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The Vicious Circle of Fragmentation: The EU and the Limits of Its Approach to Libya

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Abstract

Due to the weak state structures inherited by Qadhafi's regime, Libya has entered a vicious cycle of fragmentation since 2011, as sub-national and regional players have engaged in a competition for resources and power. The involvement of several international actors has exacerbated these dynamics, turning Libya into a proxy conflict. EU action in Libya has been undermined by internal divisions, especially between France and Italy. Whatever common action the EU has been able to agree upon has focused more on crisis response than long-term benefits, although lately there has been a new investment in diplomacy too. The EU has an interest in Libya centred on security, energy, migration and political pluralism. The EU should mitigate the constraints on its ability to develop a more joined-up policy by creating mechanisms to coordinate actions of EU institutions and individual member states and, on this basis, provide support to Libya's security sector, economy and migration management structures.

Introduction

In the past years, Libya has been subjected to the interlocking de-stabilising factors. These are: an internal fragmentation between (often armed) groups that compete for power and resources; the involvement of international powers and regional actors that prioritise their own advantage at the expense of Libya's national interest; a general trend of de-prioritisation of the Middle East and North Africa (MENA) by such international actors as the United States and, to a lesser extent, the European Union.[1]

This paper analyses the evolution of EU Foreign and Security Policy (EUFSP) towards Libya, understood as the combination of actions taken by EU institutions and member states, and assesses how regional fragmentation, multipolar competition and intra-EU contestation have limited its effectiveness.[2] Fragmentation is understood as the process by which state authority – the state holding the legitimate monopoly over the means of violence and the ability to set and enforce rules – and regional rules of engagement are eroding or collapsing altogether.[3] Multipolar competition encompasses the increased interest of a multitude of powers espousing contrasting views of global and regional orders in conflict regions.[4] As for intra-EU contestation, foreign and security policies have become subject to a constraining dissensus born out of domestic contestation and politicisation.[5]

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[1] Jonathan M. Winer, "Origins of the Libyan Conflict and Options for Its Resolution", in *MEI Policy Papers*, No. 2019-12 (May 2019), https://www.mei.edu/node/80046.

[2] For a lengthier discussion of the three concepts of multipolar competition, regional fragmentation and internal contestation and the ways in which they affect the governance structures of EU foreign and security policy, see Riccardo Alcaro et al., "A Joined-Up Union, a Stronger Europe. A Conceptual Framework to Investigate EU Foreign and Security Policy in a Complex and Contested World", in *JOINT Research Papers*, No. 8 (August 2022), https://www.jointproject.eu/?p=969.

[3] Agnès Levallois et al., "Regional Fragmentation and EU Foreign and Security Policy", in *JOINT Research Papers*, No. 3 (November 2021), https://www.jointproject.eu/?p=639.

[4] Assem Dandashly et al., "Multipolarity and EU Foreign and Security Policy: Divergent Approaches to Conflict and Crisis Response", in *JOINT Research Papers*, No. 6 (December 2021), https://www.jointproject.eu/?p=697.

[5] Marianna Lovato et al., "The Internal Contestation of EU Foreign and Security Policy", in *JOINT Research Papers*, No. 1 (September 2021), https://www.jointproject.eu/?p=516.

Table 1 | Constraining factors on EUFSP towards Libya

EUFSP constraint	Operationalisation	Explanation
Regional fragmentation	*Level of fragmentation*: sub-national, state and regional	· Power groups' internal fractionalisation · Legitimacy claims by two parallel governments · Conflictual relations within the Arab League and within the North Africa and Sahel regions
	Phase of fragmentation: conflict prevention, ongoing conflict, post-conflict	· Civil war · Ceasefire (since 21 August 2020)
Multipolar competition	*Scope and nature of competition*: both wide and narrow, zero-sum and limited	(main competing actors) · Qatar/UAE/Saudi Arabia: exporting their problems to Libya, with Qatar supporting groups linked to the Muslim Brothers and UAE/Saudi Arabia supporting Khalifa Haftar (competition narrow, zero-sum) · Egypt: interested in preserving stability on its western borders, avoiding an Islamist government in Libya, supporting economic interest, through support of Gen. Haftar (Egyptian workers working in Libya, companies investing) (against Western countries supporting UN-recognised governments; competition wide but limited) · Russia: interest in Mediterranean presence, economic influence, using its presence to preserve other goals in its near-abroad (against Western countries supporting UN-recognised governments, competition narrow but zero-sum) · Turkey: historical connections, preserving vast economic interests present in Libya since Qadhafi's time, using Libya for its broader geopolitical purposes in the eastern Med (against Western countries but also Egypt/UAE/Saudi Arabia: competition narrow but zero-sum) · Russia-Turkey: competitive collaboration in Libya, add to their competitive collaborations in Syria and Nagorno Karabakh (competition narrow and limited in nature)
Intra-EU contestation	*Contesting actors*: governments and domestic actors	(main contesting actors) · Migration deterrence (Italy) · Preservation of energy interest (Italy) · Fears of insecurity spill-overs (Italy) · Fight against political Islam (Muslim Brotherhood) (France) · Support for its operations in the Sahel (France) · Long-standing push to complete sphere of North African influence with Libya (France) · Peace mediation (Germany) · Focus on development (Germany)
	Object of contestation: overall relationship with Libya	· Libya peace process and containment of insecurity overspill

The paper traces how EUFSP has adapted, or failed to adapt, to the evolution of these elements and their interplay. It finally describes potential arrangements that could be the most appropriate to mitigate the effects of the above-mentioned constraints. A more joined-up and sustainable EUFSP can be achieved through a change of focus, from damage control to development and capacity-building, and through a more active harmonising action from the EU on its member states.

1. Fragmentation: Levels and actors

1.1 Libya's troubled predicament

Libya's borders are 4,345 kilometres long, including a 1,770 km-long coastline. This huge but scarcely populated country (6.8 million people) consists of Tripolitania (in the northwest), Cyrenaica (in the northeast) and Fezzan (in the south), the three Ottoman provinces merged by the Italians in 1934, when Libya was part of Italy's colonial empire.[6] Historical dynamics have shaped the socio-political environment in Libya: the integration of its northern part with the Mediterranean civilisations in ancient times;[7] the introduction of Islam (and divisions within Islam) in the early Middle Ages; the Arabisation of Libya in the centuries that followed; the Ottoman rule until the early 20th century; the brutal Italian colonisation (1911–1943);[8] the post-Second World War trusteeship of Tripolitania, Fezzan and Cyrenaica by France and the United Kingdom (UK); the brief monarchic period (1951–1969); and Colonel Muammar Qadhafi's longstanding rule (1969–2011), which marked important milestones that would later shape Libya's future.[9]

The last phase of Libya's history started in 2011, when it was jolted by the wave of anti-authoritarian protests that had brought down long-standing autocratic

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[6]   Wolfgang Pusztai, "Libya's Conflict: A Very Short Introduction", in *EUISS Briefs*, No. 12 (November 2019), https://www.iss.europa.eu/node/2381.

[7]   Helen Chapin Metz (ed.), *Libya. A Country Study*, 4th ed., Washington, Library of Congress, 1989.

[8]   Saima Raza, "Italian Colonisation & Libyan Resistance to the Al-Sanusi of Cyrenaica (1911 – 1922)", in J*ournal of Middle Eastern and Islamic Studies (in Asia)*, Vol. 6, No. 1 (July 2018), p. 87-120, https://doi.org/10.1080/19370679.2012.12023199.

[9]   James Siebens and Benjamin Case, "The Libyan Civil War: Context and Consequences", in *THINK Special Reports*, August 2012, http://web.archive.org/web/20170705131200/http://www.thinkihs.org/wp-content/uploads/2012/10/Siebens-Case-LibyaSReport-2012.pdf.

systems in neighbouring Tunisia and Egypt. Originated in the eastern city of Bengasi, popular protests against Qadhafi's rule rapidly escalated into violence, as the regime pledged that it would suppress them with an iron fist.[10] When it became clear that Qadhafi would not have stopped until he had crushed the revolt, upon initiative of France and the UK the United Nations Security Council (UNSC) adopted Resolution 1973, which authorised an armed intervention to enforce a no-fly zone and protect civilians from government forces.[11] The North Atlantic Treaty Organisation (NATO) took on itself the role to implement UNSCR 1973 with an air campaign in support of the rebels. Eventually, NATO's intervention resulted in Qadhafi's defeat: the regime collapsed in August 2011 and Qadhafi was killed by fighters from Misrata, which had become the epicentre of the revolt, the following October. Whether or not that was what the UN mandated, NATO had enabled regime change.[12]

Initially, the prospects for the new Libya looked bright. Oil production immediately returned to pre-war levels. The country organised a successful round of elections to the General National Congress (GNC) in July 2012. However, soon intra-Libyan relations became ever tenser. After the GNC banned members of Qadhafi's regime from holding public office during the transition, violence ensued.[13] A former member of Qadhafi's military, General Khalifa Haftar, emerged as a unifying figure for anti-Islamist forces (which had advanced in the election of the GNC), and established a power base in Cyrenaica.[14] In June 2014, Libyans went to the ballots to elect a new parliament, the House of Representatives (HoR). However, the GNC refused to disband.[15] As Tripoli, the capital, was engulfed in clashes between GNC

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[10]   Alia Brahimi, "Libya's Revolution", in *The Journal of North African Studies*, Vol. 16, No. 4 (2011), p. 605-624, DOI 10.1080/13629387.2011.630880.

[11]   UN Security Council, *Resolution 1973* (S/RES/1973), 17 March 2011, https://undocs.org/S/RES/1973(2011).

[12]   Ian Martin, *All Necessary Measures? The United Nations and International Intervention in Libya*, London, Hurst, 2022.

[13]   Houda Mzioudet and David Roman, "Personnel Change or Personal Change? Rethinking Libya's Political Isolation Law", in *Brookings Doha Center Reports*, No. 4 (March 2014), https://www.brookings.edu/research/personnel-change-or-personal-change-rethinking-libyas-political-isolation-law.

[14]   Camille Tawil, "Operation Dignity: General Haftar's Latest Battle May Decide Libya's Future", in *Terrorism Monitor*, Vol. 12, No. 11 (31 May 2014), p. 8-12, https://jamestown.org/program/operation-dignity-general-haftars-latest-battle-may-decide-libyas-future.

[15]   Christopher S. Chivvis and Jeffrey Martini, *Libya after Qaddafi. Lessons and Implications for the Future*, Santa Monica, RAND, 2014, https://doi.org/10.7249/RR577.

and HoR supporters, HoR members moved to Tobruk in the east in support of a rival government; Gen. Haftar threw his support behind the HoR.[16] After over a year of low-level civil conflict, a UN-brokered agreement in December 2015 resulted in an internationally recognised Government of National Accord (GNA), headed by Fayez al-Sarraj.[17] However, the deal failed to recompose national divisions. While the GNC-backed government dissolved, the one supported by the HoR stayed on, and Libya remained divided between the GNA in the west and the HoR in the east, which increasingly relied on Haftar. The general, who never hid his ambition to take over full control of Libya, soon started making plans to move and conquer Tripoli. He launch an offensive against Tripoli in April 2019 in the hope that the GNA would fall.[18] Sarraj was a weak figure who commanded little support outside of Tripoli, and even there he had soon become more and more dependent on the so-called "cartel of militias" controlling the capital city.[19] Haftar's offensive struggled to make progress, and he was soon forced to rely on help from abroad – specifically from Russia, which ordered Kremlin-controlled Wagner Group mercenaries into Libya between September and November 2019. Haftar was thus able to advance to the outskirts of Tripoli, but he was denied final victory when Turkish-controlled Syrian mercenaries intervened in support of the besieged GNA. Haftar was forced to retreat, a diminished force.

While the civil war unfolded, both Un-led and European-led multilateral diplomacy struggled to persuade the partners to solve their disputes politically. Libya's warring parties participated in several conferences – from Palermo in Italy[20] to Berlin to Paris,[21] but made little progress towards reconciliation. However, Turkey's intervention had made clear to Haftar that there was no way he could win control

[16]   Dario Cristiani, "One Country, Two Governments, Plenty of Chaos: Portraits of Libya's Competing Prime Ministers Abdullah al-Thinni of Tobruk and Omar al-Hasi of Tripoli", in *Militant Leadership Monitor*, Vol. 6, No. 3 (March 2015).

[17]   *Libyan Political Agreement*, Skhirat, 17 December 2015, https://unsmil.unmissions.org/sites/default/files/Libyan%20Political%20Agreement%20-%20ENG%20.pdf.

[18]   Wolfram Lacher, "Libya's Conflicts Enter a Dangerous New Phase", in *SWP Commentaries*, No. 8 (February 2019), https://doi.org/10.18449/2019C08.

[19]   Wolfram Lacher, "Tripoli's Militia Cartel", in *SWP Comments*, No. 20 (April 2018), https://www.swp-berlin.org/en/publication/libya-tripolis-militia-cartel.

[20]   Giovanna De Maio, "The Palermo Conference on Libya: A Diplomatic Test for Italy's New Government", in *Order from Chaos*, 19 November 2019, https://wp.me/p7KzvY-2iKB.

[21]   "Paris Conference on Libya", in *The Libya Observer*, October-November 2021, https://libyaobserver.ly/paris-conference-libya.

of Tripoli, and eventually a ceasefire was agreed in October 2020.[22] The United Nations Support Mission in Libya (UNSMIL) launched the Libyan Political Dialogue Forum (LPDF) soon thereafter.[23] The LPDF surprisingly succeeded in creating the condition for establishing the so-called Government of National Unity (GNU), an interim executive led by Abdel Hamid Dbaiba in March 2021, whose main task was to prepare Libya to elections scheduled for 24 December 2021.[24] Diplomacy regained further momentum. In June 2021, Germany hosted the follow-up conference of the so-called Berlin process launched in January 2020.[25] The conference focussed in particular on the electoral process, the need for foreign mercenaries to leave the country and the creation of a unified Libyan security force that could integrated the various local militias.[26] However, as the deadline for the elections was approaching, it became evident that Dbaiba had intentions to run for the elections, despite his promise not to. Haftar reached out to his former arch-rival from Misrata, Fathi Bashagha, – as they both had an interest in preventing Dbaiba from remaining prime minister. Thus, on 10 February 2022, the HoR appointed Bashagha as the new prime minister-designate, re-creating again a condition for which in Libya there are two competing governments. At the time of writing in January 2023, the ceasefire still holds, but Libya's political transition seems stuck once again.

1.2 Fragmentation inside Libya

Libya's 17 February 2011 Revolution eventually resulted in the collapse of state structures and security apparatus after Qadhafi's forced exit, as well as a considerable degree of external involvement by regional and global powers.[27] This outcome was

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[22]   Dario Cristiani, "A Ceasefire with Feet of Clay: The Potential Spoilers of Peace in Libya", in *IAI Commentaries*, No. 20|86 (November 2020), https://www.iai.it/en/node/12405.

[23]   UN Support Mission in Libya, *Acting Special Representative of the Secretary-General for Libya Stephanie Williams Announces the Launch of the Libyan Political Dialogue Forum Process*, 25 October 2020, https://unsmil.unmissions.org/node/100042693.

[24]   Ferhat Polat, "After a Decade of Turmoil, Is Peace within Reach in Libya?", in *Anadolu Agency Analysis*, 18 February 2021, http://v.aa.com.tr/2148932.

[25]   Ben Fishman and Anas El Gomati, "Making Libya's Berlin Process Work", in *PolicyWatch*, No. 3504 (21 June 2021), https://www.washingtoninstitute.org/policy-analysis/making-libyas-berlin-process-work.

[26]   German Federal Foreign Office, *Foreign Minister Maas and UN Secretary-General Guterres Send out Invitations to the Second Berlin Conference on Libya*, 1 June 2021, https://www.auswaertiges-amt.de/en/newsroom/news/-/2463954.

[27]   James Siebens and Benjamin Case, "The Libyan Civil War: Context and Consequences", cit.

not a given. While Libyan society is still characterised by the relevance of tribalism, this aspect did not disrupt the idea of a unified nation-state in the past. The tribes were never really against the state.[28] There had been clashes in the past and the tribal structures were marginalised under the Italian rule, the monarchy and Qadhafi, yet the Libyan state's legitimate monopoly over the means of violence and the ability to set and enforce rules did not erode or collapse. But never abated tribal tensions contributed to the country's fragmentation since the outbreak of the uprising against Qadhafi in 2011, continuing after its killing as foreign actors strived to identify legitimate interlocutors, without proper attention to the local dynamics and potential effects of a militarised approach to the uprising.[29] Foreign actors that intervened in 2011 soon began to support different local actors, based on differing national interests, which amplified the divisions within Libya.[30] Even the UN-led process, which has strived to bridge internal divides, has in fact contributed to them with its fixation of establishing an internationally recognised government, which has incentivised Libyan factions to compete for the power and resources that such a governance would command.[31] As a result, the Libyan political leaders that have emerged since 2011 have failed to work on building a national consensus on what a new Libya should look like.[32] An official based in Libya interviewed for this report has even argued that there are actors within Libya whom the international community deal with but do not necessarily represent the interest of those they claim to represent.[33]

Lessons from Libya's political history[34] show that the "divide and conquer" strategy followed by foreign countries (starting with Italy during the colonial era), pitching local tribes and ethnic groups as adversaries, has reconfigured the social structure

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[28] Interview 1 with a Political Science professor in Tripoli, 21 November 2022.

[29] Ibid.

[30] Karim Mezran and Federica Saini Fasanoti, "France Must Recognize Its Role in Libya's Plight", in *New Atlanticist*, 21 July 2020, https://www.atlanticcouncil.org/?p=280984.

[31] Interview 1 with a Political Science professor in Tripoli, 21 November 2022.

[32] Ibid.; Ahmed Khalifa, "Is It Not Time for Cyrenaica to Disengage from Haftar?", in *The Libya Observer*, 1 November 2022, https://libyaobserver.ly/node/24684.

[33] Interview 2 with a diplomatic official, October 2022.

[34] Fransje Molenaar et al., "The Status Quo Defied: The Legitimacy of Traditional Authorities in Areas of Limited Statehood in Mali, Niger and Libya", in *Clingendael CRU Reports*, September 2019, p. 115-137, https://www.clingendael.org/pub/2019/legitimacy_traditional_authorities_mali_niger_libya.

and dynamics of intra-Libya socio-political relationships.[35] In addition, cohesion is weak within Libyan tribes too. According to Wolfram Lacher, a prominent Libya expert, the relationship between Libya's internal groups is characterised by constant defection, alliance reconfiguration and group fractionalisation.[36] Libyan groups are thus fundamentally unstable in their composition, alliances and agendas.[37] They form more because of local affiliation and the perceived need to defend existing status and benefits than because of a common socio-cultural background. "Localism", rather than identity, tends to be a factor of aggregation.

All this has set the stage for the fragmentation that has dominated Libya post-Qadhafi. The weakness of state institutions under Qadhafi have enabled a quest for power and resources which in turn has given impetus to the fragmentation at the regional level.[38] The intervention of international players has aggravated Libya's predicament in that the urge for an internationally recognised government has resulted in decisions taken without successfully forging agreements between the belligerents. The Libyan crisis has become a ground for a proxy contest, where state and non-state actors from both within and outside the MENA have provided weapons and funds to competing armed groups.

1.3 Fragmentation surrounding Libya

Libya finds itself amidst a conflictual regional and international political setting. The approach to Libya of international actors has mostly revolved around security concerns, power politics, energy interests, migration management and political stability. Libya's neighbours bring challenges and opportunities to the table. The country borders Niger and Chad to the south, Sudan to the southeast, Egypt to the east, Algeria to the west, and Tunisia to the northwest. Libya is also part of pan-Arab politics through its membership in the Arab League. In addition, Qadhafi's Libya had been at the centre of continental politics, playing a major role in the

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[35] Wolfram Lacher, *Libya's Fragmentation. Structure and Process in Violent Conflict*, London, I.B. Tauris, 2020.

[36] Ibid.

[37] Mohamed Ben Lamma, "The Tribal Structure in Libya: Factor for Fragmentation of Cohesion?", in *Observatoire du monde arabo-musulman et du Sahel*, September 2017, https://www.frstrategie.org/en/node/658.

[38] Jonathan M. Winer, "Origins of the Libyan Conflict and Options for Its Resolution", cit.

creation of the African Union (AU). Libya's proximity to the Mediterranean Sea and its oil-producing status has given the country a strategic status for Western interests (Europe and the United States). Then there is Russia. Libya was a strong ally of the Soviet Union/Russia under Qadhafi, and consequently Russia, which deeply regrets giving the green light to NATO's intervention in 2011, is very much interested in who takes up the reins of power post-Qadhafi. China has taken a backseat, and its posture communicates that it awaits a more definitive political outcome before pushing anything further; hence, its Libya policy is neutral. India, who shares economic interests in Libya, holds a similar position of neutrality.

Libya's neighbourhood is quite fragmented and fraught with destabilising dynamics. Niger, Chad and Sudan are torn by political instability and insecurity. They have become integral parts of the trafficking and informal migration routes that are at the forefront of various governments and institutions' concerns in North Africa and the Sahel region, as well as in Europe.[39] Tunisia is mostly interested in avoiding that the Libyan conflict has repercussions for its own security and has therefore sought to end the flow of weapons across the border with Libya and protect its tourism industry from terrorist threats.[40] Egypt, which initially gave full support (including military) to Haftar, later reached out to Tripoli-based factions in the run-up to the 2020 ceasefire and the formation of the GNU in March 2021.[41] However, Egypt continues to support the groups located in the east, due in particular to the unwillingness of the GNU to recognise Cairo's claims over the maritime border

[39] See Alice Fereday, "Niger. Routes Shift amid Post-COVID Increase in Human Smuggling", in *Human Smuggling and Trafficking Ecosystems - North Africa and the Sahel 2022 Series*, June 2022, https://globalinitiative.net/wp-content/uploads/2022/06/Human-smuggling-and-trafficking-ecosystems-NIGER.pdf; International Organization for Migration, *Libya and Niger Move Forward on Strengthening Migration Management and Labour Mobility*, 30 November 2021, https://www.iom.int/news/libya-and-niger-move-forward-strengthening-migration-management-and-labour-mobility; Hassane Koné, "Arms Trafficking from Libya to Niger Is Back in Business", in *ISS Today*, 28 July 2022, https://issafrica.org/iss-today/arms-trafficking-from-libya-to-niger-is-back-in-business; Jean-Louis Romanet Perroux, *Human Trafficking, Smuggling and Governance in Libya: Implications for Stability and Programming*, Washington, US Agency for International Development, May 2020, https://pdf.usaid.gov/pdf_docs/PA00WPXR.pdf.

[40] Francis Ghilès and Akram Kharief, "How Libya Impacts North Africa", in *CIDOB Notes Internacionals*, No. 227 (February 2020), https://www.cidob.org/en/publications/publication_series/notes_internacionals/n1_227.

[41] See Khalil Al-Anani, *Egypt's Changing Policy in Libya: Opportunities and Challenges*, Arab Center Washington DC, 21 January 2021, https://arabcenterdc.org/?p=18709; Hamza Hendawi, "Libya's Rival Factions Agree in Cairo to Work towards 'Constitutional Base' for Settlement", in *The National*, 5 January 2023, https://www.thenationalnews.com/mena/2023/01/05/libyas-rival-factions-agree-in-cairo-to-work-towards-constitutional-base-for-settlement.

between the two countries.[42] One of Egypt's key concerns in Libya has been the increasing influence of Turkey over the Tripoli-based GNA, which stems from Turkey's gas interest and attempt to balance its relationship with the EU.[43] For this reason, Egypt has come to support a political solution to the Libyan crisis instead of a military one, but does not desire an Islamist-dominated political system as a neighbour and considers limiting Ankara's influence in Tripoli a priority.[44] Egypt's preference aligns with Algeria's, which has worked hard to prevent Turkey from setting up a military base in Tunisia to expand its military projection over Libya.[45]

Against this backdrop of intricate interstate rivalries, it is no surprise that regional organisations have failed to play any constructive role in the Libyan conflict. The Arab League, which theoretically could have served as a platform to find a suitable synthesis between its members' different interests, is riddled with internal divisions not just on Libya but also on the civil wars in Syria and Yemen, as well as on the Israel-Palestine conflict. The same applies to the Gulf Cooperation Council (GCC), which has seen Qatar backing the Tripoli government and the United Arab Emirates (UAE) support its rivals in Cyrenaica, and was furthermore paralysed by the economic blockade imposed on Qatar by the UAE itself, Saudi Arabia and other Arab states between 2017 and early 2021.[46] The AU has been equally passive due to the inability of its institutions to produce solutions on which its member states could find a consensus.[47]

The United States, which has invested limited but critical political and military resources in Libya, is mostly concerned about Russia's influence, as well as about

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[42] Moaz Abd-Alaziz and Ahmed Tolba, "Libyan GNU Government Refuses Egypt's Move on Maritime Borders' Demarcation", in *Reuters*, 17 December 2022, https://www.reuters.com/world/libyan-gnu-govt-refuses-egypts-move-maritime-borders-demarcation-statement-2022-12-16.

[43] "Libya Conflict: Turkey Sends Troops to Shore up UN-Backed Government", in *BBC News*, 6 January 2020, https://www.bbc.com/news/world-africa-51003034; Alessia Melcangi, "Egypt Recalibrated Its Strategy in Libya because of Turkey", in *MENASource*, 1 June 2021, https://www.atlanticcouncil.org/?p=397500.

[44] Giorgio Cafiero and Emily Milliken, "Egypt Is Concerned about Libya", in *International Policy Digest*, 26 February 2022, https://intpolicydigest.org/?p=164431.

[45] Mohamed Sabry, "Egypt, Algeria Find Common Ground on Libyan Crisis", in *Al-Monitor*, 7 August 2021, https://www.al-monitor.com/node/44057.

[46] Abdulwahab Al-Qassab et al., *The Arab League's Many Failures*, Arab Center Washington DC, 8 October 2020, https://arabcenterdc.org/resource/the-arab-leagues-many-failures.

[47] Tim Murithi, "The African Union and the Libya Crisis: Situating the Responsibility to Protect in Africa", in *Journal of African Union Studies*, Vol. 1, No. 1 (2012), p. 83-88.

terrorism.[48] The Mediterranean is of strategic interest to Russia, of course.[49] Russia is unlikely to let go of its influence in Libya even in the weakened state the war in Ukraine is likely to leave it.[50] Finally, China and India have economic interests in Libya, but they have refused to align with any of the local or international actors.[51] China's policy, especially, is one of "balanced vagueness", in an attempt to avoid being involved in the political quagmire and keep its options open.[52]

Libya's oil-rich status and proximity to the Mediterranean makes it strategically important to EU member states, in terms of energy, security, illicit trafficking and migration flows.[53] However, EU member states have stepped on each other's toes by supporting competing factions or multiplying diplomatic initiatives to seek a resolution to the crisis. For years, France and Italy have been the most active EU actors in the Libyan case, later joined by Germany. According to a European diplomat, there seems to be unspoken prejudices between the French and Italians concerning Libya.[54] This stood in the way of having a unified EU voice to strengthen the EU's agency. Only very late in the process have EU member states found a degree of consensus on coordinating multilateral diplomacy on Libya, with the two Berlin conferences of January 2020 and June 2021 and the Paris conference in November of that year. These belated efforts have been insufficient to win the EU much leverage over local actors, contrary to other players like Turkey which, on the contrary, has gained enormous influence.[55]

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[48]   Paul Salem, "The Biden Administration and the Mediterranean: Interests and Policies in Search of an Overall Strategy", in *IEMed Mediterranean Yearbook 2021*, p. 53-57, https://www.iemed.org/?p=65728.

[49]   Thomas D. Arnold, "Exploiting Chaos: Russia in Libya", in *The Post-Soviet Post*, 23 September 2020, https://www.csis.org/node/58245.

[50]   Jalel Harchaoui, "The Pendulum: How Russia Sways Its Way to More Influence in Libya", in *War on the Rocks*, 7 January 2021, https://warontherocks.com/?p=24109.

[51]   Giorgio Cafiero, "The Geopolitics of China's Libya Foreign Policy", in *ChinaMed*, 4 August 2020, https://www.chinamed.it/publications/the-geopolitics-of-chinas-libya-foreign-policy.
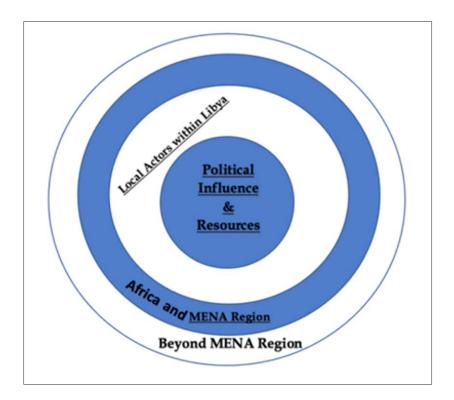
[52]   Andrea Dessì and Silvia Colombo (eds), *Fostering a New Security Architecture in the Middle East*, Brussels and Rome, Foundation of European Progressive Studies and IAI, November 2020, https://www.iai.it/en/node/12507.

[53]   Center for Conflict Prevention, "Instability in Libya", in *Global Conflict Tracker*, updated 6 January 2023, https://www.cfr.org/global-conflict-tracker/conflict/civil-war-libya.

[54]   Interview 3 with a European diplomat, November 2022.

[55]   Tarek Megerisi, "It's Turkey's Libya Now", in *ECFR Commentaries*, 20 May 2020, https://ecfr.eu/?p=8767.

To conclude the argument, the different levels and actors of fragmentation congregate around influence and resources within Libya in three different layers (See Figure 1). Whether the actors are fuelling the conflict by supporting armed groups or other forms of political interference, or leading or supporting peace initiatives, the conversation revolves around the access, distribution, consolidation or use of political influence and distribution of Libya's resources. Local actors in Libya are the immediate counterparts with whom all other actors interact in whatever form. Actors within the Africa/MENA region are in the wider circle in this frame, and they pick sides. Beyond the MENA region, actors interact directly with local stakeholders (hence the identical white circle), as they do not necessarily interact with or resist actors who are outside Libya but within the Africa/MENA region.[56]

The complex interactions between local, regional and global actors partly explain why the multilateral process that was initially set up under the aegis of the United Nations to bring an end to the Libya's fragmentation met obstacles after obstacles, even if eventually managed to broker the arrangement that led to the formation of the GNU (but only after Russia and Turkey's interventions created an uneasy military balance). There was clearly a lack of political resolve from all parties to throw their

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[56] Tarek Megerisi, "Libya's Global Civil War", in *ECFR Policy Briefs*, 26 June 2019, https://ecfr.eu/?p=4456.

weight behind the UN process. But that was not the only problem. The conflicting agendas of international actors also led to policy and programmatic approaches that reflected those agendas more than the situation on the ground. The hurry to have an internationally recognised government legitimised by elections pushed the local actors in Libya towards an elite power-sharing tussle at the expense of the supposed primary focus, a vision for a new Libya. By extension, this amplified pre-existing problems around resource sharing, as the internationally recognised government gets access to international assistance even if it does not have control over a huge part of the country. In essence, the contest for power and resources dominates the dynamics among local actors in Libya while attention is considerably drawn away from social cohesion and national reconciliation. The social contract that existed before Qadhafi's fall has been crushed, but without an agreement of which one should replace it.

2. The interplay of fragmentation with intra-EU contestation and multipolar competition

2.1 The impact of intra-EU contestation on Libya's fragmentation

In 2011, the NATO-led coalition that intervened in the Libyan civil war turned it into the most internationalised among the various political crises that emerged from the wave of political turmoil of the so-called Arab Spring. Yet, soon after Qadhafi was ousted from power, NATO countries started disengaging. The United States, which had supported but not led NATO's intervention, was not interested in another open-ended commitment, as at the time it was still in Afghanistan and had just left Iraq. France and the UK were unwilling to put "boots on the ground", and in addition they wanted Libyans to own the political process. However, other countries that had supported the intervention were very much keen on remaining engaged, with Qatar supporting the Islamist-leaning forces in Tripoli and the UAE and Egypt Haftar in Cyrenaica. Thus, a proxy conflict began, and European countries became entangled in it.[57] Intra-European divisions – particularly the Italian-French divide – would provide opportunities for Libyan players to exploit these divisions to gain

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[57]   Ibid.

political recognition, economic resources, and diplomatic support. In the words of a European diplomat, "Libyan players are all very knowledgeable regarding the specific preferences of European countries"[58] and "they were also extremely skilled in exploiting these divisions".[59]

Italy has generally been supportive of whoever was showing some degree of control over western Libya regardless of their ideological features and agendas, because this area is where migrants leave for European, mostly Italian, coasts.[60] The other core priority for Italy has been preserving its considerable energy investments in the country. Eni, Italy's largest energy company, has been operating in Libya since 1959. Eni has a stake in almost half of the Libyan oil and gas output. It imports energy through the GreenStream pipeline, part of the larger Mellitah Oil & Gas complex of Mellitah and Sabratha, which links onshore production at Al Wafaa gas field and the El Feel oil and the offshore Bori field to Sicily.[61] Eni is also active in Eastern Libya, in the Abu-Attifel field.[62] Consequently, Italy has consistently supported the Tripoli-based governments, first the GNA and then the GNU.[63]

But Italy has also adopted a more granular approach, especially during the civil war of 2014-20, with two goals in mind. On the one hand, Italy sought to improve the conditions in and around Tripoli for the GNA to operate by persuading local actors and militias to adopt a more pro-GNA attitude. On the other, Rome dealt directly with local policymakers and informal groups with the goal of stopping illegal migration. In February 2017, Rome signed a Memorandum of Understanding (MoU) with the GNA regarding migration.[64] Meanwhile, Italy approached Haitem al-Tajouri, then leader of the Tripoli Revolutionaries Brigade (TRB), to persuade him

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[58]   Interview 4 with a European diplomat, 27 December 2022.

[59]   Ibid.

[60]   Michela Ceccorulli and Fabrizio Coticchia, "I'll Take Two.' Migration, Terrorism, and the Italian Military Engagement in Niger and Libya", in *Journal of Modern Italian Studies*, Vol. 25, No. 2 (2020), p. 174-196, DOI 10.1080/1354571X.2020.1723291.

[61]   Eni website: *Our Work in Libya*, https://www.eni.com/en-IT/eni-worldwide/africa/libya.html.

[62]   Ibid.

[63]   Jacopo Barigazzi, "Diplomatic Divide over Libya Threatens EU Unity on Defense", in *Politico*, 11 October 2016, https://www.politico.eu/?p=459367; Arturo Varvelli, "Libia: dall'Italia massimo sostegno al governo di Sarraj", in *ISPI Commentaries*, 26 April 2016, https://www.ispionline.it/it?p=29005.

[64]   Libya and Italy, *Memorandum of Understanding on Cooperation in the Fields of Development, the Fight against Illegal Immigration, Human Trafficking and Fuel Smuggling and on Reinforcing the Security of Borders between the State of Libya and the Italian Republic*, 2 February 2017.

to be more supportive of the GNA.[65] Italy invited him to Rome on very same days Ahmed Mateeg – one of then Prime Minister Sarraj's deputies – was also in the Italian capital, suggesting the two visits may have been related.[66] Strengthening the GNA – at least making sure that Tripoli's militias would not weaken it too much – was considered an imperative.[67]

The deals struck by Italy with local officials in the Fezzan and militia groups in Sabratha showed how Italy's number one priority – containing migration – was being pursued at the cost of nurturing fragmentation among Libya's actors. In February 2017 Italy brought ten Fezzan mayors, from Sabha to Ghat, from Murzuq to al-Jufrah, to Rome to work out with them the details of an agreement to stop illegal migration.[68] On this occasion, Italy also provided the GNA with tools to control the southern borders, such as advanced technologies, drones and satellite images. The Associated Press released details of a "verbal" agreement that Rome had reportedly reached with two local forces in Sabratha, the al-Ammu militia (affiliated with the GNA defence ministry) and Brigade 48 (under the interior ministry), to curb migrants' departures from the coastal city, one of the crucial hubs for migrants.[69] This approach contributed to internal fragmentation because it focused only on specific groups able to control specific areas, or in charge of specific issues.

During the international conference in Palermo in November 2018, Italy tried to recalibrate its Libya policy. The main goals were two. Bridging divisions with other key European partners, namely France,[70] and getting closer to Haftar.[71] His absence

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[65]   "Militias Battle in Tripoli after Relative Calm", in *Deutsche Welle*, 12 February 2016, https://www. dw.com/en/a-36624390.

[66]   Daniele Raineri, "Cosa fa un signore della guerra libico in hotel a Roma? Negozia", in *Il Foglio*, 10 February 2017, https://www.ilfoglio.it/esteri/2017/02/10/news/libia-italia-negozia-per-salvare-il-premier-serraj--119638.

[67]   Wolfram Lacher, "Tripoli's Militia Cartel", cit.

[68]   Francesco Grignetti, "Patto fra Libia e Italia per fermare i flussi dei migranti dal Sud", in *La Stampa*, 15 February 2017, https://www.lastampa.it/esteri/2017/02/15/news/patto-fra-libia-e-italia-per-fermare-i-flussi-dei-migranti-dal-sud-1.34654439.

[69]   Maggie Michael, "Backed by Italy, Libya Enlists Militias to Stop Migrants", in *AP News*, 29 August 2017, https://apnews.com/article/9e808574a4d04eb38fa8c688d110a23d.

[70]   Tarek Megerisi, "The Promise of Palermo: Uniting the Strands of Europe's Libya Policy", in *ECFR Commentaries*, 8 November 2018, https://ecfr.eu/?p=7796.

[71]   Vincenzo Nigro, "Libia, il generale Haftar a Roma per discutere con Conte della Conferenza",

or presence soon became the sole relevant element of this conference.[72] The conference resulted in a failure, however.[73] Particularly embarrassing for Italy was that Haftar, who showed up at the last moment, refused to meet Prime Minister Sarraj unless representatives from Turkey and Qatar were left out of the room (they left the conference when Italy capitulated to Haftar's demand).[74] Rome's maladroit movements alienated forces in western Libya, and did not increase its influence over Haftar and his allies.

France, for its part, became the most important European supporter of Haftar, alongside the UAE, Egypt and later Russia. Haftar presented himself as the anti-Islamist bastion in Libya, although his role in fighting the Islamic State was more rhetorical than operational – it was in fact groups from Misrata, supported by US air cover, who dislodged the Islamic State from the coastal city Sirte, where it has established a presence.[75] The French support emboldened Haftar.[76] Unlike the UAE and Egypt, who provided Haftar with significant financial and military assistance, France passed on to him intelligence support and a limited supply of anti-tank missile. Nevertheless, it was by far the European country most involved with the Libyan warlord, even if it formally backed the GNA.[77] French support was instrumental for many of Haftar's successes, such as achieving full control of oil terminals and facilities in the Sirte basin.[78] France considered him as someone potentially capable of holding the country together, part of a broader regional

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in *Repubblica*, 28 October 2018, https://www.repubblica.it/esteri/2018/10/28/news/libia_haftar_da_oggi_a_roma-210241550.

[72] "Conferenza di Palermo sulla Libia, incognite sulla presenza di Haftar", in *Il Sole 24 Ore*, 11 November 2018, https://www.ilsole24ore.com/art/conferenza-palermo-libia-incognite-presenza-haftar--AENZJ0eG.

[73] Lorenzo Tondo and Patrick Wintour, "Italian Summit on Libya in Disarray as Trump and Putin Stay Away", in *The Guardian*, 12 November 2018, https://www.theguardian.com/p/9qkvb.

[74] "Haftar Displeasure over Qatar, Turkey on Display at Palermo", in *Al Arabiya English*, 14 November 2018, https://ara.tv/83crc.

[75] Frederic Wehrey, "When the Islamic State Came to Libya", in *The Atlantic*, 10 February 2018, https://www.theatlantic.com/international/archive/2018/02/isis-libya-hiftar-al-qaeda-syria/552419.

[76] Jalel Harchaoui, "How France Is Making Libya Worse", in *Foreign Affairs*, 21 September 2022, https://www.foreignaffairs.com/node/1120930.

[77] Guma el-Gamaty, "Libya Conflict: Is France an Honest Broker?", in *Middle East Eye*, 29 May 2018, https://www.middleeasteye.net/node/71313.

[78] Karim Mezran and Federica Saini Fasanotti, "France Must Recognize Its Role in Libya's Plight", cit.

approach based on searching stability by supporting authoritarian leaders.[79] Sources close to then French Foreign Minister Jean-Yves Le Drian explained France's approach as follows: "the operation Barkhane [which France had deployed in the Sahel] is extremely expensive for us. The only way to end this operation is to achieve stability in Libya. And, for that, the executive chose Haftar."[80]

"The stalemate between Italy and France paralysed the broader European action in Libya", as a European diplomat put to us.[81] France tried to mediate between the forces in the east and the west, but its more or less open support for Haftar undermined its image as an honest broker and weakened the perception among Libyan players that European countries or the EU could play a credible role. The French-Italian divide also contributed to deepening polarisation and fragmentation among Libya's players.

2.2 The impact of multipolar competition on Libya's fragmentation

As mentioned before, the NATO-led intervention was instrumental in making the Libyan crisis the most internationalised among the Arab Spring revolutions. However, internationalisation gradually morphed into multipolar competition. This was especially visible during the last phase of the civil war in Libya, which started with Haftar's April 2019 offensive against Tripolitania.[82] This was the moment when Russia and Turkey started acquiring greater relevance. Both countries had already been involved in the Libyan quagmire for some time. Turkey had a major role in supporting actors in west Libya already in the years before 2019.[83] Russia, at least from 2016 onwards, emerged as a crucial actor whose support was vital for the survival of the forces in the east.[84] The role of Moscow became more and more

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[79] Andrew Lebovich and Tarek Megerisi, "France's Strongman Strategy in the Sahel", in *ECFR Commentaries*, 8 March 2019, https://ecfr.eu/?p=8011.

[80] Maryline Dumas and Mathieu Galtier, "La Libye prise en otage par la France et l'Italie", in *Orient XXI*, 17 October 2018, https://orientxxi.info/magazine/2687.

[81] Interview 4 with a European diplomat, 27 December 2022.

[82] Wolfram Lacher, "Libya's Conflicts Enter a Dangerous New Phase", cit.

[83] Ismail Numan Telci, "Turkey's Libya Policy: Achievements and Challenges", in *Insight Turkey*, Vol. 22, No. 4 (Fall 2020), p. 41-54, https://www.doi.org/10.25253/99.2020224.03.

[84] Raphaël Lefèvre, "The Pitfalls of Russia's Growing Influence in Libya", in *The Journal of North African Studies*, Vol. 22, No. 3 (2017), p. 329-334, DOI 10.1080/13629387.2017.1307840; Yury Barmin, "Russia Weighs Its Role as Arbiter in Libya", in *Al-Monitor*, 21 August 2017, https://www.al-monitor.

significant as the country was printing the banknotes for Cyrenaica-based forces after the Central Bank in Tripoli stopped transfers to the east.[85] But the quality and depth of their engagement, as well as their capacities to shape dynamics on the ground and influence the decisions of Libyan actors, increased sharply as the civil conflict worsened in 2019. As recalled above, the Wagner Group mercenaries were as critical to Haftar's fortunes,[86] which had been wavering,[87] as Turkish-controlled Syrian fighters were to the GNA.[88] Turkey's support came with a price though, as Sarraj was forced to accept an MoU on the delimitation of the maritime jurisdiction areas in the Mediterranean that was met with fierce criticism by Greece (whose maritime claims were ignored) and other EU countries.[89] At any rate, Turkey's intervention in support of the GNA created a military stalemate that would be crucial to the warring parties eventually agreeing to form the GNU.[90] Even if they supported opposite factions,[91] Russia and Turkey tried to replicate the model of "collaborative competition" they had applied to Syria in previous years.[92] In a nutshell, "collaborative competition" involved that Turkey and Russia would try to sort out their difference without necessarily seek to fully impose their will on one another.

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com/node/16267.

[85]   Abdullah Ben Ibrahim, "Parallel Central Bank of Libya Prints New Banknotes in Russia", in *The Libya Observer*, 25 May 2016, https://libyaobserver.ly/node/1736.

[86]   David D. Kirkpatrick, "Russian Snipers, Missiles and Warplanes Try to Tilt Libyan War", in *The New York Times*, 5 November 2019, https://www.nytimes.com/2019/11/05/world/middleeast/russia-libya-mercenaries.html.

[87]   Grigory Lukyanov, "Tripoli: Haftar's Blitzkrieg Failed. What's Next?", in *Valdai Expert Opinions*, 19 April 2019, https://valdaiclub.com/a/highlights/tripoli-haftar-s-blitzkrieg-failed-what-s-next.

[88]   "Libya Makes Formal Request for Turkish Military Support", in *Daily Sabah*, 26 December 2019, https://www.dailysabah.com/politics/2019/12/26/libya-makes-formal-request-for-turkish-military-support.

[89]   Turkey and Libya, *Memorandum of Understanding between the Government of the Republic of Turkey and the Government of National Accord-State of Libya on Delimitation of the Maritime Jurisdiction Areas in the Mediterranean*, 27 November 2019, https://treaties.un.org/Pages/showDetails.aspx?objid=080000028056605a.

[90]   Jason Pack and Wolfgang Pusztai, "Turning the Tide: How Turkey Won the War for Tripoli", in *MEI Policy Papers*, November 2020, https://www.mei.edu/node/82011.

[91]   Ragip Soylu, "Turkey and Russia Vie for Influence in Libya with Troop Deployments", in *Middle East Eye*, 12 December 2019, https://www.middleeasteye.net/node/151896.

[92]   David Gauthier-Villars, "After Syria, Turkey Seeks to Partner with Russia in Libya", in *The Wall Street Journal*, 21 December 2019, https://www.wsj.com/articles/after-syria-turkey-seeks-to-partner-with-russia-in-libya-11576936920.

These dynamics created a sort of diplomatic duopoly,[93] which reduced the room for European action.[94] However, it also forced EU member states to work their difference out. They started moving towards some sort of common consensus, specifically under the leadership of Germany.[95] Berlin was seen as a more genuine broker in Libya, while Italy and France's reputation was tarnished by their previous choices. The German action was seen positively also in the EU. According to a European diplomat, "Germany played a particularly constructive role concerning Libya, and was able to overcome the stalemate caused by the differences existing between France and Italy".[96] This is the backdrop of European diplomatic activism, with the two Berlin conferences in 2020 and 2021 and the Paris meeting in 2021 lending some substance to the so-called Berlin process. The latter was instrumental in reaching an agreement on a truce and the appointment of a "5+5" commission consisting of representatives of the two Libyan sides, tasked with sorting out their differences and facilitate national reconciliation. The Berlin process also showed the limits of the EU's influence over the entire process, however. After all, the ceasefire was signed in Moscow at the presence of Russian and Turkish officials.[97]

In conclusion, Libya has become an arena for multipolar competition, with several global and regional powers involved. From a European perspective, the Russian-Turkish entente has nonetheless contributed to a shift of attitude and moderation in intra-European contestation. Regrettably for Europe, this happened when EU countries had already lost significant influence in Libya. In the next section, we look at the components of EU policy towards Libya beside the national action of France, Italy and Germany against the backdrop of the complicating factors illustrated above.

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[93]   Emadeddin Badi, "Libya's War of the Many', in *Sada*, 17 December 2019, https://carnegieendowment.org/sada/80628.

[94]   Güney Yildiz, "How Russia and Turkey Sidelined Europe on Libya", in *MEI Articles*, 17 January 2020, https://www.mei.edu/node/80786.

[95]   Tarek Megerisi and René Wildangel, "Germany's Quiet Leadership on the Libyan War", in *ECFR Commentaries*, 20 November 2019, https://ecfr.eu/?p=8396.

[96]   Interview 4 with a European diplomat, 27 December 2022.

[97]   Carlotta Gall, "Russia and Turkey Make Joint Call for Cease-Fire in Libya", in *The New York Times*, 8 January 2020, https://www.nytimes.com/2020/01/08/world/middleeast/russia-turkey-libya.html.

3. The limits of EUFSP in relation to Libya

The upshot of the interplay between fragmentation in and around Libya, intra-EU divisions and multipolar competition is that EU action has lacked a comprehensive framework to reconcile and integrate member states' policies with the common actions on which the EU has been able to agree.

3.1 The unresolved dilemmas of intergovernmentalism

The EU's answer to the Libya crisis in 2011 and over the following years has laid bare how intra-European contestation gravely undermines the EU's ambition to be a credible foreign policy actor.[98] But the EU difficulties have also shown how the intergovernmental approach to foreign and security policy, which has been constantly re-affirmed in each iteration of the EU treaties (including the last one, the Lisbon Treaty of 2007), has been unable to resolve structural and institutional problems of collective action, thus leading to unsatisfactory outcomes.[99] The EU has provided support to a number of European initiatives, from the two Berlin conferences in 2020 and 2021 to the Paris 2021 meeting, but its political and diplomatic role has been marginal. More prominent – though not necessarily more effective – has been its action on other policy areas, primarily aid, migration and maritime security.

Overall, the EU remains one of the largest providers of assistance in Libya. EU assistance for Libya hovered around 700 million euro during 2014–2020.[100] The money came from different external funding instruments, mainly bilateral assistance under the European Neighbourhood Instrument, funds from the EU Emergency Trust Fund for Africa, the Instrument contributing to Stability and Peace and humanitarian assistance. Since 2018 the EU has provided 9.3 million

[98] Arturo Varvelli and Matteo Colombo, "United We Should Stand: Europe and the Libyan Quagmire", in *ISPI Commentaries*, 11 February 2021, https://www.ispionline.it/en?p=50844.

[99] Sergio Fabbrini, "The European Union and the Libyan Crisis", in *International Politics*, Vol. 51, No. 2 (March 2014), p. 177-195, DOI 10.1057/ip.2014.2.

[100] European External Action Service (EEAS), *EU-Libya Relations*, 11 February 2022, https://www.eeas.europa.eu/node/19163; see also: Hrant Kostanyan (ed.), *Assessing the European Neighbourhood Policy. Perspectives from the Literature*, Brussels, CEPS, 2017, https://www.ceps.eu/?p=9832.

euro to support the political and reconciliation process in Libya.[101] The Union has also financed a Covid-19 response in Libya worth over 66 million euro.[102] While aid is an important element of EU policy towards Libya, what has shaped its approach has mostly been a focus on security, migration and border management.

3.2 Border management and anti-traffic activities

In 2013, the EU launched the Border Assistance Mission EUBAM Libya with the goal of providing capacity-building services and strengthening the hold of Tripoli's government on the border regions.[103] EUBAM did not take into consideration the connections between insecurity, political dynamics, and the peculiar Libyan state model: under Qadhafi, Libyans received a share of the oil rent in the form of a state salary in exchange of loyalty to the regime, hence never had an incentive to develop a functional government bureaucracy.[104] This meant that Libya completely lacked the capacity and the structures to absorb the EU efforts, which instead could not avoid interacting with the militias that held the greatest operational capacity. These armed groups hindered the development of a successful and collaborative border security partnership. Although the EU stresses the importance of local ownership, it risks losing sight of the real needs of Libyan citizens behind the urgency of its domestic concerns. After all, border migration is not a priority for most Libyans, whereas it is used as a marker of success of EU actions. As such, it fuels the perception that EU assistance is meant to further only EU political interests and needs, which in turn disincentivises Libyan political forces to engage constructively.[105] Besides, the absolute reduction in the number of migrants reaching European shores used as evidence of the success of EU border management efforts does not account for the increased rate of migrants' deaths per arrival between 2017 and 2019, caused

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[101] EEAS, *EU-Libya Relations*, cit.

[102] Ibid.

[103] Information about EUBAM Libya is available on the EEAS website: https://www.eeas.europa.eu/eubam-libya_en.

[104] Mattia Toaldo, "Libya: Security, Economic Development and Political Reform", in *Security in Transition Working Papers*, No. 04/16 (February 2016), https://brussels.fes.de/fileadmin/public/editorfiles/events/Maerz_2016/FES_LSE_Libya._security_economic_development_and_political_reform_Toaldo_2016_02_23.pdf.

[105] Matt Herbert, "Less than the Sum of Its Parts. Europe's Fixation with Libyan Border Security", in *ISS Policy Briefs*, No. 126 (April 2019), https://issafrica.org/research/policy-brief/less-than-the-sum-of-its-parts-europes-fixation-with-libyan-border-security.

by the progressive delegation of border management and search-and-rescue (SAR) activities from the EU to Libya.[106]

SAR tasks were originally included in Operation EUNAVFOR MED Sophia, which was the main tool deployed by the EU from 2015 onwards to combat human trafficking. However, when the EU revised Sophia and transformed it into a new operation called Irini, SAR tasks were excluded.[107] Instead, Irini's mandate was limited to the implementation of a UN arms embargo on Libya. Unsurprisingly, Irini has not improved the situation in Libya, hence demonstrating the shortcomings of initiatives designed to meet short-term and domestic priorities rather than a long-term strategy.[108] Moreover, Operation Irini has encountered fundamental problems, notably the lack of funding and effective cooperation with other relevant stakeholders such as the United States, which has made its anti-arms smuggling mandate *tout court* "insufficient".[109] Geopolitical competition has also affected Operation Irini's (in)effectiveness: its mandate was made in conformity with UN Security Council resolution 2292, which was based on the concept of "compliant boarding", a rule adopted upon the request of Russia and China.[110] This means that the flag state has to consent to EU inspection, making Irini a technical rather than an operational tool in the enforcement of the UN arms embargo.[111] These shortcomings directly affect the EU's credibility as a relevant actor in Libya.[112] This is even more true as the centre of geopolitical gravity is apparently moving from Europe towards the countries that have actual influence such as Egypt, Turkey,

[106]   Shoshana Fine and Tarek Megerisi, "The Unacknowledged Costs of the EU's Migration Policy in Libya", in *ECFR Commentaries*, 25 July 2019, https://ecfr.eu/?p=8240.

[107]   Council of the European Union, *Council Decision (CFSP) 2020/472 of 31 March 2020 on a European Union military operation in the Mediterranean (EUNAVFOR MED IRINI)*, http://data. europa.eu/eli/dec/2020/472/oj.

[108]   Federico Alagna, "From Sophia to Irini: EU Mediterranean Policies and the Urgency of 'Doing Something'", in *IAI Commentaries*, No. 20|32 (May 2020), https://www.iai.it/en/node/11594.

[109]   Mustafa Fetouri, "What Has the EU Done for Libya So Far?", in *Middle East Monitor*, 1 December 2022, https://www.middleeastmonitor.com/?p=597626.

[110]   Security Council Report, "Vote on a Resolution on Maritime Interdiction to Implement the Arms Embargo on Libya", in *What's In Blue*, 14 June 2016, https://www.securitycouncilreport.org/ whatsinblue/2016/06/vote-on-a-resolution-on-maritime-interdiction-to-implement-the-arms-embargo-on-libya.php.

[111]   Stefano Marcuzzi, "The Role of the EU in the Libyan Conflict since 2011", in *KAS Libya Briefs*, No. 11 (May 2022), https://www.kas.de/en/web/poldimed/single-title/-/content/the-role-of-the-eu-in-the-libyan-conflict-since-2011.

[112]   Interview 5 with a Libyan analyst, November 2022.

Russia, the UAE and Qatar.[113] Unsurprisingly, a survey from 2021 among Libyans identified EU support in the country as overall ineffective.[114]

From 2011 until very recently the EU approach to the Libyan crisis was multifaceted but incoherent,[115] and it did not improve much later on. Over the years, incoherence has continued, as it was shaped more around the views of the member states' national interests rather than around a European strategy based on a deeper understanding of Libya's internal dynamics and sound assessment of how the EU can get leverage over the many external players involved in the country.[116] Hence, the EU's role has been more economic than political.[117] The securitisation of migration policies and divisions among EU member states on key issues are amongst the main factors impacting the ability of EU member states to mitigate the effects of fragmentation and geopolitical rivalries in around Libya.[118] The EU has tried to regain some of the lost ground through the Berlin process, in which the EU and its member states have engaged in supporting UN mediation efforts for a crisis resolution in the country. But it has been too little and too late.

4. A strategic approach for a more joined-up and sustainable EUFSP towards Libya

Below we make a number of suggestions as to how the EU and its member states can mitigate the effects of fragmentation, intra-EU contestation and multipolar competition on its Libya policy.

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[113]   Interview 6 with a European diplomat, December 2022.

[114]   EU Neighbours South, *Opinion Poll Findings and Analysis for the Southern Neighbourhood Countries - Libya*, 25 March 2022, https://south.euneighbours.eu/?p=170877.

[115]   Nicole Koenig, "The EU and the Libyan Crisis: In Quest of Coherence?", in *The International Spectator*, Vol. 46, No. 4 (2012), p. 11-30, DOI 10.1080/03932729.2011.628089.

[116]   Interview 5 with a Libyan analyst, November 2022.

[117]   Tarek Megerisi, "EU Policy towards Libya", in *Insight Turkey*, Vol. 22, No. 4 (Fall 2020), p. 29-40, https://doi.org/10.25253/99.2020224.02.

[118]   Mohamed Eljarh, "Is Europe Exporting Instability to the Southern Mediterranean? Libya as a Case Study", in IEMed, *EuroMed Survey: Changing Euro-Mediterranean Lenses*, December 2020, p. 78-82, https://www.iemed.org/?p=6813.

4.1 Political sector

The political role of the EU in Libya has been heavily undermined by the direct involvement of EU member states who have diverging priorities. What has complicated the Union's political leverage is the lack of an explicit agreement between the EU and its member states on the distribution of roles and responsibilities. Member states develop their own policies and keep direct ties with partners on the ground instead of using EU mechanisms or at least coordinating through EU mechanisms, and Libyan counterparts are unsure of which European body is the most appropriate to engage with.[119] Likewise, EU member states have built connections with Libyan actors that are able to tilt the balances of the Libyan conflict. Suffice to mention the influence of France, already analysed in the part on intra-EU contestation, in facilitating Haftar's ascension by force by cooperating with the UAE despite formally supporting the government in Tripoli.[120]

Although significantly impacting the EU's capacity to weigh in diplomatically, France's policies at least show that EU member states do have the assets to exert influence, if only they acted more in unison.[121] Regrettably, the EU cannot prevent its member states from replicating France's obstruction to a shared EU position in line with international law and the process supported by the United Nations, which Haftar openly undermined. What it can do is using its member states' leverage and individual diplomatic assets to foster a common agenda. In other words, the EU's role should not be that of replacing the member states in their political involvement in Libya, but rather that of catalysing their efforts in a more coherent EUFSP framework. The EU should provide harmonisation through the establishment of a real platform for intra-EU action, in order to enable member states to coordinate their approaches. This could further support the P3+2 model – comprising the United States, the United Kingdom, France, Germany, and Italy – to agree on a plan to help move the political process forward and gain support

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[119]   Interview 7 with a Libyan analyst, January 2023.

[120]   Wolfram Lacher, "Macron as a Spoiler in Libya", in Ronja Kempin (ed.), "France's Foreign and Security Policy under President Macron", in *SWP Research Papers*, No. 4 (May 2021), p. 15-20, https://doi.org/10.18449/2021RP04.

[121]   Virginie Collombier, "The New War in Libya: Europe cannot Afford to Be Caught Sleeping", in *MEDirections Blog*, 16 April 2019, https://blogs.eui.eu/medirections/?p=67.

for the process from their regional allies.[122] Moreover, to avoid further muddling external perception of it, the EU should develop clearer and more straightforward communication. If the Union wants to become the spokesperson of member states' position, it should be able to consolidate one common voice as a result of a real intra-EU dialogue, to be replicated also in bilateral relations.

4.2 Security sector

Libya is a complex mosaic of actors and institutions with varying security functions. This fragmentation of the security sector poses a problem not only to the effectiveness of EUFSP but also, and most importantly, to the general process towards sustainable peace in Libya. That is why the United Nations has identified Disarmament, Demobilisation and Reintegration (DDR) and a Security Sector Reform (SSR) as main peacebuilding tools.[123] A successful DDR process can only be achieved if the ceasefire is preserved, so joint efforts should be made to maintain it– for the sake of long-term stability and the rule of law. This falls into the attempt of the UN to restart the unification process.[124] The role of the EU, in this case, should be that of providing support to the UN-led process with its biggest assets: technical expertise and resources. The security division of UNSMIL, the UN mission in Libya, suffers from significant understaffing.[125] The EU's involvement via defence specialists and administrative staff would be a valuable support that would expand the overall capacity of the UN action for SSR and DDR in Libya. Moreover, a cohesive and coordinated strategy should be developed at the EU level through the identification of the Libyan security sector's objective needs, in a way that would encourage other member states beyond Germany, France and Italy to maximise their support. As for the political sector, a clearer definition of collaboration ties between actors, be they bilateral, in partnerships, or through multilateral institutions, would enhance the effectiveness of EUFSP also in the

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[122]   Tarek Megerisi, "Infinity War: Libya's Reoccurring Conflict", in *ECFR Commentaries*, 2 September 2022, https://ecfr.eu/?p=95594.

[123]   "Williams Stresses the Importance of DDR Program to Achieve Security in the Country", in *The Libya Observer*, 26 May 2022, https://libyaobserver.ly/node/22700.

[124]   UN Support Mission in Libya, *SRSG Bathily Calls for Resources, Political Recommitment for Libya Ceasefire Agreement*, 17 January 2023, https://unsmil.unmissions.org/node/100043498.

[125]   José S. Vericat and Mosadek Hobrara, *From the Ground Up: UN Support to Local Mediation in Libya*, New York, International Peace Institute, June 2018, https://www.ipinst.org/?p=19252.

SSR domain.[126] Finally, incentivising and encouraging dialogues on the SSR within Libyan authorities themselves, by leaning on EUBAM to work directly with coastguards and border patrol units would be a way in which the EU could exploit its diplomatic resources for the security sector.[127]

4.3 Economic sector

The rentier (that is, oil-dependent) nature of Libya's economy intertwines with its political reality.[128] The heavy reliance on oil for revenue fuels divisions and conflicts between Libyan actors that are in competition because of the lack of alternative incomes. Added to this is the external actors' involvement, which local actors use to gain leverage by playing on their conflicting interests.[129] Hence, acting on the economic sector is a way to directly address one of the drivers of fragmentation and instability in Libya. The United States is trying to take action towards revenue transparency.[130] The nature of the EU allows it to play a different role: investing in the development of the country beyond the oil sector to incentivise the expansion of the Libyan economy and promote widespread stabilisation. To do so effectively, the EU should focus on working strategically, by recognising the weakness of the central government – especially its disinterest in building strong governance – and thus expanding parallel paths for development.[131] It is in the EU's interest to engage with Libyan actors that could have a more secure grip on their territorial surroundings, which is why involving local authorities could result in being the best approach. These municipal actors are democratically elected and have strong social ties within their territories, and this facilitates accountability and reliability. These should be the partners for all the efforts to re-establish public services and

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[126]   Roberta Maggi, "Building Security: How Europeans Can Help Reform Libya", in *ECFR Policy Briefs*, 25 February 2022, https://ecfr.eu/?p=87346.

[127]   Interview 7 with a Libyan analyst, January 2023.

[128]   Richard Barltrop, "Oil and Gas in a New Libyan Era: Conflict and Continuity", in *OIES Papers*, No. MEP 22 (February 2019), https://doi.org/10.26889/9781784671303.

[129]   Karim Mezran and Alessia Melcangi, "Economic Interests, Political Conflicts, and External Interferences: The Complex Interlocking of the Libyan Crisis", in *Eastern Mediterranean and Regional Security: A Transatlantic Trialogue series*, November 2020, https://www.fpri.org/?p=33199.

[130]   Ahmed Elumami and Angus McDowall, "U.S. Proposes Libya Oil Revenue Mechanism to Ease Crisis", in *Reuters*, 17 March 2022, https://www.reuters.com/article/libya-politics-oil-idAFL2N2VK1OF.

[131]   Interview 7 with a Libyan analyst, January 2023.

maintain and repair infrastructure.[132] This approach is a good vehicle for developing policies with a direct impact on the population, with the opportunity to positively affect also the migrants and refugees that are still on Libyan soil and the local communities that host them.[133]

4.4 Migration sector

As previously mentioned, SAR activities have been excluded from the mandates of EU missions in Libya and, also in the case of NGO-led search-and-rescue, they have been accused of having a pull effect on migrants, promoting the inflow on the Central Mediterranean migration route.[134] Whether or not this is the case (in fact, multiple studies argue that this is untrue),[135] clear consequences of inadequate EU policies are demonstrated by the several allegations that link the EU to human rights and non-refoulement principle violations.[136] Amnesty International, ECRE and Human Rights Watch insist that allowing SAR activities is one of the preferable ways to avoid further pushing this migration route to become a never-ending scourge on both shores of the Mediterranean.[137] While SAR is a highly divisive topic between and within the member states, keeping the dialogue open at the EU level would avoid accusations of a lack of transparency and of endorsement of human rights violations, both elements that if ignored heavily undermine EUFSP on every other file. Moreover, the EU could make better use of the tools that are already implemented in Libya. Operation Irini, despite its limitations, could be used

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[132]   Tarek Megerisi, "Order from Chaos: Stabilising Libya the Local Way", in *ECFR Policy Briefs*, July 2018, https://ecfr.eu/?p=4208.

[133]   UN Secretary-General's High-Level Panel on Internal Displacement, *Shining a Light on Internal Displacement. A Vision for the Future*, September 2021, https://internaldisplacement-panel.org.

[134]   Claudio Deiana, Vikram Maheshri and Giovanni Mastrobuoni, *Migrants at Sea: Unintended Consequences of Search and Rescue Operations*, 19 September 2022, https://vmaheshri.github.io/files/papers/migrants_at_sea_2021.pdf.

[135]   See for instance, Elias Steinhilper and Rob J. Gruijters, "A Contested Crisis: Policy Narratives and Empirical Evidence on Border Deaths in the Mediterranean", in *Sociology*, Vol. 52, No. 3 (June 2018), p. 515-533, DOI 10.1177/0038038518759248; Alejandra Rodríguez Sánchez et al., "The Politics of Search-and-Rescue and the Migration Flow through the Central Mediterranean Route", in *SocArXiv*, 18 May 2022, https://doi.org/10.31235/osf.io/npgku.

[136]   Philip Oltermann and Angela Giuffrida, "European Politicians Accused of Conspiring with Libyan Coastguard to Push Back Refugees", in *The Guardian*, 30 November 2022, https://www.theguardian.com/p/mngf4.

[137]   Amnesty International, ECRE and Human Rights Watch, *Plan of Action – Twenty Steps to Protect People on the Move along the Central Mediterranean Route*, June 2021, https://www.amnesty.org/en/?p=114670.

as an asset for multi-track diplomatic dialogue with the aim of ensuring more accountability of Libyan partners.[138] In addition, working on "push" factors in transit countries could avoid the problematic externalisation of containment measures: the EU should look for cohesion in its policies towards Libya and the Sahel to improve their effect thanks to a more coherent and comprehensive approach.[139]

Conclusion

The interactions of regional fragmentation, multipolar competition, and intra-EU contestation in Libya have shown a clear impact on EUFSP. The weak state institutions inherited by the Qadhafi's era have enabled sub-national actors to compete for power and resources in a disruptive way that has fostered fragmentation within Libya. This has been amplified by the presence and influence of various international players, meaning that the conflict in Libya has become a sort of proxy war, with several external players using local actors to pursue their interests. External influence, however, must be put into context: it does not mean that Libyan actors have completely lost agency. Instead, these external influences have created a specific environment in which local Libyan actors are indeed influenced by external actors, but still in a dialectical and bi-directional relationship because, as noted in the section on intra-EU contestation, local actors in Libya have always been aware of the different preferences of external players, including EU member states, and have exploited them.

The divergent tactics that different EU member states have pursued as a reflection of their different interpretations of the Libyan reality and of their own specific domestic interests have shown that the EU lacks the capacity to adjust these multiple lenses in a comprehensive and shared strategy. Hence, mitigating these constraints is the path for a more sustainable and effective EUFSP. First of all, the EU should understand what role it needs to play in order to avoid fuelling competition and fragmentation: instead of trying to drive parallel processes to the already existing UN-led efforts, the EU should use its assets to support an organic

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[138]   Interview 3 with a European diplomat, November 2022.

[139]   Eugenio Cusumano and Matteo Villa, "Sea Rescue NGOs: A Pull Factor of Irregular Migration?", in *Migration Policy Centre Policy Briefs*, No. 2019/22 (November 2019), http://hdl.handle.net/1814/65024.

journey to the peace process. These assets consist in resources and administrative expertise, which can only be used in an efficient way if an intra-EU dialogue is established and maintained. Finally, the EU main focus should be that of using its tools to improve Libyans' livelihoods rather than just to avoid the overspill of insecurity from the Libyan shores into Europe, also because if the situation improves for the Libyans, then the risks of an overspill decrease sharply.

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Interview 1 - Political Science professor, Tripoli, 21 November 2022

Interview 2 - Diplomatic official, October 2022

Interview 3 - European diplomat, November 2022

Interview 4 - European diplomat, 27 December 2022

Interview 5 - Libyan analyst, November 2022

Interview 6 - European diplomat, December 2022

Interview 7 - Libyan analyst, January 2023

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