000s. Joffe and Paoletti (2011) discuss the keen interest the EU always had in Libya and the EU's attempts to incorporate the country into their Euro-Mediterranean initiatives (the Barcelona Process of 1995 and UfM of 2008). Libya was the only North African country to not join either of the initiatives and, contrary to their European neighbours, preferred the leverage of dealing with European states through bilateral agreements (Joffe and Paoletti, 2011, p.26). As emphasized by Moss (2008), Gaddafi and the Libyan government were never enthusiastic partners to the EU and its ambitions. The Libyan side did not care too much for a deep, profound relationship with its northern neighbours. Additionally, Gaddafi's unpredictable nature added strain to a relationship that was already built on a sense of begrudging necessity. He even called EU initiatives in the Mediterranean (such as the Barcelona Process) "a peaceful re-conquest of Arab lands" by Europeans (Moss, 2008).

Moss (2008) also discusses the memorandum of understanding that was signed in 2007 between the EU and Libya after the release of six foreign medics (5 Bulgarian nurses and a Palestinian doctor) from a Libyan prison. This was seen as the beginning of possible inroads for deeper trade agreements with the Libyan government. Thereafter, Brussels hoped to gain further influence on Libya's border control mechanisms, again with the goal of having more control over the migration that was coming from North Africa. In the memorandum, Libya identified that it was seeking technical and archeological assistance from a potential partnership with the EU. However, Moss (2008) adds that the EU mediated circles in Brussels lacked a genuine understanding and knowledge of the Libyan context, believing that the EU's promises to Libya were not substantial and would not benefit Libya and its people in any meaningful way (Moss, 2008). Given the context of rise in irregular arrivals to EU borders at the time, it appeared that the EU's main priority was focused on ceasing the flow of migrants; the Libyan government, to a certain extent, understood this underlying motivation. Consequently, these attempts became a point of contention between Gaddafi and Libya's northern neighbours.

Lastly, as discussed by George, Miles, and Prud'homme (2010), another feature of a potential EU-Libya trade agreement were the proposed measures of economic liberalisation and privatisation of many Libyan industries that were nationalised. Agriculture, fisheries, oil, and gas were among the sectors that the EU was interested in opening up with liberal trade policies (George, Miles, and Prud'homme, 2010, p.3). Once more, these EU proposals failed to pique the Libyan government's interest. The Libyan government was indeed looking into liberalisation options in an effort to modernise its economy and, to an extent, appease the wishes of EU and Western nations at the time. However, Libya was not a member of the World Trade Organization (WTO) and lacked any genuine legal policies or institutions that would be required to meet the standards needed from the EU. Since all of the country's policies were essentially decided by Gaddafi and his entourage, a trade agreement with the EU was contingent on the Libyan leadership relinquishing some economic control to international trade monitoring institutions (George, Miles, and Prud'homme, 2010, p.6).

#### *EU-Libya relationship after the revolution*

Following the revolution and death of Muammar Gaddafi in October of 2011, the literature on any EU-Libya relations revolved almost exclusively around security and migration. The literature also points to the inconsistency and impotency of EU policies in Libya throughout the subsequent years of turmoil and underlines the conflicting approaches from EU member states regarding the developments in the country.

Italy and France were the two EU member states who were most at odds with their approaches in Libya. Megerisi (2020a) mentions that Italy, because of its long-standing relationship with the country, was keen on a stable Libyan government in Tripoli that could quickly re-establish the Italo-Libyan economic relationship that was in place during the Gaddafi era. The Italian government and its major energy company, ENI, were quite active voices in the post-revolution developments between Libya and the EU, and in 2016, supported the UN-recognised Government of National Accord (GNA) headed by Prime Minister Fayez al-Sarraj (Megerisi, 2020a, p.34). France, on the other hand, increased its involvement after the large-scale presence of Islamist groups entered Libya in 2014 by

bolstering up the warlord Khalifa Haftar's Libyan National Army (LNA) in the eastern part of Libya. Increased French involvement in Libya following the election of Emmanuel Macron in 2017 was also seen as a way to strengthen its counter-terrorism ties with the UAE, and to give France more credibility on the European and international stage. As Megerisi mentions "[...] there is a widespread anecdote that President Macron was advised Libya would be an 'easy win' for the ambitious young president" (Megerisi, 2020a, p.35).

Despite being EU member states, and thus also being represented by the EEAS, Italy and France were both using contradictory strategies in Libya. As described by Vogel (2017), the creation of the EEAS in 2011 following the Treaty of Lisbon was meant to provide the EU with a common foreign policy approach that would avoid the exact situation that was unfolding between member states in Libya. Part of the EEAS' common foreign policy approach consisted of a framework for collaborating with countries that were in the European Neighbourhood, particularly the Southern Neighbourhood in the wake of the Arab Spring in 2011. This framework focused primarily on strengthening security in precarious areas enough to facilitate the chance for a democratic transition. However, the strategies initially outlined by the EEAS did not amount to the changes that were expected in Libya. Without the ability to make a difference on the ground, the EU's efforts were overshadowed by the military involvement of other nations in the Libyan conflict. Subsequently, the EU focused its efforts almost exclusively on controlling the migration coming through Libya using the "Central Mediterranean" route into Southern Italy, rather than pursuing democratic reforms. As stated by Vogel (2017): "the EU has struggled to make any impact while the ongoing chaos in the country has deepened divisions among member states, with migration control emerging as the lowest common denominator for EU action" (Vogel, 2017, p.1). Moreover, as discussed by Plakoudas (2021), the ineffectiveness of EU policies in the country and the continued war led the EU to turn its focus exclusively on stopping the flow of migrants going to Europe through Libya: "The EU watched on uneasily, but passively on most occasions, as the oil-rich country was thrust into a second civil conflict" (Plakoudas, 2021, p.3). With the EU's focus solely on migration, the EEAS created a mission called "Operation Sophia," an EU Naval Force initiative to train the

Libyan coast guard, save migrants from drowning at sea, and prevent all forms of smuggling from Libya to EU borders.

In 2018, despite the inclusion of French and Italian commanders and crews in the launch of “Operation Sophia” by the EEAS, France and Italy proceeded to broker their own independent agreements with Libya (Plakoudas, 2021). However, these negotiations were unsuccessful. Additionally, when Haftar attacked Tripoli in 2019, it was noted that member states were, in fact, working against each other on the ground. Plakoudas (2021) emphasized that: “The EU condemned the attack, but did very little to stop the bloodshed: after all, France supported Haftar’s LNA whereas Italy was co-operating with al-Sarraj’s GNA, leaving the EU unable to agree on a unified policy on Libya” (Plakoudas, 2021, p.4).

With French and Italian discord weakening the EU’s position in Libya, Watanabe (2020) discusses how Germany emerged to take the lead on the Libya file by hosting an international UN conference in Berlin at the beginning of 2020. This German-led conference included all the leaders of the external countries involved in the Libyan conflict, including al-Sarraj and Haftar, as well as representatives from the EU, the African Union, and the League of Arab States. This initiative also paved the way for a common EU strategy, one that would follow the UN-recognised government and the UN resolutions to move past the contrasting viewpoints that were impeding any significant EU input in the country. Watanabe (2020) argues that a new German-inspired unified EU front led by an “Etroika” of Germany, Italy, and France had the potential to substantiate developments within Libya, or at least play a more significant role (Watanabe, 2020, p.4). Following the Berlin Conference, Scazierri (2021) mentions that the now unified EU approach replaced “Operation Sophia” by “Operation Irini”; an operation to enforce the arms embargo established by the UN in an effort to bring legitimacy to the UN and EU position.

Following the renewed efforts of the Berlin Conference, a new transitional government, the UN-recognised Government of National Unity (GNU) led by the transitional Prime Minister Abdul Hamid Dbeibah was created in 2021 to replace al-Sarraj and his GNA government in Tripoli. This was done with the hopes that the GNU would transition the country towards a new set of democratic elections. However, as emphasized

by Scazierri (2021), the EU's ambitions of regulating migration and, particularly, of supporting a democratic transition had little impact on the ground, stating that "many external actors also have little reason to push for elections. Russia, Turkey, the UAE, and Egypt favoured the formation of the GNU because it was acceptable to them, and elections risk altering the existing fragile balance" (Scazierri, 2021, p.2).

#### *EU-Libya relations following Russia's invasion of Ukraine*

The literature on the EU's relationship with its neighbours, and particularly Libya, since the Russian invasion of Ukraine on 24 February 2022 is limited; however, it is mostly dominated by the EU's search for a replacement of Russian oil and gas to avoid an energy crisis in the continent.

Given the EU's dependence on Russian gas, Engelkes and Schulz (2022) discussed the opportunities to seek a new energy partner, specifically, the possibility of pivoting towards North Africa as a replacement. Libya is briefly mentioned as an option, however with the acknowledgement that oil production would be limited and inconsistent due to the continued instability in the country (Engelkes and Schulz, 2022, p.10).

Further consideration of establishing the relationship between the EU and its Southern Neighbourhood is discussed by Sidlo and Cohen-Hadria (2022). The perceptions of the invasion are quite different from each side of the Mediterranean, seeing as the animosity towards Russia that the EU possesses is not shared by its North African neighbours. In many cases, Russia is seen as an economic and political partner by countries in North Africa. Nevertheless, the EU was looking to exclude Russia from its economy, and needed to look towards different resource-rich border countries. For Libya specifically, the discussion around diversifying energy sources to limit dependence on Russia is again briefly mentioned. Sidlo and Cohen-Hadria (2022) state that "nearshoring has quickly become an important paradigm in DG Trade and DG NEAR [Directorate-General for Trade and Directorate-General for Neighbourhood and Enlargement Negotiations], despite serious doubts regarding its operational nature in the current circumstances" (Sidlo and Cohen-Hadria, 2022, p.50). Sidlo and Cohen-Hadria (2022) also reiterate the plethora of economic

and social advantages that a stable Libya would have for the whole Southern Neighbourhood and the EU, stating that:

Stabilising Libya in particular is key to the EU's interests. In a recent report, the UN Economic and Social Commission for Western Asia describes the dividends of peace in Libya for the whole region, and in particular for countries such as Egypt and Tunisia. A combined effect of remittances, trade, job creation and labour migration would result in important benefits for those countries. (Sidlo and Cohen-Hadria, 2022, p.50).

This shows that a resolution in Libya is still something that the EU should prioritise, and for more reasons than simply to control migrations from the country to EU borders.

In conclusion, the literature throughout the three timeframes demonstrates how a lack of cohesion between member states in the EU contributed to the Union's overall inability to enact change in Libya. Diverging foreign policy strategies between Italy and France undermined a common EU response from taking effect in the country. It is also evident that the EU and its member states were primarily concerned with ceasing the flow of migration towards its borders. Whether it was during the Gaddafi era, or during the post-revolution period that Libya still finds itself in, the EU only ever saw Libya through a migration (and sometimes energy) lens, with very little interest in the country itself. According to the literature, the EEAS mission of promoting European values such as democracy and the protection of human rights abroad have clearly become an afterthought in Libya. Nevertheless, there is unanimity throughout the literature that a stable and secure relationship with Libya is vital to the EU and its own security. With Russia's invasion of Ukraine in February 2022, recent literature mentions that the EU may need to revisit its detached approach to its Southern Neighbourhood and try to revive economic ties with North African countries such as Libya.

## **Methodology**

To complement the process-tracing approach employed for the literature review, a historical institutionalism approach is used to structure the following chapters. Specifically, the EU's foreign policy evolution towards Libya since the beginning of the 21<sup>st</sup> century is presented and evaluated from this framework.

Historical institutionalism is a social science approach that “[...] is distinguished from other social science approaches by its attention to real-world empirical questions, its historical orientation and its attention to the ways in which institutions structure and shape political behaviour and outcomes” (Steinmo, 2008, p.118). Historical institutionalists use context and time to situate how real-world events influence and alter institutions. Specifically, the use of critical junctures (pivotal events) allows for the analysis of patterns that inform a certain course of action or inaction (Thelen, 2002).

The critical junctures of the EU's foreign policy shifts regarding Libya will be analysed within the same three distinct timeframes as the literature review: the later years of the Gaddafi era when the West reincorporated Libya into the international arena in the 2000s, the revolution and subsequent attempts to build a new society from scratch (post-revolution era), and the Russian invasion of Ukraine in February 2022 to observe if problems related to the Russian invasion have changed the EU's relationship with Libya. By using this approach for each timeframe, the goal is to see how the critical junctures lead the EU and Libya down particular patterns of interaction. These patterns will help to understand the EU's perceptions of its role in Libya and the subsequent foreign policy decisions made by the EU depending on the timeframe and the critical juncture guiding its policymaking.



## **Chapter 1: EU Foreign Policy in Libya during the late Gaddafi Era**

Throughout the 2000s, Libya enjoyed a renaissance in terms of its relations with Western nations. After a decade of near total isolation, Muammar Gaddafi and the Libyan state were welcomed back into the international fold following a series of events that led to opportunities for cooperation. As a strong opponent of Islamist politics and organisations like the Muslim Brotherhood, Gaddafi was quick to condemn the 9/11 terrorist attacks committed by Al Qaeda on the USA in 2001 (Zoubhir, 2006, p.58). This condemnation provided Gaddafi with an opening to restore relations between Libya and the USA. The approval of the USA was vital to Gaddafi, since it was diplomatic tension between Libya and the USA following the Lockerbie plane bombing targeting American citizens in 1988 that led to the harsh UN sanctions that Libya endured in the 1990s (Zoubhir, 2006, p.49). In the context of historical institutionalism, the events of 9/11 can be seen as the critical juncture that led to Libya's reintegration onto the international stage after years in obscurity. While 9/11 was a major turning point at the beginning of the 21<sup>st</sup> century for Western nations and the MENA region, it had subsequent ramifications for Libya's relationship with the EU and its member states.

As mentioned previously, member states within the EU maintained economic ties with Libya despite the heavy sanctions placed on the country, much to the displeasure of the American government. The USA re-establishing dialogue with Libya allowed for EU member states like Italy, Germany, the United Kingdom (UK), and France to pursue more open political and economic relationships with the country and seek to develop them further (Zoubhir, 2009, p.404). The EU and its member states were particularly interested in deals with Libya that would address their concerns over migration, as there was a significant increase in irregular migration that was coming from Libya to Italy and Malta throughout the 2000s (Paoletti, 2011, p.270). EU heads of state rushed to Libya looking to make agreements with Gaddafi and the Libyan government that would effectively keep migrants away from the EU's borders. When looking at how migration became the central topic between Libya and the EU at the time, it is important to understand the factors that

led to Libya becoming a transit country for migrants in the first place, and how it shaped negotiations between the EU and Libya during the 2000s.

### *1.1: Migration Politics*

Migration, specifically illegal immigration, was something that the EU was already focused on in the 1990s. Association agreements with Tunisia (in 1998) and Morocco (in 2000) allowed the EU to establish conditions for economic, social, and political cooperation between itself and these North African countries (Hamood, 2005, p.18). Part of each association agreement was to limit the number of Tunisian and Moroccan migrants who were illegally immigrating from their own country to Southern Europe (specifically Italy and Spain) in search of better economic opportunities. These agreements provided more policing along the borders and deterred many potential migrants from taking the routes through Tunisia and Morocco that they were accustomed to taking. The increased difficulty of crossing the Mediterranean from Tunisia and Morocco led many migrants to seek alternative routes to Europe. Libya, therefore, became an attractive option (Hamood, 2018, p.19). The signing of association agreements with Tunisia and Morocco were key events that changed how migration routes from Africa to Europe would develop over the following years and set the precedent for the EU's migration-focused foreign policy toward Libya. The EU believed that these agreements with third countries would serve as a blueprint for furthering its interests abroad, while allowing it to have a direct impact on issues that had repercussions on EU politics, such as irregular migration.

Throughout the 20<sup>th</sup> century, Libya was seen as a destination country for migrants from neighbouring North African and Sub-Saharan African countries. Migrants would work in the country with every intention of returning home at the end of their contract. This was mainly due to the large employment needs of Libya's oil industry that could not be fulfilled by its small population. Libya also became an easy country for Africans to immigrate to at the time. Because of the complete isolation Libya experienced from the West and Libya's tense relations with the Arab world, Gaddafi was keen on leading the development of the African continent as an alternative. He wished to be at the head of a united African continent that could rival the West and potentially change the world order at the time. This

rhetoric of openness from the Libyan leader allowed for the flow of migrants and people towards the country to increase in the 1990s and early 2000s (Paoletti and Pastore, 2010, p.10). The wealth generated by the Libyan economy also provided little economic incentive for Libyans themselves to migrate towards Europe. Libya had some of the highest levels of human development in Africa and was considered one of the richest countries on the continent, even with the imposition of UN sanctions (Zoubhir, 2009, p.404). Libya was not accustomed to being a transit country and did not have the same national base of emigration that other African nations had, but soon migrants seeking to cross the Mediterranean Sea were using the country's relaxed border controls as a departure point to reach European borders (Paoletti, 2011, p.271). Libya's pivot towards the African continent as a consequence of UN sanctions caused the country to become a springboard for migrants trying to reach Europe, which would ultimately guide its interactions with the EU and its member states after the UN sanctions were lifted.

Although Libya was experiencing a new migratory phenomenon within the country, this was mostly used as leverage for making agreements with the EU (Zoubhir, 2009, p.408). The EU itself did not have a formal relationship with Libya, as the country was not part of the Barcelona Process that was the basis for the EU's foreign policy with Southern Mediterranean countries (Geheder *et al*, 2010, p.50). Additionally, Libya and Gaddafi remained unconcerned by problems at EU borders. From a political and economic standpoint however, Libya desperately needed the boost from revitalising economic ties with European nations after a decade of sanctions. Therefore, Libya did use funds from EU Neighbourhood schemes and bilateral agreements with Italy to survey its own borders, while enacting efforts to halt migration towards EU borders (Bialasiewicz, 2012, p.846).

Italy's handling of migrants coming to its coast caused international outrage and forced the EU to intervene. The Italian government was conducting mass deportations from Lampedusa back to Libya without properly studying individual cases to understand the status of the migrants (Bialasiewicz, 2012, p.855). To this point, Libya had only been dealing with European countries on a bilateral basis. However, as migration across the Mediterranean Sea garnered international attention and criticism, the EU sought to salvage

its image as a defender of human rights and the rule of law by taking a more active role in the situation. The EU attempted to find solutions that would ensure the protection of human rights to migrants who were arriving to EU borders, mostly through the EU's border guard agency FRONTEX. Nevertheless, the solutions proposed by certain member states (notably Germany, Italy, and the UK) were primarily based on outsourcing the EU's border controls into Libya by creating migrant processing centres in the country (Bialasiewicz, 2012, p.847). The processing centre suggestion was never implemented at the EU-level; however, Italy proceeded with building camps in Libya through Italian funds, in order to host migrants recently deported from Italy (Hamood, 2005, p.65). International criticism towards Italy and Libya's handling of the migration processing at its borders acted as the catalyst that forced the EU to step in and try to create EU-Libya dialogue rather than the Italo-Libyan bilateral agreements that had been established.

Unfortunately, the EU's efforts to stem migration to its borders while following international law and protecting the human rights of migrants were seen as unrealistic. There was little proof that inroads would be made, especially as Italy and Libya continued to forge their own bilateral accords regarding the issue. Notably, Italy continued to neglect its duties to respect the UNHCR 1951 Refugee Convention regarding refugee and asylum processing. On the other hand, Italian leaders felt as if they could not depend on the EU to help them with the "burden" of migration coming to Italian shores (Bialasiewicz, 2012, p.853). Italy's distrust and lack of belief in the EU and in the international community fuelled its disregard for the legal proceedings it was meant to uphold (Paoletti, 2011, p.277).

Meanwhile, Libya had never signed the UNHCR 1951 Refugee Convention protecting refugees and asylum seekers and was not intending to, despite the EU stating that Libya's acceptance of the UNHCR conventions was a precondition for any agreements between the two (Paoletti and Pastore, 2010, p.19). Human rights were seldom respected and Libya's distrust in the international community (and Europe) also fuelled its lack of cooperation regarding human rights obligations. Libya was already notorious for deporting migrants at random back to their home country and even sometimes in other border

countries (like Niger and Chad), regardless of their nationalities (Bialasiewicz, 2012, p.854). These practices were becoming more frequent as the number of migrants increased in Libya and pressure from the EU and the international community amplified (Hamood, 2005, p.35). The Libyan government had no legal framework to differentiate immigrants in the country based on different categories. All migrants were classed as “economic migrants” by the Libyan government and the closed off nature of the country did not allow for the legitimacy of this information to be investigated (Hamood, 2005, p.18). According to the International Organisation for Migration (IOM), the number of irregular arrivals on Italian shores during summer months dropped from 37,000 in 2008 to 4,700 in 2010. This nearly 90% drop followed the signing and implementation of Italy and Libya’s 2008 Treaty of Friendship, Partnership, and Cooperation (Bialasiewicz, 2012, p. 857). In a sense, the Italian and Libyan governments were both on the same page regarding the increasing level of migrants. The two were deterring migrants by any means necessary and were able to do so because of a lack of accountability to the EU and the international community.

### *1.2: Economic Potential*

From an economic standpoint, the EU saw major potential with a reinstated Libya. European leaders were eager to access another oil rich energy market that was within such close geographic proximity. Libya was also in need of massive infrastructure investment, which was the perfect target for development projects to take place. Moreover, the Libyan government’s substantial wealth meant that it could be a major client to EU member states looking to sell their exports (George, Miles, and Prud'homme, 2010, p.2). As previously mentioned, the USA normalising relations with Libya following the removal of its sanctions on Libya in 2004 allowed the EU to pursue deeper ties with the country. However, it also presented the EU and its member states with a new competitor, and this was arguably what caused European leaders to rush into Libya in the years that followed (Zoubhir, 2009, p.408). The re-emergence of the USA in Libya’s economy can be seen as the main motivation that rapidly increased the EU’s presence in Libya throughout the 2000s.

The re-emergence of American interests in the Mediterranean country were noticed by the EU and its member states almost immediately. Although Italy and Germany already had strong economic activity with Libya, other countries such as the UK, France, and the EU, were trying to gain a stronger foothold in the country. While the UK was primarily interested in oil contracts for British Petroleum (BP), France was looking for military cooperation with Libya (Zoubhir, 2009, p.412). Both countries and the EU were facing stark competition from Russia and the USA in both areas. The Russians had been an established weapons' supplier to Libya throughout Gaddafi's time at the head of the country (even during the Soviet Union era) and despite tense relations in the past, the USA presented Libya with the potential for a lucrative energy partnership (Zoubhir, 2009, p.403). The EU and its member states were also trying to find new energy partners to become less dependent on Russian oil and gas. By the end of the 2000s, Russia supplied over 50% of Europe's oil and 34% of its natural gas (Joffé, 2011, p.243). With this in mind, normalisation between Libya and EU member states rapidly gained momentum. Inflows of private foreign direct investment increased from \$-6M between 1990-2000 to \$2.5B in 2007, while exports from Libya to the EU increased from just over \$9B in 2003 to just over \$24B in 2007 (Joffé, 2011, p.239). Libya was acutely aware of the scramble that was ongoing for its resources, and subsequently welcomed all proposals in an attempt to find the most beneficial deals possible without necessarily pledging its loyalty to any one arrangement. Although Libya made concessions with the USA and Europe, such as abandoning its nuclear programme, paying compensation to victims of the Lockerbie bombing, and the release of Bulgarian nurses in 2007, Gaddafi and the Libyan government were not bound to the EU, the USA, or any international organisation that could genuinely control how Libya acted politically and economically. Libya and Gaddafi were essentially still a "wild card" in terms of diplomacy, despite the post-sanction dialogue of the 2000s and its rehabilitated image in the West (Zoubhir, 2009, p.413).

To tackle Libya's unpredictability, the EU held numerous discussions with the Libyan government in the second half of the decade. The EU was keen on having Libya in the Barcelona Process, rebranded as the "Union for the Mediterranean" (UfM) by French

President Nicolas Sarkozy in 2008 (Zoubhir, 2009, p.406). That same year, plans were announced for an association agreement with the EU, similar to the ones signed by Tunisia and Morocco with the EU at the turn of the century. The association agreement would deal with areas of convergence between the EU and Libya, including the potential for a free trade agreement, energy and transport investment, and improved accessibility to visas (Zoubhir, 2009, p.408). Liberalisation of Libya's economy was at the forefront of EU's economic plans. The EU's liberal ideals were paramount for its member states to easily install themselves in Libya and begin reaping the benefits of the Libyan market. The key for the EU was to promote itself as the best suited trading partner to Libya. With the association agreement, the EU was hoping to generate the same kind of results with Libya that it had achieved with Tunisia and Morocco: to establish a sense of influence that had not existed in Libya up to that point. The EU added many conditions that were meant to provide it with more control over proceedings in Libya. Because of its geographic proximity to Libya and the fact that events in Libya were directly impacting the EU, diplomatic dialogue and efforts were much more extensive from the EU than from other countries that were negotiating with Libya (like the USA and Russia). This extensive dialogue was perceived as overbearing and intrusive in the eyes of the Libyan government (George, Miles, and Prud'homme, 2010, p.1). Closer cooperation was also seen as more advantageous to the EU than it would be for Libya, and there was acknowledgement that a deeper integration between the two posed significantly more risks for Libya if development was not properly carried out (George, Miles, and Prud'homme, 2010, p.6). Ultimately, the association agreement never came to fruition. The absence of an agreement can be seen as a missed opportunity from the EU's point of view, as the late 2000s proved to be the last possibility for a diplomatic relationship between the EU and Libya to evolve. Without being able to reach an association agreement before the eventual revolution in 2011, the EU lost its chance to become a major player in the country when it at least had stability under the Gaddafi regime. This would prove to be the beginning of many missed opportunities for the EU in its foreign policy with Libya.



### *Analysis*

To understand the chain of events that unfolded between Libya, Italy, and the EU throughout the 2000s, there are many links that can be explained from a historical institutionalism approach. The critical juncture that triggered EU-Libya relations in the 2000s was the readmission of Libya back into the world following its condemnation of the terrorist attacks on 11 September 2001. This dramatic world event provided Gaddafi and Libya with an opportunity to have the UN sanctions removed and set in motion the normalisation process between Libya and key European countries.

With Libya readmitted into the global economy, the EU's foreign policy approach in Libya needed to take into consideration how this reintroduction would change the dynamics in North Africa. Unbeknownst to the EU, the association agreements it had signed with Tunisia and Morocco that stemmed migration from those countries towards Europe were about to backfire on the EU. By restricting migration through the usual avenues in Tunisia and Morocco without addressing the root causes of migration, the EU created the conditions for the new migration route through Libya. This new corridor through Libya coincided with Gaddafi's political shift towards the African continent during the 1990s that loosened immigration policies in the country for African migrants. This had direct consequences that affected EU foreign policy towards Libya, as migrants were now going through a country that was not accountable to any European or international institutions and arriving, dead or alive, on EU shores.

The EU country most impacted by the new migration route through Libya was Italy, and these arrivals prompted the Italian government to make agreements directly with the Libyan government to halt migratory flows. The Italian government felt overwhelmed and unheard by the EU and the international community, and decided to act without regard for international law or for the human rights of the migrants showing up at their borders. By entering into bilateral agreements in the late 2000s, Libya and Italy were able to circumvent the EU and generate their own, albeit imperfect, solutions. Agreements outside of the EU umbrella were controversial, given that Italy, unlike Libya, was party to the 1951 Refugee Convention and the EU human rights laws. Furthermore, the handling of the migration



situation by the two countries began to undermine the EU's image as a world-wide defender of human rights. The EU was forced to come up with its own Euro-Mediterranean partnership approach with Libya to override Italo-Libyan bilateralism. Despite the EU becoming more isolated from, and ignored by Libya, it remained confident that it would be able to exert control and influence by including Libya in the Barcelona Process (and afterwards the UfM) with an association agreement. However, the inability to reach an agreement before the 2011 revolution meant that the EU's ambitions for Libya went unsettled. The failure to reach an association agreement with Libya is a crucial moment, as it provides insight into how the relationship between the EU and Libya would continue to evolve after the revolution.

Economically, the incentive for the EU to establish relations with Libya resulted from the USA's normalisation of relations with Libya. The USA was the catalyst of the UN sanctions imposed on Libya throughout the 1990s and was the last major Western economy to embrace normalisation. Once the UN sanctions were lifted in 2003 and the USA lifted its own sanctions in 2004, the USA became a major competitor to the EU and its member states. The EU and its member states that did not have a particularly strong relationship with Libya (particularly France and the UK) prior to normalisation had to scramble to beat the USA to lucrative development, energy, and military contracts. The reinstatement of USA-Libya relations pressured EU leaders to rush to the country in order to further their own interests and benefit from the economic opportunities that Libya presented (Zoubhir, 2009, p.414).

## **Chapter 2: EU Foreign Policy in Post-Revolution Libya**

The dynamics of Mediterranean politics profoundly changed after the revolutions in North Africa and the Middle East that occurred during the 2011 Arab Spring. In the Libyan context, the NATO intervention that led to the death of Muammar Gaddafi provided hopes that a more favourable and democratic regime would emerge in Libya, one that would facilitate political and economic cooperation with the Western world. This intervention was heavily backed by France and the UK, two member states<sup>2</sup> that carried significant weight in foreign policy matters within the EU. However, France and the UK were acting independently of EU consensus within this NATO mission, and the EU did not have a joint stance on the matter. The EU was trying to position itself in the region with a unified foreign policy approach at a time when uprisings were leading to the removal of many North African leaders. Without a cohesive EU-level strategy to tackle foreign policy issues, particularly in the EU's Southern Neighbourhood, diverging approaches between member states were undermining the legitimacy of the EU's supranational character. To this effect, The Libyan revolution that ended Muammar Gaddafi's rule over Libya was a clear critical juncture in EU-Libya relations. It was a chance for the EU to display a common foreign policy approach amidst the uncertainty that was unfolding near its borders. The developments in the immediate aftermath of the Libyan revolution would demonstrate that the lack of will from member states to commit to a common EU foreign policy nullified any European influence in the country and allowed for external actors to shape proceedings in Libya.

### *2.1: The EEAS and post-revolution Libya*

Following its creation in the Treaty of Lisbon, the EU's European External Action Service (EEAS) became operational in 2011, as a way to establish a common foreign policy approach for the EU. In the early stages of its inception, the EEAS aimed to focus primarily on civilian and humanitarian missions. The EEAS also had military missions as part of its scope, however, it was hoping to rely mostly on cooperation with NATO for any military engagements (Brattberg, 2011, p.3). Catherine Ashton, the first High Representative of

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<sup>2</sup> Prior to "Brexit," when the United Kingdom left the EU in 2016.

Foreign Affairs for the EEAS<sup>3</sup> envisioned the role of the EEAS in the world as one that focused primarily on promoting European interests and values, while upholding human rights, democracy, and the rule of law (Vanhoonacker and Pomorska, 2013, p.1326). With this approach, the EEAS could create its Common Defence and Security Policy (CDSP) without prioritising the need for a large military force. Neglecting to create a substantial military force was negatively perceived by the USA, who felt that the EU was too dependent on NATO (and therefore, the US military) for its military engagements (Brattberg, 2011, p.4). In order to pursue military missions, armed forces for EEAS missions would require cooperation from member states through its European Union Military Committee (EUMC) and its subcommittees that would pool military personnel to work at an EU-level rather than a national level (EEAS [EUMC], 2022). However, as developments continued to unfold in Libya, the EEAS struggled to gain respect and credibility from member states who were not interested in ceding their own foreign policy objectives and military personnel to a common EU approach. This inability to gain legitimacy from its member states caused the EEAS to be a non-factor in those crucial early years following Libya's revolution (Vanhoonacker and Pomorska, 2013, p.1327).

Following the first set of parliamentary elections in Libya in 2012, internal conflicts and disagreements regarding the electoral process quickly caused a split within the government. Although the General National Council (GNC) was tasked with creating a constitutional framework that would finalise Libya's democratic transition, they were incapable of gaining control over all the different militias within the country. In fact, the militias that were key in toppling Gaddafi during the revolution were being used by politicians for their own political goals, holding Libya hostage to a cycle of infighting and disagreement over power sharing (Megerisi, 2020b, p.3). As the country was drifting further away from the democratic transition the EU was hoping for, the EEAS created the European Union Border Assistance Mission (EUBAM) in 2013. The EUBAM was a civilian mission focused on border management stationed in Libya. The mission was meant

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<sup>3</sup> The top position within the EEAS. The High Representative simultaneously holds the position of Vice-President of the European Commission.

to support the Libyan authorities with the rise of irregular migration and smuggling through the country; however, the mission's narrow migration-focused scope could do very little to address the political turmoil that was leading Libya into a state of civil war (Loschi, Raineri, and Scazzari, 2018, p.9). In 2014, numerous conflicts escalated throughout Libya as the country became an uncontrolled warzone, and this led to multiple outside countries getting involved. While militias mostly fought turf wars in Western Libya, the presence of Islamist groups such as Al Qaeda, ISIL, and Ansar Al-Sharia in Eastern Libya increased the degree to which external actors would play a role in the country (Carboni and Moody, 2018, p.469). These external actors, notably the UAE, Egypt, and France began propping up warlord Khalifa Haftar and his LNA to defeat the Islamist groups who were opportunistically vying for power in the anarchy that was consuming Libya (Eriksson, 2016, p.823). Although France increased involvement in Libya's conflict for its own counterterrorism and security goals, the EU was virtually nowhere to be seen. The period between 2011 and 2014, following the aftermath of the First Libyan Civil War, was marked by the inability for the EEAS to gain the support and legitimacy from member states to create an effective EU foreign policy strategy. Other than the creation of EUBAM that focused solely on irregular migration, the EEAS and the EU were practically absent while Libya's democratisation process collapsed into a civil war (Vogel, 2017, p.2).

## 2.2: *The Security Dilemma and Diverging Foreign Policy*

With the threat of Islamist militant groups seemingly being dealt with in Eastern Libya by Khalifa Haftar and the LNA, the international community took the opportunity to start a fresh process towards Libya's democratic transition in 2016. The UN created a transitional government as part of the new Libyan Political Agreement<sup>4</sup> that was called the Government of National Accord (GNA), with Fayeze al-Sarraj chosen as the transitional Prime Minister (UNSMIL, 2015, p.23). The new UN-built and EU-recognised GNA was based in Tripoli and was again mandated to bring elections and a working constitution to Libya (UNSMIL, 2015, p.2). However, following the continued fighting after First Civil War, Libya was severely split between East and West. Haftar and the LNA were *de facto*

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<sup>4</sup> Also known as the "Skhirat Agreement," named after the city in Morocco where the agreement was signed.

ruling Eastern Libya along with the House of Representatives (HoR)<sup>5</sup> and did not recognise the GNA's rule over the entire territory. Libya's Second Civil War intensified after 2016, as the situation became increasingly complex. Despite the UN's renewed efforts to create a stable democracy in Libya, most of the actors involved, including the EU, had already abandoned hope for peace in the country (Vogel, 2017, p.1). The Libyan Political Agreement is a key moment in the post-revolution EU-Libya relations. It coincides with a shift in EU foreign policy from nation building in the Southern Neighbourhood, to protecting itself from the Southern Neighbourhood. The EU began to focus on its own security and neglected the democratic process in Libya, while Italy and France began competing for influence in the country, thus undermining the common foreign policy goals of the EU.

Even with the new political agreement in place, the EU had not planned to intervene in Libya through political or military means. Without NATO or the USA backing any Western approaches to peace in the country, the renewed political process was unlikely to receive the support it needed to steer Libya back towards peace. The shocking chaos that transpired in Libya after the revolution went against the EU's hopes for democratic transition in the country and forced the EU to re-question its capacity to impact developments in Libya. Therefore, the EEAS' ineffectiveness in Libya guided its shift towards a policy focused on protecting itself and its borders through containment (Loschi, Raineri, and Strazzari, 2018, p.3). Ceasing migration was seen as the most impactful contribution the EEAS could make to proceedings in Libya, as the migration issue was unanimously perceived as a threat by all member states (Megerisi, 2020a, p.31). This led to the creation of the EEAS military mission "Operation Sophia" in 2015, an EU Naval Force (EUNAVFOR) initiative to survey the coasts of Italy and Libya in an attempt to stop the smuggling of migrants across the Mediterranean Sea and save the lives of people who were lost at sea. The mission also coincided with the EU's shift in foreign policy that regarded irregular migration as a security threat rather than a humanitarian crisis. Part of the reasoning behind treating irregular migration as a security threat was due to the high influx

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<sup>5</sup> Libya's legislature.

of refugees and asylum seekers that arrived at EU borders in 2015. The EU received over one million asylum applications and had been overwhelmed by the sheer number of people arriving on its shores. The sharp increase coming from eastern and southern borders began dominating all spheres of political discourse within the EU and Europe as a whole, with Libya continuing to be one of the main departure points that migrants were using (Abderrahim, 2020, p.96). On paper, Operation Sophia was meant to be an additional asset that the EEAS could use to contribute to the stability of Libya in a humane and lawful manner, but in reality, the mission was one that enforced this harsh and ineffective villainization of irregular migration (Loschi, Raineri, and Strazzari, 2018, p.8).

The EU also contributed billions of euros to its European Union Trust Fund (EUTF) to aid fragile Libyan institutions in the containment of irregular migration and human smuggling; however, these funds were rushed through EU hierarchies without proper consideration or consultation over who would receive the funds and how the funds would be used. This made EUTF funding often untraceable and meaningless in Libya's lawless environment (Loschi, Raineri, and Strazzari, 2018, p.15). Without a proper foothold in the country, the EU and the EEAS focused on what they thought they could control and what was of most concern to them, which was stopping the flow of migrants to its borders. However, EEAS instruments were being inefficiently deployed with little attention to detail by the service. The EU was so consumed by migration to its borders that it was simply allocating money and resources without targeting the underlying issues contributing to the increased migration flows (Toaldo, 2015, p.13). This ineffective approach prompted member states to increase their own involvement in Libya.

Italy, the EU member state most preoccupied by developments in Libya, attempted to support the UN-backed GNA government and was keen to stabilise the country. The Italians stepped up their diplomatic efforts in hopes that helping al-Sarraj and the GNA gain control of the country would boost security in Libya, stop migration flows in the Central Mediterranean route, and allow for economic cooperation to resume between Italy and Libya. Italy was the first European country to reopen its embassy in Libya in 2017, as Italian Minister of the Interior Marco Minniti intensified efforts to bring Libya out of chaos

(Ceccorulli, 2022, p.336). The Italian government invested its own funds towards border control and training of the Libyan coast guard and even co-financed a project with the EUTF to build border surveillance facilities (Loschi, Raineri, and Strazzari, 2018, p.14). The Italian effort went so far as to try and integrate Haftar and the LNA into the GNA government based in Tripoli, an initiative that ultimately did not materialise (Vogel, 2017, p.2). Italian diplomacy was the leading voice of the EU's ambitions, seeing as the EU and Italy had aligned their foreign policy aspirations regarding the situation in Libya with the Libyan Political Agreement. The EU was adhering to Italian policies and political will in Libya, in contrast to the EU's disapproving stance towards Italo-Libyan relations before the revolution. This was seen as the only option for the EU to avoid being isolated from proceedings. A relationship where Italy was the liaison between the EU and Libya was the best way for diplomatic agreements to be made with Libya (Ceccorulli, 2022, p.340). Italy, motivated foremost by its own economic and political interests, seemed to be the only country working towards the vision of a functioning post-war Libya, which was becoming increasingly hard to imagine in the fractured country. In addition, interventions from outside countries began dominating the conflict and dividing the country further, with financial and military support being sent to Haftar's LNA in the East and al-Sarraj's GNA in the West.

Despite the GNA being Libya's only government recognised by the EU, France aligned itself with Haftar and the LNA in an attempt to meet its own foreign policy goals in the country. France, like the EU, was mainly viewing the situation in Libya from a security standpoint and sought to bolster its relations with the UAE who was the main backer of Haftar in the country (Megerisi, 2020a, p35). The chaos in Libya had a trickle-down effect in the Sahel region of Africa, a region where France is politically dominant and where the French military had been actively deploying counterterror missions for years. Moreover, France was interested in the potential economic benefits that it could get from access to Libyan oil; one of the main reasons why France was keen on the NATO intervention that toppled Gaddafi during the 2011 revolution (Ilardo, 2018, p.2). French President Emmanuel Macron intensified France's involvement by holding meetings in Paris with Haftar and al-

Sarraj in July of 2017 and in May of 2018 to seemingly position France as a beneficiary regardless of the outcome that transpired in Libya. The French position created a rift between France and Italy, with the Italians organising their own meetings in Palermo in November of 2018 with Haftar and al-Sarraj, feeling as though French involvement was interfering with the Italian-led consensus for peace building in Libya (Plakoudas, 2021, p.3). Macron's decision weakened the EU's legitimacy in Libya at a time when it was already struggling to make an impact in the country:

No mention was made of cooperating with international organizations or other countries, and he said France would act with or without Europe on this matter. This tendency for unilateralism and lack of consultation with the UN or other parties concerned (such as the many factions present in Libya) is worrisome, and not easy to understand coming from someone who campaigned in a staunchly pro-EU platform. (Falchi, 2017, p.3).

The fact that France was more willing to work with non-EU countries, or even work unilaterally, to suit its own foreign policy objectives in Libya not only negated what little influence the EU had left in the country, but it also proved that member states were still putting their own national interests ahead of a shared EU strategy.

### *2.3: Turkish alliance with the GNA*

As more external actors became involved in Libya, Haftar escalated the conflict by beginning an offensive to take over Tripoli and the GNA-controlled parts of Western Libya. With the backing of the UAE, Egypt, Russia, Saudi Arabia, and France, Haftar and the LNA began their attempt to invade Tripoli in April of 2019 (Plakoudas, 2021, p.4). The GNA had passive support mostly from Türkiye, Qatar, and Italy. However, an agreement between Türkiye and the GNA was signed on 28 November 2019 which intensified Turkish involvement on behalf of the GNA. The agreement delimited Libya's Eastern Mediterranean coast to provide Türkiye with access to Libya's Economic Exclusion Zone (EEZ) for oil exploration in exchange for the Turkish military support that ultimately ended Libya's Second Civil War (Megerisi, 2020b, p.6). Türkiye's insertion in Libya provided significant military protection to the GNA during the war that the EU could not afford



them. With Türkiye offering military assistance to the GNA in exchange for economic benefits, little room remained for the EU to affect proceedings in Libya. Türkiye secured influence over the Tripoli-based government that the EU hoped to maintain despite the hollow nature of its engagement in Libya. Although France, Italy, and the EU were involved on both sides of the conflict, their impact was minimal and indecisive. By the end of Libya's Second Civil War, European influence in Libya was overshadowed on both sides by other countries who were more financially and militarily implicated. The military prowess of outside countries such as Türkiye and even Russia heavily changed the dynamics of the conflict and without the involvement of NATO or the USA, the EU could not forge itself a place on this new battlefield. The Libyan conflict was now being decided without the EU's input and by countries that did not share the same concerns over migration flows or establishing democracy in Libya that the EU initially had (Scazzieri, 2020, p.2).

#### *2.4: Berlin Conference and the GNU*

Türkiye's military intervention on behalf of the GNA enabled the al-Sarraj government to repel Haftar's offensive on Tripoli and led to a ceasefire being signed between the rival GNA and LNA. This temporary ceasefire was organised by Russia and Türkiye and was signed in Moscow on 12 January 2020, a move that symbolically positioned the two countries as the main deciders of Libya's fate (Megerisi, 2020b, p.6). Despite the EU being effectively sidelined throughout Libya's Second Civil War and having member states on either side of the conflict, the EU responded to the ceasefire with a new effort to regain its relevance in Libya. Germany, a country that opposed the 2011 NATO intervention in Libya that led to the ensuing civil wars, emerged as the leader of a new EU-level approach to bring peace to the country (Brattberg, 2011, p.3). The Berlin Conference on 19 January 2020, one week after the meetings in Moscow, represented a new chance for the EU and its member states to play a role in Libya. The emphasis of the EU's approach was to follow and implement the UNSMIL's recommendations for the possible stabilisation and democratisation of Libya. However, the ceasefire quickly dissolved into chaos again, with external countries like Türkiye, Russia, and the UAE continuing to supply arms and

financial support to the GNA and LNA respectively. Consequently, the EEAS replaced Operation Sophia with Operation Irini, a military mission that was focused on imposing the UN arms embargo that was placed on Libya (Watanabe, 2020, p.4). By having a mission focused on the smuggling of arms, the EU was attempting to find its place among the militarized arena in a direct way and was trying to avoid being excluded from Libya altogether.

With the enduring conflict in Libya becoming less intense, the Libyan Political Dialogue Forum (LPDF) was created by the UN in October of 2020. A permanent ceasefire was established, and the group also introduced a new Government of National Unity (GNU) headed by Abdul Hamid Dbeibah, a replacement for the GNA and al-Sarraj with the same mandate of enacting a democratic process in Libya (Scazzieri, 2020, p.1). The LPDF decision was meant to give the GNU time to create a democratic constitution in Libya and to hold democratic elections in December 2021. Similar to the GNA, the GNU struggled to control the country, and external actors continued to exploit conflicts throughout Libya. The GNU was unable to meet its mandate by December 2021, with the same disagreements and divisions between East and West locking Libya in another cycle of uncertainty. Like al-Sarraj before him, Dbeibah remained in charge as the transitional leader past his mandate and without the promised transition. The EU had cooperated with the GNU throughout its short time in charge of Libya, however, the GNU had continued to keep close relations with Türkiye. Turkish power over the GNU eclipsed the EU's influence on the UN-recognised government and minimised the EU's chances to meaningfully factor in the new transitional process (Plakoudas, 2021, p.7).

### *Analysis*

The critical juncture in post-revolution Libya is two-fold. Firstly, the Libyan Revolution and the death of Muammar Gaddafi was the clear event that would loom over the next decade of EU-Libya relations. Libya went from a closed-off dictatorship that spanned four decades to a country without any system at all. Libya had to rebuild its society from the aftermath of an armed revolution and was being pushed to implement an UN-designed democracy that was completely foreign to Libyan society. Secondly, the

revolution coincided with the EU's concerted effort to have a unified foreign policy with the creation of the EEAS. The EEAS came at a time when many countries in the Southern Neighbourhood were revolting against their leaders. Because of the EEAS' inability to establish itself quickly during a crucial geopolitical phenomenon, the EU was unable to create the vital inroads necessary to address the irregular migration flows coming from Libya to its borders, which remained the EU's top concern regarding the situation in Libya.

The situation in post-revolution Libya became even more complex to navigate for the EU as the fighting in Libya intensified. The instability in Libya meant there were no legitimate figureheads for the EU to work with. This complicated the EU's approach to Libya and forced them to work with either individuals who had no control over the country (al-Sarraj) or warlords (Haftar). There was also a lack of impact and will of the EU in Libya to rectify the situation other than initiatives to tackle irregular migration. It became clear that the EU and its member states lacked a substantial plan for stabilising the country following the revolution, especially without the backing of NATO or US support. The EU and its member states presence were negligible at best, and counterproductive at worst, throughout the post-revolution years.

The advent of the Libyan Political Agreement in 2016 came at a time when there was an important shift in EU foreign policy toward Libya. With Libya in utter chaos and conflicts occurring all over the territory, the UN created the new agreement to restart the country's democratic process. However, the EU had foregone its hopes that Libya would complete its democratic transition. With a stark increase in irregular migration towards the EU coming from Libya and migration dominating European politics, the EEAS reconfigured its approach in Libya to one focused on security. The EU was also accepting Italian resolutions to the migration issues that it previously condemned before the Libyan revolution, as the refugee crisis dominated all political circles in the EU. The security shift and Italy's political influence led to EU initiatives becoming less about humanitarian aid and more about ensuring the turmoil in Libya stayed outside of the EU's borders. An increase in divisions within both Libya and the EU would render the UN's efforts completely futile in what would become Libya's Second Civil War. The GNA and LNA

became entangled in armed conflict on the ground, while Italy and France began supporting the different warring sides. As the war waged on and external actors increased their involvement, France's divergence from the EU-supported Italian initiatives in Libya weakened all European influence in the conflict.

Another turning point for the EU's place in Libya was the involvement of Türkiye in the conflict. The emergence of a significant military power like Türkiye in Libya changed the balance of power in the country at a time when Haftar's LNA was gaining considerable momentum in the war. The ease at which Turkish military involvement allowed Türkiye to secure valuable and strategic access to Libyan resources demonstrated just how little control the EU and its member states had over the geopolitical events that were happening in the Southern Neighbourhood. The escalation of military activity in the conflict cemented how the EU and EEAS were unable to fill the military void that was often occupied by NATO and US support in the past. Türkiye's military engagement also brought about a ceasefire that Germany tried to capitalise on with a renewed EU approach towards stabilising Libya. However, the fighting that recurred only weeks after the Berlin Conference was indicative of how inconsequential the EU and its member states' input was to other countries involved in Libya.

When the new LPDF replaced the GNA with the new GNU transitional government in October 2020, the EU welcomed the proposal, however, there were no real changes to the new power dynamics in Libya. The GNU continued to have a closer relationship with Türkiye after it took office in 2021, which shows how much more meaningful Turkish power was than EU influence for the UN-recognised government in Tripoli.

Finally, it is worth noting that unlike the pre-revolution period, there are no economic developments of any significance between the EU and Libya during this period. Despite French attempts to benefit from access to Libya's abundance of oil by backing Haftar's LNA and Italian attempts to regain their economic advantage in Libya, there were no substantial advancements for either country. The Turkish agreement with the GNA to gain access to Libya's Eastern Mediterranean coast demonstrates that Türkiye was the only actor able to gain an economic advantage amid the Libyan warfare. Libya's economic

benefits were no longer in sight for the EU or its member states, and an economic partnership or association agreement between the EU and Libya was no longer being considered.

### **Chapter 3: EU-Libya Relations Since the Russian Invasion of Ukraine**

Following Russia's full-scale military invasion of neighbouring Ukraine on 24 February 2022, the energy relationship between the EU and Russia was severely called into question. Despite existing tensions between the EU and Russia since the latter's annexation of Crimea in 2014, the two continued to have a rather strong economic relationship. Many EU countries were dependent on Russian oil and gas, and although the relationship was purely transactional, Russian and European economies were quite intertwined prior to February of 2022 (Grekou *et al*, 2022, p.4). A major reason for this over-dependence on Russia was forged by the lack of other reliable energy partners within the EU's neighbourhood. Many resource-rich countries that could have served as alternatives to Russia were not dependable enough to foster stable partnerships, especially since building new pipeline infrastructure is a lengthy process that requires a certain degree of confidence between partners (Krickovic, 2015, p.12). Prior to the 2011 revolution, the EU had hoped that Libya would become a viable energy alternative, with the existing Greenstream pipeline that links from the country directly to Italy (Engelkes and Schulz, 2022, p.10). However, the ongoing chaos and instability in the country since the revolution had made Libya an unrealistic option for the EU. Libya had been forgotten as an economic partner. To this end, the Russian invasion of Ukraine was a major turning point in the EU economic and politic context, but it cannot be seen as a critical juncture in terms of the EU's relationship with Libya. Russia's dominance over the EU's energy supply forced the EU to rapidly find new ways to alleviate itself from this dependency and the need for new energy partners could have rekindled EU-Libya relations. However, during the EU's search for new energy partners, the prospect of Libyan oil and gas barely re-emerged as a potential replacement. Even during the difficult times that followed Russia's invasion, the EU did not consider Libyan oil and gas as an alternative to solve its energy crisis and sought solutions elsewhere. The EU's foreign policy approach to Libya had seemingly conceded that building a relationship with the country was not a priority in both political and economic respects.

### *3.1: Energy Crisis in Europe*

Europe's energy dependence on Russia had long been documented throughout the early 21<sup>st</sup> century as something of concern. Most EU member states were making efforts to at least diversify their energy imports rather than rely so heavily on one country (Krickovic, 2015, p.8). At the beginning of 2022, Russian gas accounted for roughly 40% of energy imports into the EU (European Commission, 2022). The months following the invasion consisted of intense economic warfare between the EU and Russia to avoid potentially falling victim to Russia weaponizing its energy supplies. The EU needed to adapt to the sanctions against Russia by quickly finding new sources of energy during the winter of 2022 and thereafter.

The European Commission created a plan to reduce energy consumption, stockpile resources, and find new partners with the goal of completely ending trade with Russia. The REPowerEU plan was launched in May 2022 as an all-encompassing set of tools to effectively survive the removal of Russian energy imports to the EU. The EU made agreements to acquire Liquefied Natural Gas (LNG) and natural gas from a variety of countries such as Egypt, Norway, the USA, Azerbaijan, Kazakhstan, and even Namibia (European Commission, 2022). Independent research on the feasibility of other possibilities that would be closer to the European mainland was also conducted at the time. While the EU was able to satisfy its short-term needs, options in the Mediterranean Sea seemed like the best choice for long-term energy solutions (Sidlo and Cohen-Hadria, 2022, p.50). With Egypt's LNG terminals still having to go through Türkiye to eventually reach Europe, Libya and Algeria were seen as crucial energy players that could benefit the EU. Libya, in particular, had immense unused capacity that could be accessed by the EU, should the EU be keen to make an agreement with the country and should conditions in Libya improve. However, accessing the resources in Libya and throughout the Mediterranean came with the consensus that the EU would need to take greater initiative in establishing peace within the region. A peaceful resolution to conflicts in the EU's Southern Neighbourhood would not only be beneficial for security purposes, but it would also provide incredible economic benefits (Elokda and Ali, 2023, p.27). While the energy crisis took its toll on the EU, it also

served as a distraction from its weak engagements in conflicts that were already occurring close to EU borders. This is especially true in Libya, where the EU lacked the commitment and resources necessary to instil a peace that could ideally lead to economic collaboration.

### *3.2: Meanwhile in Libya*

The Russian invasion of Ukraine also had harsh economic repercussions in Libya. Much like the rest of North Africa, food, transport, and fuel prices increased sharply due to supply shortages from both Russia and Ukraine (Central Bank of Libya, 2022, p.3). Inflation affected the purchasing power of everyday Libyans who were already living in a fragile state of uncertainty. Unfortunately for Libya, an additional layer of ambiguity was added to its failing political process shortly before the Russia's invasion of Ukraine. The LNA and HoR speaker Aguila Saleh Issa held an unofficial vote to elect Fathi Bashagha as the designate Prime Minister of Libya. This appointment was in reaction to the dissatisfaction that the Libyan political class felt towards the GNU after its inability to hold elections in December 2021 as mandated (Makhmutova, 2023, p.7). Bashagha was previously part of al-Sarraj's GNA but did not take part in Dbeibah's transitional formation. Bashagha and his Government of National Stability (GNS) would be based in Sirte, strategically on the border that divides GNU controlled territory and LNA controlled territory. His appointment and the GNS were neither recognised by the Tripoli-based GNU nor by the international community, with the exception of Russia (International Crisis Group, 2022, p.2). The two governments would run in parallel, similar to the dichotomy between the GNA and LNA governments during Libya's Second Civil War. Aside from rare clashes between militias, both sides seemed to remain focused on their respective areas of influence and worked with their respective foreign allies to gain legitimacy. Although Dbeibah refused to recognise the GNS and claimed he would willingly cede power to a democratically elected government, elections were not on the table and neither side seemed to be pressing for them (Makhmutova, 2023, p.8). The persistence of a divided Libya run by unelected leaders was becoming the accepted status-quo.

For the EU's part, there was little being done in the country and little that could be done. Following Turkish involvement with the GNU, the EU was now the clear second



fiddle to Türkiye in the West, while Haftar and the LNA were still the *de facto* power controlling the East, using Bashagha and the GNS as its political arm while under the influence of multiple foreign actors, most notably the UAE and Russia (Akamo, J., Bedin, C., and Cristiani, D., 2023, p.25). Since the beginning of the Russian invasion of Ukraine, the EEAS had not undertaken any new civilian or military missions and the EU had not made any notable changes to its stance towards Libya. The EU still provides funding to the securitisation of Libya's borders and to migration control in the country, but it is clear that the EU has been sidelined from political and economic developments in Libya (Akamo, J., Bedin, C., and Cristiani, D., 2023, p.22).

### *3.3: Giorgia Meloni and a return to Italo-Libyan bilateralism*

While the EU seemed to have lost its foothold in Libyan affairs, newly elected Prime Minister Giorgia Meloni and her Italian government made headlines by signing a bilateral energy and migration deal with the Libyan government based in Tripoli on 28 January 2023. The Italian government sought to address three main issues with this new deal: to reposition Italy as an important player in political developments within Libya, to resume economic activity with ENI in the wake of the Russian energy supplies being cut off, and to find a solution to the irregular migrations coming from Libya to Italian shores (European Research Unit, 2023). Meloni alluded numerous times to the importance of the bilateral relationship between the two countries and even made a reference to the Treaty of Friendship, Partnership, and Cooperation signed by Berlusconi and Gaddafi in 2008 as proof of past commitments being undertaken between Italy and Libya (Government of Italy, 2023).

While Meloni's presence was important for political purposes, the visit carried significant economic implications. The CEO of ENI, Claudio Descalzi and the CEO of Libya's National Oil Corporation (NOC) Farhat Bengdara, signed an \$8B agreement that would allow ENI to develop offshore oil fields outside of Tripoli, for both the Libyan and Italian markets. Another major pillar of the agreement were the reassurances from Italy regarding funding the Libyan coast guard to deter migration from Italian borders, exactly like the 2008 agreement between the two countries (Varvelli and Coratella, 2023). This visit

from Italy demonstrated a shift back to the bilateralism of the late 2000s. After the efforts of Italian governments to work on behalf of the EU when dealing with Libya during Libya's Second Civil War, Italy has once again prioritised its own self-preservation under the assumption that Italian needs were not being met by EU strategies. These developments also show how little has changed with regard to the EU or Italy's approach to Libya. More than a decade after the Libyan Revolution, the EU still has no strong presence in Libya, while Italy continues to be the only EU member state truly able to establish a relationship with the country.

### *Analysis*

The latest challenge to the unity of the EU came about with Russia's full-scale invasion of Ukraine in February of 2022. The invasion set off a frantic, yet relatively successful escape from the energy dependency that much of the EU had on Russia since the beginning of the 21<sup>st</sup> century. The EU was faced with a substantial foreign policy challenge in dealing with the consequences of the invasion and proved that, when united, the EU is able to manoeuvre through some of its tougher challenges in a timely and effective manner. This clear and direct threat to the whole EU elicited a unified and comprehensive response, something that cannot be said of the issues that the EU is confronted with its Southern Neighbourhood. The events leading to the Russian invasion of Ukraine and the EU's energy scramble had no impact on the dynamics of EU-Libya relations, and as a result, there are no critical junctures specific to the EU-Libya relationship or to EU foreign policy within Libya during this timeframe. A stable Libya would benefit the EU not only with regards to security and migration, but as a way to diversify its energy options. However, even after the economic shock that the Russian invasion of Ukraine created, the EU-Libya relationship was not revisited or improved.

Libya, although still going through chaos and turmoil, had the geographic proximity and the resource wealth that could have played a contributing role in substituting Russia's share of the EU's energy mix. After more than a decade of lawlessness in the country, the EU seems to have relinquished its interest in Libya, and to have lost ground in Libya to Türkiye, the UAE, and Russia. As a result, Libya was unable to capitalise on a significant

economic opportunity that presented itself following the EU's rejection of Russian energy. Unwavering division has paralysed Libya, with East and West still vying for legitimacy, while compromise and elections remain an afterthought.

Although the situation in Libya led to an unsuitable business environment for the EU, Italy's new government headed by Giorgia Meloni quickly made bilateral energy deals with Libya. Italy appears to be the only EU member state keen on resuming business in Libya and is, once again, moving independently of EU consensus. In the wake of the EU's energy crisis, Italy is looking to protect itself and its interests seemingly without the support of the EU. Whether Italy's involvement is primarily self-serving or out of necessity, the Italians willingness to engage with Libya and work with the UNSMIL to address the country's issues is the only sign of leadership coming from the EU or its member states.

## **Conclusion**

The dynamics of the EU-Libya relationship have gone through many changes since the turn of the century. The existing literature provides meaningful insight into the interactions between the EU, its member states, and Libya at varying points in time. By using a historical institutionalism approach to highlight the critical junctures within specific timeframes, it becomes clearer to see how EU foreign policy in Libya has remained stagnant and why a more profound relationship between the two has yet to materialise.

At the beginning of the 21<sup>st</sup> century, 9/11 proved to be the critical juncture that provided Muammar Gaddafi and Libya the chance to normalise relations with western nations. The EU had a window of opportunity to integrate Libya into its Euro-Mediterranean partnership schemes to further its influence over the country and address its main interests in Libya; these concerns were most notably regarding the irregular migration from Libya to Italy and accessing the country's vast oil reserves. However, Libya put more stock into its existing ties with Italy and was unwilling to partake in the EU's initiatives. Although economic ties improved slightly between the two, the EU ultimately failed to accomplish its foreign policy goals in Libya and very little changed in the EU-Libya relationship prior to the revolution.

The Libyan Revolution that occurred during the Arab Spring in 2011 became the critical juncture that defined EU foreign policy in Libya throughout the 2010s. It also came at the exact same time that the EEAS was created to become the EU's common foreign policy apparatus. Despite playing a leading role in the NATO intervention that killed Muammar Gaddafi and ended his rule over Libya, the EU and its member states were not able to follow up with a concrete plan to bring a democratic transition in the country and the EEAS could not convince member states to cede their own foreign policy goals to a common EU approach. When Libya spiralled into its second civil war in 2014, the increase of irregular migration from the country to EU borders led the EU to focus all of its efforts on isolating itself from the chaos by securing its outside borders and harshly impeding migrants from arriving from Libya to EU borders. Disputes between France and Italy undermined a cohesive EU approach to supporting the peace process in Libya and allowed

external countries the opportunity to exert their influence over the country. This led to Türkiye forging an agreement with the GNA and effectively replacing the EU as the main backer of UN-recognised government based in Tripoli.

The energy crisis resulting from Russia's invasion of Ukraine could have been a critical juncture in EU-Libya relations the same way that 9/11 was at the beginning of the century, as Libyan energy sources could have played a role in reducing the EU's dependency on Russia. However, even in the times of desperation that the EU found itself in, Libya was no longer on the EU's radar. A comprehensive plan enabled the EU to tackle the fall out from Russia's invasion without considering Libya as an alternative. With external countries now controlling developments in Libya and EU foreign policy amounting to little more than border surveillance, the EU seemed resigned to the reality that it could not have a relationship with Libya. When Italy signed its recent bilateral deal with Libya over migration and energy in early 2023, it served as further confirmation that nothing has fundamentally changed between the EU, its member states, and Libya throughout the 21<sup>st</sup> century.

The EU's foreign policy failures in Libya continue to stem from their limited focus on migration and from member states pursuing their own interests over a common foreign policy approach. While the EU member states demonstrated unity and an incredible solidarity with Ukrainian refugees in the face of the Russian invasion, the EU has shown neither of those qualities in Libya. Consequently, Libya's ongoing conflict has shown a continuing failure from the EU to formulate a clear policy in the country, a continuing focus on migration and security issues over all other factors in Libya, and a continuing trend of Italian unilateralism. As long as the EU is unable to get its member states to develop a cohesive and all-encompassing approach to prioritise the stability of Libya, it will continue to miss opportunities to resolve the problems that continue to plague both Libya and the EU.

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