



PRIO
Middle East
Centre

MIDEAST POLICY BRIEF 02 | 2022

Can the EU be an Effective Foreign Policy Actor Working for Peace in Libya?

A decade on since the Gaddafi-regime was deposed in 2011, the situation in Libya is still volatile and appears to be deteriorating. The instability in Libya poses significant challenges to its neighboring countries, including EU member states across the Mediterranean. At the same time, Libya remains a focal point of European interest, both in terms of its energy resources and through its central role in European efforts to externalize the management of migration, limiting cross-Mediterranean migrant crossings. This policy brief suggests how the EU could contribute more fruitfully towards a lasting peace in Libya through adopting a single, unified stance and engaging with the fractious Libyan actors through a concerted diplomatic push.

Brief Points

- While the instability in Libya poses challenges for its European neighbors, it also appears to offer opportunities, including increasing the room for maneuver in the EU's efforts to externalize its migration management, as well as securing continued European access to Libyan energy resources.
- Several European countries have been engaged in efforts to secure a lasting peace through the *Libyan Political Dialogue Forum*. Beyond establishing a tenuous ceasefire, these efforts have so far not succeeded, due in part to differences between France and Italy, in addition to the competing interests of Libyan factions.
- A coherent EU approach that employs multi-track diplomacy and requires European countries to put aside short-term priorities in the interest of a longer-term peace could ultimately prove more fruitful.

Mathias Hatleskog Tjønn *Peace Research Institute Oslo (PRIO)*

The Libyan Aftermath of the Arab Spring

In the decade since the toppling of Libya's long-time autocratic ruler Muammar Gaddafi in the Arab Uprisings of 2010–12 and the ensuing NATO intervention to unseat him, Libya has played a tumultuous role in regional politics. The subsequent civil war that erupted between rivaling power formations in the West, centered on Tripoli, and in the East, centered on Benghazi and Tobruk, drew in external actors from both regional and international orbits. These coalesced into two sides facing off each other: Turkey, Qatar, and Italy supporting Tripoli's UN-recognized government in the West, versus Russia, Egypt, the United Arab Emirates, Saudi Arabia, and France giving their support to the self-declared Khalifa Haftar government in the East. The promise of involvement in Libyan reconstruction and resource extraction after an eventual end to hostilities was a motivating factor in their involvement. On October 23, 2020, a ceasefire stopped the most recent outbreak of hostilities and, with a tenuous peace in place, there were opportunities for the country to stabilize, for reconstruction to commence and for a transition to democracy to begin. These opportunities have so far not been capitalized on. Meanwhile, new and old power brokers like Muammar Gaddafi's son, Seif al-Islam Gaddafi, and Khalifa Haftar, a warlord based in Tobruk, as well as a competing government based in the same city, now rival the internationally recognized government in Tripoli.

Still Room Left for Migration Management Maneuvering

Despite the disarray and conflict in Libya, the country has remained at the center of European efforts to externalize the management of migration. These efforts picked up pace after the "Long Summer of Migration" in 2015–16, where a crisis-rhetoric, mixed with the actual challenges of accommodating an increase in migrant arrivals and the concurrent public anxiety, had far-reaching consequences. This charged political atmosphere resulted in the EU seeking ways to immediately limit migrant entries into the Union from across the Mediterranean, most (in) famously with the EU-Turkey Joint Statement signed on March 20, 2016. Meanwhile, in the Central Mediterranean, a new migration-related agreement was put into place, which built on previous Italian efforts vis-à-vis Libya. This was the Valletta Memorandum between Italy and the Libyan Government of National Accord (GNA) (the deal was also supported and partially financed by the EU), which was signed on February 2, 2017, and renewed for an additional three years in February 2020.¹ This memorandum came to be after the then-Interior Minister and veteran of the Italian secret services Marco Minniti first negotiated a deal involving payments to the Awlad Suleiman, Tubu, and the Tuareg – ethnic groups involved in organizing migrant treks across southern Libya towards the Mediterranean – to stop directing migrants northwards. At the same time, Rome offered

the Libyan government in Tripoli financial assistance to secure their endorsement of this initiative.²

The number of migrants making the crossing across the Central Mediterranean subsequently tumbled, but the Valletta Memorandum is disputed and much discussed in terms of its relationship to European commitments to both migrants' rights and human rights in general. First, the migrants now "contained" in Libya were often kept in squalid conditions in an opaque network of camps and detention centers belonging to a range of different actors both governmental (keeping in mind that Libya has for most of the past decade had at least two competing governments) and non-governmental, meaning run by tribal factions, city-state militias, armed groups, or NGOs and IGOs from the international community.³ Additionally, the search and rescue capacity (SAR) of the Libyan Coast Guard – itself a much-disputed entity with ties to human trafficking across the Mediterranean and a frequently documented lack of respect for migrants' rights – has been ramped up, as direct official European involvement in naval patrol and rescue operations have been scaled back.⁴ Finally, NGOs active in the Mediterranean in the initial years after the "Long Summer" have been curtailed and even criminalized for their activities.⁵ The result is a situation in which so-called "irregular" migrants in Libya are essentially prevented from both leaving Libya and entering the EU, with the renewed 2017 Valletta Memorandum giving highly debatable migration management externalization efforts a veneer of legality, where none should exist if the migration governance processes involved were instead viewed alongside European ideals and stated adherence to human rights standards.

Interestingly, in the aftermath of earlier push-backs of migrants by Italy in 2009, Italy was in 2012 condemned for this practice by the European Court of Human Rights (ECHR).⁶ The Valletta Memorandum and related policies and practices are arguably a roundabout way of securing the same goal of pushing migrants back to Libya, this time in a much larger capacity. In 2020 alone, 12,000 migrants were pulled back to Libya by the Libyan Coast Guard, partially equipped and trained by the EU and European countries like the UK and Italy.⁷ Why this is now allowed to happen on the ECHR's watch remains unclear.



Second Berlin Conference on Libya, June 23, 2021. Photo: Ron Przysucha / Wikimedia Commons



Figure 1: Map of the Mediterranean Basin

Competing European Interests Complicating Peace Efforts

There have been international attempts at securing lasting peace in Libya, chiefly through the Libya-led and UN-backed *Libyan Political Dialogue Forum* (itself evolving from prior peace initiatives) through two conferences held in Berlin in 2020 and 2021. These conferences gathered national Libyan players and international stakeholders such as Egypt, France, Germany, Italy, Libya, Russia, Turkey, the United Arab Emirates, the UK, the US, the UN, the African Union (AU) and the EU, among others, and have so far secured the aforementioned ceasefire, but little else. Despite its nominal participation in the process, the US has taken a back-seat, seemingly wary of getting embroiled in Libya again after it forcefully led the 2011 NATO operation that helped depose Gaddafi, while “failing to plan for the day after”, to quote former President Obama. The lethal attack on American diplomatic interests in Benghazi in 2012 showcased what a Libyan descent into chaos could look like, likely helping explain US reticence. The pullout of troops from Afghanistan – signaled by President Trump and completed by President Biden – has

only affirmed this lacking US appetite for military interventions. The failure of planning for the aftermath of the 2011 NATO operation has been described by Obama as the “worst mistake” of his presidency, though the lack of strong US diplomatic engagement in Libya by his two successors could arguably be viewed as compounding that mistake, rather than countering it.⁸

It would not be out of place to expect European engagement in securing peace in Libya to be more concerted, forceful and urgent considering that Libya is “right next door”. The EU has deployed multi-track diplomacy (MTD) previously in the crises in Ukraine, Georgia, Mali, and Yemen, and indeed, this may be a possible solution to Libya’s crisis.⁹ This has so far not happened, with more short-term goals of limiting migration and securing continuing resource access taking precedence. Despite lacking a stable and unified partner in Libya, the past decade has shown that the EU, almost counter-intuitively, has been able to accomplish these short-term goals.

The “success” – albeit a morally questionable one – of European migration policies in Libya has, as we have seen, not been repeated in

European efforts to secure peace in the country. One possible explanation for this is the competition between centrally placed European Mediterranean powers like France and Italy, which, if they were working in concert, could instead have played a more constructive role. The latter has long-standing economic interests in Libya, chiefly through Italian State majority ownership of the oil and gas company ENI (*Ente Nazionale Idrocarburi*, or National Hydrocarbons Authority) and its predecessor AGIP (*Azienda Generale Italiana Petroli*, or General Italian Oil Company). While ENI started extracting Libyan oil in 1959 and hence officially only aided the newly independent state, a less-mentioned aspect of the company history is the colonial-era petroleum prospecting done by AGIP in the decade preceding World War II, indicating promise in the very same area where ENI would strike black gold in the 1950s, and which to this day is one of the most important Libyan oil fields.¹⁰ ENI is of no small importance to either Italy or Libya, being one of the seven largest oil companies in the world (part of an exclusive club called the “supermajors”) and the largest foreign operators in both the oil and gas sectors of Libya.

France, for its part, has competing interests in Libya, where another French supermajor, Total, has been vying for influence. Total is presently a much smaller operator in Libya than ENI, though French support for the aforementioned warlord Haftar, who has been in direct and at times open conflict with the recognized government in the Libyan capital of Tripoli, has indeed been linked to Haftar's potential takeover of national power acting as a breach-opener for French rather than long-standing Italian economic interests in the country.¹¹ Indeed, the two European countries' competition over Libyan spoils has at times spilled into the open, with France and Italy in recent years exchanging insults and accusations over who has the most colonial mindset in North Africa, an area where neither country can be said to have had an immaculate track record historically speaking.¹²

The EU's Potential Role in Resolving the Libyan Conflict

The EU and its member-states' self-image and ideals dictate that any accords with third parties require stable and dependable partners, not only to safeguard the durability of the accords' goals, but also to uphold the Union's adherence to international norms and human rights standards. In addition, this serves to distinguish the EU and European countries from other more "unruly" actors in the Middle East, such as Iran, Russia and Turkey. Libya, however, is unique in that its decade-long instability has not hindered Italy and the EU in establishing a restrictive and disputed migration regime but has rather enabled and permitted this development. This is seemingly a case of short-term – meaning migration- and resource access-related – goals taking the driver's seat, to the detriment of the longer-term goal of a stable and peaceful Libya. This has happened despite these goals being related: a stable and peaceful Libya could mean less outbound migration and greater potential for developing

energy resources. But this would require a concerted EU effort, as described above.

If the EU, including its most important member states, could speak more with one voice and work towards a shared goal of stabilizing its Mediterranean neighbouring country, we would start to see meaningful engagement and change for the better. Additionally, if the EU and central European actors started to bring Libyan interests into the equation, instead of focusing more on their own immediate goals of migration management and resource extraction, perhaps finally a lasting peace in Libya could be secured. ■

Notes

1. Palm, E. (2020) Externalized Migration Governance and the Limits of Sovereignty – The Case of Partnership Agreements between EU and Libya. *Theoria* 86(1): 12–13; Thevenin, E. (2021) Between human rights and security concerns: politicisation of EU-Turkey and EU-Libya agreements on migration in national parliaments. *European Security* 30(3): 465.
2. Larémont, R. R.; M. O. Attir & M. Mahamadou (2020) European Union and Italian Migration Policy and the Probable Destabilization of Southern Libya and Northern Niger. *The Journal of the Middle East and Africa* 11(4): 361.
3. Ibid: 362; Phillips, M. (2020) Managing a Multiplicity of Interests: The Case of Irregular Migration from Libya. *Migration and Society* 3: 93.
4. Tondo, L. (2019) Human Trafficker was at Meeting in Italy to Discuss Libya Migration. *The Guardian*. 4 October. Available at: www.theguardian.com/world/2019/oct/04/human-trafficker-at-meeting-italy-libya-migration-abd-al-rahman-milad.
5. Mainwaring, C. & D. DeBono (2021) Criminalizing solidarity: Search and rescue in a neo-colonial sea. *Environment and planning C: politics and space* 39(5): 1044.
6. Ferstman, C. (2020) Human Rights Due Diligence Policies Applied to Extraterritorial Cooperation to Prevent "Irregular" Migration: European Union and United Kingdom Support to Libya. *German Law Journal* 21: 485.
7. InfoMigrants (2021) Italy-Libya accord, NGOs call for immediate revocation. 3 February. Available at: www.infomigrants.net/en/post/30036/italy-libya-accord-ngos-call-for-immediate-revocation; Ferstman, C. (2020) Human Rights Due Diligence Policies Applied to Extraterritorial Cooperation to Prevent "Irregular" Migration: 471–72, 476–77; Phillips, M. (2020) Managing a Multiplicity of Interests: 93.
8. Vertin, Z. (2019) *A Rope from the Sky: The Making and Unmaking of the World's Newest State*. New York: Simon and Schuster: 396.
9. Akamo, J. O. (2022) Laying the Groundwork for Peace in a Fragmented Libya. *JOINT Brief*, 8. Istituto Affari Internazionali (IAI): 5–6.
10. Tjønn, M. H. & M. Lemberg-Pedersen (2022) The Long-term Influence of a Short-lived Colony: Postcoloniality and geopolitics of energy and migration control in Libya. In: M. Lemberg-Pedersen; S. M. Fett; L. Maybllin; N. Sahraoui & E. M. Stambøl (eds) *Postcoloniality and Forced Migration: Mobility, Control, Agency*. Bristol: Bristol University Press.
11. Taylor, P. (2019) France's double game in Libya. *POLITICO*. 17 April. Available at: www.politico.eu/article/frances-double-game-in-libya-nato-un-khalifa-haftar.
12. BBC News (2019) France summons Italian envoy over Africa remarks. 22 January. *BBC News*. Available at: www.bbc.com/news/world-europe-46955006.

THE AUTHOR

Mathias Hatleskog Tjønn worked as a Research Assistant at PRIO, where he researched migration issues, particularly in the Mediterranean. He holds an MPhil in Modern International and Transnational History (MITRA) from the University of Oslo and commenced a doctorate position at the Institute for Social Research (ISF) in spring 2022.

THE PROJECT

This project examining European peace diplomacy in Libya is a sub-project of the PRIO Middle East Centre (P-MEC), funded by the Norwegian Ministry of Foreign Affairs through a grant administered by the Research Council of Norway.

PRIO

The Peace Research Institute Oslo (PRIO) is a non-profit peace research institute (established in 1959) whose overarching purpose is to conduct research on the conditions for peaceful relations between states, groups and people. The institute is independent, international and interdisciplinary, and explores issues related to all facets of peace and conflict.