Ca' Foscari
University
of Venice

Master's Degree Programme
in Comparative International Relations

Final Thesis

The role of international actors in Libya's transition towards peace

United Nations and European Union's achievements, failures, and future prospects in the context of the Libyan crisis

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Academic Year
2020 / 2021

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LIST OF ABBREVIATIONS

AQIM Al-Qa'īda in the Islamic Maghreb

BMWG Border Management Working Group

CBL Central Bank of Libya

CIA Central Intelligence Agency

CROC Crisis Response Operation Core

CSDP Common Security and Defence Policy

DDR Disarmament, Demobilisation and Reintegration

EEZ Exclusive Economic Zone

EMP Euro-Mediterranean Partnership

ENP European Neighbourhood Policy

EU European Union

EUBAM European Union Border Assistance Mission

EUGS European Union Global Strategy

EUNAVFOR MED IRINI European Union Naval Force Mediterranean Operation IRINI

GNA Government of National Accord

GNC General National Congress

HoR House of Representatives

IBM Integrated Border Management

IS Islamic State

ISIL Islamic State of Iraq and the Levant

JMC Joint Military Commission

LNA Libyan National Army

LPA Libyan Political Agreement

LPDF Libyan Political Dialogue Forum

MENA Middle East and North Africa

NATO North Atlantic Treaty Organization

NOC National Oil Corporation

NTC National Transitional Council

PESCO Permanent Structured Cooperation

PSM Peace Support Mission

R2P Responsibility to Protect

RCC Revolutionary Command Council

RELINC Rebuilding Libya's Investigative Capability project

SASE Safe and Secure Environment

SSR Security Sector Reform

TCF Technical Forum Committee

TEU Treaty on European Union

TIA Tripoli International Airport

TPF Tripoli Protection Force

UAE United Arab Emirates

UfM Union for the Mediterranean

UN United Nations

UNCIO United Nations Conference on International Organization

UNSCR United Nations Security Council Resolutions

UNSMIL United Nations Support Mission in Libya

USA United States of America

USSR Union of Soviet Socialist Republics

ABSTRACT

L'argomento principale di questa trattazione è difficile da riassumere in poche righe. In linea di massima, lo scopo della presente tesi è quello di comprendere il ruolo delle istituzioni sovranazionali nei processi di risoluzione dei conflitti nazionali, prendendo come caso in esame la situazione libica. Tramite l'analisi delle complesse dinamiche del conflitto in Libia a patire dalla caduta del leader Muammar Gheddafi nel 2011 fino all'elezione del nuovo governo di transizione presieduto dal Primo Ministro Abul Hamid Debeibeh nel 2021, è stato possibile evidenziare una serie di mancanze organizzative che ad oggi, nonostante la pianificazione di libere elezioni democratiche previste per dicembre 2021, non hanno portato ancora ad un vero e proprio miglioramento della situazione sociale, economica e soprattutto securitaria in Libia.

La Libia sta attualmente attraversando una difficile transizione dalla guerra alla pace che, sin dal rovesciamento della Jamahiriyya di Gheddafi nel 2011, ha afflitto la popolazione e le istituzioni nazionali libiche, non permettendo al paese di attuare una vera e propria ricostruzione post-bellica. Il lungo processo di pace che si è innescato dopo la morte di Gheddafi, nonostante le frequenti interruzioni frutto della frammentazione politica e militare interna e dell'intromissione bellica di numerosi Stati stranieri, ha visto la partecipazione attiva di organismi sovranazionali come le Nazioni Unite e l'Unione Europea.

Nel primo capitolo della trattazione, vengono evidenziati proprio i fattori storici che hanno portato alla messa in atto del processo di pace sponsorizzato dall'ONU e che, alla fine, ha portato all'elezione del governo ad interim che in questo momento sta lavorando per traghettare il paese verso una nuova fase di pacificazione nazionale democratica. Gli eventi politici e militari degli ultimi dieci anni in Libia hanno generato una situazione di profonda instabilità, che ha portato la comunità internazionale ad elaborare un giudizio ancora più aspro di quello di "Stato canaglia" nato dall'atteggiamento anti-occidentale del periodo della Jamahiriyya, cioè la classificazione della Libia in "Stato fallito".[1] In effetti, se si valuta la realtà dei fatti, la situazione libica è ancora oggi disastrosa, nonostante l'intervento di numerose politiche di peacebuilding sponsorizzate dagli Stati occidentali riuniti sotto vari enti sovranazionali, e nonostante l'implementazione di missioni civili e militari attuate direttamente sul campo, in particolare di monitoraggio dei confini, anch'esse analizzate nel corso della tesi. L'attuale situazione, dunque, deriva dalle conseguenze della perdita di un'autorità nazionale unificatrice come quella di Muammar Gheddafi. Come spiegato nella trattazione, le ideologie del regime espresse nel Libro Verde comprendevano concetti come pan-arabismo di matrice nasseriana, terzomondismo, ma soprattutto ostilità generalizzata contro le potenze occidentali, che

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[1] Matteo COLOMBO, Arturo VARVELLI, *Libya: A Failed State in the Middle of the Mediterranean*, in "IEMed. Mediterranean Yearbook 2020", 2020, pp. 84-89.

spesso scaturirono nell'appoggio bellico ed economico a diversi gruppi terroristici sparsi per il mondo. Queste azioni che valsero la definizione di "Stato canaglia" alla Jamahiriyya si rivelarono deleterie per il governo di Gheddafi che venne ostracizzato dalla comunità internazionale soprattutto per volere degli Stati Uniti e dell'ONU, i quali emanarono delle misure restrittive in ambito commerciale e di sicurezza, ed infine non resse alla propagazione delle idee progressiste durante la cosiddetta Primavera Araba in Nord Africa. Nel 2011 dunque, venne messa in atto l'operazione che avrebbe portato alla morte del leader Gheddafi. In seguito a questi avvenimenti, il paese si disintegrò sulla base della forza centrifuga dei numerosi gruppi armati di stampo tribale che si ritrovarono a contendersi con azioni di guerriglia la propria legittimazione istituzionale nel governo di transizione post-Gheddafi. La lotta di potere delle milizie era caratterizzata dalla predominanza di attori non statali alla guida dei centri urbani e l'unica alternativa allo scontro armato era basta su tregue ottenute tramite corruzione o cooptazioni. In questo periodo, inoltre, il caos scaturito dal vuoto di potere legittimo in Libia si propagò per tutto il Mediterraneo, generando problemi di sicurezza a livello regionale sia negli Stati confinanti in Nord Africa sia nelle tratte marittime verso l'Europa. Di conseguenza, molti attori statali stranieri si interessarono alla crisi per diversi motivi, tra cui la salvaguardia della propria incolumità nazionale, come nel caso di alcuni paesi confinanti, o, in circostanze più estreme, l'intervento diretto per impadronirsi strategicamente di un territorio ricco di risorse petrolifere e con uno sbocco importante sul Mediterraneo, come nel caso di Egitto ed Emirati Arabi Uniti prima, e di Russia e Turchia in un secondo momento. In aggiunta, la proliferazione di armi non convenzionali, le cosiddette armi di distruzione di massa ed armi chimiche, che si erano moltiplicate durante gli ultimi anni della Jamhairiyya, finirono per minacciare seriamente la sicurezza della regione, così da generare una seria reazione dell'ONU. Allo stesso tempo, in Libia continuavano ad aumentare i casi di contrabbando e la vendita illegale di armi. Molti Stati infatti finanziavano le milizie libiche, fino addirittura a rifornirle di mezzi e uomini dai confini terrestri e marittimi, violando così l'embargo internazionale sugli armamenti imposto dal Consiglio di Sicurezza delle Nazioni Unite nel 2011. Questa violazione sistematica, oltre ad essere ancora oggi oggetto di verifica costante da parte di Panel di esperti appositamente organizzati dal Consiglio di Sicurezza, acuì la violenza degli scontri e, in definitiva, rallentò il processo di pace portato avanti da ONU ed Unione Europea. La frammentazione interna libica venne sfruttata nel 2014 da quello che sarebbe poi diventato uno dei protagonisti della contesa politica interna, cioè il Feldmaresciallo Khalifa Haftar che, tornato in patria dagli Stati Uniti dove si era rifugiato nel periodo di reggenza di Gheddafi, si autoproclamò comandante del sedicente Esercito Nazionale Libico (LNA) con lo scopo di conquistare e unificare la Libia sotto il suo comando. L'azione bellica di Haftar non sortì i risultati sperati ma riuscì ad ottenere una frammentazione territoriale ulteriore anche dal punto di vista più ampio di quella

miliziana, cioè la bipartizione del potere esecutivo. Infatti, le istituzioni internazionali che stavano tentando di mantenere dei rapporti diplomatici con la Libia fino a quel momento si erano rivolte al Consiglio Nazionale di Transizione, composto dai ribelli con il benestare delle Nazioni Unite; dopo l'ascesa di Haftar, si formarono poi due governi contrastanti che godevano entrambi di una parziale legittimazione nazionale, comunque legata al loro territorio, cioè il Governo di Accordo Nazionale con sede a Tripoli, che controllava la Tripolitania, e la Camera dei Rappresentati sostenuta da Haftar, collocata a Tobruk, che invece governava sulla Cirenaica. In questa bipartizione istituzionale, nonostante il potere decisionale si accentrasse spesso in questi due fuochi, il controllo effettivo del paese era legato ad un sistema di alleanze con le milizie delle varie città, spesso conquistate anche grazie all'appoggio militare da parte di alcuni Stati stranieri. Il controllo dei due governi, comunque, si sviluppava a macchia di leopardo, lasciando scoperte alcune zone della Libia, come ad esempio la regione meridionale desertica del Fezzan, dilaniata da lotte tribali, intra-statali e minacciata da nuclei di matrice islamista che trovavano rifugio nei territori meno controllati.

Le ripercussioni di ciò si proiettarono sia sulle istituzioni sovranazionali, in quanto preoccupate riguardo al futuro della stabilità regionale, sia sui singoli Stati, soprattutto europei, come Italia e Francia, interessati a mantenere delle buone relazioni bilaterali nonostante la frammentazione politica libica. Presto fu, dunque, chiaro a tutti che le lotte interne per il potere non potevano garantire un buon ambiente per continuare il processo di pace che l'ONU aveva già pianificato dalla morte di Gheddafi. Pertanto, l'obiettivo del processo di pace ideato e previsto sotto l'egida delle Nazioni Unite, in particolare svoltosi sotto la supervisione della missione di controllo UNSMIL, si ampliò fino a comprendere anche la riunificazione istituzionale in seno allo Stato libico, oltre che risolvere il conflitto. La risultante fase di negoziazione portò nel 2015 al raggiungimento di un accordo di pace tra i due governi contrastanti, il Libyan Political Agreement (LPA) o accordo di Skhirat, volto a costituire un governo unificato basato sulla separazione dei poteri. Ad ogni modo, nonostante le buone intenzioni, le problematiche relative all'accordo di Skhirat erano legate ad una mancanza di legittimazione da parte della popolazione libica dei firmatari del patto, in quanto si esclusero dai negoziati alcuni degli attori più importanti nella scena politica e militare del paese. In più, il Libyan Political Agreement portò alla presa di posizione delle Nazioni Unite, e di conseguenza dell'intera comunità internazionale, che si schierò definitivamente contro l'Esercito Nazionale Libico di Haftar, considerato illegittimo. Questa mancanza di pacificazione militare fu la causa del fallimento di questa fase del processo di pace ONU, che si concluse nel 2019 quando Khalifa Haftar tentò -senza successo- di conquistare Tripoli per prendere il potere della Libia intera. Il tentato assedio del 2019 funse da importante spartiacque per la Libia, poiché non solo dimostrò chiaramente l'inutilità delle missioni di peacebuilding sponsorizzate dall'ONU che avevano posto al potere un governo di accordo

nazionale ritenuto illegittimo da almeno la metà della popolazione, ma soprattutto rese evidente la violazione sistematica dell'embargo sulle armi in Libia da parte di tutti gli Stati coinvolti nel conflitto tra i due governi rivali. Un altro tassello dell'escalation delle violenze in Libia che si palesò nel 2019 fu infatti la sempre più manifesta internazionalizzazione del conflitto risultante in aiuti bellici consistenti da parte di potenze internazionali anche extra-europee come Russia e Turchia. Alla base dell'ingresso di questi due attori stranieri nel teatro bellico libico al fianco di due schieramenti contrapposti c'erano infatti degli interessi secondari molto più ampi e delle ambizioni di proiezione territoriale nel Mediterraneo.

Le istituzioni sovranazionali che fino ad allora si stavano occupando della Libia decisero di intensificare gli sforzi negoziali per risolvere la crisi politica e securitaria libica in risposta alla politica assertiva extra-europea di Russia e Turchia. Un altro aspetto su cui si farà particolarmente attenzione, soprattutto nel secondo e terzo capitolo, è infatti il modus operandi seguito da Nazioni Unite ed Unione Europea, quasi opposto rispetto all'azione diretta Russa e Turca, cioè basato sul dialogo politico e sui processi di peacebuilding. Ad oggi, ci sono dubbi su quanto questa azione non militare sia stata effettivamente utile nel normalizzare la crisi libica, soprattutto poiché il processo di pace venne portato avanti con una certa intermittenza e seguendo più strade contemporaneamente. Infatti, nonostante quanto affermato, gli unici tentativi di interferenza diretta sulla Libia vennero messi in pratica, non senza una buona dose di incertezze e dubbi, dalle missioni civili e militari di controllo UE, come EUNAVFOR MED IRINI e EUBAM, preposto al monitoraggio dei confini marittimi e terrestri della Libia.

Tornando ai negoziati, dopo l'assedio di Tripoli, il processo di peacebuilding libico stava finalmente prendendo una forma, anche grazie al lavoro di UNSMIL, che stabilì una roadmap basata "su tre binari", al fine di risolvere i problemi del paese agendo su tre principali fronti: il settore economico, l'ambito militare e il panorama politico. Ognuno di questi aveva un obiettivo preciso, cioè stabilizzare il mercato petrolifero libico, firmare un cessate il fuoco e attuare il disarmo delle milizie, ed infine, ovviamente, organizzare delle elezioni parlamentari presidenziali democratiche per ridare una legittima autorità politica al paese. Nel 2020, le Nazioni Unite e gli Stati membri dell'Unione Europea decisero di attuare un processo di pace multilaterale per tentare di risolvere la situazione libica tramite le direttive della roadmap ONU, attraverso una serie di incontri, conosciuti sotto il nome di Conferenza di Berlino. I risultati della Conferenza di Berlino furono incoraggianti sotto molti punti di vista, poiché portarono ad un cessate il fuoco temporaneo tra i due schieramenti e stabilirono un programma che avrebbe portato alle elezioni di un governo ad interim nazionale. In seguito alla Conferenza di Belino, i vari incontri negoziali basati sui tre binari proseguirono sotto il nome di Libyan Political Dialogue Forum (LPDF), sotto la guida di UNSMIL, culminato nel 2021 con

l'elezione a Ginevra di un governo di transizione unico e sostenuto dall'ONU e dagli Stati membri dell'Unione Europea, con l'obiettivo di traghettare il paese verso le elezioni ufficiali previste per dicembre 2021.

Il secondo capitolo della tesi è dedicato invece ad una trattazione più specifica dei fatti storici recenti, con un focus particolare sui programmi di peacebuilding messi in atto dagli enti sovranazionali durante i vari processi di pace, soprattutto in ambito militare-securitario ed istituzionale-politico. Nel contesto libico, le operazioni definite di peacebuilding, dunque volte alla stabilizzazione della crisi con lo scopo di costruire una pace sostenibile nelle zone uscenti dal conflitto, sono state -e vengono ancora oggi- implementate dalle organizzazioni maggiormente coinvolte nella crisi nazionale e regionale, ovvero Nazioni Unite e la sua agenzia UNSMIL in Libia.

Come spiegato nel corso della trattazione, le operazioni di peacebuilding usano un approccio olistico che comprende diversi metodi risolutivi congruenti ad ogni specifica tappa del percorso di uscita dallo stato di crisi. Ciononostante, le operazioni ONU soprattutto hanno spesso dimostrato una mancanza di efficienza, specialmente nel periodo post-Gheddafi, agendo cioè in maniera piuttosto debole e confusa, cioè cercando di creare un vertice istituzionale rappresentativo della Libia senza però definire prima una situazione securitaria stabile tramite la riunificazione delle milizie, per esempio. Infatti, nella prassi, la mancata risoluzione della situazione della sicurezza interna ostacola l'andamento del piano di peacebuilding, poiché il ruolo governativo degli attori nazionali, più che forzato a priori, dovrebbe venire implementato solo nella fase finale del conflitto, cioè dopo la normalizzazione del settore securitario. La sicurezza è infatti un prerequisito per una ben riuscita ricostruzione postbellica. Nel corso dell'analisi dei meccanismi di peacebuilding in seno alle Nazioni Unite, si rileva una particolare attenzione al processo di disarmo, smobilitazione e reintegrazione di armi e uomini (DDR operations), cioè basato su azioni utili a ripristinare la pace attraverso l'abolizione delle armi, tramite per esempio embarghi sugli armamenti e misure restrittive del caso, risultante nella decostruzione del conflitto, per finire con la reintegrazione dei combattenti nella comunità civile. L'applicazione delle operazioni di DDR sono spesso inglobate nella Security Sector Reform (SSR), che deve essere messa in pratica come fase iniziale di ogni tentativo di peacebuilding in quanto genera un ambiente securitario stabile e soprattutto sostenibile, cioè dove sarà improbabile lo scoppio di altri conflitti nel medio periodo, in cui è dunque possibile eseguire delle misure istituzionali volte alla formazione di un governo effettivo.

Oltre al concetto di peacebuilding basato sulla SSR e sulle operazioni DDR, nel panorama libico la risoluzione del conflitto è stata affrontata anche seguendo un altro quadro legislativo teorizzato anch'esso in seno alle istituzioni sovranazionali, ovvero il concetto della cosiddetta "responsibilty to protect" (R2P), ovvero la giustificazione legale dell'intervento umanitario in aree di crisi. Secondo la

norma R2P, l'intervento di attori esterni è possibile in quanto spinti da una responsabilità di protezione sia della popolazione nazionale sia delle zone limitrofe in contesti bellici estremi, dove cioè i diritti umani vengono violati sistematicamente. La reale differenza tra peacebuilding e quest'ultimo tipo di intervento umanitario è difficile da determinare, poiché la R2P comprende un ampio spettro di approcci differenti, spesso simili a quelli usati nei processi di peacebuilding, cioè inscritti nelle operazioni civili-militari ibride.

Nel corso del secondo capitolo sono stati analizzate invece le strutture interne degli enti sovranazionali che si sono occupati di peacebuilding e conflict resolution in Libia, specialmente basandosi sulle direttive elaborate dalle Nazioni Unite dopo i vari processi di pace e dialoghi multilaterali già citati nel primo capitolo. Inoltre, è stato messo in evidenza anche il problema del rapporto tra intervento internazionale, come nel caso studio di UNSMIL in Libia, e il rispetto per la sovranità nazionale e per l'auto-determinazione dei paesi in crisi, che hanno il diritto di uscire dal conflitto secondo i propri mezzi e tempi, senza l'intervento dall'alto di organismi sovranazionali. In relazione a ciò, per evitare violazioni della sovranità libica o interferenze non gradite da parte della società civile, le operazioni di peacebuilding di UNSMIL sono state caratterizzate da un approccio poco assertivo. Probabilmente, anche per questo motivo il bilancio dei processi di peacebuilding in Libia che viene fatto nel secondo capitolo è caratterizzato da una serie di perplessità sulla loro efficacia. Le missioni di peacebuilding si sono rivelate deboli poiché UNSMIL ha preferito mediare la pace tramite un approccio top-down, come di consuetudine nella prassi internazionale, pur mantenendo questa impronta più leggera per non violare la sovranità nazionale libica. Nonostante il tentativo di approcciarsi al conflitto libico anche seguendo un percorso negoziale bottom-up, cioè cercando di facilitare il dialogo con una fitta rete di negoziatori locali composti da tribù e milizie, la mancanza di un piano chiaro da rispettare ha messo in evidenza ancora di più il modus operandi dell'ONU riguardo i processi ibridi delle operazioni di pace.

In conclusione, nel secondo capitolo è dimostrato come sia i processi bottom-up che quelli top-down nel contesto delle operazioni di pace portate avanti dalle agenzie ONU in Libia non hanno avuto successo né nella normalizzazione del settore securitario, né nell'implementazione dei processi negoziali. Le motivazioni di questo fallimento sono legate alla mancanza di una roadmap ben definita caratterizzata da una eccessiva debolezza strutturale, negligenza delle operazioni di DDR e SSR, incapacità di far rispettare l'embargo sulle armi, nonché ad un approccio misto di dialogo che ha impedito il consolidamento di canali negoziali stabili tra UNSMIL e le milizie.

Nella seconda parte del secondo capitolo l'attenzione viene spostata sull'azione di peacebuilding nella fase di progettazione politica, ovvero nel corso del processo di pace libico, nella Conferenza di Berlino e nel Libyan Political Dialogue Froum (LPDF). Tutti questi piani ed incontri multilaterali

sviluppatisi in seguito al tentato colpo di stato del 2019 hanno portato le Nazioni Unite ad elaborare una roadmap più solida rispetto al caos degli anni precedenti. Il passo successivo ha infatti incluso l'affiancamento e la partecipazione degli Stati membri dell'Unione Europea nella progettazione delle operazioni di peacebuilding.

La nuova roadmap elaborata sotto l'egida dell'ONU e con l'appoggio dell'Unione Europea si basava su un'azione tripartita, cioè indirizzata ai tre settori principali -politico, militare ed economico- grazie alla formazione di enti specificamente indirizzati ad ognuno di essi, come la 5+5 Joint Military Commission (JMC) in ambito militare, volta a stabilire l'unificazione delle forze belliche libiche. Gli obiettivi della roadmap erano gli stessi delle precedenti operazioni di peacebuilding, ovvero raggiungere un accordo di cessate il fuoco e l'attuazione pratica dell'embargo sulle armi, cioè la riforma del settore della sicurezza, legittimare un unico ente esportatore delle risorse petrolifere tramite una riforma economica e, soprattutto, iniziare un processo politico di transizione verso la formazione del governo unitario legittimo. In particolare, quest'ultimo obiettivo venne implementato da una serie di conferenze ed incontri attuati sotto il nome di Libyan Political Dialogue Forum, conclusi con l'elezione del governo ad interim di Debeibeh.

Infine, nell'ultima parte del secondo capitolo, le operazioni di risoluzione della crisi libica sono analizzate da una prospettiva prettamente europea, ovvero attraverso le operazioni ibride civili-militari messe in pratica in Libia nell'ambito della politica estera e di sicurezza comune. Le operazioni implementate dall'Unione Europea in questo ambito riguardano più che la stabilizzazione interna, il controllo dei confini marittimi e terrestri intorno all'area in conflitto, così da aumentare la sicurezza internazionale e il controllo dei traffici di armi, esseri umani, e criminalità attraverso il Mediterraneo e nell'intera regione. Queste operazioni, in particolare EUBAM, cioè la missione civile che si occupa di monitorare i confini terrestri, ed EUNAVFOR MED IRINI, l'ultima missione militare in senso cronologico tra tutte le operazioni navali operanti nel Mediterraneo che si occupa di operazioni di controllo, individuazione e salvataggio di migranti e addestramento della Guardia Costiera sul confine marittimo tra Libia ed Europa, sono le operazioni analizzate nel corso della trattazione. L'importanza di queste missioni civili e militari nel processo di peacebuilding libico è legata principalmente all'azione esterna europea che, ad oggi, è l'unico esempio di pragmatismo strategico attuato da organizzazioni sovranazionali in Libia. Lo scopo finale di queste operazioni, nonostante le controversie legate sia alla loro efficacia che ai dettagli della loro amministrazione, soprattutto nel caso della più recente IRINI, è quello di attuare un'azione di peacebuilding in Libia che evidenzi uno sforzo corale delle istituzioni sovranazionali da diversi punti di vista, sia interni che esterni, e che riesca a portare avanti iniziative a lungo termine comprendenti la stabilità militare dei territori geografici in crisi da anni.

Il terzo ed ultimo capitolo della tesi si concentra su una descrizione più dettagliata della gestione della crisi libica affrontando il discorso dal punto di vista di tre organi che hanno adottato misure specifiche a riguardo e che si sono impegnati nelle operazioni di peacebuilding: l'ONU, l'Unione Europea e, infine, per completare il quadro regionale e dare un esempio di azione diretta statale, l'Italia. Io scopo dell'ultimo capitolo è analizzare la conduzione del processo di pace nelle mani delle maggiori istituzioni globali nello specifico, al fine di sottolinearne le debolezze e i punti di forza, per tentare di valutarne l'operato complessivo. Nella prima sezione, si affrontano le operazioni di peacekeeping in seno alle decisioni dell'ONU, sulla base dei principi della Carta delle Nazioni Unite che evidenziano l'obiettivo finale di mantenere l'equilibrio dell'ordine mondiale vigente, facendo leva su valori di matrice occidentale come la democrazia, lo stato di diritto e la protezione dei diritti umani. Il mantenimento della pace attraverso le operazioni di peacebuilding sponsorizzate da UNSMIL in Libia è considerato una priorità all'interno del Consiglio di Sicurezza delle Nazioni Unite, anche in virtù della norma di "responsibility to protect" (R2P) citata nel secondo capitolo. Per tracciare un bilancio delle azioni di peacekeeping sostenute dall'ONU nell'ambito della risoluzione del conflitto libico, si evidenziano una serie di mancanze e lacune nella messa in pratica delle operazioni di disarmo, smobilitazione e reintegrazione (DDR) risultanti nel fallimento dell'obiettivo primario che ha portato le Nazioni Unite ad attivare programmi di peacebuilding in Libia, ovvero la costruzione di una pace sostenibile nel medio-lungo periodo.

Riguardo invece al ruolo dell'Unione Europea, che viene affrontato nella seconda sezione dell'ultimo capitolo, è interessante analizzare i problemi collaterali che emergono quando l'UE agisce da attore sovranazionale in materia di sicurezza regionale e politica estera. In questa parte del lavoro, si analizza infatti l'inadeguatezza delle missioni civili e militari europee in Libia, come estensione di un problema strutturale dell'Unione che riguarda il cosiddetto "capability-expectations gap", ovvero il divario tra ciò che la comunità internazionale si aspetterebbe da un complesso e potente sistema di Stati alleati come l'Unione Europea, e ciò che l'Unione è effettivamente in grado di fare, specialmente in politica estera. In definitiva, nonostante vari tentativi come EUBAM e EUNAVFOR MED IRINI, l'Unione Europea manca di coesione interna ed assertività sufficiente per poter avere un peso reale nel processo di risoluzione della crisi libica e, di conseguenza, anche per poter normalizzare la situazione regionale del bacino del Mediterraneo, ponendosi come potenza influente. In breve, il potere normativo di cui l'Unione Europea si rende foriera non si è dimostrato sufficientemente utile nel risolvere la crisi securitaria e politica risultante dal conflitto libico.

L'ultimo attore attivo nella risoluzione della crisi libica che viene citato nel testo è anche l'unico attore statale analizzato nel corso della trattazione, ovvero l'Italia. La necessità di inserire uno degli Stati europei maggiormente coinvolti nella vita politica ed economica libica nasce dalla volontà di

inquadrare la risoluzione del conflitto libico degli ultimi dieci anni non solo in termini multilaterali, come con il processo di pace sostenuto da Unione Europea e Nazioni Unite, ma anche bilaterali in prospettiva locale e regionale sulla base di forti legami storici ed economici. Gli interessi italiani nel risolvere i problemi di sicurezza e istituzionali risultati dal collasso dello Stato libico sono dovuti da molteplici ragioni: in primo luogo, il tentativo di preservare solide relazioni di mercato basate sulla produzione e il commercio di petrolio è stato fortemente voluto dalla presenza di Eni sul territorio libico, il cui danneggiamento causerebbe danni economici seri sia all'Italia che alla Libia; secondariamente, è buona norma nelle relazioni internazionali cercare non solo di mantenere rapporti distesi con gli Stati vicini, ma anche di fare in modo che i vicini non diventino "Stati falliti", così da preservare le relazioni economiche e scongiurare il rischio di spillover di criminalità, flussi migratori, povertà e terrorismo. In virtù di questo, il governo italiano è sempre stato in prima linea, sia in gruppo che da solo, nel cercare di risolvere il conflitto libico e nell'imporre una certa influenza a livello governativo. Ciononostante, con l'internazionalizzazione del conflitto dopo l'assedio di Tripoli del 2019, l'Italia ha avuto delle difficoltà nel ricavare uno spazio di rilievo nel processo di pace libico, soprattutto a causa di una politica estera appiattita dalla partecipazione agli incontri multilaterali come membro dell'Unione Europea piuttosto che come attore statale avente degli interessi diretti specifici in Libia.

In ultima analisi, è possibile asserire che il conflitto libico ha in effetti mobilitato una grande quantità di attori internazionali provenienti sia dalla sfera sovranazionale, sia da quella statale. Il taglio dato all'argomento della tesi, ovvero relativo principalmente all'aspetto securitario ed ai meccanismi di risoluzione dei conflitti applicato sia a livello civile che militare, è giustificato dalla peculiare complessità della crisi libica nel panorama regionale del Mediterraneo. Infatti, lo studio della situazione libica e dei risvolti che ne sono conseguiti a livello più ampio non è un semplice interesse compilativo per chi si occupa di relazioni internazionali, né è da considerarsi un mero esercizio a livello internazionale per valutare l'affidabilità dei meccanismi di risoluzione dei conflitti, ma è prima di tutto la presa di coscienza di una serie di mancanze ed errori commessi ad ogni livello, che dimostra come le politiche di peacebuilding spesso si scontrino con gli interessi individuali dei singoli attori in gioco. I risultati di questa dissertazione non possono fornire una soluzione procedurale al conflitto libico, ma hanno certamente evidenziato una serie di caratteristiche relative alla complessità della situazione post-bellica, come ad esempio l'interconnessione dei vari attori che, spostando continuamente gli equilibri di potere, hanno prolungato l'instabilità regionale, spesso purtroppo a spese della popolazione libica. Nel tentativo di analizzare l'operato delle istituzioni coinvolte nel processo di peacebuilding, si è messo in evidenza un problema alla base dei processi di risoluzione multilaterale dei conflitti, ovvero la frequente carenza di legittimità e cooperazione di un sistema che

vuole essere sempre più accentrato in istituzioni rappresentative, ma che rimane ancora governato da forze dispersive in contrasto tra di loro.

INTRODUCTION

The inspiration for the theme of this dissertation derives from a series of reflections that prompted me to investigate the Libyan scene. Thanks to the study of contemporary geopolitical events and the focus on European policies, the desire to deepen the Euro-Mediterranean dynamics has become urgent at the end of my academic career. Moreover, the experience gained during the internship in the geopolitical analysis centre "Analytica for intelligence and security studies" has allowed me to learn a new method of critical learning on the topic of contemporary Libya's domestic condition, which proved useful in the first part of the work for this thesis, notably to collect and further explore the concepts that I will develop hereafter, trying to discover their outcomes.

Libya is currently experiencing a difficult transition from war to peace. Since the downfall of the Libyan Arab Jahimariyya and the death of its leader Muammar Gaddafi in 2011, the ensuing Libyan crisis has been evolving, becoming a case study in international relations because of the internationalization of the conflict and the long peace process that involved major international organizations, such as the United Nations and the European Union. The struggle for the post-Gaddafi order has been characterised by the predominance of non-state actors, an almost absent national leadership, endemic corruption and, most importantly, internal social and military fragmentation. For instance, military groups that fought together to overthrow Muammar Gaddafi in 2011 turned against each other in the first Libyan civil war, which started in 2014 and resulted into the country institutional bifurcation in two rival governments. After Field Marshal Khalifa Haftar launched Operation Dignity at the beginning of 2014, Libya underwent a sharp political and institutional divide. Haftar's forces stormed the parliament building in Tripoli and called for the dissolution of the General National Congress (GNC), namely Libya's democratically elected government headed by Fayez al-Sarraj. The leading political bloc in the GNC viewed Operation Dignity as a direct assault on its power and the civil war resulted in a bipartition of the official political power: Members of Parliament affiliated to Khalifa Haftar fled to Cyrenaica and designated the city of Tobruk as the seat of the House of Representatives (HoR) while the Government of National Accord (GNA), which was formed in the aftermath of the 2015 Skhirat Agreements, settled in Tripoli. The latter was officially recognized by the United Nations and most countries in the international community as the only legitimate executive in Libya. However, the international ostracism did not prevent provision of support to the parallel House of Representatives in the Cyrenaica, thereby leading to another civil war with the same aforementioned military groups, which fragmented into several subset and created new alliances. This second phase of the Libyan crisis culminated in the 2019 offensive of Tripoli unleashed by the Libyan National Army (LNA), controlled by Khalifa Haftar, against al-Sarraj's government. After two more years of struggle, the United Nations Support Mission in Libya managed to perform a long round of

meetings and negotiations, which finally resulted in a ceasefire agreement in 2020. At the beginning of 2021, in the framework of the Libyan Political Dialogue Forum, Libya seemed to have broken the deadlock represented by the civil war thanks to the election of a new interim government of national unity, headed by the new Prime Minister Abdul Hamid Debeibeh. The new executive shall be responsible of leading the country towards democratic elections in December 2021. The result of this ambition is the reacquisition of a certain centrality of Libya's leverage as a point of interest in the Mediterranean region. In fact, such area is going to build a renewed stability and the European Union, especially southern Member States -among which Italy itself plays a major role-, is going to take part of this process of territorial reunification through institution-building processes. Even the UN, which has been operating in Libya to support peacebuilding process since the overthrow of President Muammar Gaddafi in 2011, is trying to take advantage of this window of opportunity towards a democratic transition within the country.

The final thesis is divided in three main sections with the aim of rationalize an extremely broad discourse on the currently fragmented Libyan scenario and the actors playing in it.

In the first chapter, following an introductory phase where I will try to recall the main historical events which brought Libya to the post-Gaddafi crisis, I will analyse the political events of the last ten years by commenting them in a holistic perspective, thus including further explanations on the relations among the main actors involved in the development of the country's conflict.

The second chapter is dedicated to a more specific vision of the latest facts in Libya, mainly focused on peacebuilding operations pursued through supernational leverage on the military and institutional field. While discussing issues related to institutional transition, the second chapter addresses the problem of the lack of foresight on the part of supernational actors and international organizations which implied the deterioration of the security situation in Libya. In this context, militias became even more entrenched in their positions, while the UN-backed transitional authorities resulted unable to know how to control the security situation, with the flow of weapons continuing to pour into the lawless country. In the first part of the chapter, I will concentrate on United Nation's operations, such as UNSMIL actions, which aims at building a lasting social and governance structures for a sustained peace, in the framework of a post-conflict reconstruction of the country. In the second part, I will focus on European Union's missions deployed both in the Libyan inner land and on the Mediterranean Sea. In other words, if on the one hand, UNSMIL, the United Nation programme in Libya, has been a pivotal actor in Libyan reunification process through support for the preparation, drafting and adoption of a new constitution and providing technical advice to key Libyan institutions, on the other hand, European efforts are mainly concentrated on political support, security and defence joint programmes such as EUNAVFOR MED IRINI and EUBAM, which are the two main

military/civilian missions currently ongoing on the Libyan seas and inner land. The final goal is to shed light on the contemporary peacebuilding operations pursued in Libya, that evidence a choral effort from different points of view -both civilian and military- aiming at going beyond the restoration of physical security and stability, instead including long-term initiatives in post-conflict societies, such as Libya.

The third and last chapter of the dissertation focuses on a more detailed description of Libyan conflict's management pursued by international actors, in particular by supernational organizations such as the United Nations and European Union and, lastly, of Italian approach to Libya, with the objective of picturing an overall figure of the repercussion of the Libyan conflict on the balance of the Mediterranean region. The peace process and attempted solving of the crisis, in the hands of those major global institutions, are analysed with the aim of highlighting strengths and weaknesses of both foreign intervention in the specific case of Libya and standard practices of conflict resolutions at the international level. In trying to outline the international institutions' modus operandi in peacekeeping programmes, I will provide a more complex interpretation of the facts in order to argue the competing interplay among different actors aimed at building a new regional order in the Mediterranean Basin. The dissertation's slant is directed towards the security aspect of the Libyan crisis and the international procedures applied both on the civilian and military realms as the security aspect affects not only Libya but also the entire Mediterranean region. The outcomes of the thesis are not intended to provide solutions to the peacebuilding operations in Libya, but they highlight the complexity of the Libyan situation, that is the multilateral action implying multiple interests at the expenses of a country's stability.

Finally, from a methodological point of view, the work's structure will follow a deductive method of inquiry: starting from general premises drawn from a number of academic sources and press reports, the aim is to understand whether and how international institutions intervened in Libya in response of its recent political events. In this final thesis, I will analyse he evolution of the country's political, military, and economic conditions, drawing on existing literature on recent Libyan political history concerning civil wars and post-conflict reconstruction.

CHAPTER I

EARLY HISTORY OF LIBYA

Libya is a State situated in the African northern coast and its territory is mostly occupied by the Sahara Desert. From a geographical point of view, the country faces the Mediterranean Sea to the North, and it borders Egypt to the East, Sudan to the South-East, Chad, and Niger to the South and Algeria and Tunisia to the West. It is divided into three main geographical regions: Tripolitania, the western and cosmopolitan region where the capital Tripoli now stands, Cyrenaica, the eastern region and the biggest one, which is known today for its tightly preserved tribal structures and its religiously conservative population, and Fezzan, the southern region, which is mainly made up of sandy desert, inhabited by Tuareg and Tebu tribes.

For centuries, Libya's history has been a story of region because of the vast distances that separate them in cultural and spatial terms. Libya's early history reveals that both Tripolitania and Cyrenaica were closely linked with neighbouring countries, respectively Tunisia and Egypt. In fact, during the Ottoman era, the country was splitted in two parts, the one under the influence of Tripoli in the West and the other linked to Benghazi in the East. Libya thus became a unitary State after several historical events such as the spreading of Sanusiyyah movement -an Islamic Revivalist movement that swept North African countries with unifying ambitions in nineteenth and twentieth century during the Ottoman administration- and Italian colonialism from 1911 to 1943, which created Libya as the State known today. Then, after the independence from the British control obtained in the 1950s, the discovery of oil and the consequent wealth resulted from trade in energy resources changed the political and social structure of the country. While Libyan economy accelerated, the discovery of oil in commercial quantity opened the country to the international competition to snatch control over energy resources. Besides the wealth situated in the subsoil of its hinterland, the strategic position of Libya has been of crucial importance from a political point of view as well, because of its exposure on the Mediterranean Sea. As a matter of fact, controlling Libyan territory primarily signifies opening a door on the entire Southern Mediterranean. In virtue of this quality, Libyan history has been characterised by the involvement of external actors, occupation attempts and foreign colonization.

As mentioned above, Libya has been part of the Ottoman Empire from the early Sixteenth century to the beginning of Twentieth century. During this period, the country was able to experience a certain degree of autonomy since the breadth of the Ottoman domain was too wide to maintain a strong and direct control over the external provinces of North Africa. The country, however, was administered by officials from Constantinople under the limited modernization of the empire. In 1911, just as the

Young Turk revolution was spreading within the Ottoman Empire with the aim of giving a new impulse of reform and modernization to the provinces, the Italians decided to launch an invasion to pursue their financial and imperialist interests in Libya. Italian occupation of Libya lasted for thirty years, during which Italy could not manage to totally subdue local population. In fact, resistance to Italian colonialism continued throughout World War I. In the 1920s and 1930s Italian fascist administration invested a large amount of money in developing roads, agricultural systems, and new towns for Italian settlers; however, despite the effort to pursue the demographic colonization of the country, at the beginning of World War II, Italians constituted only one fifth of Libya's total population.[2] In fact, the almost any form of Italian legacy in Libya resulting from all these colonizing efforts was destroyed during the North Africa campaigns of 1941-1943, which left an impoverished and fragmented Libya.

In 1943 the country was occupied by Allied forces. Tripolitania and Cyrenaica were given a "care and maintenance" status under the British Military Administration, dispensed according to 1907 Hague Convention, while Fezzan was subject to French Military Administration.[3] Under the relative freedom of British and French control, several political interests led by nationalist ambitions developed in the country concerning the future of the three regions of Libya. As a result of internal protests, at the end of the 1940s, Britain and France negotiated the independence or the provinces they were controlling with the United States and the Soviet Union: every foreign power had a different view. On the one hand, Great Britain, seeking to preserve its foothold in the area, was supporting the project of a divided Libya, with the Cyrenaica under the control of the Grand Sanusi Al-Sayyid Idris, who had assured his cooperation with the UK. Similarly, the United States was giving support to the partition of Libya in favour of the British position. On the other hand, the USSR was opposing to the project of a divided Libya, in pursuance of its anti-American politics. Lastly, even France was pushing for a partitioning of Libya, although proposing a partition of its own special variety, in an attempt to safeguard its leverage on the southern region of the country.[4]

Having failed by then to reach an agreement on the issue, those foreign countries decided to put the accountability on Libya's fate in the United Nations General Assembly's hands. Eventually, on 21 November 1949, the resolution on Libyan independence was adopted, and on 24 December 1951 Libya finally achieved its independence. The project of a reunited Libya faced several difficulties, since Tripolitania and Cyrenaica's political interests were divergent, and the barely inhabited Fezzan was late with the independence negotiations with France. Moreover, Cyrenaica and Fezzan insisted

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[2] Dirk J. VANDERWALLE, *A history of modern Libya*, Cambridge, Cambridge University Press, 2006, pp. 24-25.

[3] VANDERWALLE, *A history of modern Libya*, op.cit., p. 37.

[4] Benjamin RIVLIN, *Unity and Nationalism in Libya*, in: "Middle East Journal", vol. 3, no. 1, 1949, p. 32.

on the constitution of a federal order, fearing that a unitary government would have led to a power concentration in Tripolitania, inhabited by two-thirds of Syrian population. Eventually, in 1951, the National Assembly adopted the federal formula and offered the role of king to Idris al-Sanusi, the Amir of Cyrenaica. The establishment of the federal system gave birth to a necessarily elaborated administrative structure with two main centres of power -Tripoli and Benghazi- between which the Libyan Parliament commuted. In December 1951, when king Idris Al-Sanusi, the heir of the Sanusiyyah Order, announced the creation of the United Kingdom of Libya, for the first time in its history, the country adhered to the monarchical form of government. After the transformation of Libya into a kingdom in 1951, it was clear that Libyan society would have been dependent on foreign aid, due to the many social and economic problems, such as illiteracy and high level of hardship, as well as the lack of a unifying national identity. From an economic viewpoint, existing taxes were not sufficient to pay the expenses of the country. In fact, the monetary system was quite chaotic due to the presence of at least three different currencies, one for each region. In addition to the primitive banking system, the industrial sector was almost non-existent, and the agriculture reform was hampered by the tribal ownership upon natural resources. Moreover, Libyan independence was not the result of ideological struggle like in the neighbouring countries, but it was a sudden granting provided by foreign powers. For this reason, the political development of the newly independent country was slow, especially because of conflicting political orientations of the provinces and ambiguities within Libyan monarchy. Thus, since the country needed a socio-economic boost, but local ruling class did not have the appropriate skills to accomplish it, king Idris decided to maintain the foreign presence in Libya. This way, Libya ended up depending on foreign help, especially from United Kingdom and United States, who preserved its military bases in the country in exchange for financial and military assistance.

Foreign countries' leverage increased in the 1950s, after the discovery of oilfields and natural resources. Even before World War II, Italian geologists speculated on the presence of oil in the country, but the attempt to find it necessarily ended with the outbreak of the war in North Africa. However, in 1955 a survey commissioned by the United Nations officially discovered a large amount of oil below Libyan Desert. The same year, foreign experts chosen by the United Nations drew up the Petroleum Law with the aim of disentangling Libya form the power of the so-called Seven Sisters, which were the leading oil companies. Despite this, after the independence, several majors including D'Arcy Exploration Co. Ltd. from England and Standard Oil of New Jersey from the United States decided to explore the area and to form together an economic cartel. Despite those foreign ambitions, Libya became then the world's fourth producer and exporter of oil, especially thanks to its strategic

location close to the European market, where the oil demand in the post-war period was growing.[5] If at the beginning of its independence, Libya was a mainly agricultural and tribal society with an economy based on foreign aid and revenues from concessions of military bases, with the economic exploitation of oil marked a turning point in the national economic policy. King Idris strategy was to encourage foreign big companies to set up in the country in order to obtain long-term investments. However, as for the rest of the internal economic policy under the Sanusi monarchy, reforms projects aimed at diversifying Libyan economy were unsuccessful: the wealth stemming from oil export changed the political and social structure of Libya, leading to economic modernization and sudden development, but also to social inequality and foreign control. In addition, the main source of income of the county, which came from oil sale, was almost entirely transferred in the hands of the royal family and its inner circle of tribal groups, leaving the resto of the population dissatisfied. In general, moreover, Libyan economic development which followed the discovery of oil pulled the country into the western sphere of influence even more intensively than before: while national economy accelerated, the discovery of oil in commercial quantity opened the country to the international competition to snatch control over energy resources.

From the institutional point of view, the challenges raised by Libya's rapid transition from a fragmented and impoverished desert country to oil exporter necessitated the creation of more complex State institutions and economic bureaucracies, but the lack of regulation and the absence of Libyan citizens in the country's economic and political life exacerbated the difficulty of developing Libya as a modern State. Meanwhile, the federal system could not work any longer since the economic unbalance among Libyan regions was increasing due to the fact that the majority of the oil was discovered in Cyrenaica, while Fezzan was the most backward region. As a consequence of this disparity, in 1963 king Idris replaced the federal order with a unified political system. Additionally, in the same year, the Libyan government adjusted the regulation of petroleum extraction and eventually created the Libyan Petroleum Company with the aim of negotiating with foreign oil companies to establish equitable royalties and concessions.

During the Sanusi monarchy, despite the attempt to build a unitary country in opposition to foreign leverage on the economic subject, king Idris and his entourage could not succeed in strengthening the sense of Libyan identity nor the faith in the modern State's asset: king Idris instituted a highly corrupt patrimonial system around him and for this reason the monarchy suffered a low level of legitimacy especially outside Cyrenaica. Therefore, because of these internal problems and shortcomings, Libya

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[5] VANDERWALLE, *A history of modern Libya*, op.cit., pp. 53-54.

became a breeding ground for the spreading of the Arab socialism fuelled by Gamal Nasser's regime in Egypt, which allowed Muammar Gaddafi to develop his ideology and his military take-over.

1.1 GADDAFI'S ERA

The overthrow of Sanusi monarchy by revolutionary forces was not a surprise. As aforementioned, many internal weaknesses and fallacious policies developed during the 1960s within the royal diwan, such as the kingdom's corruption and its pro-Western positions, which conflicted with the general trend in inter-Arab politics, portended a coup d'état. Moreover, the internal power system developed by Idris was destabilized by the discovery of oilfield, which transformed Libyan economy and produced a well-educated middle class with high expectations, thus undermining tribal loyalty towards the monarchy.[6] The uneven distribution of wealth and the general dissatisfaction of the population led especially younger generations looking for an institutional change.

In view of the above, on 1 September 1969, a group of young officers and captains with no links to the senior military figures were able to overthrow the Sanusi monarchy, after almost twenty years of government, with a bloodless military operation. The regime's commander-in-chief, the hitherto unknown 27-yers-old Muammar al-Gaddafi, declared himself as the chairman of the Revolutionary Command Council (RCC), the first governing body of the post-revolution Libya. The transition towards a military regime and a unitary country included the centralization of the authority in the hands of the political leader Muammar Gaddafi, or at best of the RCC, with the aim of reducing direct power of traditional rural notables, who represented a disruptive force in Libya.

Taking into consideration that king Idris was the chief of the Sanusiyyah Order and descendant of the Prophet, one of the main issues that the young Gaddafi, who just took office in the Arab Libyan Republic, had to immediately face was the obtainment of the same legitimacy as his predecessor among the traditional parts of the population and the tribes. For this reason, the new leader was inspired by Nasser, the Egyptian president, and his ideological support to Arab nationalism and pan-Arabism, according to which the Arab world needed to re-establish its previous power, especially through the exclusion of any form of western control. In fact, Arab nationalism at the heart of the revolution's ideology was clashing with Western values, notably capitalism and liberal democracy imposed almost worldwide by the United States with the end of the Cold War.[7] Consequently, the revolutionary group disapproved foreign control over Libyan oil resources as well as the presence of British and American military bases in Libya, considering them as a remnant of colonialism and

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[6] Douglas LITTLE, *American Orientalism. The United States and the Middle East since 1945*, Chapel Hill, University of North Carolina Press, 2008, pp. 209-214.

[7] Veronica NMOMA, *Power and force: Libya's relations with the United States*, in "Journal of Third World Studies", vol. 26, no. 2, 2009, p. 139.

imperialism. The ideological ties between Gaddafi's and Nasser's view became even more intense a year after the revolutionary coup in Libya, when Nasser died and Gaddafi became the self-appointed guardian of the Egyptian president's legacy by announcing the creation of the Arab Socialist Union, the Libyan version of Nasser's earlier political party.

The new ambitions of Libya's government were addressed towards national unity and a greater integration in the Arab world thanks to the country's pivotal resource: oil revenues. In doing so, Gaddafi tried to build a populist rhetoric, which brought back the pre-colonial tribal system and Islam's role as unifying models. In this regard, although the revolutionaries had stressed that religion should not be involved in politics, Gaddafi decided to show his spiritual devotion to Islamic values in order to gain more control over the population through many symbolic acts such as prohibiting alcohol, closing some churches, and reintroducing Shari'a, thus dissuading any opponents of the regime from rebelling against the Islamic law. Moreover, national unity was also pursued through colonial struggle and the rewriting of history in an anti-Western key: in public discourses on national identity, Gaddafi gave new prominence to the resistance to the Italian occupation, making it the core of the nation along with the Islamic tradition and the Arab identity.

Even within the economic field the authority of the leader needed to be confirmed, therefore, immediately after the coup, Gaddafi decided to intervene in the hydrocarbon sector by nationalizing the country's oil industry with the intention to put the economic administration once more in his hands. Gaddafi's attempt to centralize the oil sector was pursued with relative ease thanks to the previous lack of political and economic cohesion during the Sanusi monarchy, during which the king had enjoyed oil revenues without letting any elite or group take control of the market. Consequently, the leader took important nationalist measures on the concessions system, shifting them from foreign companies to the benefit of the Libyan National Oil Corporation (NOC), that from that moment could participate with its own capital to foreign companies' oil investments in order to obtain a production quota on every joint oil field.

1.1.1 The building of the Jamahiriyya's ideology

After the first four years of government during which Gaddafi built his ideology to consolidate his legitimacy, in August 1975, the leader discovered and suppressed a coup against him plotted by some RCC members. This event represented a watershed for his policy, which turned increasingly populist and even more personalistic. Thenceforth, Muammar Gaddafi engaged himself in a number of experimental economic and political initiative, fuelled by oil revenues derived by the first oil boom and inspired by the theories codified in the Green Book, where he described his revolutionary view as an alternative to existing economic models such as capitalism and communism. In his Green Book, composed by three volumes published between 1975 and 1979, the leader of the revolution

transcribed the regime's top-down management of the new Libya in both social and economic field. Gaddafi's ideology was called as the Third Universal Theory, and in the second volume of the Green Book the leader used the following words to summarize it:

> "The Third Universal Theory is a herald to the masses announcing the final salvation from all fetters of injustice, despotism, exploitation and economic and political hegemony. It has the purpose of establishing the society of all people, where all men are free and equal in authority, wealth and arms, so that freedom may gain the final and complete triumph".[8]

In the wake of these words, Muammar Gaddafi heralded the new Libyan political system naming it after a neologism derived from jamahir (masses) and jumhuriyya (republic): the Jamahiriyya, that is a political community characterized by "the authority of the people, without representation or deputation".[9] In fact, the Green Book's central doctrine implies that citizens can directly manage State institutions without any intermediaries, in order to perform a direct democracy. In virtue of this premise, Gaddafi's view supported the idea of statelessness, equality among citizens, and consequently the aversion to any form of hierarchy and delegation of power to State functionaries. Besides social directives, economy marked another important aspect in the revolutionary Libya, according to the second volume of Gaddafi's Green Book. As a matter of fact, the new national economic policy was based on measures of equal redistribution of the country's wealth and elimination of any private initiative and entrepreneurship. However, regarding the country's oil industry, the revolutionary policies excluded the management of the oil sector according to the Green Book's doctrine because oil sale represented the necessary resource without which the revolution could not occur. Instead, oil production followed international oil market variations and political tendencies. For instance, after the overflowing of petrodollars obtained from the 1973 oil boom's consequences, the price of Libyan oil dropped soon after because Gaddafi voluntarily cut national oil export to the United States in support of the Arab oil embargo. The United States, for their part, started to place restrictions on trade with Libya because of its suspected ties to terrorist groups, which culminated in 1981 with the withdrawal of some US oil companies from Libya and the ensuing embargo against the Jamahiriyya's oil.

During the 1980s and 1990s, the Jamahiriyya's political economy can be framed in what Graham A. Davis calls "the resource course", which is a phenomenon whereby economies particularly involved in the production of energy tend to suffer of a slow growth, as a consequence of the so-called Dutch disease, that is an economic model connecting the abnormal development of a specific sector, in this

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[8] Muammar AL QATHAFI, *The Green Book*, Austin, The University of Texas, 1977, p. 80.
[9] AL QATHAFI, *The Green Book*, op.cit., p. 25.

case tied to the extraction of natural resources, to the economic decline in other fields such as manufacturing or primary sectors.[10] In those two decades, not only was Libya showing all the typical traits of a resource-rich economy, but it was also revealing its authoritarian management, marked by a certain negligence in national economic development in favour of the political requirements of the regime, that exacerbated the difficulties in economic growth. To worsen the already sharp crisis of the 1980s and 1990s, the deterioration of bilateral relations with the United States triggered a diplomatic isolation first, and then UN multilateral sanctions that characterized the two decades. To solve this situation, the government tried to launch a liberalization economic programme (infitah) in three different occasions: a first attempt between 1987 and 1990 and a second set of initiative throughout the 1990s.

1.1.2 Libya becomes a "rogue State"

Starting from the analysis of the 1980s, when the massive capital inflows due to the oil revenues began to slow down as a consequence of the 1979 oil shock, the urge for new economic reforms generated the implementation of a long-term economic plan based on self-sufficiency, provision of social services, development of manufacturing sector and heavy industries, and the creation of local labour force capable of working in a highly technological economy. The purpose was to create a more diversified and integrated economy, although oil still provided most of the Libyan income and other economic activities were heavily subsidized. Despite the effort, in 1985, after five years from the entry into force of the reforms plan, the ambition on the economic renewal of the country failed and Libya's Central Bank suspended its yearly assessment of the country's economic performance.[11] At the same time, the conservative traits of the regime and the element of anti-Western rhetoric inherent Gaddafi's revolution led the country into increasing conflict with the West, as was also happening in other third world countries. In the case of Libya, for instance, the friction between the revolutionaries and the West encompassed a broader hatred towards the prominent role of the United States in the Middle East and North Africa, namely as a supporter of Israel. Despite having kept the Libyan-US relations on speaking terms for the first decade of his regime, the willingness of Gaddafi to continue the legacy of Nasser's pan-Arabism led Libya to spend a great amount of oil revenues on military purchases and international adventures with the aim of subsidizing insurgencies and destabilizing neighbouring countries, in an effort to diminish Western influence in the Arab world.[12] This confrontation with Western countries was mainly focused on the United States since the North Americans were accusing Libya of supporting Islamism and terrorist groups in the MENA region and

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[10] Graham A. DAVIS, *The Resource Drag*, Golden, Colorado School of Mines, 2010, pp. 1-4.
[11] VANDERWALLE, *A history of modern Libya*, op.cit., pp. 118-119.
[12] NMOMA, *Power and force: Libya's relations with the United States*, op.cit., p. 141.

in sub-Saharan Africa through military force, with the purpose of boycotting the Middle East peace process. The escalation of tensions between Libya and the United States led to an American embargo against oil exports from Libya in 1982 and, later, in 1986, after the terrorist attacks in Rome and Vienna linked to a Palestinian nationalist militant group protected by Gaddafi's regime, President Ronald Reagan prohibited any financial transactions with Libya.[13] On the Libyan side, Gaddafi's continuous support to terrorist groups linked to Israeli-Palestinian conflict combined with the exploitation of the anti-American rhetoric in order to create a popular militia to defend the country left Libya diplomatically and economically isolated. As a result of their worsening relationship, in April 1986, the United States opened the fire and bombed Tripoli and Benghazi, as the apotheosis of the US-Libyan confrontation. The Libyan regime responded to the attack and to the diplomatic isolation with increasing involvement in international terrorist activities as measure of last resort.

The fifteen years that followed 1986 saw the disintegration of the original ideological aspiration of the Libyan regime. In the 1990s, in fact, the collapse of the Soviet Union, which was one of the main counterweights to the United States, exposed Libyan rebelliousness against American foreign policy to international pressure, since nonaligned bloc was adjusting itself in the global economy.[14] Moreover, tat that time Libyan's reputation was at an all-time low because of Libyan suspected involvement in the Lockerbie bombing, a terrorist attack which caused the destruction of a civilian transatlantic flight, and in the harbouring of proscribed organizations tied to Palestinian resistance. In conclusion, Libya became known as a "rogue State" in the international community, notably a nation which did not meet the same criteria and rules followed by the rest of the international community, even to the extent of threatening its stability. As a result of this, in 1992, UN Security Council issued Resolution 748 (1992)[15] to impose sanctions on aviation, the restriction of travel for Libyan citizens suspected of terrorist activities and the ban on the supply of weapons. A year later, with Resolution 883 (1993)[16], UN added more sanctions, especially concerning oil sale abroad. Since exports of Libyan oil still were the country's main source of income, Gaddafi tried to minimize the real impact of the economic sanctions through diplomatic attempts to reach an agreement with United States, France, and Great Britain, without complying, however, with UN demands.[17]

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[13] VANDERWALLE, *A history of modern Libya*, op.cit., pp. 133-134.

[14] Ray TAKEIH, *The Rogue Who Came in from the Cold*, in "Foreign Affairs", vol. 80, no. 3, 2001, p. 63.

[15] UN Security Council, Resolution 748, 1992, http://unscr.com/en/resolutions/doc/748, accessed 19 July 2021.

[16] UN Security Council, Resolution 883, 1993, http://unscr.com/en/resolutions/doc/883, accessed 19 July 2021.

[17] David CORTRIGHT, George A. LOPEZ, *The sanctions decade: assessing UN strategies in the 1990s*, London, Lynne Rienne Publishers, 2000, pp. 107-113.

As a matter of fact, in the 1990s, Gaddafi's regime needed to restore public confidence in the Jamahiriyya both abroad and at home, but first, the leader had to adjust the precepts of the revolution in the face of sanctions and the following economic recession by embarking on his second attempt of economic liberalization defined by an austerity programme. The overall goals were to reduce the State monopoly on the country's economy by encouraging private sector initiatives and to achieve significant cuts of State spending through the reduction of subsidies. Furthermore, the leader was willing to schedule a more responsible set of policies with the objective of reintegrate the country politically and economically in the international community. Thus, his new political agenda consisted of a necessary shift from the anti-Western and anti-imperialist struggle towards a more pragmatic, market-oriented economic policy. Those efforts resulted in an economic failure, since the new reforms to overcome the crisis asked for a diversification of Libyan economy, but the oil sector was still providing the necessary revenue to support the rest of the country's economic shortcomings. Moreover, as a matter of fact, these failings revealed the impact of the long-term neglect of the economy in the framework of the old revolutionary measures, namely after decades of centralization and of making economic development subject to the whims of revolutionary pursuits. To explain the failure of the liberalization, it is to be noted the close link between economic policies and the regime survival: during its revolutionary phase, Libya gradually stepped back from regulation and from maintaining stable State institutions, in favour of an authoritarian and centralized system. For this reason, in light of Libyan history of statelessness, the effort at sustaining economic reforms was subject to deep structural problems. In addition, since Gaddafi was shifting the focus of his policy from the pursuit of egalitarianism, as argued in the Green Book, towards liberalization, which, conversely, would have caused inequalities, Libyan internal opposition felt capable of reproaching and attacking the leader's shifty work. The potential development of rival groups of power enhanced the internal political danger for Muammar Gaddafi, who was in a sharp contrast to his old rhetoric. However, from an international perspective, the liberalization programme turned out to be useful at least to emerge from diplomatic and economic isolation: in fact, in April 1999 the international sanctions were officially suspended, and foreign investors were slowly returning to Tripoli thanks to corporate taxes exemptions. In all fairness, another reason for the lifting of the economic sanctions was the agreement reached with the United States and Great Britain concerning the bringing of the Libyans suspected of being responsible of the Lockerbie bombing before the trial in The Hague.

The hope for a new role of Libya in the international community, thus, was nourished by the end of the sanctions, but Gaddafi was aware that the Jamahiriyya had to be taken off the United States' list of sponsors of terrorism. In fact, in early 2000 Libya officially distanced itself from further involvement in international terrorism, to the extent that it became more difficult for the United States

to limit Libyan ambitions on foreign policy since it could not accuse the country of disorderly conduct, especially after the handing over of the Lockerbie suspects and the following end of sanctions. Nevertheless, it remained one major issue to be addressed in the US-Libyan tensions, that was Libya's attempt to produce or obtain weapons of mass destruction. The effort to acquire such weapons had already been reported by American intelligence in the 1980s, since Gaddafi's foreign policy, since the very beginning of his regime, was oriented towards military support to liberation movements worldwide and national territorial claims and ambitions. Gaddafi's ideology wanted Libya to keep up with other regional actors, such as Egypt and Turkey, and to fill this gap he decided to turn the Jamahiriyya into the most armed country of North African region. The arms race did not stop to conventional weapons and, although oil revenues enabled the country to buy a great amount of any kind of weapons, Gaddafi wanted to obtain nuclear weapons by calling on China, India, France, and many other nuclear countries, which refused to cooperate.

1.1.3 The fall of Gaddafi's regime

In the first decade of 2000, Libyan socio-economic problems seemed to be contained by the regime's efforts in education and health expenditures, at least until 2011, the year of Gaddafi's death. Concerning the factors which brought to the overthrow of the Jamahiriyya's leader, it must be stressed that exogenous determinants originating especially from the spread of Arab revolts in North African countries and from NATO's intervention caused the official ending of Muammar Gaddafi's regime. In fact, those two external factors seem to explain the failure of Gaddafi's repression on Libyan protests, since at the beginning of the protests the leader was still in a strong institutional position.

The power system that surrounded Muammar Gaddafi at the dawn of the so-called Arab Spring relied on three pillars that should have sustained the regime vis-à-vis the social protests.[18] The first cornerstone was the fact that Libya was a typical rentier states, that is an economic system where oil-producing States do not accumulate revenues through taxation of the population, conversely, they depend on the rent generated by oil sale. Thanks to this system the government is usually able to preserve a high degree of popular consensus through the provision of subsides and welfare programmes paid with oil revenues.[19] The second pillar that supported the Gaddafi's regime was the security apparatus that the leader used to repress political opposition and Islamist movements that challenged his policies. This pervasive security system guaranteed some degree of certainty on the strength of the regime thanks to its repressive action against any form of opposition. Concerning

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[18] Karim MEZRAN, *La rivolta*, in Karim MEZRAN, Arturo VARVELLI (edited by), *Libia. Fine o rinascita di una nazione?*, Roma, Donzelli Editore, 2012, p. 163.

[19] Meliha BENLİ ALTUNIŞIK, *Rentier State Theory and the Arab Uprisings: An Appraisal*, in "Uluslararası İlişkiler / International Relations", vol. 11, no. 42, 2014, pp. 76-77.

Islamism, Gaddafi managed to control them thanks to the cooperation between his security forces and US intelligence in the early 2000 as part of the war on terror. However, despite the anti-Islamist campaigns, in the first decade of the 2000s the regime had to play an important mediating role with internal religious movements which rebelled against the repression. Ultimately, the third pillar of the Gaddafi regime was the complex system of alliances that connected the government to tribes and clans. This system, which is named bay'a, serves to safeguard the authoritarianism in States where the tribal asset exists still nowadays, since it represents a social contract between the tribal groups and the leader.[20] In this kind of Arab conservative society, authoritarianism is also preserved by the intersection of political privileges and economic favours, through which the government manages to build the foundation of the tribal loyalty to the regime, even in times of crisis.

Despite those three cornerstones characterizing Gaddafi's relations with Libyan society, the system eventually failed because the regime did not succeed in containing the growing unemployment and social discontent, especially among young people, who erupted in social unrests and revolts in 2011 in the footsteps of the Arab Spring in other North African countries, such as Tunisia and Egypt.

As aforementioned, however, the other factor that caused the fall of Gaddafi's regime was the foreign interference triggered by the shaky relations with the West. In fact, France, England, and United States was of major importance in deciding the victory of the rebellious with their supporting actions against Gaddafi's government. Public manifestations of the revolts begun in February 2011 in Benghazi, where the regime forcibly repressed the protest of hundreds of citizens with the only result to spread the anger of the population in other Libyan cities, such as Tripoli, Zintan, Tobruk and Misrata. Rebellious forces denounced the regime's violent conduct to the international community, especially to the United Nations. At the same time, opponents of the regime armed themselves to fight against Gaddafi's security forces and took control of Benghazi. From that moment on, although the rebellion began with peaceful protests just as in the other countries of North Africa, Libya's revolt turned into a real civil war and, in a matter of weeks, thanks to foreign training and support, the rebels became an effective military force.[21] Furthermore, as the riots continued, Gaddafi's security forces progressively decided to join the resistance to the regime, which was a heterogeneous group formed by civilians, defectors from the institutional system, elements of the opposition fled during the years of repression and now returned to their homeland and some Libyan Islamic fundamentalists who had

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[20] Elie PODEH, *The "bayʿa": Modern Political Uses of Islamic Ritual in the Arab World*, in "Die Welt des Islams", vol. 50, no. 1, 2010, pp. 117-152.

[21] Chris ARSENAULT, *Libya: The revolt that brought down Gaddafi*, in "Al Jazeera", 27 December 2011, https://www.aljazeera.com/news/2011/12/27/libya-the-revolt-that-brought-down-gaddafi, accessed 19 July 2021.

already experienced armed combats in Afghanistan and Iran.[22] The heterogeneity of the opposition group made the political transition difficult to organize. However, after some faltering decisions on the future of the transitional government, in March 2011 the rebellious officially managed to create the National Transitional Council of Libya (NTC) in an effort to arrange their forces into a functioning government.

On the other hand, the importance of foreign countries' interference in Libyan revolutionary actions was demonstrated by the intense diplomatic activities initiated by France and Great Britain right from the beginning of the peaceful demonstrations, when French and British governments called upon the international community to stop Gaddafi's responses towards the civil revolts and to overthrow his regime in the name of the systematic violation of human rights. As a matter of fact, France and Great Britain proposed to the UN Security Council the entry into force of a resolution for a ceasefire and the institution of a no-fly zone on Libyan territory. In the meantime, the United Nations issued Resolution 1970 (2011)[23] regarding Gaddafi's referral before the International Criminal Court for the use of force against civilians, the arms embargo, the travel ban and the asset freeze for the collaborators of the regime, thanks to the votes of France, Britain, and United States. With the adoption of this resolution, the Security Council authorized the use of any appropriate means to protect Libyan population from Gaddafi's abuses, thus creating the legal framework for the NATO-led military operation against the leader's loyalist forces. In assessing this resolution, it is important to stress that the military intervention aimed at protecting civilians increasingly turned into a clear attempt to overthrow Muammar Gaddafi's regime within his own sovereign country. Therefore, since the legitimacy of this action remains uncertain and the conflicting reasons behind the overthrow of Gaddafi's government cannot be confirmed by single Western countries due to the state secret, the vast majority of the States likely involved in provision of military aids towards Libya decided to keep their actual participation in the fights confidential. However, to date it is recognised that especially the governments of Qatar, France and Great Britain helped the insurgents through armaments supply and military training. In this circumstance, with the aim of assisting the civilian fighting on land, Western countries allowed the entry into Libya of uncontrolled flows of foreign fighters, amongst whom jihadists and radical Islamists infiltrated with different objectives than the NTC.

The organization of rebellious armed forces allowed the takeover of Gaddafi's outposts from town to town. This way, the leader, now abandoned by most of his supporters, was already virtually defeated, and tried to save himself and his family by taking refuge in his hometown Sirte, where he could rely

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[22] Gabriele IACOVINO, *Considerazioni politiche e militari sulla crisi in Libia*, in "Osservatorio di Politica Internazionale", no. 34, 2011, p. 13.
[23] UN Security Council, Resolution 1970, 2011, https://www.undocs.org/S/RES/1970%20(2011), accessed 19 July 2021.

on the loyalty of his tribe. On 20 October 2011, Muammar Gaddafi' s convoy was intercepted during a transfer from Sirte to the Jarref Valley and, after being captured, he was killed by the NTC's forces, thus putting an end to Gaddafi's era.[24]

1.2 POST-GADDAFI INSTABILITY AND THE CIVIL WAR (2011-2019)

After the uprising in Libya in 2011 and the overthrow of the regime of Muammar Gaddafi, the National Transitional Council (NTC), founded in early 2011, picked up the institutional legacy of the Jamahiriyya and governed Libya for ten months after the revolts. During the previous year of opposition to Gaddafi's regime, the country had turned into an opencast arms depot and the urge to pacify tribal groups, Gaddafi's loyalists and rebellious military groups was a matter of national security for the NTC. In fact, the collapse of the regime led to a period of major upsetting of balances in Libya as a result of the complexity of the dynamics of the competitive forces, that exerted a centrifugal force on the weak institutional centre. In fact, the consequences of the widespread availability of weapons and of forty-two years of Gaddafi's administration was not only the proliferation of armed groups, but also the fragmentation among them: Gaddafi's centralization, in fact, had pushed tribes to fight each other in order to pursue his personal objectives through the classic authoritarian system based on the divide et impera policy. Thus, at the beginning of 2012, the country found itself involved in a difficult process not only of State-building, but also of Nation-building, since, as aforementioned, during Gaddafi's regime there had been no attention to the development of a genuine national identity, instead preferring an artificial unity created by the authoritarian regime for its own legitimacy. Those centrifugal forces were, in particular, armed militias, warring clans and new political parties. Some of the militias that took control of the most important cities, namely Misrata and Zintan' s legions, would become strong internal actors and disturbing elements even in later years. NTC's approach was to recognise all the militias' leaders as upholders of national liberation from Gaddafi's dictatorship, thus assigning them important roles within the provisional government. For instance, Osama al-Juwaili, the leader of Zintan Brigade, was appointed Minister of Defence, while Youssef al-Mangoush, from Misrata, became head of armed forces, despite his previous affiliation with Gaddafi's army, which caused a wave of allegations against the NTC's

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[24] Kareem FAHIM, Anthony SHADID, Rick GLADSTONE, *Violent End to an Era as Qaddafi Dies in*

Libya,   in   "The   New   York   Times",   20   November   2011,
https://www.nytimes.com/2011/10/21/world/africa/qaddafi-is-killed-as-libyan-forces-take-surt.html,
accessed 19 July 2021.

composition, accused of favouring former regime's representatives.[25] Besides the necessity of the control on armed militias, many other elements exacerbated the internal situation: some of the most urgent problems were the persistence of fundamentalist terrorist cells, internal contrasts within the new institutions and external actors' interests in the war-torn country. While Libya was close to chaos in the aftermath of the war, the United Nations created the Support Mission in Libya (UNSMIL), established in September 2011 with the aim of supporting Libyan transitional authorities in the post-conflict rehabilitation of national institutions by implementing rule of law and democratic processes. The UNSMIL's first mission prioritized elections over security sector reform, despite the controversy linked to the lack of interest in internal security, especially in light of the considerations on the militias control mentioned above.

The Libyan official authority -besides lacking UN's support and advice on the issue of disarmament of militias- did not take into consideration pre-existing infights among armed groups and, as aforementioned, decided to add some of the militias to official security forces thus trying to directly control them. However, this did not guarantee their submissiveness as they still acted autonomously and in competition for power. For instance, some of the militias, strengthened by the State legitimacy, occupied several Libyan strategic locations, such as airports, entire cities, and even oil refineries, practically replacing official police forces and army, thus preventing the NTC from having the monopoly on the legitimate use of force. In addition, another element of instability was paradoxically represented by the creation of new political parties. During the years of Gaddafi's government, any form of opposition, including the formation of political parties, was silenced through repression, since the authority of the leader had to be preserved and the revolution did not include a real democratic pluralism. After Gaddafi regime's end, democratic tools such as political representation entered Libyan civil society all at once, before the country could even restore its national institutions. Furthermore, the forty-two years of dictatorship left a legacy of statelessness whereby legal framework regulating political pluralism did not exist. Therefore, political parties born after the revolts were indeed driven by local ambitions, rather than pursuing common interest in rebuilding the country.[26]

As a result of these domestic problems, Libyan social and political situation in the first half of 2012 was deeply fragmented but in July 2012, against all odds, Libya managed to organize and hold the first democratic parliamentary elections since its independence in 1951, which resulted in the creation of the General National Congress (GNC), a new government organism based in Tripoli and projected

[25] Jason PACK, Barak BARFI, *In War's Wake The Struggle for Post-Qadhafi Libya*, in "The Washington Institute for Near East Policy, no. 118, 2012, p. 9.

[26] Arturo VARVELLI, *La Libia dopo Gheddafi,* in "Osservatorio di Politica Internazionale", no. 52, 2012, pp. 6-7.

to oversee the country for an eighteen-month mandate while drafting a new constitution and organizing the official parliamentary elections. The GNC was mainly formed by Islamists, including Salafists and the Muslim Brotherhood, and the moderate National Forces Alliance affiliated with the former revolutionary NTC.[27] Despite being newborn, the General National Congress was already too weak and corrupted by the militias that had taken part to the uprising, therefore the minimal governmental structure the GCN was able to implement collapsed immediately afterwards its creation, since putting the revolutionary militias under State control became the main challenge of the transition.

However, Libyan chaos did not concern only domestic security matters, but exceeded national boundaries threatening regional stability. As a matter of fact, the entire region of Sahel became involved with Libyan unrest, especially Mali, where thousands of Libyan migrants fled to escape the civil war, after Gaddafi's death. Northern Mali in 2012 was controlled by rebel militias related to Gaddafi's loyalists and Islamist terrorist groups such as Al-Qa'īda in the Islamic Maghreb (AQIM). Secondarily, another ground of regional instability was due to the proliferation of unconventional weapons previously belonged to the former regime, which ended up in the intra-regional arms trafficking, reaching even Somalia. A third major security concern for the regional arena was always tied to weapons, namely to the chemical weapons depots discovered in the first months of 2012 in Libya, that constituted a menace for the safety not only of Libyan population but of the whole international community, especially neighbouring countries. Thus, confronted with the difficulties of an internal pacification aimed at creating a homogeneous executive and with the aforementioned regional threat, United States and European Union decided to engage themselves into a more concrete action, by intervening in Libya to preserve regional security: on the one hand, the United States sponsored a security initiative to train and equip several hundred Libyan counterterrorism and special forces capable of fighting against armed militias and Islamic extremist groups; on the other hand, the European Union, through the Rebuilding Libya's Investigative Capability (RELINC) project, was focusing on the development of Libyan intelligence service and an effective police force.[28] In this already challenging framework, in September 2012 the American ambassador Christopher Stevens was killed in an attack at the American consulate in Benghazi allegedly organized by a Salafist group connected to Al-Qa'īda. This event was part of a series of attacks against foreign diplomatic facilities that testified the return of the anti-Western sentiment among Libyans.

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[27] Melissa SALYK-VIRK, *The Conflicts in Libya from 2011-2020*, in "Airstrikes, Proxy Warfare, and Civilian Casualties in Libya", New America, 2020, pp. 18-19.

[28] Mattia TOALDO, *La Libia dopo le elezioni*, in "Osservatorio di Politica Internazionale", no. 70, 2012, pp. 9-10.

The year 2013 represented another difficult time for Libya because it was clear that national pacification was not happening as expected. In addition to the socio-political issues and the security threats, the country also had to face the worst economic crisis since Gaddafi's death. In fact, political instability reflected even on energy sector, namely on oil sector, which was, as we know, the leading branch of Libyan rentier economy. As highlighted by Christopher S. Chivvis and Jeffrey Martini in their book, after Gaddafi's overthrow Libya was a relatively wealthy nation in comparison with many other war-torn countries, thanks to its high levels of per capita income derived from oil sale.[29] This characteristic made Libya look like a good candidate for an effective post-conflict economic recovery. On the contrary, the extraction of hydrocarbons suffered of constant interruptions throughout the summer of 2013 due to workers' strikes or because of intentional militias' sabotages of oil production facilities. In particular, rebel militias' interferences in oil infrastructures -that coincided with the most acute phase of the clashes that year- were essentially linked to the need of economic funding to finance armed interventions. This way, internal struggles determined the collapse of Libyan oil exports driving oil production back down to dangerously low levels, thereby demonstrating how vulnerable Libyan economy was. [30]

1.2.1 The bipartition of the political power

Throughout 2013, the central government struggled to dominate numerous militias, many of them controlling small areas of the country. As a consequence of this lack of internal stability, protests, fragmentation and violent acts -especially assassinations targeting security officials and members of the transitional government- even increased in 2014, thus opening a window of opportunity for the imposition of new authoritarian forces. The opportunity to intervene in midst of the crisis was eventually seized by Khalifa Haftar in February 2014. Despite his relative absence in more recent political affairs, Field Marshal Haftar had begun the military career in his youth as a member of Gaddafi's Free Officers who carried out the coup d'état of 1969. In the 1980s, he was appointed commander in chief of the Libyan military operation against Chad for the control over Aouzou's mineral resources, which resulted in a defeat for Haftar. After this traumatic experience, he deserted Gaddafi's army and fled to the United States, where he joined an exiled opposition movement against Gaddafi's regime. Haftar remained in the United States cooperating with the CIA until the outbreak of the revolts of 2011 that eventually overthrew Muammar Gaddafi. At that time, taking advantage of the favourable climate, he returned to Benghazi sawing in the developments of the revolts a

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[29] Christopher S. CHIVVIS, Jeffrey MARTINI, *Libya after Qaddafi: Lessons and Implications for the Future*, RAND Corporation, 2014, p. 53.

[30] Arturo VARVELLI, *Il ruolo della Comunità internazionale, dell'Unione Europea e dell'Italia nel processo di stabilizzazione della Libia*, in "Osservatorio di Politica Internazionale", no. 89, 2013, pp. 11-13.

potential opportunity to take the lead of the revolution, but he never found support of the National Transitional Council (NTC). After Gaddafi's death, during the political transition of the weak Libyan government, Haftar managed to reinforce his alliances in Cyrenaica -his birthplace- and, eventually, in May 2014, in an unprecedented move, he carried out the "Operation Dignity" by his armed group, the self-proclaimed Libyan National Army (LNA). Despite its name, the LNA was neither entirely Libyan, since it occasionally relies on foreign mercenaries, nor was it national, because its legitimacy was recognised almost exclusively by certain Eastern and Central tribes, nor it was a regular army, since it did not respond to a sovereign authority. However, it was a military body stemming from tribal and regional-based armed groups which emerged as a nascent force under Haftar's command. LNA military operation was officially directed against the radical Islamist power Ansār al-Sharī'a in Benghazi, since in his speech to the nation Haftar announced that his official purpose was to neutralize armed terrorist group from the east and purge the whole of Libya from any kind of Islamist movements, both radical and moderate, including those governing within the GNC. In actual facts, he blamed the government for allowing the presence of terrorism on Libyan soil, thus tacitly implying the proclamation of a coup d'état.[31] Haftar's offensive, mainly executed with aerial support, after hitting Ansār al-Sharī'a in Benghazi, headed for Derna, which was the centrepiece of Islamist radical movements. Eventually, Haftar and his LNA attempted to dissolve the GNC by pressuring it to convene fresh parliamentary elections in the end of June 2014, which were accompanied by heightened violence and clashes between Islamist supporters and Haftar's troops.

The elections' results represented an important watershed for the history of the country: the old GNC was replaced by a new parliament, the House of Representatives (HoR) whereby nationalist and liberal oriented government defeated Islamist parties. However, soon after the votes, the GNC refused to hand over power to the HoR, accused of being illegitimate. Thus, militias supporting the GNC launched "Operation Dawn" to take control of Tripoli and its International Airport, forcing the newly elected parliament to retreat from the capital setting up the seat of government in Tobruk, in Cyrenaica. This event left Libya with a bipartition of political power and two competing governments, one in Tobruk and one in Tripoli, each in the running for getting the support of both the citizens and the numerous militias. At that point, the conflict was revolving around two opposite poles: on the one side, Tobruk's House of Representatives, sustained by nationalist supporters of Haftar, Zintani militia, that was the second most powerful armed force in Libya, Warfallah and Warshefana tribes and hundreds of Tuareg mercenaries. On the other side, the GNC, located in Tripoli, could rely on pro-Islamist militias, including Misratan forces, known to be the most powerful brigade, and

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[31] Syed Huzaifah Bin Othman ALKAFF, *Libya,* in "Counter Terrorist Trends and Analyses", vol. 7, no. 1, 2015, pp. 96-97.

Benghazi's militias, which incorporated also Ansār al-Sharīʾa.[32] Further complicating Libyan framework, the struggle involved external actors, such as Turkey and Qatar taking the Islamist side, and Egypt, Saudi Arabia, and United Arab Emirates the other. In particular, regional actors involved in Libyan conflict were related to both ideological and economic reasons. For instance, whilst Turkish and Qatari support to Islamic values were endorsed in a pan-Islamic ideology, Egyptian support to the HoR was instead a direct consequence of historic enmities against the Muslim Brotherhood, that were governing Egypt before President Abd al-Fattha al-Sisi's repression in 2013.[33] The HoR, fighting against extremist groups, shared the same anti-Islamist values as Al-Sisi. Moreover, another factor of interest was the energy wealth in Cyrenaica's soil, that Egyptian government wanted to obtain thanks to its commitment in the resolution of the crisis. For what concerns Gulf States, the United Arab Emirates were interested in solving the Libyan conflict through its intervention mainly for economic and political reasons: firstly, the pre-existence of a number of trade agreements signed with the old NCT prompted UAE to safeguard them in the future Libyan scenario. Secondly, as with Egypt, revolts of 2011 also affected UAE with protests and requests for reforms led by Islamist movements. For this reason, both the Emirates and Egypt since then have been fighting the spreading of Islamists ideas and organization at home and in neighbouring countries. Concerning the reaction of Western countries, during the first months of 2014, right after Haftar made his entrance on the Libyan arena, the European Union and the United States remained neutral. In fact, while Haftar was probably exploiting the power vacuum armed with warlike intentions and the concern for a drift towards the civil war was real, concurrently, his actions could represent what Libya needed in that moment of uncertainty and fragmentation, namely a new leader.

1.2.2 Analysis of the Libyan Political Agreement (LPA)

In an effort to surmount institutional and military fractures precipitated by the mid-2014 governmental crisis, in January 2015, the United Nations started a political dialogue between the two rival parliaments, the House of Representatives, based in Tobruk, and the General National Congress, based in Tripoli. The process of peace, led by UN Special Representative at the time, Bernardino León, in the framework of the Libyan Political Dialogue, envisioned the creation of a unified government and eventually a new constitution and elections, with the aim of creating a legitimate executive able to restore oil export, disarm the militias and remove the Islamic State (IS) threat from

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[32] Stefano Maria TORELLI, Arturo VARVELLI, *Competing Jihadist Organisations and Networks*: *Islamic State, Al-Qaeda, Al-Qaeda in the Islamic Maghreb and Ansar al-Sharia in Libya*, in Arturo VARVELLI (edited by) *Libya's Fight for Survival: Defeating Jihadist Networks*, European Foundation for Democracy, 2015, p. 16.

[33] Following the overthrow of Hosni Mubarak in 2011, the Brotherhood was legalized after winning the 2012 presidential election. President Mohamed Morsi was deposed a year later, leading to a crackdown on the Brotherhood in Egypt that still continues a decade later.

Sirte.[34] Moreover, the Libyan Political Dialogue developed parallel negotiations with representatives of non-State actors, such as armed militias, political parties, and other civil society organisations. In December 2015, after fourteen months of dialogue, the two contenders reached an accord and signed the Libyan Political Agreement (LPA) in the Moroccan town of Skhirat.[35] The LPA, which provided governing guidelines and a framework for the stabilisation process, was a contract between Libyan parties establishing a nine-member Presidency Council and a Government of National Accord (GNA), and it rested on three main principles: ensuring the democratic rights of the Libyan people, constituting an empowered and consensual government based on the separation of powers, as well as pursuing the independence of the Libyan judiciary. Both the Presidential Council and the GNA were headed by Prime Minister Fayez al-Sarraj, a former member of the House of Representatives elected in Tripoli, who came from a well-known family involved in Libyan politics since the struggle for independence of the late 1940s. In an effort to dissolve the former GNC in favour of the UN-backed GNA, the bulk of its members were absorbed by the High Council of State, meant to be an advisory body to the House of Representatives. Thus, initially working out of Tunis, in March 2016 the new Presidency Council entered Libya and established itself in Tripoli, though few months later the House of Representatives voted to reject the new Government of National Accord. This rejection was significant because it demonstrated a deficiency in internal support among politicians from Cyrenaica which represented the majority of the House of Representatives. As a matter of fact, the Libyan Political Agreement was not accepted widely enough among Libyan population, consequently it was not effective in stabilizing the country either. A major problem was that the signatory actors were representative of neither the reality of political and military power relations nor the wider population of the country: the exclusion from the negotiations of some of the most important actors, namely Haftar's Libyan National Army and the militias of Tripoli, reflected the fragmented nature of the institutional dialogues and, perhaps, a certain naivety of the UNSMIL institutions. Primarily, Khalifa Haftar withdrew his support for the GNA unity government by establishing his own rival governmental force in Tobruk and consolidating his power through LNA's military initiatives. Meanwhile, when on 30 March 2016 al-Sarraj and other members of the GNA installed themselves in Tripoli strongly encouraged by UN Representative Martin Kobler, they were ignoring that the capital had been under control of several powerful militias since the revolution. Consequently, the new government became fully dependent on the goodwill of local militias, more interested in

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[34] International Crisis Group, *The Libyan Political Agreement: Time for a Reset*, in "Middle East and North Africa Report", no. 170, 2016, p. 1.
[35] UNSMIL United Nation Support Mission in Libya, *Libya Political Agreement*, Skhirat, 2015, https://unsmil.unmissions.org/sites/default/files/Libyan%20Political%20Agreement%20-%20ENG%20.pdf, accessed 19 July 2021.

maintaining their own territorial influence and willing to support the GNA only as long as they consider it useful for personal gain. In other words, the new government lost public support since the new Prime Minister al-Sarraj was perceived to have been handpicked by the UN Representative at the time and not democratically elected by the Libyan people. Therefore, the LPA suffered from a lack of internal legitimacy considering that, it can be argued, the internationally recognized GNA replaced a national government without the consensus of local institutions.[36] Moreover, notwithstanding the institutional recognition of the GNA implemented by Libya's most important economic organisations, namely the Central Bank of Libya (CBL) and the National Oil Corporation, the LPA process failed to address Libya's basic economic problems: the monetary crisis consisting in a combination of inflation, black market currency exchanges and a general lack of funds continued, and subsidies for basic foodstuffs were undercutting the budget plan.[37]

Another important factor that led to the failure of the stabilisation process is the troublesome role of competing international actors on Libya's reconstruction process, namely Turkey on the side of the GNA and Egypt supporting Haftar. More details on foreign intervention in Libyan internal politics will also be provided and discussed further in the text because of the relevance of some countries, especially Turkey, as key supporters in the crisis development. As mentioned above, the key allies of the anti-Haftar coalition were Turkey and Qatar, whose actions were primarily driven by support for political Islam and economic interests. In addition to these reasons, Turkey purported to have strong historic ties to western Libya, namely to the city of Misrata, because of the alleged existence of an ethnic group which is likely to be descendant of Ottoman Turks.[38] These ethnic connections have been used by Turkey's government as another compelling reason to justify its entrance in the Libyan theatre as guarantor of the Turkish-Libyans commercial traffics derived from centuries of intertwined history. In fact, the political affirmation of the Islamist-influenced GNA and of a leading role for Misrata are essential characteristics for pursuing Ankara's economic interests in Libya, not only in terms of conventional market share, but also in the field of arms deal and military funding in favour of pro-GNA Misrata's militias, in order to assure GNA's leverage on Libya by force. Regarding Qatari intervention, it is believed that Doha's interests in Libya were not only driven by economic and political reasons. In fact, engagement in Libya was a form of power projection through which

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[36] Wolfgang PUSZTAI, *Libya's Conflict. A very short introduction*, European Union Institute for Security Studies (EUISS), 2019, p. 4.
[37] PUSZTAI, *Libya's Conflict. A very short introduction*, op.cit., p. 5.
[38] Louis DUPREE, *The Non-Arab Ethnic Groups of Libya*, in "Middle East Journal", vol. 12, no. 1, 1958, p. 41.

Qatar supported the establishment of sympathetic regimes in areas of strategic importance, namely North Africa.[39]

On the other hand, the key supporters of the LNA intervention were Egypt, the United Arab Emirates (UAE), Saudi Arabia and Jordan. Their involvement was mainly due to security-related interests, in particular counterterrorism linked to the spreading of political Islam, albeit they also had economic interests in the country. In terms of logistics, Egypt and Jordan were supporting LNA's military operation with training provision, while Saudi Arabia and the UAE were in charge of financial funding, which was necessary for the LNA survival since, at the time, it had limited access to Libya's oil revenues, as under the control of GNA's institutional network. In particular, because of Egypt's condition as a Libyan neighbouring country, LNA supporters could enjoy a better geostrategic position thanks to the lower risk rate in moving military forces. As a matter of fact, Egyptian logistical support could be provided directly beyond borders, if necessary, without any risk of interception. Moreover, thanks to its maritime military coverage, Egypt was able to enforce a maritime embargo by controlling the traffic in the sea between Crete and Libya, and to intercept weapons and fighters travelling from Turkey to Libya.[40]

However, despite the strong pressure coming from those countries on Libyan internal crisis, a full responsibility for the LPA failure into foreign countries' hands must be excluded. In fact, what is certain is that the flaws emerged in the essence of the agreement during Skhirat negotiations should have been acknowledged sooner. Regrettably, UN inertia on international diplomacy, as well as the lack of internal consensus created the internal rift between the LNA and the GNA which would become the prelude to the second Libyan civil war.

1.2.3 Khalifa Haftar's attempted coup d'état: operation "Flood of Dignity"

Libyan crisis and territorial clashes continued throughout 2016. In particular, the year 2016 opened the season of a progressive internationalization of the Libyan war, with the entrance into the conflict of Russia at the side of the Libyan National Army, which had already conquered many strategic sites under the command of Field Marshal Haftar, such as key oil ports of al-Sidra, Ra's Lanuf, Brega and Al-Zuwaytina.[41] However, despite the beginning of negotiations between Russia and LNA, the actual mobilization of Russian-backed fighters on Libyan soil was not officially confirmed until 2019. Up to that date the clashes between Haftar's forces and GNA's military allies continued in Libya with a

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[39] Karim MEZRAN, Elissa MILLER, *Libya: From Intervention to Proxy War*, Atlantic Council, 2017, p. 3.

[40] PUSZTAI, *Libya's Conflict. A very short introduction*, op.cit., p. 6.

[41] Ayman AL-WARFALLI, *Clashes at Libyan oil ports as counter-attack repelled: officials* in "Reuters", 18 September 2016, https://www.reuters.com/article/us-libya-security-oil-idUSKCN11O08U, accessed 20 July 2021.

progressive exacerbation of violence and rivalry between the two factions. Moreover, in 2017, Islamic State (IS) expansion in Libya started moving south into the neglected Fezzan, the poorest region of Libya consisting mainly by desertic lands and, for this reason, more difficult to control. In fact, armed groups belonging to the IS managed to exploit the ongoing conflict between tribal and ethnic factions -particularly Tebu, Tuareg, and Arab- around Sabha, one of the largest cities in the south, in order to exacerbate internal tensions.

In the effort of solving the crisis, many international diplomatic interventions attempted to create a ceasefire and to establish a functioning democratic electoral process throughout 2017 and 2018. For instance, at the end of September 2017, the UN Special Representative for Libya, Ghassan Salamé, presented a new action plan for reviving the peace process by revisioning the Libyan Political Agreement: the Libyan National Conference, a diplomatic meeting with the aim of holding new presidential and parliamentary elections in 2019 in Libya.[42] The United Nations support Mission in Libya (UNSMIL) coordinated the preparation for this diplomatic event over eighteen months, by organizing seventy-five meetings inside and outside Libyan borders, in an attempt to collect as much legitimation as possible from broad consultation with both State and non-State actors. Field Marshal Haftar and Prime Minister al-Sarraj met several times during the negotiations under the auspices of UNSMIL and the Centre for Humanitarian Dialogue, but the efforts did not yield the proper results because on 4 April 2019 Haftar, taking everybody by surprise, declared war on the UN-recognised GNA and launched operation "Flood of Dignity", through which the LNA would militarily take over Tripoli. The initial aim of Haftar's attack on the capital was to perform a blitzkrieg, thus using the advantage of surprise. However, the plan of a quick takeover of the capital failed due to the delaying of the decisive military action, which enabled Fayez al-Serraj to call for reinforcements and to organize the resistance to protect the Government of National Accord. Instead of pushing into the capital, the LNA remained stuck in a war of attrition at the city gates, thereby not resolving the offensive in few hours as expected, instead triggering a humanitarian crisis in Tripoli.[43] Behind the failure of Haftar's attack on Tripoli there was a slow-recovery military management and, more importantly, a strategy that ignored the necessity of subduing Tripoli allied militias. The GNA in Tripoli, internationally recognized as the sole legitimate authority, proclaimed immediately the counteroffensive "Volcano of Anger" to arrange defensive mechanisms against Haftar's forces. At that point it was clear that Libyan civil war had just entered another violent phase.

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[42] Sami ZAPTIA, *UN launches Libya-wide public consultation programme* in "Libya Herald", 5 April 2018, https://www.libyaherald.com/2018/04/05/un-launches-libya-wide-public-consultation-programme/, accessed 20 July 2021.

[43] Inga Kristina TRAUTHIG, Amine GHOULIDI, *Looking into Libya. Contextualizing Khalifa Haftar's advances on Tripoli in April 2019*, in "Atlantisch Perspectief", vol. 43, no. 3, 2019, p. 12.

1.3 PRESENT CONDITIONS OF THE LIBYAN CRISIS (2019-2021)

According to mainstream interpretations of international law no armed faction can claim to be called as a national army without the acknowledgement of the internationally recognized government or without exerting effective control over the political capital, in the case in point, Tripoli. However, these arguments did not prevent the Libyan National Army from grabbing its own alleged legitimacy, and, on the strength of its previous territorial gains and military successes, on 3 April 2019, the LNA launched the operation "Flood of Dignity" to take control of western Libya. In fact, when Field Marshal Khalifa Haftar launched the military operation in an attempt to conquer the capital city and defeat the GNA's forces in order to extend its power over the country, he was already controlling south-western oil fields of Sharara and al-Feel. Moreover, the siege of the capital followed the mobilisation of LNA forces to Jufra and Sirte over the preceding weeks, while pursuing outreach efforts to develop relationships with local tribes and militias, in order to build a network of alliances in Tripolitania.[44]

However, despite LNA military preparation, the assault on Tripoli would not lead to a quick victory, as expected by Haftar's forces, but a rather protracted war of attrition. Many reasons suggested the failure of Tripoli's siege: firstly, the fact that Tripoli was a city with narrow streets and a big historic neighbourhood, which would undoubtedly result in a house-to-house fighting, once reached the centre. It is likely that LNA forces, aware of the pitfalls of the city structure, decided to adopt the so-called "Tripoli-tactic", namely a cat-and-mouse operation with the aim of luring GNA forces on the fringe of the city, such as the Tripoli International Airport (TIA), which was under LNA's control. The result of this tactic was nonetheless ineffective because Haftar's forces lose their momentum and were never able to enter the city, as can be seen in figure 1.

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[44] Jason PACK, *Kingdom of Militias. Libya's Second War of Post-Qadhafi's Succession*, Italian Institute for International Political Studies (ISPI), 2019, p.14.
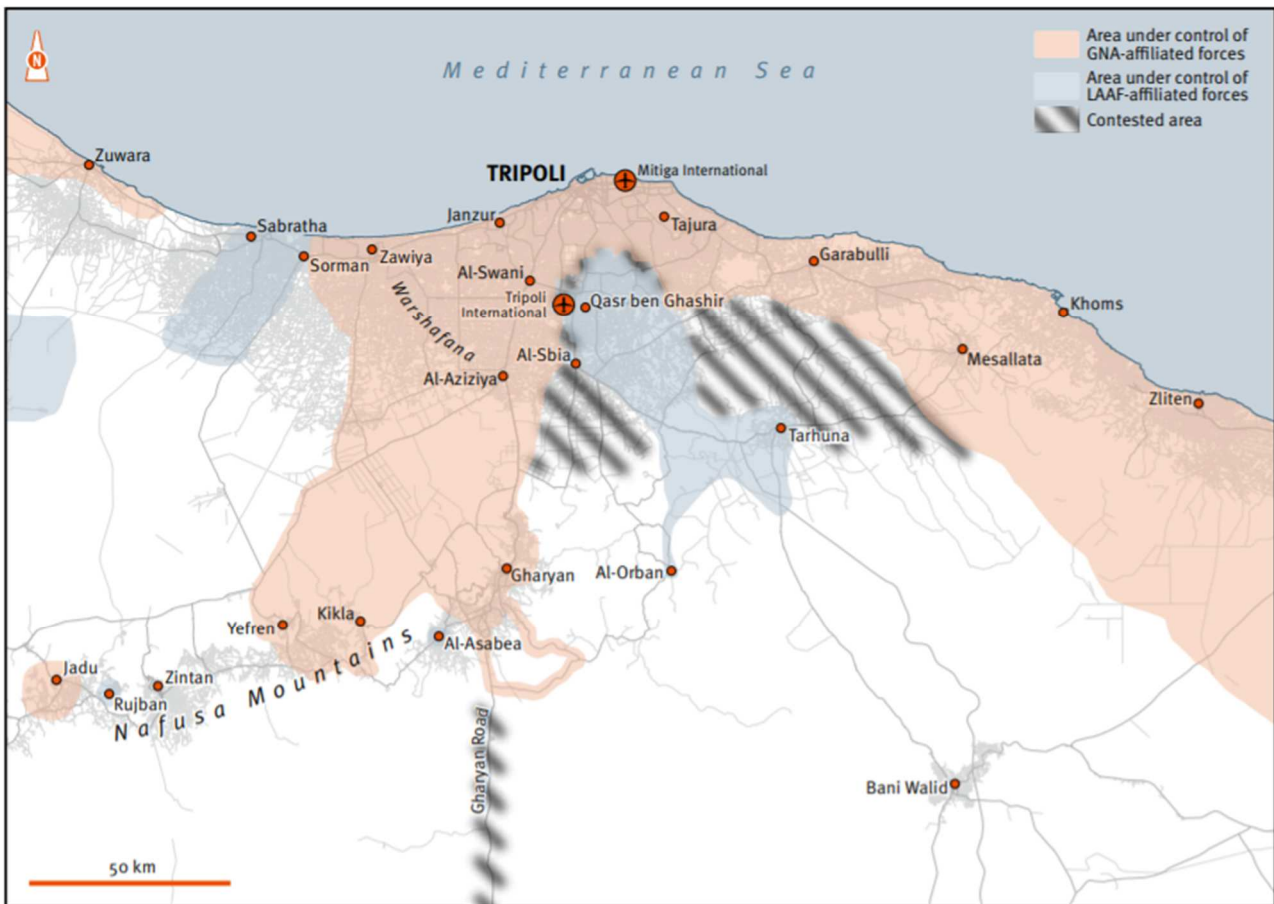
Source: Wolfram Lacher (base map data source: OpenStreetMap)

Figure 1. This map shows the situation of the siege of Tripoli as of 19 August 2019. The grey area was under control of Libyan Arab Armed Forces (LAAF) of Field Marshal Khalifa Haftar and, as can be seen, it is contained by the GNA-affiliated forces, which controlled the centre of Tripoli. The Tripoli International Airport was located on a contested area, being under Haftar's control.[45]

Secondly, another LNA difficulty in capturing Tripoli was due to the lack of funding, attributable to the fact that Haftar was receiving his military budget only from the eastern-based commercial banking sector affiliated to the HoR of Tobruk and from foreign sponsors, such as Egypt, while the LNA had the more generous support of the Central Bank of Libya (CBL), based in Tripoli.[46] Moreover, LNA's control over Libya's oil fields had not translated into increased revenues because of the lack of legitimacy by the CBL, which was the only institution able to directly sell Libya's oil and collect payment for it. Consequently, access to Libya's fiscal resources could be only achieved through the control of Tripoli. Thirdly, the LNA lacked in internal organisation to maintain control over the territories it was already occupying while fighting another battle elsewhere. In fact, despite the relatively well-trained soldiers under Haftar's command, the units existed in limited numbers and could hardly be deployed separately at the same time, especially considering Libya's vast

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[45] Wolfram LACHER, *Who Is Fighting Whom in Tripoli? How the 2019 Civil War is Transforming Libya's Military Landscape*, Small Arms Survey, 2019, p. 9.

[46] PACK, *Kingdom of Militias. Libya's Second War of Post-Qadhafi's Succession*, op.cit., p.16.

geography.[47] This overstretching of the LNA also justified the request for military external aid and mercenaries to Emirates and Russia.

1.3.1 The 2019 battle of Tripoli: factions and strategic assets

The two contender factions, Haftar's Libyan National Army (LNA) and Tripoli Protection Force (TPF), were based on a system of militias' alliances that was a result of the fragmented political situation in Libya. The militia landscape that came into being in Libya stemmed from a number of interlocking reasons: in the first place, because of the institutional power vacuum, local authorities and non-state actors were compelling to provide State services, such as order and security though the illegitimate use of force. Secondly, youth unemployment after the fall of Gaddafi, combined with the intention of rupture with the past resulted in a renewal of national military order, so that those who claimed to be militiamen received governmental salaries. Thirdly, the lack of rule of law after Gaddafi's overthrow generated opportunities to exploit public subsidies and trafficking networks, while the arming of single citizens and entire militias was relatively easy thanks to the vast supply of weapons available in Libya since the revolts. Lastly, the narrative of local and tribal identities as opposed to the weakness of national institutions produced the willingness to protect the community represented by the militia. In other words, being in a militia in Libya became profitable, because it could guarantee a preferential access to State subsidies, governmental wages, and a high social status in local communities, since all other activities outside the oil sector were neglected or less profitable.[48] Therefore, focusing back on 2019 Tripoli's battle, in response to the LNA attack, various former antagonistic armed groups in Tripoli and the wider western region undertook a coordinated mobilisation to the outskirts of Tripoli and fortified their positions ahead of the LNA's advance. It should be noted, in this regard, that the anti-LNA coalition was not born as a unitary force in defence of al-Sarraj's GNA, but it had backed the Tripoli-based government to evict whoever challenged the status quo of the capital, where existing militias could exercise their power. In fact, following a typical Arab tribal behaviour explained in the Bedouin proverb "my brother and I against my cousin; my cousin, my brother and I against the outsider", when the balance of local power is threatened, the dominant cartel of militias rallies around itself against the disturbing factor.[49] In reality, most of the militias continued to act under their original identity, and simultaneously under the banner of the Tripoli Protection Force (TPF). The five main components of the TPF, notably the Special Deterrence Force, the Nawasi Brigade, the Tripoli Revolutionaries Brigade, the 301 Battalion, and the Abu Salim Central Security Force composed a heterogeneous and diversified armed group with defence and

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[47] PACK, *Kingdom of Militias. Libya's Second War of Post-Qadhafi's Succession*, op.cit., p.18.
[48] PACK, *Kingdom of Militias. Libya's Second War of Post-Qadhafi's Succession*, op.cit., pp. 5-6.
[49] PACK, *Kingdom of Militias. Libya's Second War of Post-Qadhafi's Succession*, op.cit., p. 20.

counter-terrorism functions. The pivotal militia of Tripoli Protection Force was the Madkhali Salafist-leaning Special Deterrence Force, founded in the capital and led by Abdul al-Rauf Kara. It counted around 1,500 members, with a widespread influence across Tripoli, Zuwara, Sabratha, Surman and Zawiyya. The Special Deterrence Force drew its power from the control of key infrastructures such as the Mitiga Airport of Tripoli, which was the only functional international airport in the capital at the time. Another powerful subset was the 301 Battalion, one of the largest Misratan brigades, which was under the command of Abdul Salam al-Zoubi. The 301 Battalion drew troops from across the Western region, but its leaders were mostly from Misrata, traditionally the second most powerful and strategic Libyan city after the capital, making it one of Tripoli's most influential groups to derive its power from external supporters.[50]

Shifting the focus for a moment to the role of Misrata, it is important to underline that the mercantile city of Misrata, which detains the status of city-state, has developed its military forces since 2011 revolts. In fact, during the years of dictatorship, Misrata was one of the few areas that Muammar Gaddafi was not able to subjugate, hence it became a place of refuge for political opponents and businesspeople who did not agree with Green Book's precepts. Because of the concentration of opposition that had formed in the city, during the revolts against the Gaddafi's regime, Misratan forces tip the balance of the clashes through their decisive military action which brought to the capture of the leader and to his subsequent death. After the revolts, aware of their central role in overthrowing the dictatorship, Misratan militias decided to claim the management of political power in virtue of their increased negotiating authority, thus becoming the key powerbroker in western Libya. For this reason, during the 2019 battle of Tripoli, Misratan support to the Tripoli-based GNA government was a significative fact to define Libyan balance of power of the time and to understand the difficulties that Haftar encountered in his military action against the capital.

Despite the fact that the anti-LNA coalition managed to keep Haftar out of central Tripoli, the Tripoli Protection Force remained relatively fragile, and its continued viability was dependent on a number of factors, such as its commanders' willingness to fight rather than enjoy their personal power abroad, leaving thee GNA at the mercy of Haftar, due to the international legitimacy of the GNA which allowed it to deliver supplies and diplomatic cover to the component parts of the coalition. Moreover, the former contrasting relationships among different militias, which formed a coalition only to fight against the LNA, created the constant fear of settling old scores. For this reason, some groups such as Misratan forces did not fight on the same front where, for instance, Tripoli militias stood and many

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[50] PACK, *Kingdom of Militias. Libya's Second War of Post-Qadhafi's Succession*, op.cit., pp. 25-26.

other militias followed the same scheme, creating a complicated network of internal alliances and underlying enmities.

1.3.2 The internalization of the conflict

In 2019, neither the LNA nor the GNA's armed forces were as military strong as they were portrayed. On the one hand, the LNA was more a patchwork of militias than a trained army united behind shared values. The myriad of armed groups which composed Haftar's army joined the LNA for different reasons: personal ambitions, anti-Islamist ideology, simple dislike for al-Sarraj's affinity with the United Nations, and so forth. On the other hand, at the time of Haftar's attack, GNA's Presidential Guards was scarcely prepared to protect de government, showing the military weakness of the pro-GNA military forces. For this reason, following the aforementioned trend with regard to the internationalization of the conflict management, both the LNA and the GNA allowed foreign intervention, thus shaping the Libyan crisis in a crowded international arena torn apart by opposing strategic interests and political ambitions. As mentioned above, the Libyan conflict was already backed by foreign regional powers, such as Egypt, Qatar, and United Arab Emirates. The involvement of powerful and influencing international actors, notably Russia and Turkey, transformed the outcome of the war.

The first contender of the conflict that explicitly invited foreign military forces in Libya was Fayez al-Sarraj. As already pointed out, operation "Flood of Dignity" took the GNA by surprise, revealing the lack of military coordination of the pro-GNA contingent. In order to defend himself and his executive, al-Sarraj had to call for external help, founding it in the Turkish government represented by the President Recep Tayyip Erdogan, a long-term ally of the GNA. From that moment, Turkey intensified his military support in favour of the protection of al-Sarraj's government.

Many reasons linked Erdogan's interests to the GNA's survival. Firstly, the shared ideology of political Islam as a means to rule the executive. To better explain this linkage, it is necessary to widen the discussion to Erdogan's national and international ambitions derived from his political ideology since his rise to power. In Erdogan's view, Middle East and North Africa, as well as the entire Mediterranean region, represented an important opportunity to expand Turkey hegemony on the former territories of the Ottoman Empire, through a political doctrine defined neo-Ottomanism. Neo-Ottomanism is an ideological drive focused on Turkey's obtainment of soft power on the larger Middle East and North Africa. In terms of its geo-strategic vision, neo-Ottomanism is not interested in pursuing neo-imperialist objectives in the traditional sense, but is determined to build a relevant diplomatic, political, and economic role for Turkey in the new regional configuration. Thus, neo-Ottomanism projection of Turkey as a regional superpower is implemented through the constitution of Turkey as a bridge between Asia and Europe built on its Muslim heritage, with the aim of forming

a secular state with a -theoretically- democratic political system and a capitalistic economic force.[51] To ensure this role, Erdogan's action has been characterized by the ideological support to the Muslim Brotherhood in Arab countries, as well as to the Islamism, thus leading to a rupture with countries like Egypt, United Arab emirates and Saudi Arabia, which, conversely, oppose to political Islam. Secondly, in addition to ideological ties concerning Islam, another reason leading Turkey's intervention in the Libyan crisis was represented by the attractiveness of maintaining a special place in the regional economy through foreign direct investments on reconstruction and on export of oil and gas. As a matter of fact, Libya is one of the most important oil producing countries in Africa, and this economic potential was even more attractive given the lack of a strong unitary government. Moreover, through its projection in Libya Turkey wanted to ensure a certain control over the maritime resources, thanks to the northern border with the Mediterranean Sea. This latter motivation has been effectively proved in November 2019 by the official signing of two controversial memoranda of understanding on maritime borders and security and military cooperation between Turkey and the Government of National Accord. The maritime memorandum had the aim of establishing an exclusive economic zone (EEZ) in the Mediterranean Sea.[52] According to the agreement, the GNA would recognize Turkish sovereign rights to the exploitation of maritime resources of the disputed territory in the Mediterranean Sea and, in return, Turkey would provide military assistance to al-Sarraj's faction in the Libyan conflict. However, the memorandum was recognized neither by the international community nor by the House of Representatives in Tobruk, since defined it as "null and void by all standards".[53] Moreover, further in the course of the war, while GNA forces were struggling to pursue an effective counter-offensive against Haftar's forces and President Erdogan was at home attempting to complete the parliamentary procedure to formally authorize the deployment of his National Army, he decided to send some reinforcement to Tripoli Protection Force, which was in trouble, thereby compensating for the lack of a legally-binding intervention. Following the example of Russian President Vladimir Putin, who, as I will discuss later, had implicitly agreed to the deployment of contractors from Wagner group in the Libyan arena, Erdogan apparently decided to contact Turkish backed Syrian fighters, trained by SADAT group, a controversial Turkish defence company that provides international consultancy and military training services in various crisis area worldwide. According to its own website, "SADAT Inc. aims at establishing the cooperation among the Islamic

[51] Ömer TASPINAR, *Turkey's Middle East Policies: Between Neo-Ottomanism and Kemalism*, in "Carnegie Endowment for International Peace", no. 10, 2008, pp. 1-3.

[52] Gallia LINDENSTRAUSS, Sarah J. FEUER, Ofir WINTER, *The Perils of the Turkey-Libya Maritime Delimitation Deal*, in "Institute for National Security Studies", no. 1238, 2019, p. 1.

[53] Sawsan ABU HUSSEIN, Khalid MAHMOUD, *Libya: Saleh Rallies Support Against Sarraj, Erdogan MoUs*, in "Asharq Al-Awsat", 10 December 2019, https://english.aawsat.com//home/article/2029376/libya-saleh-rallies-support-against-sarraj-erdogan-mous, accessed 20 July 2021.

Countries in the sense of military and defence industries, in order to assist the Islamic World to take the rank it deserves among the Super Global Powers as a self-sufficient military power, by submitting them the services regarding the organization of Armed Forces, defence consultancy, military training, and ordnance".[54] This way, Turkish government added another destabilising external factor in Libya by paving the way for the settlement for Turkish-backed Syrian foreign fighters, namely mercenaries who would have prolonged their stay in Libya, and consequently postponing the crisis resolution, merely because they were receiving their salary from that.

The military intervention of Turkey led Field Marshal Haftar to ask for international help as well, therefore referring to his respective foreign ally: Russia. As early as 2016, formal negotiations between the President of Russian Confederation, Vladimir Putin, and the Field Marshal Khalifa Haftar, Commander of the Libyan National Army, had begun. In fact, despite Russia's supposed refusal to support LNA forces in the absence of a comprehensive political settlement, Russia had provided training and medical support to LNA since 2016.[55] But it was only in 2019 that Vladimir Putin joined the side of Haftar in a more manifest way, using the fight against terrorist Islamic groups as an expedient for his involvement in the Libyan crisis.

In the context of Libyan crisis, Russia supplied the LNA with weapons, aircrafts, and mercenaries from the Wagner Group, a controversial private military company traced back to the Kremlin's control.[56] On October 2019, some witnesses present on the battlefield reported the presence some soldiers attributable to Wagner's group without the explicit announcement of Russia, thus suspected of illegal military activity, that, in fact, was violating UN arms embargo.[57] To better understand the reasons behind Putin's intervention, it is necessary to underline that Haftar and Putin shared the same political project averse to Islamism: the spreading of political Islam was not occurring only in Libya, therefore, already in 2015 Putin had intervened in the Syrian conflict in a series of military actions against the Islamic State of Iraq and the Levant (ISIL). The reasons behind the Russian fight against Islamism referred to the strategic preservation of the centralized authority in the hands of the President. In terms of security support, in facts, all kinds of terrorism and radical extremisms tend to undermine the absolute power within the State. Thus, in a confederation like Russia, where the

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[54] SADAT A.S. International Defense Consulting, https://www.sadat.com.tr/en/about-us/our-mission.html, last access 22 July 2021.

[55] Chloé BERGER, Barah MIKAIL, *From Syria to Libya: the limits of Russia's quest for its past "grandeur"*, in Chloé BERGER, Cynthia SALLOUM (edited by), *Russia in NATO's South: Expansionist Strategy or Defensive Posture?*, NATO Defense College, 2021, p. 36.

[56] BERGER, MIKAIL, *From Syria to Libya: the limits of Russia's quest for its past "grandeur"*, op.cit., p. 36.

[57] Marc NEXON, *Ces miliciens russes morts en Libye qui embarrassent Moscou*, in "Le Point International", 8 August 2010, https://www.lepoint.fr/monde/ces-miliciens-russes-morts-en-libye-qui-embarrassent-moscou-08-10-2019-2340022_24.php, last access 22 July 2021.

executive power is centralized in the hands of the absolute leader, namely Vladimir Putin, any external solicitations towards the rise of extremism, even beyond national borders, is cause for concern. In actual fact, from 2014 to 2016, the rise of the ISIL seemed unstoppable, as well as the spreading of Islamic extremism in the North of Syria, and the management of foreign policy was a matter of internal security in Putin's view, given the proximity of the Syrian border to Caucasus. In fact, when Syrian civil war entered in a less active phase, the Kremlin had the opportunity to employ the military resources developed in Syria in another MENA region, namely Libya, with the ambition of base its military power in a politically malleable country on the shores of the Mediterranean.

The employment of former Syrian fighters during the crisis of 2019 has been strongly criticized by the international community, because of the bad reputation of the Russia-backed forces such as Wagner's contractors and Syrian foreign fighters, who were infamous for being active in many other troubled States, as shown in figure 2.
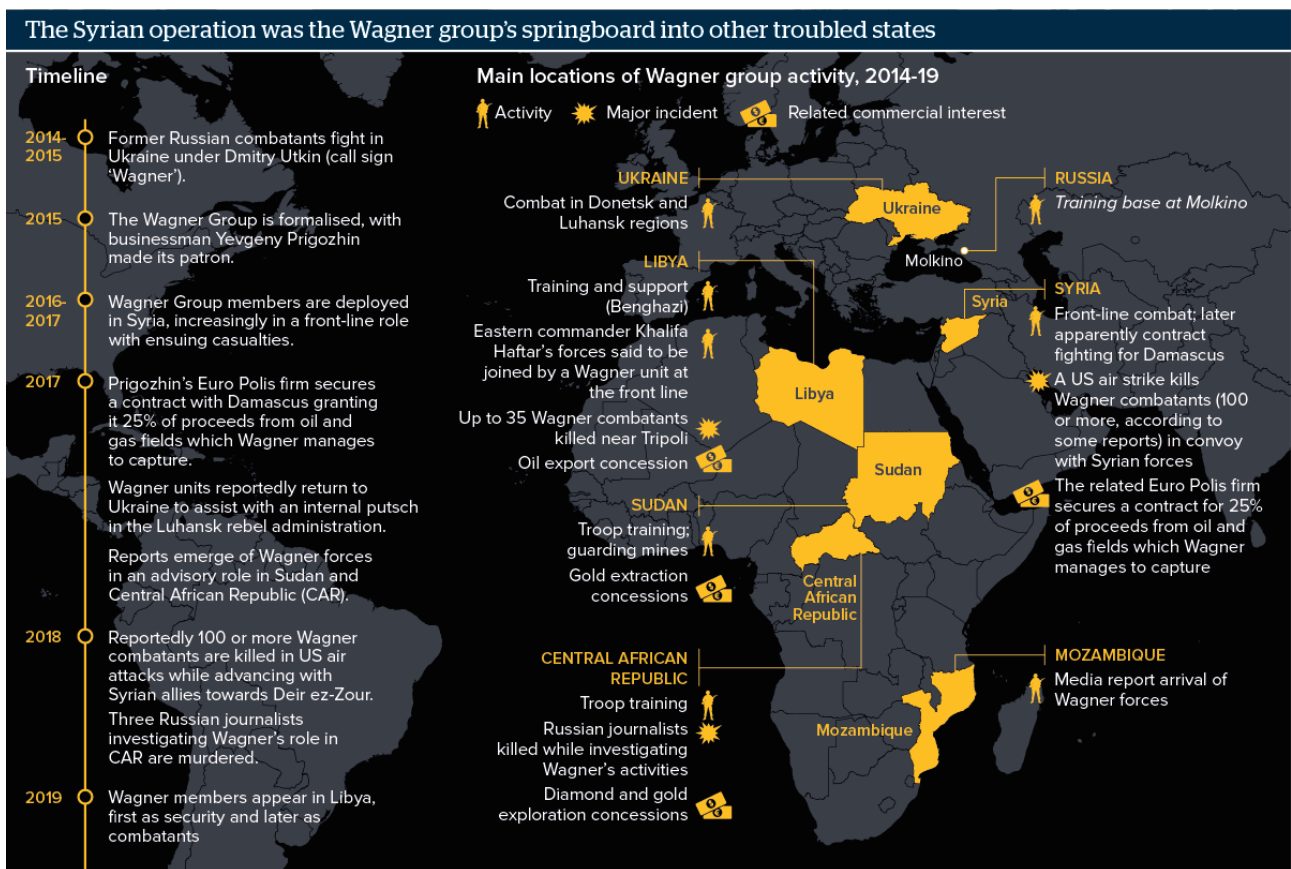
Figure 2. This image shows timeline of the Wagner group appearances in various conflict zones of the world from 2014 to 2019, while the map highlights the main location of the Wagner group activities in the same period. As it can be seen, Wagner's military operations in Libya started in 2019 at the side of Khalifa Haftar's forces.[58]

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[58] Oxford Analytica Daily Brief, *Wagner force offers Russia arm's-length deniability*, 2019.

However, besides internal security concerns, the entrance in the MENA region represented for Russia also a chance at redemption from the eternal dichotomy with the United States in foreign policy, in order to project Russian power in another strategic scenario. In fact, Russian government considered the United States as a source of political and economic destabilization in the entire MENA region, although the two powers have been sharing a common interest concerning the counter terrorism effort since the 2011 uprising. However, in practice, this alignment was hampered by differing definitions of terrorism and divergent methods of action. Moreover, strengthening ties with Libya would serve several Russian strategic objectives, such as gaining an improved access to the Mediterranean Basin and obtaining more political leverage against Europe. Furthermore, closer relationships would have increased the opportunities for Moscow to expand its arms sales in North Africa.

Through their interventions, both Turkey and Russia were seeking a long-term military presence and political influence in Libya in order to strengthen their position in the Mediterranean Sea. However, while exploiting Libyan resources was a necessary goal for Turkey's economic and regional influence, it was not the same for Russia, which detained a stronger position in the region as superpower.[59]

While Turkey and Russia took action in the conflict, albeit for their own opportunistic gains, the European Union and notably Italy did not act with urgency and determination in the situation of emergency burst in Libya. In particular, Turkish intervention has been facilitated by Italian disengagement that followed al-Sarraj's request for military support in front of LNA's attack in 2019. Italy's close cooperation with Libya had important historical roots but, in spite of this, Italian government preferred to engage in another diplomatic dialogue, in line with the European attitude characterized by the willingness of resolving conflicts at the negotiating tables, instead of meeting GNA's requests with a responsible, low intensity military operations. Hence, the management of the crisis was given to Turkey's militant approach, which triggered a series of events leading to a prolonged war between Haftar's forces and the GNA, and to the escalation of the state of crisis in the Mediterranean Basin. Moreover, the divergence of opinion within the European Union contributed to the weakness of diplomatic efforts and multilateral dialogues in 2019. On the one hand, the official European position on Libya consisted in an attitude of non-interference, following UN's directives on sovereignty and arm embargo. However, on the other hand, some European member States, notably France, Greece, and Cyprus, have supported Haftar's attack in contrast with the general line of the Union. To make matters worse, according to a Panel of Experts' report, the Libyan crisis has been exacerbated by systematic violation of arms embargo not only by foreign countries involved in

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[59] BERGER, MIKAIL, *From Syria to Libya: the limits of Russia's quest for its past "grandeur"*, op.cit., p. 37.

the clashes, such as Russia and Turkey, but also by many European countries that, on paper, had refused the military resolution of the crisis.[60]

1.3.3 The Berlin Conference and the election of a new interim government for Libya

On 12 December 2019, Khalifa Haftar announced another offensive against Tripoli, with the aim of launching the last definitive attack to take the capital. In this context, Russia and Turkey called their respective mercenaries, while GNA's forces ant the LNA were continuing their clashes. In response to the exacerbation of the conflict and to the sharp growth of Turkish and Russian involvement, in January 2020 the head of UNSMIL, Ghassan Salamé, who had already tried to set up a dialogue during the years 2018 and 2019 by creating a new political process that would lead to a new civilian government and national security institutions, implemented the three-point Libyan peace plan and declared a temporary truce during a meeting in Moscow. Since the future of the war and the peace settlement had passed in the hands of Turkey and Russia, whose military leverage led to them being political key actors, thus impinging on European and Western interests, the European Union attempted to maintain its relevance announcing two important steps of the peace process: the Berlin conference, set for 19 January 2020, and the IRINI naval operation, to enforce the UN arms embargo in place since 2011. The entry into force of EUNAVFOR MED IRINI, however, has laid divisions within the European Union as Greece, following opportunistic interests against Turkey, pushed for the mission to focus on disrupting Erdogan's naval resupply routes, with the presumably larger aim of eliminating the Turkish-Libyan maritime and security agreement.[61]

On 19 January, leading representatives of the countries involved in the conflict were reunited at the Berlin conference organized under UN auspices. During the meeting, German Chancellor Angela Merkel unsuccessfully proposed to Khalifa Haftar and Fayez al-Sarraj, both present in Berlin but in two different rooms, to transform the truce into a ceasefire agreement. However, the Berlin conference was not a complete disaster because the rest of the participants, especially European member States, signed resolution 2510 (2020)[62] to ratify a newfound respect for the arms embargo, which, as just mentioned, would have been monitored by the IRINI naval operation.

During summer 2020, the two sides, GNA and LNA forces, continued to fight each other whilst their international supporters were slowly defining their respective zones of influence: Russa, being the

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[60] UN Security Council, *Final report of the Panel of Experts on Libya established pursuant to Security Council resolution 1973/2011*, 2021, https://undocs.org/S/2021/229, last access 21 July 2021.

[61] Tarek MEGERISI, *Geostrategic Dimensions of Libya's Civil War*, in "Africa Security Brief", no.37, 2020, pp. 6-7.

[62] UN Security Council, Resolution 2510, 2020, https://digitallibrary.un.org/record/3850557?ln=en, last access 23 July 2021.

principal allied of Haftar's LNA, started projecting its influence on Cyrenaica, while Turkey could establish its supremacy on Tripolitania, at the side of al-Sarraj's GNA. At the end of summer 2020, thanks to the efforts to achieve a diplomatic dialogue within the framework of the Libyan peace process, Tripoli's sieged was declared officially over. A major step in the negotiations process started on 21 August 2020, when Fayez al-Sarraj and Aguila Saleh, President of the House of Representatives of Tobruk, announced a joint ceasefire and called for the establishment of a temporary presidential council in Sirte with the task of organize new parliamentary and presidential elections to be held in March 2021.

Before analysing the elections results, from November to March a series of meetings and negotiations were held under the auspices of UNSMIL in order to establish some recommendation as part of the Libyan Political Dialogue Forum (LPDF), a special round of negotiations appointed to relaunch and ensure the restructuring of the unitary government. The LPDF talks started on 7 and 8 November 2020 and continued from 9 to 15 November, facilitated by the efforts of the Acting Special Representative of the Secretary-General for Libya and new Head of UNSMIL, Stephanie Williams. This round of meetings which took place in various States, such as Switzerland, Morocco, Russia, and Egypt, had the objective of defining an understanding on the new provisional order of power: the intention of UNSMIL was to designate a threefold representation of Libyan population, with a Presidential Council formed by three members elected for each region of the country, and one independent Prime Minister. In realty, the LPDF was based on three different pillars, since it was responsible not only of the political transition, but also of the economic recovery and the military pacification, whose details will be addressed in the next chapter.

Concerning the political transition, the turning point in the negotiating process arrived on 18 January 2021, when UNSMIL announced the formation of a special committee chosen from among 75 members of the LPDF, who voted in Geneva to form an interim government which would have led the country towards credible and democratic national elections on 24 December 2021. The UNSMIL decided on a complex mechanism for nomination and election: each submitted list had to include four candidates representing a tripartite Presidential Council and a Prime Minister. Until the results of the final round were announced, expectations remained that Aguila Saleh's list would win the elections, given the political and military relevance of the candidates. As a matter of fact, Aguila Saleh hailed from the influential Obaidat tribe in the Cyrenaica and since 2014 has held the Presidency of Tobruk's House of Representatives. He presented his list with three other important figures, whose most prominent was Fathi Bashagha, one of the leading political and security figures not only in the in the

capital -because of his role as Minister of Interior of the Government of National Accord- but also in the rest of the country, as hailing from the important city-state of Misrata.[63]

Against all expectations, the final results of the vote saw the victory of Abdul Hamid Dbeibeh as the new Prime Minister ad interim, a rich businessman from Misrata, well accepted both from Russia's and Turkey's forces but, most importantly, close to the Muslim Brotherhood's ideas. It is important to underline Dbeibeh's hometown, especially considering the pivotal role played by Misrata in Libyan political and military dynamics. Regarding instead the tripartite Presidential Council, Mohammed Younes al-Menfi from Tobruk -thus representative of Cyrenaica- has been elected President, while Abdullah al-Lafi and Musa al-Koni have been appointed vice-Presidents in representation of Tripolitania and Fezzan respectively. Since none of the candidates were dominant personalities in the Libyan political and military scenes and had no direct involvement in the ongoing conflict in the country since 2014, the winning of Dbeibeh's list over Aguila Saleh's nomination was a shock for the forum. For this reason, among the most prominent challenges that Abdul Hamid Dbeibeh had to face during the transitional period was to obtain the legitimation for his new cabinet from the Libyan parliament. In fact, Dbeibeh, upon being voted as Prime Minister, immediately began consultations with tribes, political parties, and leaders of militias with the aim of building a competitive government team to be submitted to national parliament's vote. The tribal and regional balances were evident in his executive selection, with the regional background as a criterion to choose ministries, as well as the necessary conditions that had to be met by candidates, such as not to have held any ministerial positions since 2011.[64] In the new government's intention, the deputies chosen to form the executive were united by their lack of direct involvement in the conflict that the country had been witnessed since Haftar's attack on Tripoli. In addition, the choice of Musa Al-Koni as vice-President representing the Tuareg tribes in Fezzan for the first time in Libya's history appears to be an implicit message in support of the building of a national unity by opening up to all components of Libyan society.[65] Despite the unexpected election of Dbeibeh government in the framework of the LPDF, in Sirte's parliamentary session, the vast majority of deputies in its favour, proving the consent of the Libyan population for this new executive. The national positive reception consequently increased the government's international legitimacy, even from Turkey, Russia, and the Arab League.[66]

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[63] Arab Center for Research & Policy Studies. *A New Interim Government Elected in Libya: Background and Prospects*, Arab Center for Research & Policy Studies, Qatar, 2021, p. 2.

[64] Arab Center for Research & Policy Studies. *Libya's New Cabinet: Formation and Challenges*, Arab Center for Research & Policy Studies, Qatar, 2021, p. 1.

[65] Arab Center for Research & Policy Studies. *A New Interim Government Elected in Libya: Background and Prospects*, op.cit., p. 3.

[66] Arab Center for Research & Policy Studies. *Libya's New Cabinet: Formation and Challenges*, op.cit., p. 2.

CHAPTER II

UN AND UE PEACEBUILDING MISSIONS IN LIBYA

As highlighted in the previous chapter, the uprising erupted with the death of Gaddafi in Libya led to the collapse of political, security and military structures of his authoritarian regime. The causes of Libya's chaos were traceable to the failure of the socio-political and economic experiment of the Jamahiriyya and its attempt to establish a modern State. The aforementioned chaos originated from Gaddafi's death saw the intervention of several non-state actors, such as civil society's products like militias, as well as foreign fighters and mercenaries. However, throughout the years of the civil war, also supranational actors decided to intervene in the conflict, especially the United Nations and the European Union, through specific institutions created to solve the conflict without armed interventions, namely through the establishment of a series of peacebuilding operations.

In general, within the Libyan framework, the attempt at peacebuilding was inconceivable for a long time because the uprisings led to the division of the population into pro- and anti-regime elements while the regions, cities and tribes polarized themselves into sub-categories under the heading of winners and losers. Moreover, after decades of single-party system and repression of the opposition during Gaddafi's dictatorship, the desired peace was a monolithic idea that excluded any real or potential rival counterparts also through the use of force because of the remanent lack of democratic coordination. Hence, the objective of reaching a post-uprising comprehensive peace deal was rejected for many years by Libyan population, particularly given that the victorious rebels, their transitional body and their foreign backers were completely disinterested in recognizing the political dignity of minorities who had not played an active part in the conflict, excluding them from discussions on the peace settlement.[67] Thus, transitional justice was replaced with victor's justice.[68] To make matters worse, during the uprisings, NATO and Western countries ignored Gaddafi's contentions on the presence of jihadists and criminals involved in the fighting with the aim of overthrowing him and taking control of the country. This negligence had the effect of leaving part of the tasks of post-conflict reconstruction in the hands of such element, since the interim Libyan authorities created with the help of international institutions were not ready to accept any real meaningful post-conflict operations, thereby facilitating the control of armed factions over the country. Confirming what stated

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[67] Youssef Mohammad SAWANI, *Security sector reform, disarmament, demobilization and reintegration of militias*, in "Contemporary Arab Affair", vol. 10, no. 2, 2017, pp.173-174.
[68] Yezid SAYIGH, *Crumbling States: Security Sector Reform in Libya and Yemen*, in "Carnegie Middle East Center", 2015, p. 23.

before, according to Ian Martin, the first chief of the United Nations Support Mission in Libya (UNSMIL), "unless the security situation is addressed quickly and effectively, interests of various stakeholders may become entrenched, undermining the legitimate authority of the State".[69] Consequences of the lack of foresight on the part of supernational actors implied a continuous deterioration of the security situation: militias gained the upper hand and became even more entrenched in their positions, while the UN-backed transitional authorities resulted unable to know how to control the security situation, with the flow of weapons continuing to enter the lawless country. In other words, because of UN's omissions in controlling civil society degeneration in the post-Gaddafi period of reconstruction of Libya as a State, the subsequent proliferation of arms and the large number of armed persons that took the power have contributed to prolong the time of instability within the country and have caused renewed conflict that occasionally threatened to spill over into neighbouring States.

A general definition of peacebuilding describes it as "an analytical and strategic framework for promoting sustainable peace in societies engaged in, emerging from or potentially entering violent conflict".[70] Peacebuilding operations usually take place at the final stages of conflicts or immediately after a cessation of violence, and aims to build lasting social and governance structures for a sustained peace. Moreover, peacebuilding overlaps with other concepts related to post-conflict resolution, such as peace-making and peacekeeping, a fact which, while trying to present a holistic framework for peace and development promotion, may undermine its conceptual clarity. For this reason, the term peacebuilding is used as an umbrella to define the common ground in which actors involved in security and development design and implement strategically their actions.[71] In recent decades, peacebuilding has emerged as one of the most important aspects of international operations in conflict and post-conflict scenarios, albeit its effectiveness has been highly contested due to the persistence of conflicts in many countries where peacebuilding has been put into practice. Although several post-conflict strategies similar to the concept of peacebuilding were applied in the past, such as the Marshall Plan at the end of World War II, the first appearance of the contemporary concept of peacebuilding became part of UN official discourse in 1992 when former UN Secretary General of the United Nations Boutros Boutros-Ghali utilized the term in his Agenda for Peace. Boutros-Ghali referred to peacebuilding to explain the activities to be immediately undertaken after the cessation of violence with the aim of supporting structures which would strengthen peace in order to avoid a

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[69] UN News Service, *Libyan authorities working to respond to people's high expectations - UN envoy*, 22 December 2011, https://www.refworld.org/docid/4f0ae6ce2.html, last access 28 July 2021.

[70] Christoph BLEIKER, Marc KRUPANSKI, *The Peacebuilding Context*, in "The Rule of Law and Security Sector Reform: Conceptualising a Complex Relationship", vol. 5, London, Ubiquity Press, 2012, p. 10.

[71] BLEIKER, KRUPANSKI, *The Peacebuilding Context*, op.cit., pp. 10-11.

relapse into conflict. The innovation of his formula of peacekeeping was the involvement of the UN system as a major actor in bringing both short-term and long-term resolution to conflicts.[72] By 2001, another post-conflict intervention concept named responsibility to protect (R2P) began to gain momentum within the international community as the normative framework for legitimizing humanitarian interventions in conflict areas. The R2P norm stressed the fact that that the international community has a responsibility to protect human lives in countries where national governments are either unable or unwilling to provide that kind of protection towards their citizens. Moreover, being another crucial element to the peacebuilding idea, the R2P norm implies a rebuilding agenda that promotes security for all, good governance, and sustained social and economic development in order to prevent future military interventions.[73] Indeed, it can be difficult to draw a clear line between peacebuilding tools and other type of interventions such as humanitarian actions (R2P), peacekeeping and development, since peacebuilding represents a holistic conceptual framework and a long-term approach to conflict recovery, thus embodying a broad range of approaches, processes and stages in order to achieve its goals. However, the main objective that in contemporary peacebuilding makes the effort noteworthy is that international interventions should go beyond the restoration of physical security and stability, instead including long-term initiatives with the aim of establishing socioeconomic reforms and creation of legitimate political institutions within post-conflict societies. Following an introductory phase where these interventions usually aim at forming the basis for the disarmament of the warring factions through diplomatic negotiations (the process of Disarmament, Demobilisation and Reintegration of fighters, also known with the acronym DDR), the second long-term phase is characterised by the Security Sector Reform (SSR) to create an appropriate environment for sustainable peace and development.[74] From the mid-1990s onwards, combined DDR and SSR initiatives are considered necessary for the realisation of security and to prevent the possible re-eruption of violence that threatens the social fabric and prospects for national recovery within post-conflict environments. An essential element that may guarantee successful DDR is that of negotiating and agreeing on a peace treaty through the planning of a road map that is considered as acceptable to all parties concerned in the conflict, with no room for residual competitions and inequalities among armed factions. In recent years the United Nations have called for more closely coordinated DDR and SSR strategies in their peacebuilding and State building interventions. What highlighted above regarding Libya's domestic situation shows that, at the dawn of Gaddafi's overthrow, the country was in dire need of a security sector reform (SSR) and eventual disarmament, demobilization, and

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[72] Andy KNIGHT, *Linking DDR and SSR in post-conflict peacebuilding in Africa: An overview*, in "African Journal of Political Science and International Relations", vol. 8, no. 3, 2014, p. 2.

[73] KNIGHT, *Linking DDR and SSR in post-conflict peacebuilding in Africa: An overview*, op.cit., p. 3.

[74] KNIGHT, *Linking DDR and SSR in post-conflict peacebuilding in Africa: An overview*, op.cit., p. 1.

reintegration (DDR) of Libya's armed actors with the goal of reaching long-term stability and the development of effective governance institutions. Nevertheless, the main problem to solve was that most of the dangerous and sophisticated weapons existing in Libya were held by tribal and regional militias, which might use their military power as a bargaining chip in the DDR process. Consequently, due to the internal fragmentation, certain parties might feel potentially threatened and therefore resort to hiding arms for possible use later, thus preventing the success of the disarmament operations.

In fragmented situations as the Libyan case, the first step has been to draft and sign a national peace and reconciliation treaty, without excluding any engaging party's grievance. Hence, any transition strategy had to involve a national dialogue that placed an appropriate value on transitional justice, on the revival of the national economy and on the inclusion of all vulnerable social groups and minorities. As it will be explained below, in the Libyan case and given the social and tribal polarization resulting from the conflict, national reconciliation enshrined in an agreement between the multiplicity of stakeholders and actors involved in the post-Gaddafi's conflicts has been the first action in the making of any DDR programme proposed by the United Nations.[75]

2.1 United Nations Support Mission in Libya (UNSMIL)

Before starting our focus on UNSMIL, it is important to underline that foreign interventions in crisis areas aiming at resolving internal conflicts usually bring along a series of problems regarding the legitimation of the external action; in particular, finding the balance between supranational intervention and respect for national sovereignty is in many ways the central dilemma confronting the United Nations and other actors engaged in Libya's crisis resolution today.

Historically, the United Nations had been a pivotal organization involved in the formation of the modern Libyan State. In fact, during the post-World War II period, UN official Adrian Pelt oversaw a transitional period from 1949 to 1951 conceived for Libyan citizens to write a federal constitution incorporating the three regions of Cyrenaica, Fezzan, and Tripolitania into a unitary country. Despite its initial inclusion in the foundation of Libya, the United Nations acted as a minor player for the years beyond Muammar Gaddafi's coup d'état, also because of the marginalization of any form of dissent and external intervention implemented during Gaddafi's regime. In April 2011 the UN secretary general at the time, Ban Ki-moon, appointed Ian Martin as his special adviser to coordinate post-conflict planning for Libya because of the fold taken by insurgents against Muammar al-Gaddafi's regime. In September 2011, a few days before the death of the leader, the United Nation

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[75] SAWANI, *Security sector reform, disarmament, demobilization and reintegration of militias*, op.cit., pp. 172-173.

Security Council established UN Support Mission in Libya (UNSMIL) with resolution 2009 (2011). With the creation of UNSMIL, despite the variety of roles and responsibilities that the UN organism had to implement, concerning for instance future governance arrangements, security sector reform, and diversifying the economy away from an oil-based revenues distribution system, UN Security Council focused above all on the establishment of an inclusive transitional government in Libya over security sector and economic reforms, as one might deduce from the text of the Resolution 2009 (2011).[76]

After the fall of the leader and as a consequence of distrust of bilateral negotiations, Libya's National Transitional Council appealed to the United Nations to re-implement its key role in the imminent political and democratic transition. In fact, behind the façade of the transitional government, there was no experience with parliamentary and executive procedures, including consultative processes and transparent decision-making mechanisms. Thus, through its work, UNSMIL endorsed the work of the National Transitional Council, with the objective of holding fair and free elections in Libya, that would eventually lead to the creation of the General National Congress. However, the strategy of focusing on the democratic transition has been source of extreme controversy because of the lack of progress in national security sector, albeit the success of the GNC election represented a great achievement in UNSMIL political agenda. In fact, some international observer argued that among the causes of the ensuing chaos in Libya was the neglect towards security sector reforms and that, had it been prioritized before the elections, the internal crisis could have been prevented. However, the desire for elections among Libyans was so strong that they would have probably taken place even without UN support. Furthermore, to better explain the preference towards political transition over security sector reforms, it is important to underline also the leverage of the national civil society in the post-conflict decisions: in order to intervene in Libya, the UN Security Council had to meet requests and grievances of the Libyan revolutionaries, who wanted to get rid of Gaddafi's regime in the first place, but without international military presence so that they could finally be masters of their own destiny. Consequently, Libyans' intentions meant that there was not to be a peacekeeping component to act as a stabilization force, but that if the UN had to intervene, at least it had to prioritize political transition, notably the least invasive approach. Thus, as a matter of course in the post-World War II diplomatic resolutions of conflict, UNSMIL was designed as a light-footprint mission with a primarily advisory role in order to avoid making Libyans feel that their sovereignty was being violated.[77] The UN Support Mission in Libya (UNSMIL) was specifically named in deference to

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[76] UN Security Council, Resolution 2009, 2011, https://www.undocs.org/S/RES/2009%20(2011), last access 30 July 2021.

[77] José S. VERICAT, Mosadek HOBRARA, *From the Ground Up; UN Support to Local Mediation in Libya*, in "International Peace Institute", 2018, pp. 3-4.

Libyan sovereignty and structured to provide on-demand technical assistance with a minimal interference in internal affairs. However, regardless of the national pressures on the elections, the United Nations neglected the security sector reform also because it simply lacked the tools to engage more assertively. In fact, the UN did not have the ability nor the means to do the heavy lifting required to demobilize and disarm the militias. Consequently, the years after Gaddafi's death led to a proliferation of militias and a widespread availability of weapons coupled with unstable institutions which, even after the legitimate election of the GNC, could not find a compromise to gruel over the fragmented civil society. As a matter of fact, instead of undertaking a disarmament, demobilization, and reintegration process (DDR) following the logical path which would have led to the achievement of a security sector reform as a basis for the peacekeeping stage, UNSMIL opted for starting at the end, with the reintegration phase, by adding the militias to the government payroll in an attempt to tame them. As aforementioned, this inclusion in the State safety management did not guarantee the subservience of the militias to national authorities, since rebellious armed group continued acting autonomously, competing with each other for power.

2.1.1 UNSMIL operations through the issuing of UN Resolutions

During the first phase of the mission, from the fall of the Gaddafi regime until the elections of 2012, UNSMIL did not focus a lot on local conflicts, because of its mainly advisory role in the formation of the new government.[78] In this first phase UNSMIL's officers based in Tripoli and Benghazi excluded the possibility to reach out to the broader Libyan society due to the scarcity of visits to Fezzan in the South, for instance, and to other different communities throughout the country. In fact, political dialogue remained at national institutions level, without any contact to the civil society, notwithstanding the internal fragmentation. Over time, UNSMIL's officers learned to expand their range of contacts throughout the territories and the UN Security Council started projecting another vision toward political dialogues, namely through local mediation.

Though the first UNSMIL mandate issued in UN Resolution 2009 (2011) did not mention mediation explicitly, the text of the resolution provided plenty of ground for it: in particular, the second of six points in the mandate instructed UNSMIL to "undertake inclusive political dialogue, promote national reconciliation, and embark upon the constitution-making and electoral process".[79] As already mentioned, the second part of this mandate -the setting of an electoral process- has been the focus of UNSMIL's first actions but, given the failure of the resulting legitimacy of the government, the mandate ended up being revised several times not only to extend the term of office of UNSMIL operations, but also to make the notion of mediation more and more explicit over time.

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[78] VERICAT, HOBRARA, *From the Ground Up; UN Support to Local Mediation in Libya*, op.cit., p. 7.
[79] UN Security Council, Resolution 2009, 2011, op.cit.

For instance, in Resolution 2144 (2014) the UN Security Council introduced the concept of good offices to promote the inclusion of some strata of society, namely the ex-combatants, in the peacebuilding process, as cited in the text:

> "As an immediate priority, ensure the transition to democracy, including through promoting, facilitating and providing technical advice and assistance to a single, inclusive and transparent national dialogue, to Libyan electoral processes and to the process of preparing, drafting and adopting a new Libyan constitution, promoting the empowerment and political participation of all parts of Libyan society, in particular women, youth and minorities, and through the provision of good offices to support an inclusive Libyan political settlement and to promote a political environment for the integration of ex-combatants into Libyan national security forces or their demobilization and reintegration into civilian life".[80]

The concept of good offices, according to mainstream international law, is referred to a conflict-resolution procedure whereby a neutral third party -in the case in point UNSMIL- bring the belligerent parties together on the same platform to start a direct negotiation through diplomatic means in order to find the solution of the dispute.

A year later, in 2015, with Resolution 2238 (2015), UN Security Council did not stop to good offices as one of the main tasks of UNSMIL, but used the expression "mediation" for the first time, extending the focus of UNSMIL operations on support to the Libyan political process "through mediation and good offices […] towards the formation of a Government of National Accord and security arrangements, through the security track of the UN-facilitated Libyan Political Dialogue".[81] However, the new mandate did not explicitly mention the explanation of the task related to mediation operations. As a matter of fact, UNSMIL's allocation of resources has continued to reflect the role assigned at the beginning of the first mandate, namely an advisory role, which limited its involvement in brokering peace.

Nevertheless, different factors allowed UNSMIL supporting mediation efforts even outside the legal framework of the resolutions. Firstly, the absence of a strong central government in Libya gave UNSMIL the possibility to act as a legitimate mediator in many contexts without being accused of violating national sovereignty. Libyans perception of UN missions, such as UNSMIL, and of the international community's intervention in internal affairs was twofold: on the one hand, many citizens blamed foreign and supernational institutions for all the problems afflicting the countries or were

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[80] UN Security Council, Resolution 2144, 2014, https://www.undocs.org/S/RES/2144%20(2014), p. 4, last access 30 July 2021.

[81] UN Security Council, Resolution 2238, 2015, https://undocs.org/S/RES/2238(2015), p. 4, last access 30 July 2021.

suspicious towards UN's possible hidden agenda; on the other hand, at the end of the day, most Libyans actually welcomed UN interventions, once realized the real fragmentation within the civil society and the weakness of the national government. In fact, at a certain point of the negotiations, local actors started understanding that UNSMIL was the only body that could facilitate a resolution to the conflict. Secondly, local actors often lacked even the most basic material conditions to try to resolve their conflicts, suffering from a scarcity of resources. Thus, UNSMIL seized this opportunity through the implementation of logistical support, namely helping mediators travel across the country, flying the belligerent parties into safer environments, which were more conducive to negotiations and compromise. UN missions could also compensate missing human capital by providing expertise, mediators, and other staff with the basic skills necessary to draft an agreement.[82]

UNSMIL's mission to push for an end to the violence of July 2014 in Tripoli has been the most serious challenge since the establishment of the UN agency. After years of mediations during previous experiences which resulted in temporary ceasefires, as explained later in the text, UNSMIL's dealings with armed militias within the capital may be classified as an actual negotiation. However, it must be noted that UNSMIL mostly offered support instead of playing a pivotal role in negotiating, since the leading character which arranged overall negotiations with every militia was the Government of National Accord (GNA) itself. In May 2014 Field Marshal Khalifa Haftar announced the launch of Operation Dignity with the stated goal of banish radical Islamist armed groups from Tripolitania, and with the ulterior motive to assume control of the Western region and impose himself on all the country, defeating the GNC, which was located in Tripoli. The ensuing elections of June 2014 only exacerbated the conflict creating the House of Representatives (HoR), to which the GCN refused to hand over power. Therefore, militias supporting the GCN launched Operation Dawn as a counteroffensive against Haftar's forces, which led to the intensification of clashes in the main centres of interest around Tripoli in the competition for controlling the capital. This first phase of conflicts during the civil war saw the intervention of UNSMIL through its complex political dialogue to solve the crisis between opposing Libyan governments, the HoR and the GCN. The focus of UNSMIL mission since its establishment in 2011 had been on supporting the Libyan authorities in transitioning their country to democracy through fair elections, as discussed above. However, with the exacerbation of the conflict and the fragmentation of the militias, which was a direct consequence of the preference of the political transition over the progress in national security sector through the disarmament of militias, the UNSMIL began focusing on uniting the increasingly divided Libya through the drafting of a national political agreement. Eventually, after fourteen months of negotiations, the United

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[82] VERICAT, HOBRARA, *From the Ground Up; UN Support to Local Mediation in Libya*, op.cit., p. 8.

Nations manged to issue the Libyan Political Agreement (LPA), signed in December 2015 in Skhirat, forming the Government of National Accord (GNA) headed by Fayez al-Sarraj. Even if the agreement marked the formal end of the civil war, because UN Security Council recognized the GNA as the only legitimate authority in Libya. The political crisis was not resolved. Instead, according to some analysts, external intervention in the country which resulted in the Libyan Political Agreement of Skhirat, generated a worsening of the fragmented situation of Libya. The Libyan Political Agreement (LPA) was based on four principles: ensuring the democratic rights of the Libyan population, the need for a consensual government based on the separation of powers, the need to empower state institutions like the GNA, respect for the Libyan judiciary and its independence. LPA's failure was a natural result of several factors that characterized the agreement itself. Firstly, the fact that the preparatory talks were held outside the country made large segment of Libyans think that the entire peace process was detached and far from their daily struggles. Moreover, the UNSMIL did not took responsibility to conduct outreach campaigns in order to increase the public in support on the agreement. Secondly, the LPA came as a power-sharing arrangement, thus it focused on establishing a unified government based on individuals rather than on future prospects and policy, lacking a comprehensive plan that would respond to Libyans' collective grievances. This meant that once some elements realized they could lose their power, as in the case of the House of Representatives (HoR), they quickly turned against the GNA, without even bothering to reach political arrangements in order to save governmental unity. Thirdly, in addition to their failure to uphold the principles of the LPA, the emerging institutions paved the way for foreign interventions which exacerbated the crisis. In fact, UNSMIL had to recognize that both the GNA and the challenging HoR formed alliances with regional powers at the expense of Libya's sovereignty, such as Turkey, allied with the GNA, and Egypt, the UAE, France, and Russia, which backed the HoR.[83]

2.1.2 UNSMIL bottom-up mediation in the Libyan crisis

UNSMIL peacebuilding mission has addressed the problem of mediation from multiple angles, albeit preferring the top-down process, especially in the post-Gaddafi reconstruction. Nevertheless, UN officials soon realized that it was necessary at least an effort in the opposite direction, following a bottom-up process which involved dialogues and negotiations with local mediators. The most important question about engagement in local mediation was whether it could have a cumulative influence at the national level. In one way, focusing on local-level mediation could have a detrimental impact in Libya, exacerbating its fragmentation. However, local initiatives also helped creating a more favourable environment for sustainable de-escalation of conflicts and civil war on many

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[83] Shatha SBETA, Mohamed ABUFALGHA, *From Zero-Sum to Positive Sum*, in "Insight Turkey", vol. 22, no. 4, 2020, pp. 89-92.

occasions. In any case, the local-level mediation must be complemented by the national-level effort by addressing the political, economic, and security aspects of the conflict with the help of a central authority through legal proceedings and frameworks that need to be set by a top-down approach.[84] Although the first phase of UNSMIL was focused on elections and national-level mediation, it is important to underline that the United Nation managed anyway to make some contribution to mediate local conflicts that erupted across Libya during the post-Gaddafi political transition such as clashes and disputes between tribes, local militias and terrorist groups.[85] Not every opposing party was framed in ideological grievances, for instance between Islamists and anti-Islamists as a part of the national-level political conflict over control of post-Qaddafi Libya, because many had other types of claim such as ethnic tensions and control over resources, in particular land, that dated back centuries. Through intense communication with the parties, local notables and tribal leaderships, United Nation delegations tried negotiating ceasefires between warring factions. However, the initial action of UNSMIL in solving local conflicts was not effective in several circumstances, given the fact that the UN tactic was to mediate truces rather than addressing root causes of the conflict, thus providing short-term solutions. As evidenced by these dynamics developing at the local level, one of the central problems the UNSMIL had to face in post-Gaddafi Libya was the relation between the government and the militias. Despite the initial difficulty in engaging with local mediation, in 2014 UNSMIL began to expand its effort at the local level since Libya was becoming more divided: that year, Khalifa Haftar had announced a coup against the government by launching Operation Dignity. Consequently, the major Libyan political forces asked UNSMIL to mediate the peace, but oppositions from Haftar and the fighting over control of the capital forced the UNSMIL officers flee from Libya and relocate to Tunis. The new head of UNSMIL, Bernardino León, launched a diplomatic counteroffensive in response to the breakdown of the country and established a political track to convene a national agreement in parallel with a security track to communicate with the armed groups, in the effort of appeasing both militias in the western region and eastern forces, in particular Haftar. However, in the wake of its previous modus operandum during the post-Gaddafi's peacebuilding process, UNSMIL political track ended up taking precedence over the security track. In this respect, the aim of Bernardino León resulting from his focus on the political dialogue at the State level, thus ignoring the local forces, was to avoid the political legitimation of armed fringes of Libyan society that otherwise would have gained a potential negotiating power in future negotiations. The trouble was that, despite ignoring and sidelining militias, UNSMIL should have known that Libyan armed forces had already gained their political legitimation since they represented the real power brokers on the

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[84] VERICAT, HOBRARA, *From the Ground Up; UN Support to Local Mediation in Libya*, op.cit., p. 22.
[85] VERICAT, HOBRARA, *From the Ground Up; UN Support to Local Mediation in Libya*, op.cit., p. 9.

ground. Once again, the implementation of the top-down approach in peacebuilding operations and the marginalization of militias due to their lack of democratic means and credibility undermined the effectiveness of the Libyan Political Agreement (LPA). However, if until 2014 the security track referred only to the macro-level architecture of the country, leading UNSMIL to negotiate almost exclusively with the Ministries of Defence and Interior to reorganize the security sector from the top, after Haftar's assault, UNSMIL mission became more directly engaged with the militias, beginning to explore a bottom-up approach.[86] In order to contain the civil war, UNSMIL began to engage both in the east and tin the west without intermediaries, thus demonstrating that the United Nations continued to have some influence even over the main actors. For instance, towards the end of Operation Dignity, the militias involved in the counteroffensive against Haftar moved to Cyrenaica in an attempt to gain control over oil terminals in December 2014, triggering another battle in Sirte Basin. Whereas the clashes destroyed an amount of oil that was $2 billion worth, UNSMIL intervened to break the deadlock between the belligerent forces. UNSMIL strategy was to conduce its mediation from Tripolitania solely by phone without a local mediator, namely by using a broad range of influential contacts, such as members of the House of Representatives who had been involved in previous negotiations, or local political leaders connected with the militias. At the end of these negotiations, UNSMIL officers did not manage to draft a written agreement because they had no security permission to go to the area, but they were able to reach a ceasefire.[87]

Besides these local interventions, in late 2016 and early 2017 UNSMIL provided also technical and logistical support in anti-terrorist key to negotiate a ceasefire agreement between a military coalition of jihadist militias of Benghazi and the Libyan National Army (LNA) of Haftar. This effort illustrated that UNSMIL mission had finally some influence in Cyrenaica regardless of Haftar's opposition to the political process that the UN had led until that moment. The success of the mission was also an example of the effort the United Nation has been doing in engaging with terrorist groups and organizations. Moreover, UNSMIL involvement in this battleground allowed the political mediators to speak directly with Haftar, who was seeking international legitimacy at that point of the conflict. In order to advance the process away from the conflict zone, the negotiations continued in Istanbul, where opposing parties mediated for two days before signing an agreement that was witnessed by UNSMIL. In this context, UNSMIL had to face also regional actors' interference in the negotiations, particularly implemented by Egypt, which self-included in the negotiations as one of the strongest allies of anti-Islamist agenda of the LNA. Despite all the efforts, the negotiations ultimately failed to

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[86] VERICAT, HOBRARA, *From the Ground Up; UN Support to Local Mediation in Libya*, op.cit., pp. 10-11.

[87] VERICAT, HOBRARA, *From the Ground Up; UN Support to Local Mediation in Libya*, op.cit., pp. 11-12.

build a long-lasting peace, conversely complementing the long series of temporary ceasefires and truces that had characterized UNSMIL's negotiations outcomes. Nonetheless, though it was unsuccessful, the mediation effort built trust towards UNSMIL role and legitimation as mediator and served as a model for future reference, such as the Derna experience of October 2017.

Derna, by then the only city in Cyrenaica still not under Haftar's control, became the scene of a similar operation, with the LNA besieging the city in a fight against jihadist groups inside. Fayez al-Sarraj, prime minister in the Government of National Accord (GNA), contacted UNSMIL mediator to facilitate the evacuation of the wounded stuck inside the city under siege.

The aforementioned episodes are just some examples of bottom-up mediation at the local level. In a broader discourse, the national-level mediation in Libya has experienced failures from multiple angles. For instance, the LPA illustrated the limitations of a top-down mediation effort lacking sufficient negotiating power in the various Libyan constituencies. Learning the lessons from its experience both in national and local mediation efforts, the UN has now opted for a more inclusive approach, namely set between top-down and bottom-up.[88]

2.1.3 Security Sector Reform (SSR) in UNSMIL's mission

When the GNA officials arrived in Tripoli in March 2016 and realised that their government did not have its own army to be protected against the various militias in Tripolitania, UNSMIL endorsed the plan of the creation of a Presidential Guard responsible for the protection of government personnel and buildings, and strategic locations such as ports, power plants, sources of water and energy supplies.[89] Those negotiations, which had intensified after Haftar's attack, led to the creation in 2017 of the Tripoli Security Plan, which was designed to guarantee the security of the GNA. The Tripoli Security Plan revisited the defence white paper edited by the UN in 2012 regarding the post-Gaddafi organization of Libyan armed forces. Since the national army split into separate military structures with Haftar's attempted coup d'état in 2014, UNSMIL had to reconsider its original plan on the structure of the new Libyan army. Within the 2017 Tripoli Security Plan, besides the implementation of the Presidential Guard, the focus was primarily on the development of a police force and a regular national army, that is to say three branches in one security instrument. Moreover, being the security component strictly intertwined with stabilization efforts, the Tripoli Security Plan was considered an important part of the peacebuilding operations, thus it included also directives on the demobilisation of armed groups and a reintegration of militia members into a legitimate national army.[90] In fact, the

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[88] VERICAT, HOBRARA, *From the Ground Up; UN Support to Local Mediation in Libya*, op.cit., p. 22.

[89] Hamzeh AL-SHADEEDI, Erwin VAN VEEN, Jalel HARCHAOUI, *One Thousand and One Failings: Security Sector Stabilisation and Development in Libya*, in "The Clingendael Institute", 2020, pp. 28-29.

[90] Mikael ERIKSSON, Elias BOHMAN, *The Second Libyan Civil War. Security developments during 2016-2017*, in "FOI (Swedish Defence Research Agency)", 2018, p. 24.

plan was essentially an agreement with the militias by which they legitimated the GNA as the political authority and ensured to protect it while maintaining stability in the capital, with the aim of reaching a long-term solution to the conflict. The main flaw of the Tripoli Security Plan was the almost total reliability on militias' loyalty. These negotiations, which invited some of the militias into cooperation by integrating them into the security forces, inevitably legitimized their existence and facilitated their access to resources. Consequently, this institutional recognition allowed and encouraged militias to protect their interests in the capital, making them less inclined to accept a proper disarmament, demobilization, and reintegration (DDR) plan. It is important to highlight that, in 2017, the Presdential Guard had little authority and credibility in Tripoli, as well as in Libya as a whole, since it could not withstand the powerful armed militias present in the capital. This was made clear when in May 2018 forces affiliated with Misrata and Tripoli's brigades easily expelled the Presidential Guard from their positions at the Prime Minister's office and Tripoli International Airport, causing the sudden collapse of the GNA's armed forces. The downfall of the Presidential Guard at the hands of Western Libya militias suggests that in that case UNSMIL pursued Security Sector stabilization and Development (SSD) efforts that were largely symbolic, instead of providing the material support that could have enhanced Presidential Guard's effectiveness.[91]

In December 2018, Tripoli's key armed factions announced their unification into one armed force called the Tripoli Protection Force (TPF), formed in response to the intense fighting that were overwhelming some neighbourhoods of the capital in August and September 2018. In its funding statement, the TPF declared its support to UNSMIL and stated its rejection of the use of military force to reach political objectives, thus sending a clear disapproving message to Khalifa Haftar and his LNA. The TPF's case illustrates how Libyan armed actors were sophisticated enough to portray their self-defence aims as security sector developments in the eyes of UNSMIL. As explained in The Clingendael Institute's report a "potentially successful SSD initiative requires that its foreign sponsors are cognisant of the ability of Libyan factions to disguise their war pursuits and power grabs as SSD endeavours".[92]

Besides the Tripoli Security Plan concerning the security sector reform, in September 2017 the newly elected UN Secretary General's Special Representative in Libya, Ghassan Salamé, presented the United Nation Action Plan regarding the relaunch of the political process, which served as a legal prolongation of the Libya Political Agreement (LPA), due to the continued state of armed conflict in the country. The Action Plan included a constitutional referendum to be held in September 2018, a

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[91] AL-SHADEEDI, VAN VEEN, HARCHAOUI, *One Thousand and One Failings: Security Sector Stabilisation and Development in Libya*, op.cit., p. 29.

[92] AL-SHADEEDI, VAN VEEN, HARCHAOUI, *One Thousand and One Failings: Security Sector Stabilisation and Development in Libya*, op.cit., p. 32.

general election by the end of 2018, and the provision of humanitarian aids. Clearly, the first stage of the plan had to include the formal agreement between the legislative body of the GNA and the House of Representatives upon how the LPA could be amended. In this second plan, as in the Tripoli Security Plan, the belligerent parties needed to arrange the development of the military dynamics as well. In 2017 and 2018, efforts to reach a compromise were still impeded by groups and individuals who saw a new political agreement as a challenge to their positions, influence, economic and financial interests.

2.2 LIBYAN PEACE PROCESS AND THE LIBYAN POLITICAL DIALOGUE FORUM (LPDF)

2019 marked a turning point in UNSMIL's action for a number of reasons connected to the political events that took place in Libya that year. On 4 April 2019, forces of the Libyan National Army under the command of Khalifa Haftar launched an offensive to seize control of Tripoli, triggering a countermobilization of armed forces operating under the command of the Government of National Accord. The fighting was concentrated mainly around Tripoli and aggravated humanitarian needs and forced displacement of the population because of the damages to civilian infrastructures, while hindering access to food, health care and other basic services. Besides the humanitarian disaster, the offensive around Tripoli further polarized an already fragmented political landscape and brought the UN-backed political process to an abrupt halt. Few days after the attack, in fact, a planned United Nations-facilitated National Conference should have been held in Ghadames to reach an agreement between participants on a national charter with the aim of adopting a road map to conclude the Libyan transitional period through parliamentary and presidential elections. As a result of the attack on Tripoli, the conference was postponed. Attempts to stop the violence and resume the political process following the eruption of fighting in Tripoli were unsuccessful.[93]

In June, Prime Minister Fayez al-Sarraj announced the formation of a Libyan forum to draft the constitutional basis for presidential and parliamentary elections to be held before the end of 2019. The Prime Minister requested the Security Council and the international community to support the implementation of the forum's decisions, but Field Marshal Haftar subsequently stated that the control of the Libyan National Army over Tripoli was a precondition for the formation of a national unity government and for the drafting of a new constitution. At that point, only international actions could save the Libyan peace process that was going on since Haftar's Operation Dignity in 2015.

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[93] UNSMIL United Nation Support Mission in Libya, *Report of the Secretary-General S/2019/682*, 2019, https://undocs.org/en/S/2019/682, last access 4 August 2021.

Thus, on 29 July 2019, Ghassan Salamé, head of the United Nations Support Mission in Libya proposed a three-point peace plan to the United Nations Security Council during a discourse at the United Nations Security Council on the Situation in Libya:

"The decision to stop the war cannot be postponed indefinitely. I therefore submit the following three-part immediate action out of the conflict: First, I call for a truce to be declared for the Eid al-Adha, which will fall on or about August 10. The truce should be accompanied by confidence-building measures between the parties to include the exchange of prisoners, release of those arbitrarily detained or abducted, and the exchange of mortal remains. Second, and following the truce, I request a high-level meeting of concerned countries to cement the cessation of hostilities, work together to enforce the strict implementation of the arms embargo to prevent the further flow of weapons to the Libyan theatre; and promote strict adherence to international humanitarian and human rights law by Libyan parties. Third, the international meeting should be followed by a Libyan meeting of leading and influential personalities from all over the country to agree on comprehensive elements for the way forward. Such a consensus was on the verge of being built in the run-up to the National Conference in April. It is past time for Libyans to end this long season of mutual suspicion, fear, and division. This triple action will require consensus in this Council and amongst the Member States who exert influence on the ground."[94]

To sum up, Salamé's plan included a peace process which would begin with a ceasefire declaration between the Government of National Accord (GNA) and Libyan National Army (LNA) and their associated militias, then would continue with a series of international meetings involving countries implicated in the conflict in order to implement the legally existing arms embargo of United Nations Security Council Resolution 1970 (2011)[95], and finally would be concluded with a Libyan meeting similar to the originally planned Libyan National Conference of Ghadames, which was composed for its part of three categories: economic, military and political tracks. As a matter of fact, the latter track in the late 2020 would have become the Libyan Political Dialogue Forum (LPDF), which will be further explored in the third sub-section of this chapter.

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[94] UNSMIL United Nation Support Mission in Libya, *Remarks of SRSG Ghassan Salamé to the United Nations Security Council on the Situation in Libya*, 29 July 2019, https://unsmil.unmissions.org/remarks-srsg-ghassan-salam%C3%A9-united-nations-security-council-situation-libya-29-july-2019, last access 5 August 2021.

[95] UN Security Council, Resolution 1970, 2011, https://www.undocs.org/S/RES/1970%20(2011), last access 4 August 2021.

2.2.1 LPDF's tracks in the outcomes of the Berlin Conference

The first part of the plan took place in mid-August 2019 with a truce, followed by a declaration of ceasefire agreed on 12 January 2020 thanks to the intercession of Turkish and Russian leaders, who pressured their respective allies and opposing parties to accept the ceasefire, despite in the following days both sides reported several alleged violations of the ceasefire.[96]

The second point of Salamé's plan was the organization of an international meeting to stop the arms flow into Libya. As mentioned in the first chapter, the problem of the sale of arms and weapons was a pivotal issue in post-Gaddafi's Libya, since international sponsors such as Egypt, Russia and Turkey flooded the country with military equipment and weapons pursuing their economic and strategic objectives, thus disregarding the already fragmented and explosive situation within Libya. As explained at the beginning of this chapter, in order to become effective, a peacebuilding process needs to achieve the Disarmament, Demobilisation and Reintegration of fighters (DDR) as a first step. Probably, one of the main reasons explaining the continuous postponements of Libyan stabilization since Muammar Gaddafi's death is the ineffectiveness of disarmament operations resulted from external non-compliance with the arms embargo enforced by the UN Security Council in 2011. To reiterate this concept, I will quote the denunciatory words of Ghassan Salamé in his discourse: "Libya has become a terrain of experimentation of new military technologies and recycling of old weapons. Armed drones, armoured vehicles and pick-up trucks fitted with heavy armaments machine guns, recoilless rifles, mortar and rocket launchers have been recently transferred to Libya with the complicity and indeed outright support of foreign governments".[97] For this reason, UNSMIL plan under the guidance of Ghassan Salamé focused on the disarmament as one of the first steps to accomplish and, in doing so, UNSMIL organized a meeting in Berlin to discuss of the arms embargo and of the international commitment of non-interference in Libyan crisis. After months of preparation, the Berlin conference was held on 19 January 2020 in the presence of all the countries involved in the conflict, as promoted by Salamé. The participant to the conference included representatives from Germany, who hosted the conference, the United States of America, the United Kingdom, Russia, France, China, Italy, the United Arab Emirates, Turkey, the Republic of Congo, Egypt, Algeria and, regarding the supernational level, officials from the United Nations, the European Union, the African Union, and the League of Arab States. Moreover, the conference hosted also the two rival Libyan

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[96] Safa ALHARATHY, *Putin calls on Egypt, UAE to push Haftar towards political solution*, in "The Libya Observer", 12 January 2021, https://www.libyaobserver.ly/inbrief/putin-calls-egypt-uae-push-haftar-towards-political-solution, last access 4 August 2021.

[97] UNSMIL United Nation Support Mission in Libya, *Remarks of SRSG Ghassan Salamé to the United Nations Security Council on the Situation in Libya*, op.cit.

leaders, Khalifa Haftar and Fayez al-Sarraj, albeit not present in the same room at the same moment in order to avoid diplomatic incidents.

The conference was supposed to be a historical turning point in the Libyan peace process also because it gathered all the main actors involved in the crisis, notably some characters that had remained absent until that moment such as the European Union. Indeed, until the Berlin conference, European political and diplomatic engagement with Libya was still a prerogative of those EU member States which was sharing some points of political disagreement or business interests with Libya, namely France and Italy. The European Union was still limited to the fulfilment of its classical function of lending its administrative weight to collective policy positions such as combating migration, facilitating business or encouraging a developmental route towards stabilization, as will be explained in the third chapter of this work. The lack of unitary action of the European Union is a result of divergent European policies and aspirations from member States, particularly France and Italy, especially regarding its external activities in foreign policy.[98]

The Berlin Process resulted in a Conclusions document of fifty-five points covering all the issues addressed during the meeting. [99] In the first place, after having offered their support to UNSMIL mediation efforts and to the three-point plan presented by Ghassan Salamé for a peaceful solution to the Libyan crisis, participants reiterated the repudiation of a military solution in Libya. Secondly, the document included several subsections on the components of the peace process, that will be briefly analysed hereafter:

- The ceasefire. In this section, the participants to the conference called for a suspension of hostilities and a permanent ceasefire agreement through the dismantling of armed groups and militias by, or in direct support of, the conflict parties and the displacement of heavy weapons, artillery, and aerial vehicles. Moreover, the subscribing States reaffirmed the fight against the spreading of terrorism by implementing existing UN resolutions concerning ISIL, Al-Qaida, and designated individuals and groups, in particular the provisions related to the travel ban and the freezing of financial assets.

- The arms embargo. Being the main objective of the Berlin meeting, the enforcement of the embargo established by UN Security Council Resolution 1970 (2011) was the core of the conclusions of the Conference. The appeal to stop arms proliferation in Libya, including the financing of military actions and capabilities, is here addresses towards foreign actors.

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[98] Tarek MEGERISI, *EU Policy towards Libya*, in "Inside Turkey", vol. 22, no. 4, 2020, pp. 32-33.
[99] Presse und Informationsamt del Bundesregierung, *The Berlin Conference on Libya. Conference Conclusions*, 19 January 2020, https://unsmil.unmissions.org/sites/default/files/berlin_conference_communique.pdf, last access 5 August 2021.

The participants thus committed to monitor maritime, aerial, and terrestrial territories with the aim of reporting any potential violation of the embargo to UN Panel of Experts.

- The return to the intra-Libyan political process. This section was dedicated to the support of the Libyan Political Agreement (LPA) as the framework of the political solution in Libya under the auspices of UNSMIL, including the establishment of a unified and effective government democratically approved by the population. The participants reaffirmed their active involvement in supporting Libya's democratic transition, conflict resolution and peacebuilding, notably through the support and mediation of the supranational organizations such as the United Nations, the African Union, the League of Arab States, and the European Union, not to mention the leverage of neighbouring countries in the stabilization process.

- The security sector reform. As aforementioned, the restoration of the monopoly of the State to the legitimate use of force has been one of the main challenges in the post-Gaddafi Libya, due to the fragmentation of the civil society and the proliferation of armed groups directly related to the incessant flows of weapons. Referring once again to the Libyan Political Agreement, the participants declared their support to the establishment of unified Libyan national security, police, and military forces under a central authority.

- The economic and financial reform. Although little debated so far in this work, another challenge tackled by the subscribing States was the restoration and safeguard of all Libyan sovereign economic institutions, notably the Central Bank of Libya (CBL) and the National Oil Corporation (NOC), Libya's sole independent and legitimate oil company. At the end of the Berlin Conference, the participants agreed to provide technical assistance upon request from these authorities, in order to improve accountability and effectiveness and to bring them into international standard. Moreover, due to the deterioration of security sector within the country, participants of the Conference urged all parties to guarantee the security of the installations, oil facilities and infrastructures connected to those economic institutions. In this regard, any illicit exportation of energy resources, especially the sale or purchase of Libyan oil outside NOC's control, will be subject to sanctions. The latter statement was a clear reference to unlawful conduct of Khalifa Haftar's LNA, which tried to take control of several oil field during the active months of the offensive, while selling oil and its derivates to foreign supporters without redistributing the incomes as normally did the NOC.[100] Furthermore, this section of the text is of particular importance as it evidences the support to the creation of a

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[100] Jason PACK, *Kingdom of Militias. Libya's Second War of Post-Qadhafi's Succession*, op.cit., p.14.

Libyan Expert Economic Commission composed of Libyan officials with the objective of monitoring these kinds of violations.

- The international humanitarian law and human rights. In this section participants to the Conference urge the parties in Libya to respect the international humanitarian law as a consequence of long years of war in order to protect civilians, migrant, refugees and infrastructures which allow access for medical and humanitarian personnel. Humanitarian consequences of the conflict are visible in Libya, but so is the outcomes of the lack of a unitary government and of an effective national judiciary system, which results in illegally or arbitrary detention of inmates, migrants, refugees, asylum seekers and so forth.

- Follow-up. In the last section of the Conference results, participants welcomed the creation of the military 5+5 Committee proposed by UNSMIL. This institution, formed by five military representatives from each side, half nominated by Fayez al-Sarraj, while the other half appointed by Khalifa Haftar, has the duty of supporting talks on the development of disarmament, demobilization, and reintegration of fighters (DDR) without direct foreign involvement. Moreover, in the last points of the text, there is a reference to the creation of an International Follow-up Committee (IFC), consisting of a plenary assembly of all countries and International Organizations that took part to the Berlin Conference that are required to meet monthly to track the progress of the above.

The Berlin Conference, officially adopted and legitimated by UN Security Council Resolution 2510 (2020)[101], had the objective of gathering international actors around a negotiating table in order to set all the objectives that intra-Libyan dialogues had to achieve in future meetings.

The third part of Salamé's plan was in fact the arrangement of another meeting organized for the Libyan population without external interference. However, UNSMIL support was still necessary to build Libyan conflict resolution infrastructures and to create a national network of mediators including representatives of every category of the population, such as tribal leaders, young people, delegates of civil society, women, and businesspeople. As aforementioned, the third part of Salamé's peace process plan was in turn divided into three different tracks.

The first one, namely the economic track, which de facto started before the Berlin Conference, took place in Tunis on 6 January 2020 with the first meeting of the main Libyan financial and economic institutions, later implemented in its offices by the creation of the Libyan Expert Economic Commission after the Berlin Conference. On 9 February the second round of talks of the economic and financial track was held in Cairo, gathering representatives Libyan financial and economic

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[101] UN Security Council, Resolution 2510, 2020, https://undocs.org/S/RES/2510%20(2020), last access 6 August 2021.

institutions as well as sector experts and academics. The economic track aimed at enhancing the integrity of Libyan financial and economic institution though specific measures including the unification of the Central Libyan Bank (CBL), thus tracking negotiations with CBL board of directors to establish its authority on the entire national territory. Another aspect discussed during the meetings was the modernization of the National Oil Company (NOC) and, in general, of Libyan oil sector through the development of critical infrastructures financed by the Libyan Reconstruction and Development Fund.[102] As a matter of fact, participants to the financial talks had to take into account also that without the support of a unitary national governance it would be impossible to achieve the objectives highlighted in the Berlin Conference.

The second track of Salamé's plan was focused on the military and security assets of Libya. The security basket included a series of steps to consolidate the truce, leading to a comprehensive and sustainable cessation of hostilities in Libya, thus pursuing DDR operations. The security road map was conceived with the aim of establishing the monopoly of the State on the legitimate use of force. As an outcome of the Berlin Conference, the security track had to follow four steps in order to be completed: firstly, the establishment of the aforementioned 5+5 joint military commission (JMC), formed by military officials under the aegis of the United Nations, whose tasks included the monitoring of the truce, DDR operations, counter-terrorism actions, and border control.[103] Secondly, after the entry into force of the JMC's talks, the efforts of negotiations needed to shift towards the demobilization of foreign fighters in the Libyan war theatre. Thirdly, the JMC needed to transform the truce between the parties into a permanent ceasefire through negotiation. Lastly, the new unity government had to implement the interim security arrangement, especially in the capital, with the support of both the 5+5 JMC and international assistance, notably UNSMIL endorsement.[104]

The third and last track of the peace process concerned instead the political reconfiguration of Libya, focusing especially on the drafting of a new Libyan constitution, the preparation of the electoral laws and the agreement on holding elections in a nationally unified way. On January 2020, after the Berlin Conference, both the GNA and the LNA agreed to participate to this meeting framed within the political track, which Salamé wanted to arrange at the Palace of Nations in Geneva at the end of the month. However, after a series of delays due to organizational problems, the political track was officially launched on 26 February 2020 in Geneva, with the participation of 20 Libyan

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[102] UNSMIL Operationalization of Berlin Conclusions, Annex to Berlin Communiqué, 2020, https://unsmil.unmissions.org/sites/default/files/unsmil_operational_paper.pdf, last access 6 August 2021.

[103] UNSMIL Operationalization of Berlin Conclusions, Annex to Berlin Communiqué, 2020, op.cit., p. 2.

[104] UNSMIL Operationalization of Berlin Conclusions, Annex to Berlin Communiqué, 2020, op.cit., pp. 2-3.

representatives from both the Tobruk-based and Tripoli-based governments, as well as a group of independent persons including women and minorities.

Ghassan Salamé followed the development of the three tracks only until March 2020, when he decided to resign from his position of head of the United Nations Support Mission in Libya by expressing concern for his health conditions due to the stress accumulated during the political negotiations, especially because of French and Russian secret backup to Khalifa Haftar's forces. In fact, to justify his resignment, Salamé reported numerous violations of the arms embargo by the governments of countries involved in the Libyan conflict, thus suggesting the failure of the peace process at that stage. Following Salamé's resignation, Stephanie Williams took on the role of Special Representative of UNSMIL until January 2021.[105]

2.2.2 The 2020 Libyan ceasefire agreement

During the tenure of Stephanie Williams, the Libyan peace process continued its course on the three tracks proposed by Ghassan Salamé. A first major step on the post-Salamé period was that the military track, which had begun with the election of a Joint Military commission dedicated to the supervision of the truce between the parties, eventually turned into a permanent ceasefire agreement signed at the end of August 2020. Thanks to the 5+5 Joint Military Commission's actions in the framework of the military track the truce transformed into an official ceasefire agreement between Haftar's forces and the GNA-backed militias, despite the slow pace of this track in the initial part of its entry into force. In fact, after Haftar's withdrawal from Tripoli in June 2019, pro-GNA forces had launched an assault on central Libya hoping to seize the oil facilities controlled by Haftar, without considering the fact that the offensive would not have been quick and painless. The situation worsened afterwards due to Turkish and Russian military interventions, which exacerbated the stalemate of the conflict, leading to a de facto halt in hostilities throughout Libya. Before the effectiveness of 5+5 JMC's mediating activities, two preliminary bilateral talks had set the stage for the establishment of a formal ceasefire agreement in August 2020: a Russia-brokered deal between a member of the GNA and a member of the rival pro-Haftar government signed to end the blockade of the oil facilities in central Libya, and a meeting of military officers from the two sides hosted in Egypt.[106] Eventually, thanks to UN-led mediation by the 5+5 Joint Military Commission, on 23 October 2020 UNSMIL made official the nationwide permanent ceasefire agreement already unofficially underway since August. The

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[105] UNSMIL United Nation Support Mission in Libya, *Secretary-General Designates Stephanie Turco Williams of the United States as Acting Special Representative, Head of United Nations Support Mission in Libya*, 12 March 2020, https://unsmil.unmissions.org/secretary-general-designates-stephanie-turco-williams-united-states-acting-special-representative, last access 10 August 2021.

[106] International Crisis Group, *Fleshing Out the Libya Ceasefire Agreement*, in "Middle East and North Africa Briefing", no. 80, 2020, p. 2.

agreement committed the parties to remove all military units and armed groups from the frontlines, within a maximum period of three months, and all mercenaries and foreign fighters to depart from all Libyan territories, including land, air and sea.[107] Although the efforts provided by the JMC, the agreement outlined four monitoring areas which, however, highlighted the persistence of some problems in terms of effectiveness: the first focused on relations between the two Libyan factions and their foreign military backers, notably Russian contractors and Syrian fighters supplied by Turkey. In this regard, despite the commitment of both the parties to the departure from Libya of all foreign fighters, as mentioned in the text of the ceasefire agreement, neither side had ever officially acknowledged being supported by foreign armed forces, therefore both were relieved of direct responsibility on the deployment of foreign fighters.[108] Moreover, the agreement was on clear on the training provisions: despite halting military training carried out by each factions, it did not specify whether less controversial programs performed by European states, such as training of the coast guard, had also to be suspended. In addition, the provision suggested that the ceasefire did not apply to counter-terrorism military operations carried out by both parties, thus leaving a grey area concerning measures on military training of the armed factions. The second follow-up area concerned the repositioning of Libyan joint patrolling. However, the lack of details about the relocation of armed groups was another problem for the correct interpretation of the agreement, leaving room for arbitrary interpretations on the troops' deployment. The third step of the agreement outlined that a joint subcommittee derived by the 5+5 JMC had to review the demobilization of all armed groups, including those already integrated into the state security apparatus, in order to determine which ought to be dismantled and how. In this third step the problem was likewise that most of the militias, especially armed groups in Tripoli, were still enjoying the patronage of political faction, since many of them wanted a counterweight to safeguard an eventual return of a repressive military regime similar to the one of Gaddafi. Furthermore, the two sides ought to reform the Petroleum Facilities Guards in charge of protecting Libya's oil facilities, which were divided between pro-Haftar and pro-GNA units. As a result, demobilisation process had to face the big obstacle of compelling the patrons of both Tripoli-based militias and Haftar-led armed groups to the disband their irregular forces that have become part of the state security apparatus. Finally, the fourth step of the agreement highlighted the importance of some confidence-building measures, such as the reopening of roads in central Libya and the reinstatement of air flights between Tripoli and Benghazi. This last step was likely the only

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[107] UNSMIL United Nation Support Mission in Libya**,** *UNSMIL Welcomes Agreement Between Libyan Parties on Permanent Country-Wide Ceasefire Agreement with Immediate Effect*, 23 October 2020, https://unsmil.unmissions.org/unsmil-welcomes-agreement-between-libyan-parties-permanent-country-wide-ceasefire-agreement, last access 9 August 2021.

[108] International Crisis Group, *Fleshing Out the Libya Ceasefire Agreement*, op.cit., p. 3.

measure which could be pursued smoothly.[109] In other words, the 5+5 Joint Military Commission and the UNSMIL that negotiated and signed the ceasefire agreement revealed some sore subjects to solve, primarily deal's practicalities such as the definition of foreign fighters and the determination of the clause on training agreements. Moreover, the two sides also needed to be more explicit about the terms of withdrawal from the front lines and relocation.

Besides the ceasefire agreement, in September 2020 two other main events altered the course of the Libyan peace process chaired by Stephanie Williams, notably the consultative Montreux meeting and the Bouznika Conference. The first meeting, held in Switzerland under the auspices of the Centre for Humanitarian Dialogue and in the presence of UNSMIL, saw the involvement of key Libyan stakeholders which agreed to follow an 18-months roadmap at the end of which Libyans would have held parliamentary and presidential elections. The period would be initiated by the reformation of the Presidency Council and the establishment of an ad interim government dedicated to creating the necessary conditions for the holding of national elections. Moreover, on 11 September 2020, the second meeting of Bouznika focused on the continuum of the Libyan political dialogue between five representatives of the GNA and five members of the HoR. As a conclusion of those two conferences, UNSMIL launched the arrangements needed to resume the Libyan Political Dialogue forum (LPDF), namely the legal prolongation of the political track in an organized roadmap towards new elections. The LPDF took place both online and face-to-face due to the spreading of COVID-19 pandemic, officially starting in October 2020.

2.2.3 The election of Libyan transitional government

The first round of the Libyan Political Dialogue Forum, launched under the supervision of the United Nations Support Mission (UNSMIL) in Libya, was held on 9 November 2020 in Tunis, with the participation of seventy-five representatives of Libyan political and social background, including thirteen members of the House of Representatives (HoR), thirteen members of the Supreme State Council related to GNA, and other figures from across the tribal and political spectrum. Before arriving to this meeting, UNSMNIL had to struggle to arrange the talks, and in doing so, Stephanie Williams, the head of UNSMIL, had to meet Libyan mayors and main political figures from all the tree regions of the country already in mid-October. In the first few days of meetings, the forum managed to arrange a roadmap for a transitional peace programme of Libya, including the consolidation of the executive power, divided since 2014, and the implementation of a package of security, military, economic and political measures.[110] The roadmap was created with the aim of

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[109] International Crisis Group, *Fleshing Out the Libya Ceasefire Agreement*, op.cit., pp. 3-5.
[110] Arab Center for Research & Policy Studies, *A New Interim Government Elected in Libya: Background and Prospects*, op.cit., p. 1.

leading to ad interim elections in order to establish a temporary governing institution during 2021. In the course of the Forum, the participants agreed on the criteria for selecting the leadership position of the ad interim government, as well as the governmental structure encompassing a President, two deputies and the Prime Minister.

UNSMIL and the Forum's Advisory Committee decided to rely on a relatively complex mechanism for nomination and election with the aim of avoiding electing a representatives' team that would not have met the conditions agreed upon by the members of the forum, which included an equitable regional and social representation of the country. Moreover, an anti-corruption clause based on recommendation from the majority of Libyan constituency envisaged that the attendance and the appointment to the LPDF would make participants ineligible for any political positions in the new institutions to be created. In view of these dispositions, the President had to represent for instance Tripolitania, while two other deputies had to come from Cyrenaica and Fezzan, while the Prime Minister was independent. According to this mechanism, each list presented to the voting round had to include four candidates of the agreed upon composition. On 5 February 2021, recommendations and alliances resulted in the submission of four lists to compete in the voting round. None of the four candidate lists managed to garner the proportion of vote required to win; however, Aguila Saleh's list came in first, followed by Mohamed al-Menfi's list. For this reason, expectations remained that Aguila Saleh's list would be victorious, given the political, military and social significance of his list, which included Saleh himself, notably the President of HoR since 2014, Fathi Bashagha from Misurata, appointed as Minister of Interior in the GNA, thus becoming a leading political and security figure in the in the capital, and Major General Osama al-Juwaili, who headed its military council since the revolution and lead the GNA forces during the war launched by Field Marshal Khalifa Haftar. As explained in the first chapter of this dissertation, Mohamed Yunus al-Menfi's victory over Saleh's coalition represented an interesting turn of events since none of the candidates presented were important personalities in the Libyan political scenes, nor had they been directly involved with the ongoing conflict launched by Haftar in 2014. Al-Menfi, born in Cyrenaica, was elected to the General National Congress

Party in 2012, before he left to join the National Forces Alliance led by Mahmoud Jibril. The other two deputies who had to co-chair the Presidency at the side of al-Menfi were Musa al-Koni, from Fezzan and Abdullah al-Lafi from Tripolitania. The new Prime Minister, Abdul Hamid Dbeibeh, a businessman from the city of Misurata, before being included in al-Menfi's lists, had assumed several responsibilities in major economic institutions under Gaddafi's regime without any known direct

involvement in political affairs.[111] The peculiarity of this list was that the personalities chosen to form the new ad interim government in Libya were more of a technocratic group than a real political government, due to their lack of direct involvement in any political and military activity since 2014. After the election of the group, despite domestic, regional, and international praise and the messages of support sent by national political forces, such as GNA and the House of Representatives of Tobruk, the newly-elected team had to realize the difficulties behind the objectives set by the roadmap already during its first days of office. For instance, the intertwining political, security and economic difficulties due to the fragility of tribal balances and external interferences, seen as potential obstacles to the holding of general elections. The Prime Minister, Abdul Hamid Dbeibeh, addressed the members of the LPDF promising them to end the conflict, hold elections based on democratic foundations and work harmonically with everyone regardless of regional or tribal origins, in accordance with UNSMIL directives. However, the new temporary government had also to find a solution to electricity and water supply problems arisen from the conflicts and to bring all weapons back under state control, while creating jobs for young people, and improving relations with neighbouring countries. In other words, the post-war reconstruction of Libya burdened the new ad interim government and, in the interest of ensuring the continuation of LPDF's efforts, the head of UNSMIL, Stephanie Williams, announced that all the candidates had to sign a pledge in advance to abide by the roadmap approved by the forum before the holding of the official parliamentary and presidential elections on 24 December 2021.[112] Despite the many responsibilities that accompanied the election of the temporary government, its primary tasks were preparing for the elections and maintaining stability during the transition phase of Libya. One of the first actions pursued by Abdul Hamid Dbeibeh upon being selected as Prime Minister was to begin consultation with tribal and regional political parties as well as military figures in order to choose the composition of his executive. The creation of a cabinet was a great challenge especially because of the regional background and internal fragmentation of Libyan society. According to the LPDF's outcomes and to UNSMIL's directives, the distribution of the ministerial portfolio had to be chosen on the basis of some criteria, such as equitable representation, independence and democracy; moreover, Debeibah himself wanted to stress a number of conditions that had to be met by candidates, most notably their ability to move around Libya freely and not to have held any ministerial positions since 2011. Despite external pressures on the composition of the government team which resulted in two postponements of the announcement of the names, Dbeibeh managed to obtain parliamentary approval in accordance

[111] Arab Center for Research & Policy Studies, *A New Interim Government Elected in Libya: Background and Prospects*, op.cit., pp. 2-3.

[112] Arab Center for Research & Policy Studies, *A New Interim Government Elected in Libya: Background and Prospects*, op.cit., p. 4

with the steps tracked by the LPDF. The resulting cabinet included five women out of thirty-three government posts for the first time since independence, with an honourable mention to Najla el-Manghoush and Halima Abdulrahman, who were appointed respectively as Minister of Foreign Affairs and Minister of Justice. The most problematic post was the Ministry of Defence, which Dbeibeh himself temporarily retained, since naming a person from a particular region would have signified giving more decisional and negotiating power to a military group rather than to the other one. In fact, this would seem to indicate that a unified army was still a non-existent entity and that the military power was till disputed between the LNA and anti-Haftar militias.[113]

Despite the difficulties the Dbeibeh's government had to face in terms of unity and equitable representation, the ultimately proposed government gained the consensus of the House of Representatives in Sirte, where the representatives of the two rival factions agreed to meet to decide on the transitional executive authority, with 132 out of 133 deputies voting in its favour, thus increasing government's legitimation internationally.

The consolidation of national Libyan institutions under a single executive authority represents still today the main challenge for Dbeibeh's government and for UNSMIL. The consolidation of the idea of internal division within post-Gaddafi's Libya demands a solid political will from the institutions and the ability to persuade various internal power competitor, such as militias and tribes, to make compromises by sharing negotiating positions in the post-war country. The objective of UNSMIL's products, most notably new Dbeibeh's government, is to convince regional and sub-national entities, especially to those of the State's non-political institutions, to commit to deal with a single, united executive authority in the country. However, the idea of unity remains a consensual act based on the legitimacy of the representatives. For this reason, especially in the presence of an unelected government, such as Dbeibeh's executive, it is the urgent need to replace the transitional authority with consensual representatives resulting from competence, merit, and regional necessities, in order to assure a correct representation of the national population. Furthermore, another aspect to take into account when analysing the future performance of a transitional authority in the post-conflict resolution phase is the challenges represented by security matters, economic and services restoration and legislative measures implementation since all these key pieces create the enabling environment to hold general elections. Firstly, the approach towards the security field is conditional on the State acquisition of the legitimate monopoly of force, meaning the unification of the police and military weaponry to State's control and, especially in the Libyan case, the expulsion of foreign fighters and

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[113] Arab Center for Research & Policy Studies, *Libya's New Cabinet: Formation and Challenges*, op.cit., pp. 1-2.

external military forces from the country.[114] As aforementioned, the latter operation falls within the broader DDR process called for by the United Nation in the aftermath of Gaddafi's overthrow. Ten years later, this task is still difficult to achieve due to the complexity of regional connections of parties in the conflict that have cyclically recurred after each ceasefire agreement during the years of the civil war. Secondly, services and economic restoration are needed due to the accumulated crisis in the active part of the clashes. However, assuming a newly-stabilized oil production, the success in unifying the central bank and the approval of a fully integrated budget, services and economic matters is amenable to resolution.[115] Thirdly, another source of concern for Dbeibeh's government is the constitutional rule and electoral legislation required to hold governmental and presidential elections in 2021, in addition to inclusion of the roadmap approved by the Libyan Political Dialogue Forum since, even with the vote of confidence by the House of Representatives, the Presidential council will have no place on the executive stage without constitutional ratification of the LPDF's roadmap. In this regard, some Tripoli-based politicians oppose to the ratification of the roadmap claiming that forcing parliament to officially recognise the Presidency Council could potentially trigger unnecessary fighting between rival coalitions, which they assume Haftar-led forces would trigger; for this reason, they prefer to maintain a state of convenient ambiguity.[116]

This last interlocking problem is probably the most important in this transitional phase of Dbeibeh's government since its main task is primarily to bring the country to elections at the end of 2021. At least, this directive has been agreed by Libyans' representatives in November 2020 as enshrined in the UN-backed electoral roadmap. However, the lack of further details on the eventual drafting of a Libyan constitution (which was actually completed in 2017 but never put to a vote) and on the elective mechanism (including whether presidential elections would be direct or indirect) generated the absence of internal consensus.[117] This situation of incertitude and delay on the objectives set by the roadmap emerged especially during July 2021 consultations, during which the topic in agenda was still the decision-making mechanism to form a constitutional framework for the official elections. As stated by the newly-elected Special Envoy of the Secretary-General on Libya and Head of UNSMIL, Ján Kubiš, speaking to the members of the Libyan Political Dialogue Forum:

> "A protracted stalemate, feeding on mistrust and trading accusations, risks undermining
>
> the very essence of your Roadmap. […] The United Nations is here to assist you and to

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[114] Arab Center for Research & Policy Studies, *Libya's New Cabinet: Formation and Challenges*, op.cit., pp. 3-4.

[115] Arab Center for Research & Policy Studies, *Libya's New Cabinet: Formation and Challenges*, op.cit., p. 4.

[116] International Crisis Group, *Libya turns the page*, in "Middle East and North Africa Report", no. 222, 2021, p. 21.

[117] International Crisis Group, *Libya turns the page*, op cit., p. 12.

support you as you endeavour to implement the Roadmap. We might eventually come out with some suggestions based on your proposals with the Legal Committee proposal as the main reference document. But neither the UN nor the international community at large can replace your own political will to move past your differences, live up to your responsibilities, and focus on the most important objective which is to develop a constitutional framework for free, fair, transparent, and inclusive elections."[118]

From these words one can fully understand the political stalemate ongoing in the LPDF meetings at present time, which is a clear response to the still fragmented situation regarding peacebuilding efforts. Even though it seems to be unlikely that clashes and military conflicts will be resumed by the opposing parties in the short term, the UN is still struggling to pursue an effective political dialogue and to guarantee a sustainable order in the country, consequently threatening the success of the democratic elections scheduled for 24 December 2021.

2.3 EU CIVILIAN AND MILITARY OPERATIONS IN LIBYA (EUBAM, EU NAVFOR MED, IRINI)

Up until this point, the focus of this dissertation has been on the political events which invested Libya internally and the measures taken by the international community with the aim of repairing the collapse of the State through peacebuilding process. Besides international interests based on market economy safeguard and strategic placement in post-conflict reconstruction plans, it is important to underline another factor pushing the international community to solve the Libyan crisis, notably humanitarian crisis resulting in illegal migration across the region and, obviously, all the regional consequences related to the collapse of democracy and rule of law within the country. Security protection in the regional theatre has become a prerogative of international entities, such as NATO and the European Union. The latter, in particular, has been struggling in affirming its direct military control due to a series of structural components that tend to prioritize the normative nature of the Union instead of its military power. However, this problem will be further explored in the third chapter of the dissertation. At the moment, the focus of the analysis is instead on the civilian and military operations pursued by the European Union in order to solve the Libyan crisis while monitoring the security of Union's borders.

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[118] UNSMIL United Nation Support Mission in Libya, *UN Secretary- General Special-Envoy for Libya Ján Kubiš Opening Remarks - Libyan Political Dialogue Forum Virtual Meeting 11 August*, 11 August 2021, https://unsmil.unmissions.org/un-secretary-general-special-envoy-libya-j%C3%A1n-kubi%C5%A1-opening-remarks-libyan-political-dialogue-forum, last access 12 August 2021.

The EU's operations carried out under the Common Security and Defense Policy (CSDP), created to enable the Union to take a leading role in peace-keeping operations, can be of three types: military, civil or civil-military missions. Since the entry into force of several treaties defining a common management of the security sector, the European Union has been undertaking many operations using civilian and military instruments in many countries of Africa and Asia. Each mission works in the framework of a comprehensive approach considering the necessities of the country and the general principles of the European Union. At the beginning of 2021, the EU is conducting seventeen external CSDP missions, including six military operations, for which Member States are deploying more than five thousand civilian and military personnel, as shown in figure 3.
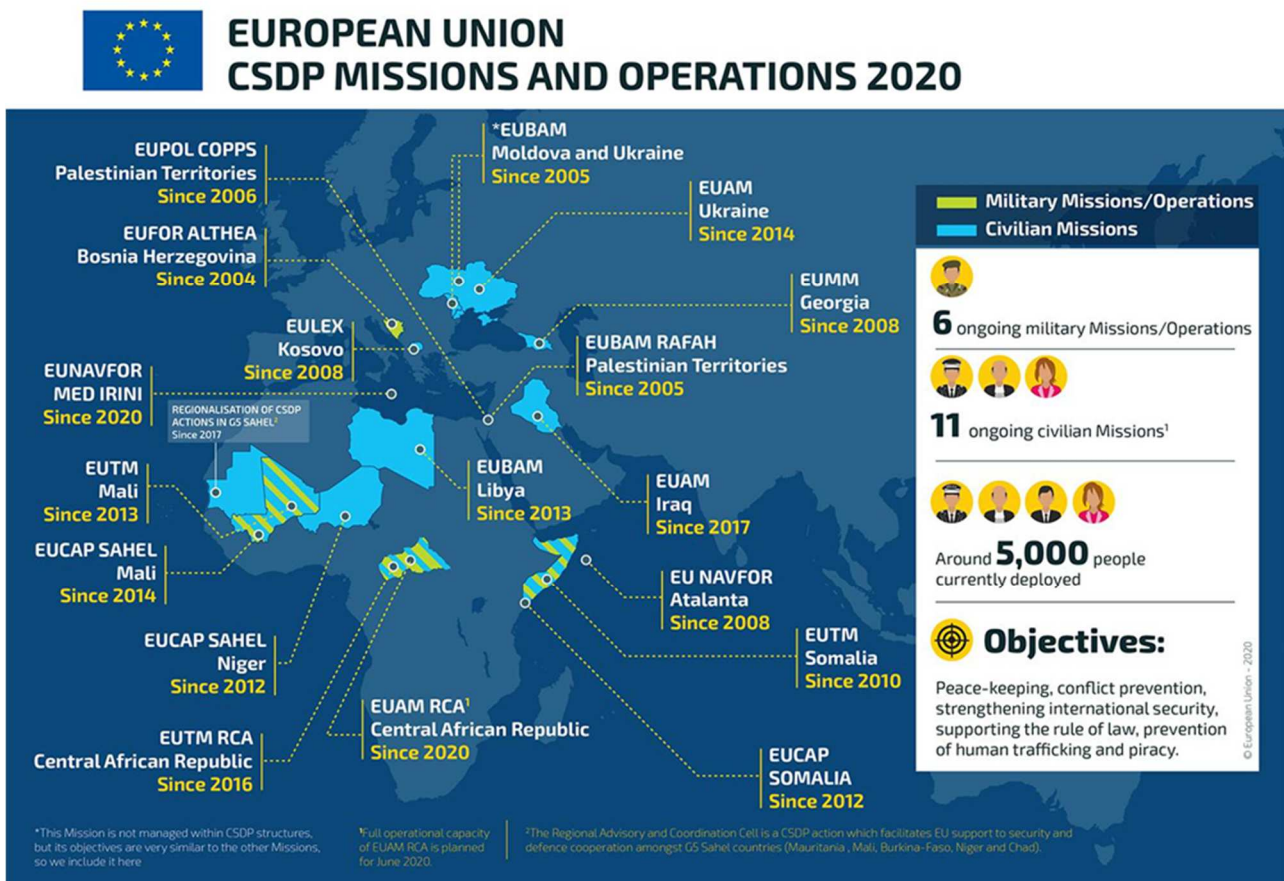
Figure 3: This map shows the overview of ongoing civilian and military missions deployed on three continents -namely Europe, Asia, and Africa- pursued by the European Union under the Common Security and Defense Policy (CSDP). It should be noted that in this chapter I will focus on the analysis of operations affecting Libya, most notably EUBAM and EUNAVFOR MED IRINI operations.[119]

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[119] European External Action Service (EEAS), *Military and civilian missions and operations*, 5 March 2019, https://eeas.europa.eu/topics/common-security-and-defence-policy-csdp/430/military-and-civilian-missions-and-operations_en, last access 13 August 2021.

Since its inception, the EU's Common Security and Defence Policy (CSDP) has developed through two parallel processes – military and civilian – that have the same goal but are run separately and differ significantly on some characteristics. In the current security environment, where the European Union confirms its role of a regional normative actor with little military leverage, civilian operations nevertheless remain an essential instrument of strategic importance of the EU toolbox. The debate surrounding the strategic goals and expectations of civilian operations is fundamental to understand the more operational questions. So far European civilian missions have been mainly focused on providing limited support to political and administrative systems of third States, thus falling short of producing any strategic impact.[120] In practice, civilian CSDP has largely developed as a long-term policy that deals in part with structural issues such as security sector reform (SSR), for instance. Yet, while these long-term activities contribute to stabilisation, they have little to do with crisis management, as in the case of Libyan civil war. Thus, the debate on EU's civilian and military operations also concerns the extent to which CSDP should embrace a more central conflict prevention agenda, implying a long term commitment related to another type of response.[121] Consequently, the attempts to revitalise CSDP in the context of the debate on the nature of the European Union as a regional power have tended to focus on the military aspects of external policies.

Strategic debates on the goals of civilian CSDP lead to important questions on the degree of relevance of current missions, especially in Libya: the first problem is about the real impact of civilian missions in the post-conflict peacebuilding and operations, and the second question is about how adapted those missions are to the monitoring of regional consequences of civil war in the context of peace-keeping operations, such as terrorism, illegal migration, and hybrid threats. However, while, on the one hand, there have been calls for the European Union to act in a more interest-driven manner on the regional arena, the Europeans' threat perception is often different, since on the other hand internal actors called for the enhancement of a more EU-centric security agenda first. Consequently, the new European challenge is to strike the right balance between serving the EU's own security agenda and meeting the needs of the third states where it intervenes.[122]

Getting back to civilian operations in crisis management, that are the type of missions deployed in Libya, those kinds of operations describe the development of a EU's external policy which involves the use of civilian assets to prevent a crisis, to respond to ongoing crises, to face the consequences of a crisis or to address the causes of instability. In practice, EU civilian operations address various effects of conflicts through activities that include, inter alia, support to good governance and the rule

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[120] Thierry TARDY, *Civilian CSDP: what next?*, in "European Union Institute for Security Studies (EUISS)", 2016, pp. 1-2.

[121] TARDY, *Civilian CSDP: what next?*, op.cit., p. 3.

[122] TARDY, *Civilian CSDP: what next?*, op.cit., pp. 3-4.

of law, security sector reform (SSR), development and humanitarian aid, support to political and electoral processes, border and coast management, counter-terrorism, anti-corruption, and so forth.[123] However, although it may seem an unnecessary clarification, civilian crisis management is non-military crisis management. This specification is important because such opposition between military and civilian is peculiar to the European Union as one of the only international security organisations that makes a distinction between the two types of activities (although the distinction can get blurred for instance when civilian operations are predominantly manned by military officers). In any case, it is impossible to analyse civilian crisis management operations without taking into account what the EU or other institutions usually do in the military domain. For instance, the way FRONTEX have interacted with a military operation (specifically called EUNAVFOR Med) in Southern Mediterranean proves the necessity to consider civil-military relations in the analysis of the civilian paradigm. [124]

The operations that I am going to examine hereafter show another aspect of international leverage on Libyan matters of jurisdiction due to the collapse of the State after the death of Gaddafi but, as opposed to internal political peace process pursued under the auspices of the United Nations, such as UNSMIL and the LPDF, in this case in point I will focus on the side effects of the crisis on the regional security. The difference is that civilian operations like EUBAM, despite coming from supernational initiatives as well, enter into force not only to stabilise the country, but to respond to a real threat tiggered in the region by the lack of security and control in the crisis area. The main consequences -perceived as threats by the European Union- of the Libyan situation are illegal migration, human trafficking across the Mediterranean Sea and terrorism, all under the umbrella of the violation of human rights.

2.3.1 EU Integrated Border Management Assistance Mission in Libya (EUBAM Libya)

The EU Integrated Border Management Assistance Mission in Libya (EUBAM Libya) is a civilian crisis management operation of the European Union established in May 2013 to support the Libyan authorities in strengthening their border services in accordance with international standards and best practices. The operation supported the Libyan authorities in developing border management and security at the country's land, sea and air borders, through advising, training and mentoring Libyan counterparts in strengthening the border services in the short term, and by advising the Libyan authorities on the development of a national Integrated Border Management (IBM) strategy in the

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[123] Thierry TARDY, *Recasting EU civilian crisis management*, in "European Union Institute for Security Studies (EUISS)", 2017, p 10.
[124] Thierry TARDY, *Recasting EU civilian crisis management*, op.cit., pp. 9-11.

longer term.[125] The content of EUBAM Libya's training and advising activities has covered all areas of IBM, such as inter-agency cooperation, risk management methods, optimal use of existing equipment and restructuring of agencies to increase effectiveness. Moreover, since its birth, mission EUBAM has been working as a stabilizing factor on helping and broadening the institutional reform path. Despite the difficulty in rebuilding (or building from scratch) the Libyan institutional framework due to the lack of any clear form of institution or State, it is possible to talk about an integrated security plan thanks to EUBAM's work, which means by striking the right balance between security and fundamental rights. At the strategic level, EUBAM's activities have helped the Libyan authorities to set up a cross-ministerial body called the Border Management Working Group (BMWG), to coordinate the action of naval, police, border guards, and all the other agencies involved in the monitoring process of the borders.

Following the deterioration of the Libyan security and political situation, EUBAM suspended its activities and evacuated to Tunis. However, since the outbreak of the civil war, the mission has operated from its official headquarter in Tunisia, despite being downsized, by supporting the Libyan Customs and Naval Coast Guard through workshops and seminars. The December 2015 Libyan Political Agreement (LPA) provided opportunities for the mission "to assist and plan a comprehensive civilian security sector reform planning process, with a view to preparing for a possible civilian capacity building and assistance crisis management mission" [126], as explained in the EU Council decision 2016/207. In fact, since its new mandate in February 2016, EUBAM has been transformed into a planning mission providing advice and capacity-building regarding police and criminal justice, including counter-terrorism, and border management. As a part of the renovation of EUBAM mission, on 30 August 2016, Vincenzo Tagliaferri, a senior police officer from Italy, was appointed head of the EU civil mission in Libya.

After almost two years of negotiations, on 14 February 2018 the Minister of Justice of the GNA, Mohamed Abdelwahed Abdelhameed, and the Head of EUBAM, Vincenzo Tagliaferri, managed to sign a Memorandum of Understanding in Tripoli, with the aim of formalizing their bilateral cooperation. In the Memorandum, EUBAM was committed to assist the security sector reform in Libya by starting from the justice sector, thus enhancing its action on the improvement of the rule of

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[125] Official Journal of the European Union, *Council Decision 2013/233/CFSP of 22 May 2013 on the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya)*, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013D0233&from=EN, last access 15 August 2021.

[126] Official Journal of the European Union, *Council Decision 2016/207 of 15 February 2016 amending Decision 2013/233/CFSP on the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya)*, https://eeas.europa.eu/sites/default/files/oj_jol_2016_039_r_0011_en_txt.pdf, last access 18 August 2021.

law and the criminal justice chain in the country. The agreement provided the overall framework for strategic cooperation and appointed EUBAM in strengthening the good work of the Ministry of Justice and all of its dependent bodies, for instance through training operations. The first institutional step to implement the Memorandum, was the establishment of the Criminal Justice Improvement Working Group, a forum body which had to identify the needs of the Libyan Ministry of Justice and provide assistance in legal reforms.[127]

In 2017, EUBAM mission returned to Tripoli after its temporary relocation in Tunisia due to the ostensible normalization of the security situation in the capital of Libya. EUBAM continued supporting the Government of National Accord in the areas of border management, law enforcement and criminal justice to fight organised crime, terrorism, and illicit activities, such as smuggling of migrants and trafficking in human beings, and the overall management of trans-Mediterranean migrations. It is important to underline that in 2018 the coordination between EU institutions and the GNA was primarily pursued through EUBAM presence in the Libyan territories: EUBAM had received an invitation from the GNA Ministry of Foreign Affairs to continue supporting the planning and implementation of its action, labelled the 'White Paper process', to reform Libya's border management approach. This reform process became the framework for a number of additional projects related to border security.[128] At the beginning of 2021, Natalina Cea was appointed Head of EUBAM mission in Libya, succeeding Vincenzo Tagliaferri. Moreover, in the same year, the EU Council extended the mandate of UNSMIL for a further two years, until 30 June 2023. Following the evolution of the Libyan security situation, if the mission was initially meant to give support to Libyan authorities, with the introduction of the ad interim government headed by Abdul Hamid Dbeibeh EU delegation in Libya are now facing a discussion with the temporary government to see if Libyan ambitions are willing to meet European interests to introduce the idea of the reunification. Because of the current better security situation, UNSMIL is redeploying its staff from Tunis to Tripoli in order to contribute to the reunification process through the action in new priority fields including the redesigning of the chain of command and training operation towards ministry of interior and foreign policies. It is however important to underline that EUBAM mission's focus shifted towards the border control in the South, thus creating a monitoring joint mission not only referred to the northern part of

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[127] European External Action Service (EEAS), *EUBAM signs a Memorandum of Understanding with the Libyan Ministry of Justice*, 15 February 2018, https://eeas.europa.eu/csdp-missions-operations/eubam-libya/39921/eubam-signs-memorandum-understanding-libyan-ministry-justice_en, last access 18 August 2021.

[128] European External Action Service (EEAS), *Civilian CSDP Missions: Supporting Libya on its border security and management reform*, 5 February 2018, https://eeas.europa.eu/csdp-missions-operations/eubam-libya/39357/civilian-csdp-missions-supporting-libya-its-border-security-and-management-reform_en, last access 18 August 2021.

the country in the realm of migration and human trafficking, but also interested in monitoring the borders linking the Sahel, the Sahara and Libya. One of the firs initiatives in this regard is the creation of a cooperation bridge between Libya and foreign counterparts like police and immigration services in Mali, in Niger and so forth. The final goal is to possibly sign memorandum of understanding and international accords between those actors in order to exchange information to see how southern borders can be controlled. UNSMIL's new approach is thus integrating not only the European Union but also the local and regional counterparts in the management of Libyan borders, while involving not only State actors but also civil society.

2.3.2 Review of previous naval operations in the Mediterranean Sea

Shifting the focus of this analysis towards the monitoring of the borders in the Mediterranean, besides UNSMIL's action, other types of European missions cooperated in this realm, even with the involvement of military structures and assets. The development of operation EUNAVFOR MED IRINI is articulated in several stages. The nature of European military engagement in the current Common Security and Defense Policy (CSDP) missions and operations is fundamentally different from the common military tasks as undertaken under national control. Although the military field is usually linked to the concept of hard power, the European Union's approach presents itself as "wrapped in a velvet glove".[129] As explained in the official commitments of the European Union to justify its external actions, military operations in the host nations or in the seas adjacent to unstable region, as in the case of EUNAVFOR MED IRINI, is intended to project stability and to increase internal security without direct employment of forces, instead enabling and supporting local security institutions in building up their own capacities in order to achieve a sustainable Safe and Secure Environment (SASE). For this reason, the tasks entrusted to the EU military operations usually include supporting internal security building, providing advice to security institutions in realms such as operations, plans, logistics, administration, and legal affairs, as well as providing specialised training to the Armed Forces of the host nations. All these operations are intertwined with political internal support, with a special emphasis on advancing constitutional and democratic order over the military apparatus and on strengthening the rule of law.

EU military operations involving Libyan cooperation in the context of the Mediterranean Sea have been a direct consequence of the migration crisis that in the past few years affected the southern shores of the European Union. In fact, one of the consequences of the civil war, the spread of poverty and bad living conditions in the country was a significant wave of migration directed towards Europe

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[129] Georgios TSITSIKOSTAS, *Challenges of Military Operations and Missions*, in Jochen REHRL (edited by), *Handbook on CSDP. The Common Security and Defence Policy of the European Union*, vol. 1, no. 3, European Security and Defence College, 2017, pp. 83-84.

and the EU Member States, especially those closest to the Libyan borders, such as Italy. However, it is important to underline that the majority of migrants departing from Libya were in realty residents of Sudan, Niger, Chad, the Horn of Africa area, but also Syrians and Palestinians, who tried to leave the continent via Libya.[130]

Although the massive influx of migrants, asylum seekers, and refugees is not necessarily the biggest challenge for Europe, the public opinion put the migration crisis on the agenda of European politicians, who having been seeking common solutions. As shown in figure 4, the surge of asylum applications in Europe reached its peak at the end of 2015, thus generating a prompt response of EU institutions. As a result, the total number of refugees and asylum seekers dropped by 70 000 from 2015 to 2016.
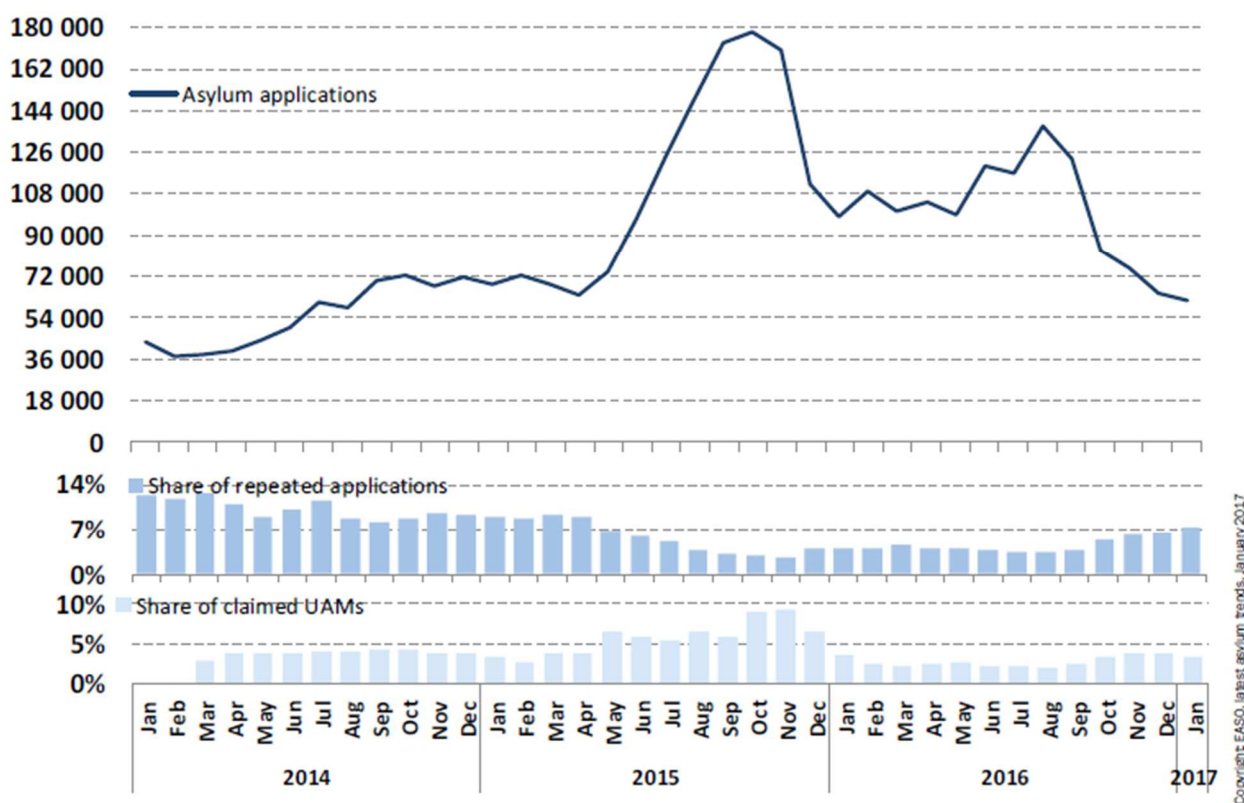

Figure 4. This graph shows the variation in number of refugees and asylum seekers in the period 2014-2017 in Europe. After having reached the peak of almost 180.000 asylum applications in October 2015, the following year saw a rapid decrease in number of asylum requests.[131]

European CSDP has proved to be a useful tool in assisting the EU and its Member States in the management of migration flows: although CSDP mainly focuses on the security aspects of the EU's

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[130] Katarzyna WARDIN, *Armed Conflicts in Fragile States and Their Influence on Illegal Migrations and Refugees in the European Union in the 21st Century*, in "Politeja", vol. 56, 2018, p. 223.

[131] Jochen REHRL, *Migration and CSDP*, in Jochen REHRL (edited by), *Handbook on CSDP. The Common Security and Defence Policy of the European Union*, vol. 1, no. 3, European Security and Defence College, 2017, p. 105.

support to our partner countries in managing migratory flows at their borders, there are several key areas in which CSDP support could have an added value. CSDP missions and operations could work alongside the European Border and Coast Guard Agency -born in 2016, following the migration crisis- as well as other specialised EU agencies with the aim of enhancing border protection and maritime security in order to contrast cross-border crime and disrupting smuggling networks, thus saving more lives.

European borders intended as Schengen borders, in 2016 had already subjected to the Union's control through another institutional tool called European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (also known as FRONTEX), established by the Council's Regulation 2007/2004 on 26 October 2004.[132] The mission of operation FRONTEX was to help European member States implement European law homogeneously along the entire perimeter of external borders and to coordinate cooperation between different member States in the management of borders. Due to the immigration crisis of 2015, which triggered the political necessity to improve the security of external borders of the Union, European commission was prompted to take action and propose a new agency to fill the gap of Frontex in terms of capacity and effectiveness, since it lacked the authority to conduct border management military operations such as search-and-rescue services.

The new the European Border and Coast Guard Agency created to strengthen Frontex in order to manage migration more effectively, improve the internal security of the EU, and safeguard the principle of free movement of persons in the Schengen area was equipped with several political and military tools in order to operate, especially in the Mediterranean Sea. In particular, the Agency guaranteed:

- A reserve pool of guards, human resources and technical equipment that could be deployed on the borders, in order to avoid shortages of staff and to assess the operational capacity to face challenges in case of vulnerabilities of external borders.
- A supervisory role accompanied by a monitoring and risk analysis centre created with the aim of monitoring migratory flows.
- The right to intervene through joint military operations, for instance by operating Remotely Piloted Aircraft Systems (drones) in the Mediterranean Sea.

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[132] Official Journal of the European Union, *COUNCIL REGULATION (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union*, 26 October 20014, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32004R2007&from=EN, last access 18 August 2021.

- The Coast Guard surveillance, which included the participation of national coastguards to the border control.

- A mandate to work through joint operation in neighbouring third countries.[133]

The struggle with human traffickers at the Mediterranean Sea to which the EU is entangled followed three major operations: operations "Poseidon" and "Triton" carried out on behalf of Frontex. The third operation, undoubtedly of the most significant importance, was the military operation EU NAVFOR MED. In fact, in 2015, following the migrant shipwrecks caused by the increase in migration flows from North African shores, besides the aforementioned enhancement of Frontex operation -which was however busy in monitoring the whole perimeter of European borders- the European Union decided to implement another military operation with the aim of neutralising established refugee smuggling routes in the Mediterranean Sea: operation Sophia, formally known as European Union Naval Force Mediterranean (EU NAVFOR Med). The mission core mandate was to undertake systematic efforts to identify, capture and dispose of vessels suspected of being used by migrant smugglers or traffickers in the Southern Central Mediterranean. The operation was designed around different phases: after the deployment of forces, consisting in the first step of the mission, the second phase foresaw the search and diversion of smugglers' vessels into territorial waters. Finally, the third phase expanded this latter activity further, taking operational measures against vessels suspected of human smuggling inside the coastal state territory. All these operations were necessarily subject to the legal framework established by United Nation Security Council Resolutions (UNSCR) and following coastal State consent.[134] In 2016, the European Council added to Operation Sophia two reinforcing goals focused on the monitoring of Libyan situation, including the training of the Libyan coastguards and navy and the implementation of UN arms embargo on the seas off the Libyan coasts. Progressively, these tasks related to Libya expanded and developed, until encompassing a monitoring mechanism to control Libyan officers trained in the Navy, the creation of more activities designed for the collection of information on the illegal export of Libyan oil, and the possibility of exchanging information with the law enforcement authorities of the European Member States, Frontex and Europol on trafficking in human beings.

2.3.3 EUNAVFOR MED IRINI

After the implementation of Operation Sophia, at the beginning of 2019, EUNAVFOR Med underwent an important downsizing due to the rapid variation of political event in Libya and

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[133] European Commission – Press Release, *A European Border and Coast Guard to protect Europe's External Borders*, 15 December 2015, https://ec.europa.eu/commission/presscorner/detail/en/IP_15_6327, last access 18 August 2021.

[134] WARDIN, *Armed Conflicts in Fragile States and Their Influence on Illegal Migrations and Refugees in the European Union in the 21st Century*, op.cit., p. 225.

European interests on the monitoring of the Mediterranean Sea. For this reason, if in 2019 Operation Sophia was gradually reduced, at the beginning of 2020 the European institutions decided to plan the implementation of a new military operation to replace the old one.

As aforementioned, the Libyan peace process took place through a series of meetings and initiatives aiming at resolving the Libyan civil war, especially after the escalation of the conflict triggered by the siege of Tripoli of Khalifa Haftar's forces. During the Berlin Conference, in January 2020, which gathered many world powers, international and regional organisations and representatives of countries of the Mediterranean Basin, one of the main outcomes of the meeting was the implementation of UN arms embargo on Libya. In fact, despite being in force for many years, the illegal flows of weapons and arms towards Libya was still one of the causes of the continuation of the violence in the territory and of the various breakdowns of ceasefire agreements. In order to deliver the outcome of implementing the arms embargo, in February 2020, the Foreign Affairs Council of the European Union decided to launch a new European Union's operation under the patronage of the Common Security and Defence Policy (CSDF), while closing Operation Sophia. The new chapter of EUNAVFOR Med operations, named EUNAVFOR MED IRINI, was launched on 31 March 2020 and extended until 2023. The main task of the new military and naval operation is, firstly, the implementation of the UN arms embargo on Libya through the use of aerial, satellite and maritime assets, intended to monitor and inspect vessels on the high seas off the Libyan coasts suspected of transporting weapons and related materials. Secondly, as the successor of Operation Sophia, EUNAVFOR MED IRINI is also in charge of monitoring potential illicit exports from Libya of petroleum and crude oil and training the Libyan coast guard and Navy with the objective of contrasting human smuggling and trafficking networks.

Criticism on Operation IRINI are addressed especially towards the European Union's management of the various military operations within the Mediterranean Basin over time since their effectiveness is unsubstantiated due to the continuous amendment and revision of the Union's military operations. As argued by Federico Alagna, "Albeit different in their mandates, Operation Sophia and Operation Irini both fall into the category of EU foreign policy decisions taken under political and popular pressure to "do something" but lacking in political courage to do what is really necessary. Their overall shortcomings in long-term planning and strategic thinking risk undermining both the tangible objectives of these missions and the broader, intangible goal of reinforcing EU credibility."[135]

Furthermore, another important controversy is that the messaging around Operation IRINI focusing on the maritime nature of arms embargo dispute is the perception of the monitoring Operation in the

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[135] Federico ALAGNA, *From Sophia to Irini: EU Mediterranean Policies and the Urgency of "Doing Something"*, in "Istituto Affari Internazionali (IAI)", vol. 20, no. 32, 2020, p. 2.

Mediterranean as a "thinly veiled barb at Turkish assistance to the GNA which created hostile responses from both the GNA and Turkey to what should have been an important asset in the fight to uphold UN resolutions on Libya".[136] In other words, EU's actions against spoilers of the Libyan peace process ended up being perceived as a political threat instead of a peacebuilding operation by the same Libyan authorities that the European union was sustaining, thus revealing the lack of preconditions of cooperation between the EU and Libya. Moreover, once again, what could have been a collective weight upon a normative policy position became a pretext against the integrity of the European Union as normative power and its ability to act decisively, due to the divergence of member States' opinions and the lack of internal coordination.

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[136] MEGERISI, *EU Policy towards Libya*, op.cit., p. 39.

CHAPTER III

THE MANAGEMENT OF LIBYAN CONFLICT IN THE INTERNATIONAL ARENA. WHAT PROSPECTS?

The MENA region has been experiencing a series of structural changes since the beginning of Arab uprisings in late 2010, after the political events that unfolded following the popular protests in Tunisia. The political landscape of the whole region has been transforming since then and regime changes, authoritarian resurgence, as well as State failures have led to explicit or implicit external interventions of both regional and global powers. Moreover, the spill over effects resulting from the civil wars and migration flows have destabilize not only MENA's countries, but also their neighbourhood, which triggered the interventions of regional and global powers to those conflicts.

There is a continuous debate in the public sphere on whether the international intervention in Libya following the fall of Gaddafi's regime was a success or a failure. Although it seems easy to jump to conclusion by labelling international action as either totally good or totally bad, external leverage on national crisis situations is rarely simple to classify. Thus, it is important to approach the issue with a more nuanced way of judging. For instance, international interventions can be necessary or even useful in certain situations, but they must be planned with a predetermined focus and agreed by local actors on the ground to be considered lawful. External interventions by both regional and supernational powers in Libya have been common after the 2011 revolution in Libya. In 2014, the nature of external interventions became military-led especially due to Khalifa Haftar's imposition in Cyrenaica and, in 2019, after Haftar's attempted coup in Tripoli, the situation even worsened.

This third and last chapter tries to conclude the discourse on the Libyan crisis' resolution path by providing a number of analyses on global and regional actors' involvements in Libya in the aftermath of the Arab revolts and the fall of Gaddafi's regime. As one could understand by reading the first and second chapters of this work, two main actors managed to leverage Libyan internal political crisis either to solve it or to their own gain in certain occasions: United Nations institutions such as UNSMIL, and the European Union through civilian and military missions such as EUBAM and EUNAVFOR MED IRINI. In this last chapter I will analyse the intervention of both the global powers, but I will add to the discourse on Libya another important actor, less often considered in the peacebuilding and post-conflict reconstruction, notably Italy.

However, before starting this analysis it is important to spend a few words on the theories in international relations which regards international actions, thus highlighting the most prominent competing approaches on the role of the States and of the international community in the political

field elaborated by scholars. This is important to underline in order to understand how much of an impact can have international institutions on contemporary relations among States and, above all, if this impact and leverage is legitimized in every context, such as in relations with a post-crisis State. Firstly, the dominant school of thought in international relations' theory has been for some time realism and, still today, it remains a major current. According to realism, world politics is necessarily a field of conflict among actors whose only final goal is to pursue and maintain power. In virtue of this position, realist theory produced in pragmatic terms the realpolitik, which is the practical application of realism in both internal and foreign policy. Given the centrality of the State, according to realist theories, the result of competition among States is called security dilemma, which cause conflicts according to which no State is safe, at least given the absence of a superior authority. Starting from this, the neo-realist theory, also called structural realism, was developed in Kenneth N. Waltz's Theory of International Politics as an upgrade of the ancient realist theories.[137] The central argument of this variant of realism is that the broad outcomes of international politics derive more from the structural constraints of the States system than from single unit behaviour, as suggested in Thomas Hobbes' idea of society. The very core assumption of the neo-realist theory is that States try to maximize the interests of their own citizens. Thus, the question is if it is possible to conciliate the neo-realist vision of the international arena with the contemporary theories of peace-building and humanitarian intervention. Secondly, as a direct opposite of realist theories in international relations, there is liberalism, which is a school of thought that rejects power politics and accentuates international cooperation. In this case, international organizations such as the United Nations, as well as nongovernmental actors, can shape State policies through the provision of non-violent solutions to resolve conflicts -as done by the UN Security Council-, the development of international trade and the spread of democracy. Liberals believe that, with proper institutions and diplomacy, States can work together to minimize conflict. In virtue of the latter theory of international relations, it can be argued not only that international actors' action in the context of Libyan crisis is justified, but also that all the legal theories of peacebuilding processes and Responsibility to Protect (R2P) are legitimate as well. This happens because in the liberal vision, democratic countries tend to see each other as a part of a grouping of States united by shared values, thus international order is based on "democratic solidarity", which "can be seen in diplomatic groupings and in patterns of alignments in international conflict and cooperation."[138] The justification of international interventions is thus a direct consequence of the belief that liberal democracies find it easier to work with each other in a

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[137] Paul SCHROEDER, *Historical Reality vs. Neo-Realist Theory*, in "International Security", vol. 19, no. 1, 1994, pp. 108-109.
[138] John IKENBERRY, *A World Safe for Democracy: Liberal Internationalism and the Crises of Global Order*, New Haven, London, Yale University Press, 2020, p. 37.

context of shared values and cooperation than with nondemocracies or war-torn States, such as Libya after Gaddafi's overthrow. Moreover, there is also the concept of "cooperative security", which pushes liberal democracies to build ties with each other in order to pursue mutual security protection to respond threats from both outside and inside the democratic world.[139] The liberal paradigm has emerged in the international framework after the end of the cold War, when the United States and its partners managed to build aa distinctive type of international order (called in various ways, such as Pax Americana[140], the Western order, American liberal hegemony and so forth) which implied the effort pursued by Western countries -guided by the USA- to cooperate in reorganizing the international space with liberalism, democracy, rule of law and human rights.[141] This post-war project generated a functioning political order in which universal post-war institutions, such as the United Nations and the Bretton Woods institutions, which did not disappear and helped running an American hegemonic order built around its alliance system in a hierarchical scale, having both imperial and liberal characteristics.[142] This is why, according to international institutions which follow the liberal democratic system, such as the United Nations and the European Union, it is necessary to engage in operations of peacebuilding and reconstruction of democratic assets in areas of crisis like Libya.

The global institutions, however, follows a more complex scheme, not only leaning on liberal vision, but also being intertwined with the history of capitalism and imperialist interests: a number of constructs in this sense, starting from the "White Man's Burden" until the civilizing mission, which includes the spreading of democracy and stability in order to rationalize capital accumulation, demonstrated that liberalism is sired to capitalist order and imperialist view. According to Professor Hilbourne A. Watson contemporary imperialism, which is disguised as neoliberal globalization, is held by a complex grouping of ruling class forces and institutions from across the spectrum of manufacturing, finance, banking, oil, telecommunications, information technology, and multilateral institutions like the World Bank, the International Monetary Fund (IMF), the European Union and the United Nations.[143] These institutions emphasize a number of worthwhile values and principles about justice, individual rights, freedom, and the role of the State in securing certain political and social outcomes, within a context of liberalism and universal humanism, thus producing a form of

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[139] IKENBERRY, *A World Safe for Democracy: Liberal Internationalism and the Crises of Global Order*, op.cit., pp. 38-39.

[140] Daniel J. SARGENT, *Pax Americana: Sketches for an Undiplomatic History*, in "Diplomatic History", vol. 42, no. 3, 2018, pp. 357-376.

[141] IKENBERRY, *A World Safe for Democracy: Liberal Internationalism and the Crises of Global Order*, op.cit., p. 179.

[142] IKENBERRY, *A World Safe for Democracy: Liberal Internationalism and the Crises of Global Order*, op.cit., p. 181.

[143] Hilbourne A. WATSON, *Liberalism and neo-liberal capitalist globalization: Contradictions of the liberal democratic state*, in "GeoJournal", vol. 60, no. 1, 2004, pp. 43-44.

class democracy.[144] In fact, the founders of neoliberal thought deliberately decided to adopt such values of freedom and human dignity as pivotal basements of the society according to their neoliberal vision. This choice, according to Professor David Harvey, was successful because of the natural attractive power of values like individual freedom.[145] Neoliberalism is in fact an economic theory which insists on the freedom of the market but, in contrast with classical liberal theories sustaining the laissez-faire approach to the market, with the invisible hand of the market as a metaphor to explain that the market itself will find its equilibrium without government or other interventions forcing it into unnatural patterns, neoliberals argue instead that State institutions' duty is to intervene in the market with economic policies in order to fix the systemic crises of capitalism and free-market economy. The neoliberal international order in fact is not a mere collection of liberal democratic States, but it comprehends a wider concept of international society, where members are provided with mutual aid, economic and political advancement, dispute-resolution mechanisms, regulatory agreements, allied security guarantees and resources in times of crisis. Besides the variety of reasons States are persuaded to embrace the neoliberal international order, there are also powerful obstacles to opponents who seek to overturn the system.[146] The requirements to be met in order to join this community are built on general definitions and values of neoliberal theory, created with the aim of developing an open and rule-based system. Consequently, the first parameter is openness in trade, investments, and knowledge sharing, intended to avoid protectionist tendencies and slower-growing countries threatening the entire community of States. The intervention of both State institutions ad supernational organization, however, is not restricted only to economic matters but, since neoliberalism gives State institutions a prominent role of control, it also involves political policies in terms of democratization of society, as explained above. As a consequence, the neoliberal State is embedded in a context that forces it to be competitive in the international market and, for this reason, it tends to create the best climate to spread the economic activity through the democratization of society pursued by supernational organization, including the security protection. Regarding the latter issue, the protection of security inside and outside neoliberal States become a priority for the international society, in order to maintain the neoliberal order. Multilateral peacekeeping operations prosecuted by multilateral agencies like the United Nations, for instance, may provide a crucial

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[144] WATSON, *Liberalism and neo-liberal capitalist globalization: Contradictions of the liberal democratic state*, in "GeoJournal", vol. 60, no. 1, 2004, p. 43.

[145] David HARVEY, *A Brief History of Neoliberalism*, Oxford, Oxford University Press, 2005, p. 6.

[146] Jhon IKENBERRY, *The Future of the Liberal World Order: Internationalism After America*, in "Foreign Affairs", vol. 90, no. 3, 2011, pp. 61-63.

service by ceasing violence -at least temporarily- with the aim of reinforcing the neoliberal world order in which neoliberal States and institutions are able to operate and trade.[147]

3.1 THE UNITED NATIONS' ROLE IN PEACEKEEPING OPERATIONS

Before examining United Nations' actions relative to the peacebuilding programmes in areas of crisis, such as Libya as in the case in point, it is necessary to draw some guiding lines on the role of this institutions, starting from its beginning. As argued by historians and political scientists, the official founding and subsequent history of the United Nations has been triggered by the institutional development of this establishment as a spontaneous response to the horrific aftermath of the World War II. In this vein, the pillars of the United Nations have been considered as an expression of worldwide aspirations for the creation of a more internationally conscious and democratic order.[148] However, the birth of the United Nation has been also directly connected to the intention of the United States of shaping the universal idealism of the new world order, by virtue of its status as the world's remaining superpower after the end of the Cold War and in recognition of the military, economic, and political power that still today makes the United States the hegemonic power.[149] In fact, American hegemony is seen to extend beyond the economic ascendancy on foreign States, since it includes also rulemaking in areas of international development of security, peacekeeping, state-building and nation-building, democratic transition and human rights. As a consequence of this ideological justification of its power, global organizations -including international economic and financial institutions and the United Nations- are practically dominated by the United States in their functions of monitors and enforcers of neoliberalism and Americanism. This interpretation begins with the observation that the United Nations was mainly an American creation, and this can be argued reviewing the history of the shaping of this institution and the efforts Americans put in it.

3.1.1 Principles and brief history of the United Nations

The first important step towards the establishment of the United Nations as an international organization was the Inter-Allied conference which led to the Declaration of St James's Palace in June 1914, during the World War II. In this occasion the Allies gathered together in London, being

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[147] Anna M. AGATHANGELOU, L.H.M. LING, *Sex Trafficking, UN Peacekeeping, and the Neo-Liberal World Order*, in "The Brown Journal of World Affairs", vol. 10, no. 1, 2013, p. 133.

[148] Sunil AMRITH, Glenda SLUGA, *New Histories of the United Nations*, in "Journal of World History", vol. 19, no. 3, 2008, p. 253.

[149] Donald J. PUCHALA, *World Hegemony and the United Nations*, in "International Studies Review", vol. 7, no. 4, 2005, p. 572.

the capital of the only belligerent power in Europe not under Axis occupation, with the objective of affirming the alliance among the nations at war with Germany and its associates. The foundations of the United Nations were laid down with this declaration, especially in the passage quoting that "the only true basis of enduring peace is the willing co-operation of free peoples in a world in which, relieved of the menace of aggression, all may enjoy economic and social security".[150] This declaration was the first expression of a post-war world order given by the Allied powers. In august of the same year, the United States and Britain laid out this vision of cooperation and mutual peace in a more detailed form in the Atlantic Charter, signed by the American President Franklin Delano Roosevelt and British Prime Minister Winston Churchill on the American naval station Argentia, drawing their ideology from the Anglo-American internationalism and neoliberal principles which sought to establish a post-war cooperation for international security. Besides indication of the post-war order based on peace, the principal clauses of the charter included territorial adjustments, the right of self-determination and implementation of international trade. In 1942, the four main global powers allied against the Axis, including the United States, Britain, China, and the Union of Soviet Socialist Republics, signed a joint declaration, named the Declaration by United Nations, thus using for the first time their name as an institution. The text, which later became the basis of the official birth of the United Nations, confirmed the aforementioned goals in the context of the World War II, thus quoting that "each Government pledges itself to employ its full resources, military or economic, against those members of the Tripartite Pact and its adherents with which such government is at war"[151], and the overarching objective was to be found in the defeat of "Hitlerism". In October 1943, the four nations mentioned above, also known as the "Four Powers" according to the definition conceived by US President Franklin Roosevelt, organized the Moscow conference resulting in the signing of the Declaration of the Four Nations on General Security. In this latter declaration, the governments of the United States of America, United Kingdom, the Soviet Union, and China, in accordance with the January 1942 Declaration by United Nations, decided to continue hostilities against Axis powers until their eventual unconditional surrender and to recognize the necessity to establish the organization of United Nations. With the signing of the pact, the four powers formally established the framework that would later influence the international post-war order. The final text was drafted by the US State Department advisers, who intended to establish an international post-war organization instead of creating a regional council, as preferred by the Great Britain. In fact, in bosom of the Moscow Declaration, the Four Powers officially announced for the first time that a new

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[150] The Royal Institute of International Affairs, *United Nations Documents 141-1945*, Oxford, Oxford University Press, 1946, p. 9.
[151] The Royal Institute of International Affairs, *United Nations Documents 141-1945*, op.cit., p. 11.

international organization was being contemplated to replace the moribund League of Nations, firstly established in 1920 at the end of Ward War I. In the wake of Moscow's, the Teheran Conference followed shortly afterwards, on 30 October 1943, gathering Joseph Stalin, Franklin Roosevelt, and Winston Churchill to discuss their strategy against the Nazi Germany. However, the Tehran Conference was also included in the series of meetings in preparation for the birth of the United Nations. The basic structures of the United Nations were agreed by the Allies in 1944, during the Dumbarton Oaks Conference in Washington, also known as the Washington Conversations on International Peace and Security Organization. Again, in this occasion the Four Powers chaired the meeting and decided the guiding lines of the conference, which resulted in the publishing of twelve chapters describing the conditions to become members of the United Nations, the shared values of the organization and the main organizational bodies within the institution. As a matter of fact, the signatory nations decided to divide the functions of the organization in four different organs: a General Assembly, a Security Council, an International Court of Justice and a Secretariat, whose structures and articulation were described in the rest of the text.[152] Regarding the Dumbarton Oaks Conference, it is important to underline that -especially in this advanced stage of the organization, when the main structures started to be defined- the influence of the United States in the process of institution-building was at its highest level. According to Stephen C. Schlesinger many clues indicates the "Americanisation of the conference", starting from the city of Washington as host of the meeting, which agreed to pay all the costs of the event, to the preparation of the public presentations at the conference, which were decided mainly by the United States.[153] Nonetheless, the United States insistently tried to communicate a public impression that it was just one among many participants engaged in the meetings and that it did not intend to dominate. President Roosevelt himself considered the creation of this new organization almost as the most important goal in the entire war effort, with a clear willingness to invest economically and politically in this project, probably more easily than the rest of the Allied, due to the war implications especially befallen on the United Kingdom and USSR. In addition to this conference, in February 1945, the US, USSR and United Kingdom met at the Yalta Conference under the pretext of shaping a collective security order focused on the reorganization of European nations after the war. However, the meeting was once again the occasion to discuss and better define the establishment of the United Nations and its structure. After this series of meeting held in parallel with the development of the events of the war, the shaping of the United Nations was mature enough to start its institutional journey in the San Francisco Conference, which

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[152] The Royal Institute of International Affairs, *United Nations Documents 141-1945*, op.cit., p. 94.
[153] Stephen C. SCHLESINGER, *Act of Creation: The Founding of the United Nations*, Westview Press, 2003, pp. 111-112.

is known to be the founding meeting of the UN. During the UN Conference on International Organizations (UNCIO) that took place from 25 April 1945 to 26 June 1945, the delegates of the interested States reviewed the text of the Dumbarton Oaks Conference with the aim of issuing the founding charter of the organization, known under the name of United Nations Charter. Forty-six nations, including the four sponsors of the event, were originally invited to the San Francisco Conference. The work of the Conference was organized in several committees reunited under the plenary session, which resulted in the promulgation of the charter. In the first article of the charter the plenary session included the following main principles of the United Nations, notably:

> "1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of the threats to the peace and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace; 2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace; 3. To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and 4. To be a centre for harmonizing the actions of nations in the attainment of these common ends."[154]

The key words of these principles are the same pillars of neoliberal thought, as aforementioned: international peace, human rights, and fundamental freedoms for all are just some examples to communicate the same idea. Furthermore, another consideration on this text is the stress on the main purpose of the United Nations, namely collective security, which is also the same goal of its predecessor, the League of Nations. According to international law, the concept of collective security is tied to the protection of the rights of the States as a collective reaction against the violation of the law. Usually, the protection of the legal interests of the States is left to the individual State whose right has been violate. This means that the concept of co-operation is not contemplated in the standard rules. The collective action, however, may be carried out in different degrees. For instance, the harmed State may take action against the violation of another State by exercising self-help under the authorization of the general international law, thus being considered as an exponent of the

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[154] United Nations, *Charter of the United Nations and Statute of the International Court of Justice*, San Francisco, 1945, https://treaties.un.org/doc/publication/ctc/uncharter.pdf, last access 6 September 2021.

international community. This way, its action may be interpreted as reaction of the international community. Alternatively, it may consist in the assistance provided by members of a particular international community established for this exact purpose. In this case, a higher degree of collective security is reached if the enforcement actions are to be decided upon and directed by a central organ of the international community, as in the case of the United Nations. Moreover, the highest degree in collective security is reached when the force monopoly of the international community is constituted not only by the exclusive right of a central organ to take enforcement actions against members, but also by the fact that only the central organ has the right to possess and employ armed forces against delinquent member States.[155] In the Charter of the United Nations, as mentioned above, the principle of collective security is exposed in the first paragraph as a purpose of the organization. On the other hand, for what concerns the force monopoly, the Charter forbids not only the use of force by one state against the other, but also any kind of threat of force, because the official use of force is reserved to the central organ of the United Nations, notably the Security Council.[156] The UN Security Council is the agency primarily charged with ensuring international security and peace. In virtue of its role, the Council has the power to establish peacekeeping operations, which can be pursued through several means, such as by enacting international sanctions and military actions. Due to the importance of the Council's role in maintaining world peace, which is one of the main purposes of the United Nations, it is the only UN organ possessing the authority to issue binding resolutions on member States regarding security matters.

3.1.2 Rationale of UN peacekeeping operations

Peacekeeping operations in the bosom of the United Nations are a series of efforts made with the objective of maintaining international peace and security, as expressed in the first article of the UN Charter. Although the final goals of UN's actions practically include this kind of operations, the term peacekeeping in its legal meaning is not clearly written in the UN Charter's text. Nevertheless, the authorization to practice peacekeeping operations is generally considered to be found in chapters six and seven. In this respect, UN Charter describes in Article 34 that the Security Council is entitled to "investigate and mediate disputes"[157], while in chapter seven, from Article 39 to Article 51, the Security Council is authorized to "determine the existence of any threat to the peace, breach of the peace, or act of aggression" and, consequently, to decide what measures are to be employed, even including complete or partial interruption of economic relations, the severance of diplomatic

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[155] Hans KELSEN, *Collective Security and Collective Self-Defense Under the Charter of the United Nations*, in "The American Journal of International Law", vol. 42, no. 4, 1948, pp. 783-785.

[156] KELSEN, *Collective Security and Collective Self-Defense Under the Charter of the United Nations*, op.cit., pp. 785-786.

[157] United Nations, *Charter of the United Nations and Statute of the International Court of Justice*, op.cit.

relations, and downright armed operations for the purpose of maintaining international security and peace.[158]

Today's guidelines to perform a UN peacekeeping operation require three main principles. Firstly, it is necessary that the parties involved in the conflict give their consent to the deployment of UN forces. This principle exists with the objective of avoiding that the United Nations become a party to the conflict. Consequently, this leads to the second requirement, which is impartiality of the UN in peacekeeping mission. Impartiality, however, is not to be intended as a synonym of neutrality because the UN peacekeeper have to execute their mandate in any case. Thirdly, it should be noted that, although UN peacekeeping operations are not an enforcement tool, they have the right to use force on the field but also under precise circumstances. This means that the use of force is accepted only in self-defence or in defence of the mandate and, in any case, as a measure of last resort.

The United Nations peacekeeping efforts officially began in 1948, during the Arab-Israeli War in Middle East. The mission deployed by the United Nations had the role of monitoring the Armistice Agreement between the warring parties. After that first operation, the UN have been deployed more than seventy peacekeeping operations over the years. Throughout the Cold War years, the rivalries and tensions inside the UN Security Council between the United States and USSR frequently paralyzed the implementation of peacekeeping measures. With the end of the Cold War the United Nations shifted its field operations from traditionally observational operations performed by armed forces and military personnel to a more complex and multidimensional type of action involving more and more non-military elements that ensured the civic functions of peacekeeping, such as elections, thus laying the foundations for sustainable peace. Furthermore, over the year the nature of the conflicts changed, so that UN peacekeeping operations, originally employed as a means of dealing with inter-States conflicts and disputes, began to be applied also to intra-State conflicts such as civil wars. Consequently, UN peacekeeping operations undertook a wider range of complex tasks, including institutions of governance building, human rights violations monitoring, security sector reforms in conflict areas through the disarmament, demobilization and reintegration of combatants and foreign fighters, just as happened in Libya. Furthermore, after the end of the Cold War, the number of peacekeeping operations increased drastically thanks a new form of consensus and faith towards the work of United Nations. The success of the missions deployed in the 1990s raised expectations for UN institutions and peacekeeping operations, which were sometimes even beyond the real capacities and resources that the United Nations actually disposed. The general excitement and the will of outperforming the expectations eventually led the UN Security Council to establish

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[158] United Nations, *Charter of the United Nations and Statute of the International Court of Justice*, op.cit.

missions in places where it was impossible to operate a peacekeeping mission since the war was not over yet, such as in former Yugoslavia, in Rwanda and in Somalia. For this reason, UN peacekeeping operations came under criticism at the end of the 1990s, especially after those three high-profile operations, which were at the same time inquired by an independent panel in order to clearly understand UN actions during the genocide in Rwanda and the events in Srebrenica. Eventually, UN Security Council decided to limit the number of new operations with the aim of preventing the spreading of more failures in those kinds of operations.

During the 2000s, the United Nations undertook a major review of the peacekeeping operations pursued in the 1990s and introduced a series of new reforms in order to strengthen its capacity in the management of peacekeeping missions. This experience led the United Nations to face the new challenges resulted from its new awareness of the limits and potential of UN peacekeeping, notably starting the missions in Kosovo and in several African countries, resulting in a situation with a seemingly never-ending increase in demands. In the first decade of 2000s, peacekeeping operations suffered from overstretch. However, by 2010, UN peacekeeping operations had entered a phase of institutional consolidation thanks to a new agenda aimed at achieving greater coherence around crucial policy issue, and strengthening planning, management, and oversight of the missions.[159] For this reason, today's multidimensional peacekeeping missions are responsible for protecting civilians and facilitating the political transition towards peace in crisis areas.

As aforementioned, peacekeeping operations endorse a series of technical procedures designed to guarantee the preservation of peace. For instance, in the case in point, UN intervention in Libya in the aftermath of the revolts that overthrew Gaddafi's regime represented an important test case for the Responsibility to Protect (R2P) doctrine. Responsibility to Protect dictates that the international community must suspend a nation's sovereignty in situations where national rulers are unwilling or unable to protect their population from human rights abuses and security threats, such as genocide, war crimes, crimes against humanity, and ethnic cleansing.[160] Unlike peacekeeping missions, which require the willing of warring parties to authorize international interventions with the objective of solving disputes, R2P's purpose is more connected to security and civilian's protection, since it aims to make intervention a humanitarian issue rather than a strategic and political calculation. Despite its noble intention, R2P operations are not easy to perform on the ground and Libya is an example of this difficulty. Libyan experience demonstrates that the maintenance of an a-strategic stance is often unsuccessful or even impossible from the start. The direct intervention during the Libyan civil war

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[159] Statement Under-Secretary-General for Peacekeeping Operations Alain Le Roy, 22 October 2010, p. 2, https://peacekeeping.un.org/sites/default/files/4thc_dpkousg_22102010.pdf, last access 6 September 2021.

[160] Julia RABAR, *Uncharted terrain: Libya and the "responsibility to protect"*, in "Australian Strategic Policy Institute (ASPI)", 2011, p. 1.

highlighted the tension between the humanitarian impulse and strategic consequence of UN's action, which was firstly interested in saving its legitimacy in the situation of war. With United Nations' intervention through Resolution 1973 (2011), UN Security Council authorized Member States "to take all necessary measures, notwithstanding paragraph 9 of resolution 1970 (2011), to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriyya, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory".[161] UN call for R2P in this Resolution implies a series of hidden details on the implementation of the humanitarian operation that cannot be separated from strategic plans, despite its alleged limited scope of protecting civilians. In fact, the acclaimed a-strategy aimed at the sole protection of human rights and citizens' security in Libya eventually led to the overthrow of Muammar Gaddafi's regime, thus to a change of power balance in the country as a consequence of strategic and military interventions. For instance, even though the UN responded promptly to the Libyan conflict by passing the Security Council resolutions 1970 and 1973 in 201, respectively imposing sanctions on Gaddafi's regime and authorized a no-fly-zone to protect civilians under the principle of the Responsibility to Protect, it failed to ensure that these resolutions were rightly followed and applied. In particular, the US-led NATO's intervention in Libya -acting under the UN Resolution 1973 (2011)[162]- went beyond its mandate by giving military support to rebels even after the death of Muhammar Gaddafi. Because of that, according to many analysts and scholars, the R2P operation resulted in a failure since Libyan intervention was likely intended to focus on regime change instead of protecting the population.

3.1.3 Disarmament, Demobilisation and Reintegration mission in Libya

The post-Gaddafi Libya plunged into anarchy and resulted in a fragmented conflict zone, especially because of the spreading of terrorism and several militias exploiting the institutional vacuum. Because of the crimes and illegality characterizing Libya after Gaddafi's death, the West and the international community reunited under the United Nations began realizing that there was no military solution to the conflict and, in conjunction with the UN Security council, started preaching the need to reach an agreement to form the Government of National Unity, aiming at ending Libyan institutional and security crises. As we know from previous chapter's analysis, the results of UN institution building were poor. The entrance of foreign powers like Russia and Turkey into the conflict and the failure to put in place a large-scale post-conflict UN presence in a serious Peace Support Mission (PSM) led to the persistence of the crisis and to the de facto bipartition of the territory, up to the degeneration of the national conflict into a regional and, by extension, a global conflict. The protraction of the Libyan conflict has challenged the relevance ad strength of the UN in conflict management and resolution

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[161] UN Security Council, Resolution 1970, 2011, op.cit., p. 3.
[162] UN Security Council, Resolution 1973, 2011, https://www.undocs.org/S/RES/1973%20(2011).

and pointed out the increasing necessity to adopt multilateral approach to international issues like Libyan crisis. Following the overthrow of Gaddafi and the birth of militias throughout the country, Libya has been in dire need of an inclusive national reconciliation agreement as a part of the peacekeeping programme supported by the United Nations. However, as already discussed, the problem of the peacekeeping and nation-building in Libya has been the need of building institutions and a strong centralized government with the aim of overcoming the structural deficiencies of the past dictatorial regime, while leading the reconstruction effort in the post-war country. The foreign powers' interventions, however, did not respond to the Libya's need for post-conflict assistance in reaching reconciliation and state-building processes.

The UN role has focused on helping the new institutional apparatus formed in the aftermath of Gaddafi's regime in designing executive programmes and policies but has actually been less concerned with these challenges in terms of state-building. In fact, neither the UN nor the powers that had intervened in Libya after the revolts were willing to fulfil their responsibility to reconsider the post-crisis reconstruction from the bottom. Instead, the behaviour of UNSMIL mostly served to exacerbate the level of the involvement of foreign actors and non-state actors in Libyan internal affairs with the final result of crowding the national arena while playing Libyans against each other and carrying terrorist activities.[163] From the Libyan experience it is possible to understand that the international community and, in particular, the countries behind military operations in 2011 against Gaddafi's regime did not engage in a meaningful support to institutional reforms, nor to the imposition of the rule of law.

However, the real first step to take is not a top-down process to sponsor the idea of rebuilding institutional assets but, in the particular case of Libya, security matters regarding the limitation of weapons and of the spreading of militias must be the priority for multilateral institutions like the United Nations. For this reason, DDR, notably the process of Disarmament, Demobilisation and Reintegration of fighters, under the umbrella of a security sector reform must be pursued in the first place by the UN forces. As a matter of fact, one of the problems that is delaying the distention of Libyan crisis is the wrong process of peace-building: existing literature on the topic of post-crisis reconstruction already highlighted that state- and institution-building cannot be achieved without the factual cessation of conflicts, thus without the disarmament of the population. Given that Libya is currently lacking any security or military institutions that can take the national monopoly of force upon itself, the international community and especially the UN role should focus on properly managing the existing weapons within the country. Through the analysis of the events in Libya, it is

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[163] SAWANI, *Security sector reform, disarmament, demobilization and reintegration of militias*, op.cit., p. 178.

possible to understand that the numerous multilateral meetings and the issuing of resolutions in the bosom of the United Nations resulted in little real solutions, failing to make substantial changes in the Libyan political life, especially regarding the status of militias and armed parties.

One of the most important scholars arguing the importance of DDR operations upstream the post-conflict peacebuilding is Professor Andy Knight who highlighted several case studies in his work from which drawing some important conclusions concerning the centrality of DDR operations and the challenges related to them. It is my belief that the same conclusions can be applied also to the Libyan case. Knight's considerations included several points, among which the following:

- The DDR process cannot be implemented in isolation from the broader process of post-conflict peacebuilding. For this reason, it is important to connect DDR programmes to the development of the national socio-economic structures in the framework of governmental policies aimed at the reconstruction of the State in all respects. In order to chieve the objective of issuing a coherent policy plan, the UN should have the role of assisting in developing the capacities of the State in the transitional period.

- DDR operations should be included in the early stages of peace negotiations for the purpose of including every conflicting party into the DDR planning. Moreover, the negotiating parties should officially commit to DDR operations through financial support and public demonstrations, while being monitored by third neutral parties.

- Fragmented approaches to DDR operations are likely to undermine the effectiveness of the peacebuilding process. In order to guarantee an integrated and sequential DDR programme, the UN should radically change its agency system based on separate compartment and differentiations of matters. Conversely, the United Nations -generally characterized by poor interagency coordination- should establish a specific commission with the mansion of coordinating the efforts.

- It is impossible to achieve a sustainable peace through DDR without reforming the security sectors (SSR) both through national government efforts and regional actors' interventions in order to eliminate the proliferation and trade of weapons inside the country and beyond borders.[164]

Despite the years of negotiations and the birth of a new ad interim government, soldier demobilization and disarmament has not been achieved in Libya, thus representing a dangerous threat to the effectiveness of the democratic elections scheduled for December 2021. Therefore, the involvement

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[164] W. Andy KNIGHT, *Disarmament, Demobilization, and Reintegration and Post-Conflict Peacebuilding in Africa: An Overview*, in "African Security", vol. 1, no. 1, 2009, pp. 45-47.

of the international community cannot halt, and the United Nations need to focus on DDR operations in order to achieve national reconciliation.

3.2 THE EUROPEAN UNION'S ROLE IN THE LIBYAN CRISIS

After many years since its formation, the nature of the European Union is still uncertain in the academic field. For instance, while certain scholars such as Andrew Moravcsik defined the European Union as a competitive global superpower[165], others, like Ian Manners, preferred to characterize it as a normative power.[166] Despite several attempts to provide a unanimous interpretation of the European Union, scepticism upon the role and leverage of the EU as an international actor is still growing. As a matter of fact, the European Union is not known to be the main security provider nor a strong military power in the international arena. Nevertheless, scholars like Manners defined it as a normative power, in virtue of its ability in spreading values and norms beyond European borders. The effectiveness of this feature is demonstrated by European leverage on its neighbours' economies and political assets, that is a necessary skill to acquire in order to build regional stability and security.

Considering the definition of European normative role, it is important to determine two primary critical issues hampering the consolidation of a security power Europe: the internal divergences on the definition of security and the capability-expectations gap[167] resulted from the attempt to build a strategic autonomy. In the first instance, European view is characterized by internal disagreement on promptitude of action: on the one hand, in the case of southern European States sharing borders with the Mediterranean, the main problems concern practical issues, such as illegal migration and organized crime, thus entailing a proactive intervention; on the other hand, in northern Europe, the emphasis is placed on human rights protection, which requires instead a more thoughtful and normative reaction. Therefore, shared challenges are different in both their scale and impact on individual European societies.[168] This internal disagreement might result in a lack of decision-making consensus weakening the effectiveness of European external policy. In the latter instance, I concentrate on European strategic autonomy, which stresses the international responsibility that the European Union must assume along with its emancipation from US hegemony in security and defence

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[165] Andrew MORAVCSIK, *Europe is Still a Superpower*, in "Foreign Policy", 13 April 2017, https://foreignpolicy.com/2017/04/13/europe-is-still-a-superpower/, last access 9 September 2021.

[166] Ian J. MANNERS, *Normative power Europe: a contradiction in terms?*, in "Journal of Common Market Studies", vol. 40, no. 2, 2002.

[167] Christopher HILL, *The Capability-Expectations Gap, or Conceptualizing Europe's International Role*, in "Journal of Common Market Studies", vol. 31, no. 3, 1993.

[168] Claire SPENCER, *The EU as a Security Actor in the Mediterranean: Problems and Prospects*, in "Connections", vol. 1, no. 2, 2002, pp.136-137.

realm.[169] The problems related to this objective concern its feasibility: in order to achieve strategic autonomy, the EU should be provided of a number of strategic means and resources that, at the moment, are still far from being acquired. In fact, a large amount of security and defence responsibility lies on NATO, in which the lead role is notoriously played by the United States. Furthermore, European strategic autonomy focuses on the projection of the European Union as a superpower competing with the existing global guarantors of security, such as the United States; however, as highlighted in Pernille Rieker's work, what is neglected when speaking of the security leverage of the European Union is the emphasis on the regional role played by the EU, which is likely to be a more achievable objective on equal terms.[170] As a matter of fact, European impact on the region depends on how effectively norms and values in different policy areas are externalized to neighbouring countries.

European conception of security, particularly regarding southern neighbours like Libya, applies to the largely non-military challenges that Europe faces in the Mediterranean framework. This notion is aligned with Manner's definition of Europe as a normative power[171], which is probably one of the most successful and complete description of European role in international relations. Factually, European vision on security issues and external policies has always gone beyond the military effort, preferring, in previous operations, a comprehensive and sometimes integrated civilian operations, which included, for example, finance, industry, research and transport. Nevertheless, a small amount of European military resources is currently deployed on more than one front in the form of security-building military operations.

3.2.1 European Union's protection of internal and regional security

European Union's action in southern neighbours is officially under the patronage of EU Global Strategy's objectives including peacekeeping and conflict prevention, thereby influencing the geopolitical configuration of the countries located across the Mediterranean. Precarious socio-economic conditions, authoritarian regimes, internal inequalities, and human rights violations are some of the problems that have driven European intervention over the last years. In particular, 2019 was a challenging year since the southern Mediterranean States have been affected by security crises, territorial conflicts and wars, which resulted in an unprecedented exposure of many of their neighbours to irregular immigration. Concurrently, the European Union itself has been subject to a crucial disintegration trend evidenced by Brexit. For these reasons, as argued in Schumacher's work,

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[169] Daniel FIOTT, *Strategic autonomy: towards 'European sovereignty' in defence?*, in "European Union Institute for Security Studies (EUISS)", 2018, pp. 1-8.

[170] Pernille RIEKER, *Integration, Security and the European Neighbourhood: The Importance of the ENP as a Security Policy Instrument*, in "Studia Diplomatica", vol, 65, no.1, 2012, pp. 69-77.

[171] MANNERS, *Normative power Europe: a contradiction in terms?*, op.cit.

EU's alleged normative influence in the neighbourhood has been undermined.[172] In 2020, the COVID-19 pandemic, coupled with the recent collapse of oil prices and the global economic downturn, exacerbated the crisis and worsened economic outlooks, resulting in a highly volatile regional disorder.[173] Moreover, threats in North African countries such as armed organizations, Islamist militants and insurgent groups trying to exploit the crisis[174], along with the closure of borders and restriction of movement resulted in an alarming migratory pressure[175], are some of the new challenges arising in the regional arena.

Over time, there has been several -often flawed- means through which the EU sought to reinforce both internal and regional security in order to create stability in the Mediterranean region. Firstly, in a broader context, the European Neighbourhood Policy (ENP), conceived after the 2004 enlargement, is still today the pivotal strategic action pursued by the EU to adjust and confirm its own influence on the bordering regions through promotion of good governance, democracy, rule of law and human rights. Despite resulting benefits of the neighbourhood enlargement included the establishment of a new political and economic interdependence, the expansion of transnational flows of and the enhancement of the public defence from transboundary threats, the ENP has suffered many criticisms over recent years due to the loss of effectiveness in response to multi-layered security crises, conflicts and wars that European Union's eastern and southern neighbours had to face, resulting in the consolidation of authoritarian turns in those countries and a significant inflows of irregular migrants towards Europe.[176] Secondly, in the specific context of the Euro-Mediterranean Partnership (EMP), the Barcelona Process of 1995 tightened the ties between European and Mediterranean countries. The political and security chapter of the Barcelona Declaration focused mainly on the standard agenda of hard security objectives, namely arms control, promotion of confidence and security-building, prevention and peaceful resolutions of conflicts.[177] The current derivative of the Barcelona Process is the Union for the Mediterranean (UfM), a broad inter-governmental Mediterranean framework founded in Paris in 2008 and characterised by soft security power, shared responsibility, decision making by consensus, and greater balance between European countries and southern Mediterranean countries. Thirdly, since the entry into force of the Treaty of Lisbon in 2009, the main security

[172] Tobias SCHUMACHER, *The EU and its Neighbourhood: The Politics of Muddling Through*, in "Journal of Common Market Studies", 2020, p. 1.

[173] Silvia COLOMBO, Andrea DESSÌ, *Collective Security and Multilateral Engagement in the Middle East: Pathways for EU Policy*, in "Istituto Affari Internazionali (IAI)", vol. 20, no. 37, 2020, p. 3.

[174] Matthias ROGG, *COVID-19. The Pandemic and its Impact on Security Policy*, in "PRISM", vol. 8, no. 4, 2020, p. 61.

[175] Mehdi LAHLOU, *EU–Africa Partnership on Migration and Mobility in Light of COVID-19: Perspectives from North Africa*, in "Istituto Affari Internazionali (IAI)", vol. 21, no. 3, 2021, p. 11.

[176] SCHUMACHER, *The EU and its Neighbourhood: The Politics of Muddling Through*, op. cit., p. 1.

[177] SPENCER, *The EU as a Security Actor in the Mediterranean: Problems and Prospects*, op.cit., p. 136.

programme of the EU has been provided through the Common Security and Defence Policy (CSDP), which introduced, in accordance with the Article 42 of TEU a Permanent Structured Cooperation within the Union framework abbreviated as PESCO.[178] Lastly, in 2016, the EU tried to enhance its individual security programme by establishing the EU Global Strategy (EUGS), which aims at reinforcing European accountability and centrality without relying on the United States. All these measures have been conceived to accomplish an ambitious strategic objective which oscillates between a normative influence on external actors and an intention to build a military potential. Nonetheless, the means through which the EU is trying to consolidate its security image within the Mediterranean region seem to lack a strong political will. In fact, internal disagreements and policy changes are limiting the enhancement of a strategic autonomy and credibility in the region. For instance, the lack of a common army is seen as an impediment to develop a security power Europe. As argued by Sven Biscop, the intention of creating a multinational force package already exists within the European agenda by the name of EUFOR Crisis Response Operation Core (CROC), which falls under the PESCO mechanism.[179] Despite this, recent events are likely to reschedule European security project on its armaments, since the budget for Military Mobility negotiations are experiencing a drastic funding cut because of the European priority to power internal post-coronavirus recovery.

At the moment, the European Union is mainly dealing with national healthcare systems and economic consequences of the pandemic, yet, in 2020, the Union seemed to redirect its external policy towards a renewed effort on security matters in the Mediterranean region. In fact, according to the High Representative of the EU Foreign Affairs Josep Borrell, Europeans must "learn the language of power" in response to the current crisis.[180] Hence, in a post-pandemic regional configuration, the challenges raised requires a prompt response in terms of regional health security and its consequences on economics and politics. As a result of this incitement, in 2020 the EU undertook a number of operations towards its southern neighbours, regarding both political instability and internal conflicts in Libya, and the expansion of Islamic terrorism throughout the Sahel. In this context, the European Union finally managed to be involved in the Berlin process on Libya, led by the United Nations, by

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[178] Official Journal of the European Union, *Consolidated Version of the Treaty on European Union*, 26 October 2012, https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF, last access 10 September 2021.

[179] Sven BISCOP, *Battalions to Brigades: The Future of European Defence*, in "Survival", vol. 62, no. 5, 2020, p. 109.

[180] Josep BORRELL FONTELLES, *European Foreign Policy in times of COVID-19*, in "Publications Office of the European Union", 2021, p. 22.

launching Operation EUNAVFOR IRINI with the aim to enforce the United Nations arms embargo and to combat smuggling and human trafficking.[181]

To summarize what analysed in this chapter, we learned that Europe is trying to emerge stronger from the post-pandemic crisis by promoting international commitments to democratic standards and States' behaviour in the realm of security and health. Nonetheless, despite its ambition to become a stronger global security power as suggested in the EU Global Strategy, criticisms raised above are still too important to speak of security power Europe. In the light of it, the following is a list of the unresolved issues related to the building of a Europe as a regional security provider:

- A common strategic vision to be pursued through a stronger internal cohesion and the unification of external objectives are still distant goals within the Union. To make matters worse, the recent pandemic redirected European priorities towards national security interests by neglecting its role in the Mediterranean region.

- Consequently, the debate upon the feasibility of a common strategic autonomy is still open because it is impossible to compete with external security actors such as NATO without internal unity and more advanced strategic facilities.

- This means that the cutting of the budget for military expenditures due to the pandemic crisis is drawing the EU away from the development of a strategic autonomy (and from the creation of an eventual common army).

Further political developments are expected to rely on EU Global Strategy, however, in view of the above, the EU should probably circumscribe its military area of responsibility at the regional level by exploiting the multilateral relations already in progress, since the Union is still struggling to combine an internal political cohesion with the obtainment of the coveted strategic autonomy. As a matter of fact, the EU does possess the theoretical capabilities to become a security policy provider in the Mediterranean region, as it is evidenced by the recent boost of proactivity within European external politics, albeit there might be a lack of ambition. What it is expected, however, is not the shift towards a military superpower -at least, not in the near future- but the consolidation of normative influence on the Mediterranean region through multilateral agreements on trade and investments, and civilian missions committed to crisis resolutions, as in the case of EUBAM and EUNAVFOR IRINI.

3.2.2 European Union's military and strategic interventions in Libya

European Union's direct intervention in Libya began after the end of the Libyan Arab Jamahiriyya in 2011. In response to the wave of civil unrests erupted in North African countries to protest against the authoritarianism of their States and to obtain the recognition of civil rights, the regimes and

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[181] BORRELL FONTELLES, *European Foreign Policy in times of COVID-19*, op.cit., pp. 13-14.

governments of North African States reacted with the exacerbation of their authoritarian and assertive politics, thus triggering the reaction of the United States and, in the wider sense, of the United Nations and the international community. The NATO operation in Libya, deployed with the approval of the United Nations with the purpose of protecting the country's civilian population against the alleged regime's abuses and limitations of human rights, ended in October 2011 with the death of Gaddafi. However, the coalition members did not respect their mandate, but supported one of the parties to the conflict, thus violated the principle of impartiality and expressing their political closeness for the rebels against the Jamahiriyya by recognising and coordinating with the National Transitional Council (NTC) as the only legitimate representative of the people of Libya.[182] In fact, NATO-led military operation of 2011, besides overthrowing Gaddafi's regime, transferred the political power to various rebel groups and destabilized domestic situation in in the country, which thereafter needed the support of the international community to solve the civil war. Not only the United Nations, but also the European Union took the lead in assisting the Libyan authorities by providing them humanitarian assistance and deploying several civilian missions in the region. According to the EU, from the very beginning of the crisis in Libya, the country received humanitarian aid from the European Commission and European member States to an extent that the Union assumed the role of the largest donor and peacemaker in the region. This is important to highlight that the main role of the European Union in Libya was not military but aimed at peacekeeping. After the fall of Gaddafi and the end of NATO military intervention in Libya, civil missions and operations became a key instrument of cooperation between the European Union and Libya. However, it would be wrong to say that the EU made no attempt to organize its own military operation in Libya, which was intended to be complementary to the NATO operation. Such a mission could be EUFOR Libya, established in April 2011 by a decision of the EU Council within the framework of the CSDP.[183] The mission's tasks included providing comprehensive support to various humanitarian agencies in Libya and ensuring the safe evacuation of refugees. The EUFOR Libya mission, however, was abandoned the same year an turned out to be a failure since it demonstrated the inability of the CSDP to act independently in the military realm. Many mistakes were made at the stage of conceptual design of the mission: in particular, the contradiction between the nature of the mission and its objectives. For instance, De jure, EUFOR Libya was a military operation, but de facto it pursued political and humanitarian goals.

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[182] Oksana LEKARENKO, Krill VIKTOROVICH GOSTEV, *NATO and EU's Involvement in the Libyan Crisis (2011–2020)*, in "Bulletin of Kemerovo State University", vol. 23, no. 2, 2021, pp. 352-353.

[183] Official Journal of the European Union, *Council Decision 2011/210/CFSP of 1 April 2011 on a European Union military operation in support of humanitarian assistance operations in response to the crisis situation in Libya (EUFOR Libya)*, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011D0210&from=EN, last access 15 September 2021.

Consequently, the official control of the mission was held by some bodies which belonged to the EU Common Security and Defence Policy, such as the Political and Security Committee and the Military Committee, but at the same time the mission could not act without the consent of the UN Office for the Coordination of Humanitarian Affairs.

On the other hand, among the semi-military operations of the European Union in response to the Libyan crisis there is the ambitious joint maritime operations in the Mediterranean, deployed by the efforts of the Agency for the Protection of the External Borders of the EU, known under the name of Frontex, which began on 20 February 2011.Under Frontex action, several maritime operations started monitoring the Mediterranean Sea, redirecting refugee flows from North Africa towards the temporary camp on the island of Lampedusa and preventing illegal migration, while performing search and rescue operations. The mandate of Frontex operations' tasks was expanded in 2018 at the expense of the law enforcement component with the aim of combating illegal arms trade and drug smuggling.[184]

In April 2015, Operation EUNAVFOR MED Sophia was launched within the framework of the CSDP, with similar objectives of countering illegal migration, including the detention of the ships of alleged smugglers. The year after, thanks to the extension of its mandate, the tasks of the operation expanded to training the Libyan coast guard and the fighting against illegal arms trade. Despite the intensity of activities in the Mediterranean Basin, Frontex's operations underwent certain frictions with Operation Sophia associated with differences in approaches to the problem of migration. For instance, Frontex started considering the actions of the courts of non-governmental organizations to be illegal while, conversely, CSDP operations accepted them. An illustrative episode connected to these opposite views is related to the expiration of the mission's regular mandate in March 2019, when Italian Prime Minister and Minister of the Interior Matteo Salvini, as a condition for extending the mission, put forward a proposal to conclude an agreement on the distribution of rescued migrants between the EU member states. Shortly before this, Berlin withdrew one of its frigates from the operation Sophia, citing the reluctance of Italian ports to accept migrants. As a result, European leaders blocked the operation until March 2020, when Sophia was replaced by Operation IRINI.

Concerning land operations, since May 2013 the EU Border Assistance Mission in Libya (EUBAM) has been operating on Libya's borders with the main mission of helping Libyan authorities ensure effective control of their land, air, and sea borders through the training of border guards. However, as already mentioned in the previous chapter, since August 2014, the mission changed its location to Tunisia and reduced its staff due to the unstable situation in Libya. In February 2016, the mission's

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[184] LEKARENKO, VIKTOROVICH GOSTEV, *NATO and EU's Involvement in the Libyan Crisis (2011–2020)*, op.cit., p. 355.

mandate was expanded in order to provide assistance to the Libyan authorities in crisis management issues.

3.2.3 European Union's political action in Libya

Due to the United States' wait-and-see attitude in the Libyan crisis and the difficulty for the EU to develop a common point of view in the field of diplomacy, the efforts of individual European member States such as France, Italy, and Germany, came to the fore in the peace process. For instance, during the Berlin Summit in 2020, it was possible to reach an agreement on a ceasefire between the warring parties thanks to the direct intervention of single European key States.

So far, the differences in European States' long-term aspirations for Libya have led them to compete with one another, thus resulting in their marginalisation by more concerted and pragmatic interventions from extra-European actors such as Turkey and Russia. Consequently, if the EU wants to develop its normative power, international contenders such as Russia, Turkey, Egypt, United Arab Emirates and so forth should be surpassed by European diplomatic work in the realm of the political transition process. This way, without the financial and military support of these key external States spoiling the capacity of Libyan actors, the political transition will likely follow a more democratic process in favour of the European Union's interests.

However, the reliability of Europe in finding an effective end to the conflict can be accepted by the Libyan population only through concreteness and greater transparency in EU foreign policy. This means that it is necessary to define key European aims in Libya, such as ending the conflict while maintaining Europe's influence in order to create a partner in North Africa to rely on for economic, migratory, energy and security issues. On the one hand, from an organizational perspective, these goals will be achievable only if the most engaged European States in the Libyan conflict, such as Italy, France, and Germany, finally decide to work in a concerted way. Given that the EU requires unanimity to deploy its foreign policy tools, maintaining a coherent strategy will require support from European governments and from a ministerial-level working coalition, which can implement a shared external policy while also meeting key national interests.[185] On the other hand, from a procedural point of view, European States should increase their coordinated efforts to follow the United Nations roadmap proposed by UNSMIL during the negotiations of the Libyan Political Dialogue Forum, while focusing on strengthening Libyan national unity. In this context, Europeans should take a more practical approach with the aim of strengthening the UN process by defending it from both domestic and foreign spoilers. In fact, despite the weaknesses of the current UN political process, its roadmap remains the best option to solve the Libyan crisis and to maintain a sort of European centrality,

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[185] Tarek MEGERISI, *Spoiler Alert: How Europe Can Save Diplomacy in Libya*, in "European council of Foreign Relations", 2021, p. 12.

especially given the fact that its eventual collapse would result in a further marginalisation of Europe. As a matter of fact, under the auspices of European member States, in 2020 the Berlin Process demonstrated its value by preventing the exacerbation of a nationwide conflict following the collapse of Haftar's offensive on Tripoli. Despite this, the European Union needs to combine such efforts into a common project in Libya to avoid its exclusion from the negotiating table.

According to Tarek Megerisi, a possible European external strategy towards Libya could be pursued by blending German approach of crafting multilateral agreements to build a rules-based system with the French and Italian impulse for a more assertive realpolitik. In this scenario, Turkey, Egypt and all the foreign actors interested in finding their spot in the post-war reconstruction of Libya would be subjected to Europe's will through a compromise that would formalize their roles in reconstruction and security sector reform, plus the threat of EU sanctions as a deterrent to continuing arms transfer to Libya.[186] Basically, according to this strategy, the European Union will be able to build a broader network of relationships with all the actors involved in Libya -besides Libyan themselves- to create incentives and disincentives on trade, energy and security in the Mediterranean basin. However, following the same reasoning, it is impossible for the EU to subjugate and control every actor, especially the most assertive ones such as Russia and the United Arab Emirates; thus, the Union's strategy should implement a three-step plan on the Libyan arena, which will be explained hereafter.

To begin, the European Union should enforce special measures aimed at discouraging eventual international spoilers of the political process, notably the United Arab Emirates, Russia, Turkey and all the foreign actors already cited above. For instance, the UAE could be excluded from the negotiating tables in Libya in virtue of its alleged war crimes including military deployments and weapons deliveries during the civil war. Ending the UAE's military founding towards Haftar's troops and its illegal support to Russian mercenaries would reduce key intervening States' capacity to act as spoilers in Libya. Consequently, the European Union, along with the United Nations, could potentially exploit the violations of the arms embargo to enforce their supremacy on the peace process. As a matter of fact, European States should reaffirm their position in Libya by clarifying through diplomatic and legal means that any possible development in the peace process firstly affects European interests and that third countries' destabilization of the situation would damage bilateral relationships. As part of this external containment approach, Europeans should elaborate and issue new UNSC resolutions in support of the ceasefire agreement and the LPDF roadmap, with the aim of increasing legal pressure on international spoilers.[187]

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[186] MEGERISI, *Spoiler Alert: How Europe Can Save Diplomacy in Libya*, op.cit., p. 13.
[187] MEGERISI, *Spoiler Alert: How Europe Can Save Diplomacy in Libya*, op.cit., pp. 13-14.

In the second place, the success of the political track proposed by UNSMIL is tied to the reinforcement of Libyan national unity in the aftermath of the civil war. The necessity of working for the independence of Libyan institution is pivotal for the European Union because otherwise Libyan politicians would prefer complaining about the lack of effective governance instead of working in a shared institutional system. In fact, institutional disintegration of Libya continues to be the main obstacle to overcome the challenges related to the political transition towards national elections. As a consequence of this, the European Union, as the main sponsor of the political peace process, should prioritise the efforts to end this internal division, especially because of the subsequent difficulties resulting from the polarisation of de facto multiple power centres in a future where cooperation, dialogue and political agreements between European States and the post-election Libya will become the praxis to solve specific issues across the Mediterranean basin in terms of security, energy, migration and so forth. In order to do to so, European States should help developing a governance system with responsibilities shared among rival groups instead of encouraging the creation of competing executives.[188] It is true, however, that the division of Libyan national institutions are likely to provide more opportunities of interference in Libyan affairs to increase their political influence on the region. In fact, the modus operandi of Libyan politics is based on the maintenance of a stagnant political environment where elites feed off one another thanks to the support of competing external actors, with the sole purpose of profiting from the internal division of political power. Moreover, economic management of oil revenues are implicitly linked to the same problem, as already analysed in previous chapters. In this respect, the European Union and the United Nations should recognise and legitimize only economic institutions affiliated with legitimate national authorities resulting from the peace process, which would limit the retainment of a parallel army, bank, and oil corporation. For instance, the eastern National Oil Company, under Tobruk's control, is seen as a threat to Libyan peace process since it continued to unilaterally trade or subvert Libya's energy exports regardless of existing UN resolutions sanctioning illegal export of national oil.

Lastly, an increased engagement on the military ground seems to be necessary on the part of the European Union in order to contribute to the conflict resolution in Libya. In this respect, the Union should work to unify the two existing military institutions -the GNA forces and the LNA- into a single provider of security: the unification and reform of the security sector, besides being an important step to end the conflict, is also useful to reduce Khalifa Haftar's military power, thus indirectly jeopardising Russian influence on the Libyan field. However, to achieve an effective security sector reform, it is necessary to establish a new governmental authority through a more engaged action of

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[188] MEGERISI, *Spoiler Alert: How Europe Can Save Diplomacy in Libya*, op.cit., pp. 14-15.

the European States as guarantors in concretely helping the Joint Military Commission building a national security institution able to demilitarise and disarm foreign fighters in the country.[189] Existing European military operations such as Operation IRINI might be reformed due to the limitation of its mandate and criticisms raised by Libyans, especially from Cyrenaica's citizens. Moreover, even NATO military programmes are perceived as suspicious by the population after the years of the military operations against the Arab Jamahiriyya.

In order to correctly execute the joint effort of European member States as a union, it is important to find a common strategy with the three goals mentioned above and, additionally, with a stronger internal cooperation and reconciliation of pivotal member States, namely France, Italy and Germany. Those three powers have been struggling to impose their different views on the Libyan situation, following their own respective interests instead of working together to find an equitable solution. In particular, France and Italy should abandon their manifest or implicit support for one side or another and align their actions towards a Libyan permanent constitution, democratic elections, and a new government in Libya by following the UN roadmap. This could be achieved by gathering competing parties into a unified political track and protecting the negotiations from foreign spoilers such as Turkey and Russia and, to this end, Germany is likely to play a pivotal role thanks to its diplomatic abilities and its status of respected neutral country in the Libyan conflict.

3.3 ITALIAN EXTERNAL ACTION TOWARDS LIBYA

The importance of highlighting the relationship between Libya and Italy in the final part of this dissertation is primarily compounded by the necessity of drawing a big picture of multilateralism in the Mediterranean basin and, secondarily, is tied to the will of describing the development of the Libyan crisis from one point of view, notably in the light of the nationality of the author of this thesis. Despite the physiological partisanship, political and economic links between Libya and Italy have their roots way back in history, as far back as the Libyan colonial period between 1911 and 1947.

Leaving aside the analysis of this first period of Italian control of the country, and its subsequent independence, which has already been explained in the first chapter of this dissertation, Italian-Libyan relationships became more intense under Gaddafi's regime, especially during the last decades of the Jamahiriyya. As a matter of fact, while the rest of international community tended to isolate the regime of Muammar Gaddafi, Italian government maintained diplomatic relations with Libya and continued exporting oil and energy resources from the country. Moreover, the emergency of illegal migration in the Mediterranean Sea resulting in the necessity of arrange a cooperation programme

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[189] MEGERISI, *Spoiler Alert: How Europe Can Save Diplomacy in Libya*, op.cit., p. 16.

between the two States involved in the migratory traffic, led Libyan and Italian governments towards a closer collaboration in the first decade of the 21st Century.

Italian historical interest towards Libya is not limited to preserve a sort of revanchist behaviour tied to the colonial period of the North African country, but it is composed of several secondary reasons and advantages developed over the last few decades. For instance, economic benefits resulting from the enhancement of Italy's role in the Libyan economic background is useful for our country. In fact, Italy, which is dependent on foreign countries for energy sources, also buys gas and oil from Libya, meaning that the ongoing institutional crisis or, worse, the consolidation of a hostile government in Libya, could result in two negative impacts on Italy: firstly, it could raise the prices of those vital goods, so that Italy would have problems in buying oil for itself and the Libyan market would be damaged due to the loss of important trade partners. Secondly, Libyan oil and gas extracted in Libya generate employment not only for locals, but also for Italians, because of several factors including the territorial proximity of the extraction sites, the existing infrastructure links, and the presence of Italian corporations on the Libyan territories such as Eni. Consequently, the deterioration of good relationships between Italian and Libyan governments could cause huge economic losses in both countries.

Another factor of interest for Italy in solving the Libyan crisis is not directly connected to the economic realm, but it is related to the general idea in international relations studies that having a problematic neighbour means also having to work twice as hard to build a favourable environment for the State's advancement. Especially in the field of security, the persisting Libyan crisis exacerbates Italian efforts in monitoring the respect of human rights in the Mediterranean Sea. Moreover, the oversea crisis risks causing a series of spill over effects in the entire neighbourhood, for instance by spreading terrorism and smuggling of human rights and armaments, as well as a constant threat of an escalation of violence on Libyan borders.

Finally, the maintenance of the pre-crisis balance of power in the region is vital for Italian interests in the Mediterranean area. Libyan crisis, in fact, reflects a broader conflict of interests in the international arena, due to the entrance into the war on the part of competing superpowers such as Russia. Russian interests in Libya are tied to reaching a tighter control on the Mediterranean traffic in order to impose its presence also in areas historically under NATO's control. These Russian attempts are not desirable for Italian government, which is a strong pro-American partner. Thus, Italian objective in Libya is to try to solve the internal crisis, proposing itself as an institutional alternative, especially in virtue of their historical links and economic interdependence, to the competing extra-European powers like Russia, Turkey, and UAE, which are now attempting at taking the control of a failed State like Libya for their own purposes.

In the following sections of this chapter, I will analyse Italian pursuance of its own interests over time, starting from the Gaddafi's period until the current Libyan executive held by Debeibeh. The aim is to understand Italian involvement in the context of the peace process compared to supernational actors, such as the European Union, and other competing States like France, Russia and so forth, by analysing Italian potential centrality and developing awareness on the obstacles threatening to marginalize Italy in the Libyan arena.

3.3.1 Italian government and the Libyan Arab Jamahiriyya

Despite the bad international reputation of Gaddafi's support to Red Brigades in Italy and terroristic attacks in Western countries, the Italian strategy of maintaining good relationships with the Jamahiriyya over the previous decades eventually paid off when, after the elimination of the sanctions in 2003, Gaddafi performed a change in its external policy by tightening ties with Europe. At that point, Italy was the first European country which had already established good dialogues with Libya and, in order to seize the opportunity to become the main partner in Europe of the new Libya, Silvio Berlusconi, wo was at the time the Head of Italian government, was the first Western leader to visit the country. By that time, Berlusconi's executive had laid the foundations for a mutually beneficial relationship that continued to grow until 2011.[190] In fact, when Gaddafi was by the international community of trampling on human rights of its people following the spreading of demonstrations in 2011, Italy, which had maintained good relationship with the Jamahiriyya even during the years of international ostracism, expressed its difficulty in deciding the direction to take in foreign policy. This means that at first the Italian government hesitated but, after a few weeks, Berlusconi's executive decided to stand against Gaddafi' regime. In fact, despite Italian attempts to avoid imposing economic sanctions in favour of a quieter diplomacy, the executive was finally persuaded to apply them as a result of the lobbying of the European Union and Washington. Moreover, Italian support for a military intervention in Libya was weak as well, at least prior to the passage of UN Security Council Resolution 1973 (2011).[191] However, following the international pressures and the resolution's directives, when Italy acknowledged the legitimacy of the military intervention in Libya its contribution remined subject to significant restrictions. At that point, Italian policy towards Libya had to change in order to maintain a certain credibility. It is possible that UN pressures on Italian government to adhere to the military intervention was thought as a vote of confidence to NATO's efforts in the broader context of EU-US relationship.

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[190] Ben LOMBARDI, *The Berlusconi Government and Intervention in Libya*, in "The International Spectator: Italian Journal of International Affairs", vol. 46, no. 4, 2012, pp. 34-35.

[191] UN Security Council, *Resolution 1973, 2011*, op.cit.

During the first weeks of the Libyan crisis, Italy attempted not to throw away years of negotiations and cooperation with Gaddafi's government. Between 2006 and 2011, Italian and Libyan governments met several times and, in 2008, even signed a bilateral Treaty of Friendship, Partnership and Cooperation.[192] The treaty included a formal apology for colonial occupation of Libya alongside the promise of Italian government to finance over twenty years the building of infrastructures as a form of reparation. In return, Libya promised to brake illegal migration flows through a more aggressive patrolling of its coastline. In addition, the preservation of business relationships between Italy and Libya benefitted the Italian government to the detriment of other European member States, especially in the realm of the energy sector. In fact, Italy was deeply involved in exploiting the natural resources of Libya thanks to Eni's holdings in the country, which are accountable for a big part of the national gas output. Since Italy was Libya's largest trading partner, it is easy to understand why Berlusconi's executive wanted to protect the investments and the economic interests in the region when the unrests erupted in Libya.

Alongside economic considerations, Berlusconi government regarded the prevention of illegal migration in the Mediterranean Sea as equally important. For his part, Gaddafi honoured the pledge mentioned in the Friendship Treaty to monitor Libya's coastlines in order to avoid illegal traffic of human beings from Libyan shores. After the unrests, Italian government was therefore sensitive to the potential damage to what achieved in the field of borders monitoring, also because of Gaddafi's threats of refusing to enforce the agreements on migration due to the ostracism of the European Union against his regime. Moreover, Italian interests in solving the Libyan crisis as soon as possible, with the aim of avoiding the collapse of the State, was as well intended to prevent the possible transformation of Libya in a failed state with no legislation where chaos, crime and terrorism would have allowed masses of migrants to cross the Mediterranean to reach Europe -especially Italy- without any form of control. Thus, at the beginning of the Libyan crisis, fearing an augmentation of illegal immigration, the Italian government requested assistance from the EU agency Frontex, but its appeal did not meet the expected interest and enthusiasm in responding to a possible refugee crisis from other European member States. This episode caused a rupture between the European Union and Italy, which accused the EU of not having thought to a common response to the issue of a possible migratory crisis.

The crisis within the European Union triggered by the different views of the management of migrants concluded after some weeks, when Italy and France, whose government had responded to the first

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[192] Natalino RONZITTI, *The Treaty on Friendship, Partnership and Cooperation between Italy and Libya: New Prospects for Cooperation in the Mediterranean?*, in "Bulletin of Italian Politics", vol. 1, no. 1, 2009, pp. 125-133.

inflow of Libyan immigrants by closing its borders with Italy in Ventimiglia, managed to reach a bilateral agreement to co-sponsor an initiative at the European level to augment the effectiveness of the control of illegal migration in the Mediterranean by increasing the founding of Frontex. In any case, the agreement was reached during the same days of the official change of direction of Italian government regarding the military intervention against Gaddafi's regime, when Italy announced its recognition of the insurgents as legitimate representatives of Libyan people, thus turning its back to its historical allied Muammar Gaddafi. Moreover, for this end, Rome's government agreed to the creation of the EU-led military mission EUFOR Libya, issued under UN's approval for humanitarian operations. Subsequently, Italian leverage on military interventions in Libya became heavier when Italy too, together with Britain and France, announced the sending of military advisors to assist the rebels in the fight to overthrow Gaddafi's regime.[193] After the death of Gaddafi, Italy recognized the National Transitional Council (NTC) as the official government body in Libya.

3.3.2 Italian interests in the post-Gaddafi's Libya

After the overthrow of Gaddafi's government, Italian support for UN peace process resulted in the formation of the Libyan Government of National Accord (GNA) in Tripoli. If the official position of the major part of the international community was to support the Tripolitanian government, with the progressive seizure of power from the part of field marshal Khalifa Haftar and his Libyan National Army (LNA), Italy together with other important European States showed some signs of openness towards the rival government of Tobruk. This ambiguity in negotiating with two opposing centres of power was the result of a European accommodating external policy and, therefore, of a similar Italian attitude. The necessity of maintaining a certain degree of neutrality in the Libyan bipartition of power was also a consequence of the developments of the conflict, especially as a result of the influence of new foreign actors in Libya, such as United Arab Emirates, Egypt, Turkey and Russia. In fact, the increase in influence of the external actors on the Libyan arena was a threat for Italy, and for all European member States, insofar as it jeopardized their political influence on the post-civil war reconstruction of the country.

When Italy supported the creation of a transitional government in Libya by signing the Skhirat Agreement in 2015, Italian public opinion clearly understood that this political move was not only a direct consequence of the United Nations directives on European member States, but it also outlined Italian interests in the Mediterranean basin. As a matter of fact, since the beginning of the Libyan crisis, Italy has always promoted itself as a leading country and a political sponsor for the reconstruction of the institutional unity of the post-Gaddafi Libya. However, the importance of the

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[193] LOMBARDI, *The Berlusconi Government and Intervention in Libya*, op.cit, pp. 36-37.

migration crisis for the stability of Italian governments and the strategic frictions within the European Union, as well as the entrance of foreign powers in the Libyan crisis after Khalifa Haftar's siege of Tripoli in 2019, had a strong impact on the intentions of Italian external strategy in Libya. The crowding of the Libyan arena and the continuing of the crisis led to several changes in strategy in terms of alliances both internationally and in Libya.[194]

In this regard, for instance, the issue of the dispute on the Maritime Zone of the Eastern Mediterranean and the increasingly pivotal role of Turkey in Libya have turned the table in the development of the conflict, thus of the Italian position in safeguarding its own interests in the region. Turkish intervention in Libya extended the internal crisis in the entire Mediterranean basin due to the signing of a memorandum between the Turkish government and the GNA aiming at defining Ankara's sphere of influence in the Exclusive Economic Zone (EEZ) in Eastern Mediterranean in exchange for Turkish military support towards Tripoli's government against Khalifa Haftar. The discovery of gas in the region has immediately triggered the reaction of possibly interested foreign powers such as Cyprus, Egypt, Greece, and Israel, which condemned Turkey for this bilateral agreement with the GNA, accusing Ankara of illegally negotiating with Tripoli. In this context, Italy, which was interested in exploiting the new hydrocarbon resources in Eastern Mediterranean as well, reacted by standing up against Turkey's intromission in Libya. This demonstrates that Italian ambitions in foreign policy and in the Libyan crisis include not only the interest in maintaining good relationships with Libya, but also the effort to place itself in the geopolitical chessboard of the Mediterranean basin in order to exploit the resources. In fact, the discovery of energetic resources in Libya and in Eastern Mediterranean region represents an important ground of interest for Italy, which is already involved in those sites through the work of Eni both in several Libyan oilfields and in other gas fields in Eastern Mediterranean. This means that Italian condemnation of the Turkish-Libyan agreement can be considered as a confirmation of national interests of Italy in Libya especially in terms of energy resources and economic benefits. As a matter of fact, one of the pillars underpinning Italian-Libyan relationships is the economic co-dependence of the two countries: whilst Italian fulfilment of energetic resources is largely dependent on Libyan oil and gas, also Libyan economy profits from hydrocarbon export towards Italian market, since oil revenues have been contributing shaping the country's social contract since the 1960s.

In the second place, another important motivator for Italian interests in Libya is explained by the management of migratory fluxes from Libya towards Italian coastline. Migration across the

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[194] Mattia GIAMPAOLO, *Gli Interessi Italiani in Libia: Un Panorama Molto Variegato*, in Eugenio DACREMA, Arturo VARVELLI (edited by) *Le Relazioni Tra Italia e Libia: Interessi e Rischi*, Italian Institute for International Political Studies (ISPI), 2020, pp. 43-49.

Mediterranean represents an important issue in the agenda of the most recent Italian governments and, in virtue of this, Italy ended up pursuing a short-term strategy for the Libyan crisis focusing on the stabilization of the political institutions instead of the conflict resolution based on the definition of a real legitimacy in the North African country.

Despite all these motivations tied to Italian interests in Libya, many factors influenced the loss of centrality of Rome in the post-Gaddafi Libya. Firstly, the priority of the migratory issue within the Italian political debate is likely to distract the country from the ever-accelerating developments and changes in the Libyan conflict, so as to modify the level of Italian role and involvement in the region. Secondly, another factor contributing to the loss of influence of Italy in the Libyan arena is also the direct intervention of alternative European States in conflict-resolution and peacekeeping operations, notably France and Germany, which, in a perspective of economic and security interests, presented themselves as accountable for the European diplomacy in Libya. Furthermore, the secondary role played by Italy within the European Union caused not only a mediocre attitude resulting in following the common political roadmap to the detriment of a national ambition in Libya, but also the Italian adoption of the European policy towards Libya which conflicted with the previous political line, thus giving rise to a certain ambiguity within the Italian discourse and causing the loss of credibility of Rome as the main diplomatic partner. In fact, while still maintaining good relationship with the GNA and Fayez al-Sarraj, by following EU's official position, Italy also recognized a certain role of accountability to Khalifa Haftar before the attempted siege of Tripoli and condemnation by the international community, especially in 2018 with the Palermo conference that was supposed to return Italy to the core of the peace process. However, despite the conference, Italy has been unable to implement a coherent political strategy in Libya, even becoming disconnected from the course of developments in the country. This lack of effectiveness in political choices combined with growing interference in Libya at the hands of extra-European actors, have eventually pushed Italy to the diplomatic sidelines in the Libyan discourse.[195]

Moreover, while France continued to provide diplomatic -and most likely military- assistance to Khalifa Haftar, Italy preferred not to deviate from European Union's directives, thus calling for dialogue and a ceasefire without building proper preconditions. Consequently, the GNA's turn towards Turkey officially deprived Italy of the confidence of its only political ally on the Libyan ground.

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[195] Mattia GIAMPAOLO, *How Italy was marginalised in Libya*, in "European Council on Foreign Relations (ECFR)", 17 January 2020, https://ecfr.eu/article/commentary_how_italy_was_marginalised_in_libya/, last access 19 September 2021.

3.3.3 Italy's struggle for a political space in the multilateral resolution of the Libyan crisis

The Berlin Conference in 2020 could provide the Italian government with an important opportunity to resume its role as a pivotal negotiating actor in Libya, albeit opening the dialogues from the ranks of the European member States instead of acting alone as a State. For Italy, the Berlin Conference aimed at reasserting European diplomatic role in the Libyan civil war, which was being progressively dominated by international actors. After the signing of the truce mediated by Turkey and Russia, the conference's goal was to consolidate the fragile results achieved by gathering around a table the main States affected by the conflict. At the end of the conference, the joint declaration signed by the representatives of various national and supernational interests was supposed to reaffirm the general commitment towards a permanent ceasefire, the full support for the United Nations peace process, and the establishment of Technical Forum Committees (TFCs) for monitoring the situation. For other actors, however, the Berlin Conference would have simply been the continuation of a naive European political modus operandi that, since then, had allowed the Libyan conflict to evolve in a destructive way.

The German initiative of organizing the Berlin Conference, besides confirming the need for European Union to maintain a certain neutrality and detachment from the interests of individual States, marked a turning point in the European positioning in the Libyan crisis. Germany certainly deserves credits for having opened a diplomatic space for discussion, bringing together for the first time international actors stuck in opposite positions, such as Turkey and the United Arab Emirates. However, this approach is still to be considered insufficient if not accompanied by measures imposing the compliance with international agreements from the part of international belligerents and their military counterparts. As a matter of fact, many of those States did not actually feel accountable for the responsibilities developed and expressed during the meetings of the Berlin Process in virtue of the lack of supervisory bodies. For instance, soon after the signing of the Berlin Declaration, UAE was already planning to inaugurate an air corridor for the delivery of armaments and mercenaries to Libya and, concurrently, Turkey organized a counter-offensive that almost thwarted Khalifa Haftar's assault on Tripoli and created a block of territories controlled by the Government of National Accord (GNA).[196] The European absence from the military developments of the crisis is partially explained by the onset of the Coronavirus pandemic. However, Italian and European involvement in the crisis

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[196] Tarek MEGERISI, *L'Europa alla Libia: Da Dove Ripartire Dopo Berlino?*, in Eugenio DACREMA, Arturo VARVELLI (edited by) *Le Relazioni Tra Italia e Libia: Interessi e Rischi*, Italian Institute for International Political Studies (ISPI), 2020, p. 36.

resolution mostly relied on the Berlin Process and its softer methods, so much so that Italy assumed the presidency of the Berlin's Technical Control Committee.

After the first round of meeting within the framework of the Berlin Conference in 2020, the first ceasefire did not last long, as well as the respect of the arm embargo measures. As a consequence of these failures, the United Nations Special Representative for Libya, Ghassan Salamé, resigned from his position, thus submitting the responsibility of pursuing the negotiations mainly in the hands of European member States in the following meetings in Berlin. The main goals of the meetings were to stop foreign interventions in Libya, according the three pillars of the UN roadmap: firstly, the security sector reform leading to the formation of a unified Libyan National Army; secondly, the economic track, which insisted on the preservation of the neutrality of Libyan economic bodies, such as the NOS and the National Bank; thirdly, the reprise of the political process with the aim of organizing the democratic elections of December 2021.

While the aforementioned tracks did not entirely achieve the expected results immediately after the first round of negotiations in Berlin, the new naval mission under the aegis of the European Union, operation EURNAVFOR MED IRIN, started its mandate with the objective of supporting the monitoring of the Mediterranean Sea off the Libyan coasts in order to enforce the arms embargo by sea. Italian role in the operation IRINI is pivotal. However, despite the good intentions on the mission's goals, many States and international observers remain sceptical on the effectiveness of the operation for several reasons. First, the limitation of the mission's jurisdiction and control to the sea only is seen as a lack of security and monitoring of the embargo, which can be violated for instance by air and by land. In this respect, the GNA heavily criticised the mission by accusing it to neglect the foreign support to Khalifa Haftar's army, which is allegedly supplied with armaments and weapons by United Arab Emirates flights and of soldiers through the border with Egypt. Second, the operation IRINI did not receive the sufficient amount of financing and resources due to the European redirection of the Union's efforts towards the anti-pandemic political measures. In fact, at the moment, mostly Italy and Greece volunteered to deploy their vessels for the mission. Operation IRINI presented itself as the joint effort of the European member States but at the same time is still showing its limits due to the lack of a proper monitoring mechanism of the embargo violations, together with the absence of a collective effort in solving the Libyan situation.

Moreover, Italy's foreign policy in Libya, based on the concept of impartiality, reduced the possibility of becoming an influential actor in the conflict, while allowing Turkey to fill the political and security gap at the side of the GNA. The perspective of a resolution of the Libyan crisis has passed int Erdogan's hands, together with Putin's involvement, namely the two most prominent external actors in the region. For this reason, Italy needs a stronger EU commitment and, at the same time, cannot

act unilaterally, without European support. The perspective of a Turkish and Russian resolution of the Libyan crisis concerns European member States because it harms EU interests in the Mediterranean region and threatens the centrality European countries historically involved in the Libyan politics, such as France and Italy. Because of these fears, Italy even asked the United States to commit in Libya in hope of recreate the 2015-2016 partnership which allowed the formation of the GNA and during which Italy had played an important political role with the concrete American support.[197]

Arturo Varvelli, one of the main experts on the topic of Libya in the Italian background, proposed in his work, some possible scenarios for Italy in the future development of the Libyan crisis. The main objective to pursue is to rethink Italian policy towards the entire area of the Mediterranean basin; this means that, as already mentioned above, the resolution of the Libyan crisis cannot be implemented bilaterally, but it should be achieved through a multilateral approach in a broader framework where the many actors involved have the possibility to discuss both at national and super-national levels. In the pursuance of this goal, Italy is likely to be too weak within the European Union to propose the implementation of a course of action in accordance with its views and objectives. In this respect, the High Representative of the Union for Foreign Affairs and Security Policy, Josep Borrell Fontelles, has already declared that the strategy of the Union will be to adopt a more assertive external action towards Libya, thus focusing more on the collective will of the European Union, instead of relying on the initiatives of the three most involved countries, notably Italy, Germany, and France. Consequently, the best that Italian government can do is to maintain a position of "active impartiality"[198], in order not to exacerbate the conflict with useless partisanship. However, at the same time, Turkish support to the GNA replaced Italian leverage on Libyan internal political dynamics, thus undermining its interests in the country. Therefore, Italian intention is also to avoid that Erdogan permanently settles at the side of Tripoli's government. In order to maintain a certain scope of action, even within the European Union, Italy should act quickly before the international actors could have the time to polarize for a long time, leaving Italian government aside in the definition of the post-crisis reconstruction of the country.

Even after the elections of the new ad interim Prime Minister in Libya, Abdul Hamid Debeibeh, Italy did not change its behaviour in external policy: despite the de-escalation of the conflict to the detriment of Khalifa Haftar, Italian government is keeping its position of impartiality and its reliance on the European Union's policy, which in turn is based on the United Nations roadmap leading to the

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[197] Arturo VARVELLI, *Interessi Mutanti: Alcune Ipotesi di Policy Per il Governo Italiano*, in Eugenio DACREMA, Arturo VARVELLI (edited by) *Le Relazioni Tra Italia e Libia: Interessi e Rischi*, Italian Institute for International Political Studies (ISPI), 2020, p. 57.

[198] VARVELLI, *Interessi Mutanti: Alcune Ipotesi di Policy Per il Governo Italiano*, op.cit., p. 59.

democratic elections in December 2021. This poorly assertive attitude is explained by the strength and relevance that Russia and Turkey have acquired over the last year in Libya. Therefore, Italian problem is now to understand how to cope with two important powers without external help from the United States and NATO. The current policy relying on the normative power of the European Union seems to be the only answer to the threat of a new escalation of the conflict in the region due to the increasingly heavy presence of foreign powers in Libya, which, to the present day, remains the main issue that is keeping Italy distant from reaffirming its leverage in the area.

FINAL REMARKS

The importance of analysing Libyan crisis as a case study in international relations relies on a series of factors emerged throughout this dissertation which have caused the internationalization of the conflict and the involvement of major international organizations such as the United Nations and the European Union. In order to highlight these factors, it is important to briefly summarize the main concepts expressed in previous pages.

In the first chapter, I attempted to provide an historical overview of the latest political and military events occurred in Libya, in order to outline the role of all parties and actors involved, as well as the course of the dramatic events that shaped the present-day Libya, namely a war-torn, internally divided "failed State".[199] The current situation in Libya is rooted in its early history, especially concerning the reasons behind Muhammar Gaddafi's overthrow and the consequences that the loss of a unifying authoritarian figure caused in the country. As discussed above, the general turnaround against Gaddafi's reputation within the international community was headed by United Nations and United States, because of the necessity of preserving the global order. In fact, Gaddafi's pan-Arabist ambitions coupled with a widespread hostility against Western countries -often resulting in supporting terrorist groups worldwide- was perceived as a threat by the US government, which first intervened by issuing an embargo against oil exports from Libya, then diplomatically isolated Gaddafi's regime, and finally imposed international sanctions through various UN Security Council Resolutions. In the end, the operation leading to the death of muhammar Gaddafi originated from exogenous determinants related to the spread of Arab revolts in North African countries and, consequently, from the intervention of NATO. After Gaddafi's death, Libya turned into a fragmented State characterized by internal armed coalitions fighting for taking the institutional power in their hands. Libyan chaos eventually exceeded national boundaries thus threatening regional stability and attracting external actors in the conflict for a number of reasons, such as stabilize the Mediterranean region, projecting foreign interests in Libyan fragile balance of power and so forth. Moreover, the proliferation of unconventional weapons and growing intra-regional arms trafficking constituted a serious menace for both neighbouring countries and the international community, which reacted by trying to solve the crisis. The political and military fragmentation of Libya was immediately seized by Khalifa Haftar's attempted takeover in 2014, who formed the self-proclaimed Libyan National Army with the aim of conquering and unifying the country. However, as described in the body of the dissertation, Haftar's actions did not succeed but, conversely, created a de facto bipartition of the

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[199] Matteo COLOMBO, Arturo VARVELLI, *Libya: A Failed State in the Middle of the Mediterranean*, in "IEMed. Mediterranean Yearbook 2020", 2020, pp. 84-89.

institutional power and two competing governments, settled respectively in Tripoli and in Tobruk, both claiming to take the lead of the entire country.

International concerns about the future of regional stability and eventual preservation of bilateral relationships with Libya exacerbated and soon it was clear that internal struggles for power could not guarantee a good environment for negotiating the peace process that the United Nations have had in mind since the overthrow of Gaddafi. As a matter of fact, beginning from 2015, international institutions such as United Nations, especially under the supervision of UNSMIL, started a series of dialogues and consultations with the aim of solving the Libyan crisis and consolidate a government of national accord. The need to unify Libyan institutional power and appease non-State actors active in the Libyan conflict led to the opening of the political dialogues through the mediation of the United Nations, which resulted in the most complete agreement of the first phase of the civil war, the Libyan Political Agreement (LPA), namely an agreement providing potential guidelines for the stabilization process. UNSMIL's attempts at enforcing the instructions obtained from international meetings and redacted in various agreements failed due to the lack of military pacification at the basis of the peace process. Rivalries and violence were in fact too extended to open a proper peacekeeping operation, as United Nations' agencies instead tried to do. On 4 April 2019 Khalifa Haftar's attempted coup d'état through the military operation "Flood of Dignity" evidenced the internal ruptures on the political realm, as well as the existence of a complex network of arms supplies within the country, in spite of the international arms embargo. The events that followed the siege of Tripoli led to the intensification of effort to solve the crisis from a political point of view, especially because of the problems emerged in conjunction with the outbreak of Covid-19 pandemic, which redirected international concern and delayed the political meetings, while exacerbating human rights' situation on the Libyan ground. Moreover, the crisis in Libya had to face another obstacle before arriving to a moment of peace, due to the intensification of international interests notably from the part of extra-European actors like Turkey, Russia, and United Arab Emirates, which with their assertive policy did not fear military interventions, in contrast with the more moderate vision of supernational institutions like the EU and UN. Those supernational bodies, in fact, tried to continue their peace process mainly following the path of the political dialogue instead of directly intervene with military missions. To be exact, the few military actions sponsored by the European Union, notably the naval operation EUNAVFOR MED IRINI and the land operation EUBAM, designed to control Libyan borders, both lacked effectiveness and reliability, as demonstrated on many occasions. Consequently, on the side of diplomacy, European member States and the United Nations decided to pursue their goals by meeting at the Berlin Conference, in January 2020. In that occasion, they accomplished to declare a ceasefire agreement and the establishment of the elections of an interim government for Libya, which

would have been in charge of steering the country towards new democratic elections set for December 2021. Before doing so, the transitional bodies had to follow the recommendations appointed in the context of the UN-backed Libyan Political Dialogue Forum (LPDF), which not only included the enforcement of a democratic political transition towards national unity, but also encompassed the recovery of economy and the military pacification of Libya, through a three-tracks plan of negotiations. At the beginning of 2021, the newly elected transitional government, headed by Abdul Hamid Debeibeh, finally took the power in Geneva.

The second chapter of this dissertation focuses on technical aspects related to the peacebuilding missions pursued by the United Nations and the European Union's agencies with the aim of solving the Libyan conflict and normalizing the socio-political situation within the country. As aforementioned, despite having defined peacebuilding as a holistic approach encompassing all the stages of the conflict recovery of a country, United Nations' operations often lacked effectiveness because, as explained in the text, the achievement of the peace after Gaddafi's death was rejected by authoritarian imposition of militias instead of UN-backed bodies. As a matter of fact, the unsolved security situation in the country prevented proper peacebuilding operations, since they usually take place at the final stage of a conflict, notably when the security realm is normalized and internal actors of the country in crisis are willing to implement their governmental role by building transitional institutions. Besides the concept of peacebuilding, another action plan theorized by international institutions in the Libyan context included the norm of the responsibility to protect (R2P), consisting in the legal framework for justifying a humanitarian intervention. The real difference between peacebuilding and humanitarian interventions such as R2P is difficult to determine, since the former comprehends a broader range of approaches, often including the same programmes as the R2P. In any case, the discourse on peacebuilding effectiveness emphasized the centrality of DDR process (disarmament, demobilization, and reintegration of fighters) and of the SSR (security sector reform). Those two initiatives are considered to be a necessary step to take before approaching peacebuilding operations, since they create a normalized security environment for sustainable peace and prevent the country from developing new forms of violence in the future. Throughout the second chapter, I analysed the main supranational bodies operating in Libya with the aim of implementing peacebuilding missions under the auspices of the United Nations' directives. However, it should not be forgotten that the balance between supranational interventions, as in the case of UNSMIL, and respect for national sovereignty and self-determination is in many ways the central dilemma still today. Therefore, in an attempt to avoid making Libyan population feel that their sovereignty was being violated, in the aftermath of Gaddafi's overthrow, UNSMIL was designated as a light-footprint political mission by the UN. The analysis of UNSMIL peacebuilding missions revealed preference

of mediating the peace from a top-down approach, as is customary among supernational organizations; however, UN officials in Libya soon realized that the possibility to approach the crisis from multiple angles, thus following a bottom-up process, could facilitate dialogues with local negotiators such as tribes and militias. However, in conclusion, both the bottom-up and top-down efforts made by UN agencies in order to implement Libyan security sector did not succeed, for a number of structural reasons including the failure of the DDR processes and, in particular, the international systemic violation of the arms embargo hampering the SSR.

After having discussed about issues on the security sector, the focus of the second chapter shifts towards UN peacebuilding programmes developed along the political track, specifically the Libyan Peace Process in the framework of the Berlin Conference and the Libyan Political Dialogue Forum (LPDF). All these meetings and political plans developed after 2019 attempted coup d'état led to the creation of a road map by order of the United Nations, besides including the participance of several exponents of European member States. The Libyan road map included three main sectors of action - political, military and economic matters- and specific institutional bodies and local representatives that had to find solutions to achieve the objectives set by the UN, namely a ceasefire agreement and an enforcement of the arms embargo under a security sector reform, the stabilization and legitimation of Libyan oil exportation through an economic and financial reform and, above all, an effective political process leading to democratic elections of a unitary transitional government. The latter implementation, in particular, was accomplished through a round of meetings named LPDF, which resulted in the election of the new interim executive headed by Debeibeh.

While every angle expressed above on peacebuilding operations may be pivotal, there is another aspect I analysed in the second chapter regarding solving the Libyan crisis, notably EU civilian and military operations pursued in order to monitor the security of Libyan borders that is fundamental as well. The importance of these missions is relevant in peacebuilding operations because it represents the sole example of strategic pragmatism from the part of supernational organizations like the European Union. Civilian missions like EUBAM and military operations like EUNAVFOR MED IRINI are two examples of how the European Union supervision is willing to cooperate with UN agencies in the fields of arms trafficking, human smuggling, basic human rights respect, consequently, with the aim of fostering the observance of UN resolutions and outcomes of international meetings.

The third and last chapter of this dissertation is based on the analysis of the behaviour of the main supernational actors in the Libyan conflicts, such as the United Nations and the European Union, and, lastly, of Italian approach to Libya, with the objective of picturing an overall figure of the repercussion of the Libyan conflict on the balance of the Mediterranean Basin.

As a conclusion of this dissertation, it is possible to argue that the Libyan conflict has mobilized a series of actors both in the super-institutional environment and at national level within the international community. I tried to give a particular slant to the dissertation, notably by dwelling on the security aspect of the Libyan crisis and the international procedures applied both on the civilian and military realms as a reaction to it because the security aspect affects not only Libya but also has an important impact on the entire Mediterranean region. The development of the Libyan crisis is not only an interesting case study regarding international relations matters, nor it is only a field of experimentation for international diplomacy and mechanisms of peacebuilding, but it must be primarily seen as an unsolved global mission scattered with flaws and deficiencies. The outcomes of the dissertation cannot provide a procedural solution, but they can outline a specific feature related to the complexity of the Libyan situation, that is the multilateral action implying multiple interests at the expenses of a country's stability. In the effort of analysing supranational institutions involved in peacebuilding operations in Libya, it is evident that under those big organizations there is still an underlaying problem of legitimacy and, consequently, of cooperation. As I argued in the introduction of the last chapter, global institutions both able of causing and solving conflicts follow a complex scheme of action, thus changing policies and ideals from time to time, according to the more convenient general trend. This is probably the reason behind the ambiguity of many decisions concerning the procedures of peacebuilding operations.

Further developments in Libya are expected to clarify many grey areas that today are still being processed and, in this respect, the next elections set for December 2021 are likely to be the indicator of the real situation of the country. As a result of what argued in this dissertation, the temporary suspension of the conflict in terms of real clashes in the major cities of Libya cannot be a direct consequence of a proper peacebuilding process, due to the lack of effectiveness of Security Sector Reforms, DDR operations and of hybrid military-civilian missions on the ground. Consequently, as things currently stand, the pacification of Libya leading to national elections might be an apparent calm, which must be observed in the near future, or better yet, needs to be addressed and solved in advance, before another possible outbreak of the conflict.

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