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Stelios Stavridis



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- 1 Following a similar pattern to other examples of what became to be known as the “Arab Spring”, the conflict in Libya in 2011 also began with the arrest of civil rights activists which quickly led to full-scale protests eventually developing into a civil war.¹ In response, the United Nations (UN) Security Council (UNSC) adopted two Resolutions (Nos. 1970 and 1973, respectively on 26 February 2011 and 17 March 2011); the former imposed economic sanctions and an arms embargo, whereas the latter authorized “to take all necessary means to protect civil population” –although specifically “excluding a foreign occupation force of any form on any part of Libyan territory”, but including the possibility of a limited air intervention.² Military action was spearheaded by the USA, Britain and France, before it continued under NATO military control, and the participation of 18 states in total. At the end of the summer, the Gaddafi regime was collapsing and the military conflict came to an end in October 2011 when the “rebels” captured and killed him.
- 2 Germany abstained on Resolution No. 1973,³ which fuelled claims of European Union (EU) disunity from the very beginning. Indeed, the existing literature about how EU institutions and member states reacted to the violence in Libya in 2011 maintains that, contrary to other actors, the EU was fundamentally divided, incoherent and inefficient. For instance, Nicole Koenig clearly states that:

Despite a rocky start and some criticism along the way, the ultimate success of NATO’s intervention has provided for a rather positive record after all. *The same cannot be said for the European Union. The EU’s reaction was criticized for being too slow, too weak, too divided and essentially incoherent.* Some have already mourned the death of the Union’s Common Foreign and Security Policy (CFSP): “The CFSP died over Libya – we just have to pick a sand dune under which we can bury it”.⁴

- 3 Sergio Fabbrini argues that Libya was the “first foreign-security test for the Lisbon Treaty [...]”. The test was not satisfactory. [...]he EU as a collective actor did come out from the Libyan crisis divided and weak as usual”.⁵
- 4 This article qualifies *substantially* those criticisms by providing evidence to the contrary. In the first part, it does two things: by using the “time factor”, it asserts that first impressions are often misleading, and that most criticisms based on earlier studies had been published even before the fall of Gaddafi or very soon afterwards, thus not allowing for the benefit of hindsight; moreover, by only focusing on a few years before the 2011 conflict, most of them were taking a “selective memory” approach, “conveniently” forgetting about the role of Libya as a “pariah state” in the international community. Then, the article substantiates with evidence how the EU reaction was much more coherent and consistent than suggested. It also points out that at the end of the day, even Italy (special relationship with Gaddafi) participated in the bombing and eventually Germany (abstention at the UN) closed ranks. In Part 2, this study also adds further data by presenting the impact of one of the most long-standing anti-Gaddafi institutions: that of the European Parliament which spurred the Union into promoting a practical implementation of the concept of Responsibility to Protect (R2P).⁶ It is the longest part in this study as it is also its major originality. In Part 3, the article also criticizes the rather unrealistic views taken by many an observer –in particular those who presume of the existence of European and International Governance systems that simply do not reflect reality.
- 5 However neither does this piece take a triumphalist view as the one adopted by two top NATO officials in their article entitled “NATO’s Triumph in Libya”:⁷ “By any measure, NATO succeeded in Libya. It saved tens of thousands of lives from almost certain destruction and enabled the Libyan opposition to overthrow one of the world’s longest-ruling dictator.” Or in a similar line, speaking at the 5 April 2011 EP Plenary, “EU Council President Herman van Rompuy has even suggested the EU take credit for helping to prevent a bloodbath in Libya”.⁸ A point he reiterated in May 2012: “We surprised everyone”.⁹
- 6 There is another set of factors that would also strengthen this study, namely the nature and the context of the conflict itself. That means that, very often, in inter-state or intra-state conflicts, there is no easy answer. “Second best” solutions are often the result of so many different internal and external factors that to wish for an ideal solution is a vain exercise. To use this “ideal” as a benchmark is also often a mistake. Events and decisions evolve in various and complex ways. Hesitation is part of International relations. These factors are often included in analyzing state or institutional reactions to international conflicts. For instance, Sergio Fabbrini correctly notes that the Obama administration hesitated before getting involved and this time only by “leading from behind”.¹⁰ It seems that such allowance was not given to the EU in most of the existing literature. This factor will not be analyzed here for reasons of space. Nor will this study consider or draw any general conclusions about the wider implications of Libya for EU security and other policies towards the Mediterranean, as this would meant a totally different perspective to the one taken here.
- 7 Thus, the conclusions of this article are that initial harsh criticisms should be substantially qualified, especially if one takes into account the learning curve that EU

foreign policy appears to show, especially when its reaction to Libya is compared to those of the Balkans in the 1990s or to the Iraq War in 2003.

Rebutting the selective use of the “time factor” and the “under estimation” of the EU reaction

The time factor

- 8 The works by Koenig have been consistently and systematically referred in most studies that followed.¹¹ All appeared to coincide with her blunt criticism as mentioned above.¹²
- 9 Juan Garrigues even argued that “[a]side from providing vital cargoes of humanitarian aid, the EU has remained on the sidelines of the conflict”.¹³ Or as Echagüe, Michou, Mikail put it: “[...] imposing sanctions, freezing assets and delivering humanitarian aid cannot entirely detract from disunity between member states”.¹⁴ Others claimed that “Europe’s defence experts considered that the Libyan crisis constituted ‘a textbook example of a situation in which Europe, through the European Union, should have taken the lead’ in the military operation”.¹⁵ Devuyst even asserted that “European disunity showed itself in the most tragic manner when the European Council failed to craft a meaningful common approach towards the revolt against the regime of Colonel Gaddafi in Libya”.¹⁶ Some go even as far as to claim that all EU institutions and member states were Gaddafi’s supporters,¹⁷ and they did very little to remove him from power, even when the conflict began within Libya in early 2011.
- 10 There are a number of qualifications of the above that render it rather unsubstantiated. First, it is unfair to keep on quoting Koenig’s work as if it were the only one available in the literature. It is somehow preoccupying that most subsequent works rarely bothered to look into long-established or more recent studies showing how “problematic” the Gaddafi regime had been since it began in 1969. Is it enough to quote Koenig’s work, but not question it? Especially when, as shown below, *les faits sont têtus!*
- 11 One key criticism of the claims of “double standards” and support for the Gaddafi regime concerns analyses that limited themselves to the last decade prior to the conflict in 2011 (once the UN sanctions over Lockerbie had been finalized is to ignore recent history). To focus on the more “friendly” relations does not mean that they were that friendly, nor for all the time. Selective memory tends to lead to unfair assessments.
- 12 Indeed, historical evidence shows beyond any doubt that the Libyan regime had always been a problematic country for the West in general and Europe in particular ever since the military coup that led to Gaddafi’s coming to power in 1969. In the words of Joffé and Paoletti,¹⁸ the Gaddafi regime in Libya represented “the archetypal pariah state”.¹⁹
- 13 Facts confirm it plenty: be it as a supporter of Anti-Colonialism mainly through its pro-Soviet Union alliance during the Cold War, via Pan-Arabism or Pan-Africanism,²⁰ even Pan-Islamism, and supporting actively international terrorism, be it the IRA or its own home made brand (1986 UTA and 1988 Pan Am Lockerbie bombings). Lockerbie led to 1992 UN sanctions (initial refusal to hand over two suspects) which were only suspended in 1999 when Libya handed them over for trial in The Netherlands.²¹
- 14 In December 2003 (some have argued because Gaddafi got scared by the US invasion of Iraq), Libya announced that it was giving up its Weapons of Mass Destruction (WMD) programme (in the past, Libya had used chemical weapons in Chad). The use of chemical

weapons in Syria in 2013 confirms that it is better for non-democratic regimes not to possess those types of weapons at all. Seen as yet another gesture of good will for re-entering the international order then, Italy pressured the EU for improving relations.²² The additional fact that in 2004 there was a sudden influx of irregular immigrants towards the island of Lampedusa also played an important role in trying to improve relations between the Europeans and Gaddafi.²³ A policy card that Gaddafi used again in 2011²⁴ – hence the reluctance by this author to “just” see it as another coincidence after the 2004 precedent and put all the blame on the French or on the Italians for not agreeing on how to interpret Schengen rules on that particular case. This was yet another refugee-cum-migration crisis that Libya’s dictatorial regime had provoked intentionally in its efforts to keep power.

- 15 Still on the “rapprochement” with Libya, and although Libya had been invited and attended Euro-Mediterranean Partnership (EMP) meetings, it had refused to formally join the Barcelona Process as it considered it could not accept its political *acquis*: commitment to human rights and democratic principles. Of course, other authoritarian and dictatorial regimes belong to the Barcelona Process but, at least they had formally declared their adherence to the EMP’s values, principles and rules, even if they did not obey by them. This is not rare in international relations. All 193 states that belong today to the UN are supposed to respect the UN Charter and the Universal Declaration on Human Rights. But many of them do not follow those principles in practice. Gaddafi also refused to join the Union for the Mediterranean (UfM) in 2008 on the grounds that it was “an insult to us Arabs and Africans”. In short, Gaddafi claimed that the Europeans were “taking us for fools. [...] We do not belong to Brussels”.²⁵
- 16 Once the EMP was transformed into the UfM, the European Commission engaged in a number of new bilateral agreements with the Southern Mediterranean states, and it did so also with Libya, starting in late 2010. EU-Libya negotiations for a Framework Agreement were progressing,²⁶ when the “Arab Spring” brought them to a sudden end. The EU-Libya Migration Cooperation Agenda that had been signed on 5 October 2010 by Commissioners Mälstrom and Füle and the Libyan authorities an EU-Libya Migration Cooperation Agenda was therefore suspended on 22 February 2011.

The EU reaction

- 17 As the violence continued and began to spread in Libya, the EU’s reaction led to calls for intervention, in line with the two UN resolutions, once Gaddafi announced in words and in actions his willingness to stop popular revolts by a bloodbath.²⁷ The EU also participated in the March 2011 London Conference on Libya that worked on how to implement those UN resolutions.²⁸
- 18 The EU reaction was quite *extensive*²⁹: there were several declarations by the various EU personalities and institutions condemning what was happening in Libya³⁰; there followed calls for Gaddafi to relinquish power, and finally recognition and support for the “rebels”³¹ (with the opening of a liaison office in Benghazi with the Transition National Council on 22 May). In terms of actions, there was emergency humanitarian assistance provided by the EU,³² as well as the activation of FRONTEX to Italy and Greece.³³
- 19 Most importantly, the EU adopted sanctions, including some that went well beyond UN requests. For instance, additional restrictive measures, finances and movement of persons were taken on 28 February 2011. The EUFOR Libya, a military operation (to

support humanitarian assistance operations) was prepared but not implemented as there was no UN call for such use and some EU “battle groups” member states (Sweden) were not willing to act.³⁴

- 20 At the fall of regime, in late August, the EU participated in the 1 September 2011 Paris Conference in Support of the New Libya (60 countries, UN, etc.) which approved the unfreezing of Libyan assets in order to help reconstruction of Libya. No doubt, the most important contribution was that many EU states actively or indirectly participated in the forceful removal of the Gaddafi regime.
- 21 The EU reaction, and especially from the European Commission, continued after the end of the military conflict: it includes the new SPRING/Support to Partnership, Reform and Inclusive Growth programme, with an extra 350 million euros for 2011-2013; plus a new Civil Society Facility (22 million for 2011-2013); and a new set of new bilateral agreements (Deep and Comprehensive Free Trade Area with Agreements on Conformity Assessment and Acceptance).³⁵ This results from the bi-annual *European Neighbourhood and Partnership Instrument Strategy Paper and National Indicative Programme for Libya*. In late November 2013, the European Commission announced another 15 million euros support package.³⁶
- 22 In addition, the EU participated in election monitoring of the July 2012 parliamentary elections,³⁷ as well as having deployed since May 2013, over two years and with a 30 million annual budget, the European Union Integrated Border Management Assistance Mission (EUBAM) helping the Libyans protect their land, sea and air borders.³⁸
- 23 As a result of the empirical evidence presented above, it is possible to dismiss Koenig’s claim of “horizontal incoherence” between various EU crisis management actors (Commission, Council, etc.). Indeed, she ignores all of the means that were deployed as described above. There was no fundamental contradiction in the means used. It is another thing to claim that they were not sufficient: for instance MEP Ana Gomes, the EP rapporteur on Libya, agrees that the EU only made available 30 million euros over six months for the Libyans whereas the EU had provided ten times more to Kosovo for instance.³⁹
- 24 On the “discrepancy” between van Rompuy and Ashton (the former mentioning “regime change” and the latter contradicting him), it is overblown: it is often part of the diplomatic game to “blow hot and cold air” during a conflict. It is also important to note that the EU wanted to keep not only the Arab states on board but more importantly Russia and China (see the current stalemate over Syria with Russia and China exercising their veto right). As for the “teething” problems with the European External Action Service/EEAS (seen as being “sidelined”), one must bear in mind that it had only been activated a few weeks before (December 2010/January 2011).
- 25 Such a claim over the EU reaction in Libya in 2011 also fails to consider the peculiarities of each conflict, and, more importantly, does not take into account the “learning curve” that European cooperation in foreign, security and defence policies entails over time. Finally, there is another crucial question that had to be answered in practice and not only in theory: how was it possible to stop the bloodshed in Libya without removing Gaddafi? This is a key issue that those critical of R2P in Libya conveniently fail to address.⁴⁰
- 26 Thus, as was shown above, the rather more efficient and united EU stance over Libya should indeed be contrasted to previous, less successful, attempts at coherence and cohesion. Therefore the “time factor”, both prior to and after 2011, has strongly qualified the claims of EU inconsistency and inefficiency. This case was further strengthened by

looking at what actually the EU had done as an entity. Another qualification has to do with other actors (especially one EU institution in particular) and follows in the next section.

- 27 On EU institutions, Koenig also criticizes what she calls “vertical incoherence” which deals with EU member states and their relation to the EU institutions. This is again unfair because by focusing on the French, German, and Italian national policies as so many critics do (see above): it is simply unreasonable to blame the EU for the reluctance to act shown by some of its member states. Such a claim would imply that there already existed a fully Europeanized common foreign policy, which is simply not true. In fact, considering that Italy fought the war, and that Germany eventually joined the EU stance; in particular “Germany sent 300 personnel to man AWACS flights in Afghanistan to free up NATO forces for the Libya no fly zone operation.”⁴¹
- 28 Also whether the EU as a whole or only some of its leading member states acted, it is important to note that a (worse) massacre was avoided in Libya. The criterion of success is more important than that of who actually acted. Moreover, this “efficiency” should be contrasted to the slowness in responding twenty years earlier to the Yugoslav wars, or for that matter over Iraq in 2002-2003. For instance, Socialist MEP Ana Gomes said that “Sarkozy should be given credit for stopping a massacre in Benghazi.”⁴²
- 29 In the case of Italy,⁴³ the August 2008 Treaty of *Friendship, Partnership and Cooperation* with Libya which included a non-aggression clause (Article 3)⁴⁴ was ratified in March 2009 by its Parliament.⁴⁵ This is the “same” Parliament that in March 2011 approved Italy’s participation in the war (even if with only a small majority in favour) when the situation in Libya became unsustainable from a human rights perspective. As for France, it is too simplistic to criticize its stance on Libya and ignore other foreign policy initiatives in other parts of the world, be it in Africa, the Balkans, or Asia.
- 30 And at the end of the day both countries fought against the Gaddafi regime. If this is no evidence of not being his supporters, then one must wonder what would constitute such evidence indeed. If one argues that interests had changed over time, this is rather simplistic and ignores the difference between what is desirable and feasible in international affairs: or does it imply that Europe should have bombed Gaddafi earlier? What about all those (including in Europe) who had opposed the 1986 US bombing? The key factor in 2011 was Gaddafi’s decision to respond violently to peaceful protesters treating them as “rats”.⁴⁶
- 31 As for her final point, Koenig about “multilateral incoherence” between the EU’s crisis response and those of the UN, NATO and the African Union, this is where Koenig is at her weakest: how can one blame EU incoherence for any lack of coherence within other organizations, or ones with different members, even with sometimes overlapping memberships? For instance, on NATO, it is Turkish intransigence (and some EU member states tolerance of course) over Cyprus that does not allow for the EU-NATO Berlin Plus cooperation agreement to function: and Turkey does not belong to the EU. As for the AU and the Arab League, the first had as President in Office the leader of... Libya! Again, how would the EU have altered such a situation with internal coherence or not? The Arab League is famous for its lack of influence due to its divisions over most international issues, including those affecting Arab states.

The European parliament and how it strengthened and legitimized the EU’s response on Libya through R2P

32 It is relevant to recall that some observers, including Koenig herself,⁴⁷ had identified the EP as particularly active and coherent over Libya –but without developing the point further. Moreover, taking this into consideration did not alter at all their otherwise critical analysis. As Jose Magone notes:

The European Parliament has been a vehement supporter of the pro-democracy movement. Such support has been characterised by cross-party support. Military intervention was regarded by Members of the EP as a legitimate action, if civilian lives are at stake.⁴⁸

33 Therefore, there seems to be consensus among the existing limited literature that either refers comprehensively or in passing to the EP’s role in Libya.⁴⁹ Such an approach qualifies substantially the claim that the EU did not act in a coherent way over Libya by adding more data to the evidence presented above. What follows offers a detailed account of why this was the case in the EP.

34 Most parliamentarians consider the growth of parliamentary diplomacy as part of their “daily life”.⁵⁰ Interest is also slowly emerging in the academic literature,⁵¹ with special attention given to the European Parliament.

35 It is important⁵² to note that, even prior to the conflict in Libya, the EP was the most critical of the three main EU institutions. A stance it further developed during the conflict, acting as a “moral spur” –in particular over R2P implementation– to all actors involved, be they at the levels of the national EU member states, of the EU, or of the global system. Thus legitimizing and democratizing its impact even further.

36 Before the conflict, due, as noted above, to the European re-engagement with Libya following the 2000 UN sanctions lifting, a number of inter-parliamentary meetings between the EP Delegation for relations with Maghreb countries and the Arab Maghreb Union had occurred in 2002, 2004 and 2005.⁵³ It is important to repeat that even when it stressed the need for dialogue, the EP did not spare any criticisms. Thus, in one of its resolutions⁵⁴ adopted on 17 June 2010⁵⁵, the EP declared that:

the main obstacle in the relations between the EU and Libya is the lack of progress in the dialogue on human rights, fundamental freedoms and democracy, [...], as well as the Libyan regime’s *aggressive* external policy, not least towards European states.

37 During the November 2010 Fourth inter-parliamentary meeting of the EP Delegation for relations with the Maghreb countries with the Libyan authorities, the Report by Italian Socialist MEP Pier Antoni Panzeri showed optimism about possible improvements in relations, but, at the same time expressed caution about what the Libyans declare and what they actually do. In particular, it warned about serious difficulties in EP-Libyan relations due to the fact that there is no real parliament in Libya. In Gaddafi’s own words:

Parliament is a misrepresentation of the people, and parliamentary systems are a false solution to the problem of democracy.

38 The subsequent December 2010 EP Foreign Affairs Committee Report⁵⁶ refers to the above but also welcomes negotiations and encourages EU efforts to try and bring Libya under the UfM. Yet, again, its Rapporteur, Portuguese Socialist MEP Ana Gomes, qualifies Gaddafi as the *longest serving dictator*.

39 On 20 January 2011, in a recommendation proposal, the EP “welcomed” the opening of negotiations with Libya.⁵⁷ That is to say just one month before suspension of all agreements or negotiations. Again, this does not mean that the EP had given up its criticisms: simply that it was supporting the EU’s engagement with non-democratic regimes as the EU does with so many of them in an effort to alter their nature and behaviour.

40 At the start of the conflict in 2011, the EP President, Jerzy Buzek, stated the institution’s position very clearly and unambiguously:

On behalf of the European Parliament, I urge the authorities in Libya to halt all violence against the demonstrators. [...] Those who carry out atrocities must know that they will be brought to justice and that they are responsible for their actions before the Libyan people. [...] We, the elected representatives of the European people, will defend this dignity wherever we can. *It is our responsibility as parliamentarians to stand by the people who, regardless of the price, are fighting for their fundamental freedoms.*⁵⁸

41 On 2 March 2011, following the extraordinary Conference of Presidents (Leaders of EP political groups) with High Representative Catherine Ashton on the EU reaction to the events in Libya and elsewhere in the Mediterranean, the EP President stated:

Europe has a historic duty today to support the people in their fight for freedom and democracy against authoritarianism, repression and human rights violation. [...] We have reached the point of no return: Colonel Gaddafi’s time is over. The European Parliament has always been a strong advocate of an EU foreign policy based on values rather than interests. Our stance has often been overlooked as not being realist enough. Today, the people are proving the cynics wrong.⁵⁹

42 Two days later, during an EP (European Parliament) Plenary, “MEPs brand[ed] Gaddafi a criminal, [and] demand[ed a] no-fly zone over Libya”.⁶⁰ The MEPs urged also Lady Ashton to recognize the rebel Council as the official representatives of the Libyan people and call for Gaddafi to step down immediately.⁶¹

43 In addition to the above role as a moral tribune, the EP also included a direct reference to R2P in an overwhelmingly consensual manner. All initial proposals submitted by the various political groups were eventually merged into a single motion for resolution.⁶² This is important in countering the argument of lack of unity as MEPs supporting that particular resolution and the overall EP stance include Germans, Italians, etc.

44 The 9 March 2011 resolution, passed with 584 votes in favour, 18 against, and 18 abstentions, stressed:

that the EU and its member states must honour their Responsibility to Protect, in order to save Libyan civilians from large-scale armed attacks; points out that no option provided for in the UN Charter can therefore be ruled out; calls on the High Representative and the Member States to stand ready for a UNSC decision on further measures, including the possibility of a no-fly zone aimed at preventing the regime from targeting the civilian population.⁶³

45 The EP organized various events and produced a range of reports over the years, including ones specifically geared to discuss R2P as a concept.⁶⁴ Its February 2012 resolution on the UN’s Human Rights Council states that: “the concept of Responsibility to Protect (R2P) has made good progress in UN bodies such as the UNSC, the UNGA, and the UNHRC”.⁶⁵ Several later documents have continued to develop this EP stance on R2P. For instance, the March 2013 draft Committee on Foreign Affairs report,⁶⁶ where German Green MEP Franziska Katharina Brantner calls for the setting up of “an inter-institutional

working group charged with preparing the basis for an inter-institutional ‘Consensus on R2P’ to be adopted jointly by the Council, the EEAS, the Commission and the European Parliament”. The report also calls, among other recommendations, for cooperation with “concerned interest groups and civil society actors with the goal of integrating the proposals for initiatives and improvements into the ‘Consensus on R2P’ document”.

- 46 Going back to the fighting in Libya in 2011, the EP and a number of MEPs, in particular the EP President, also took several other specific practical actions: declarations, visits, recognitions of rebels, etc. For instance, during an official visit to Tunis by EP President Jerzy Buzek to Tunis where he stated that:

I am glad and relieved that the international community has finally taken concrete action to stop Gaddafi killing his own people. The European Parliament has explicitly backed the possibility of a no-fly zone in its resolution of last Thursday. In the coming days, I will discuss with leaders from Tunisia, Egypt and the Arab League how the resolution of the Security Council can be implemented.⁶⁷

- 47 There were two visits to Tunisia which included visits to its border with Libya (refugee camps⁶⁸) in the six months following the collapse of the Ben Ali regime. For instance, the second visit included MEPs from Malta, Britain, The Netherlands, Spain, and France.⁶⁹
- 48 The EP also “applauded” EU recognition of rebels, and the opening of an EU office in Benghazi.⁷⁰ In July 2011, Libya’s National Transition Council delegation headed by Mahmoud Jibril attended an EP Foreign Affairs Committee meeting.⁷¹ Finally, Buzek visited Libya in October 2011.
- 49 The EP also paid special attention to “rape as a weapon of war”: over the alleged gang-rape of Ms Eman al Obeidy, a letter signed by three female MEPs (in their official capacities Ana Gomes (S&D, PT) as rapporteur EU-Libya framework agreement, Eva-Britt Svensson (GUE-NGL, SE) as Women’s Rights and Gender Equality Committee Chair, Heidi Hautala (Greens/EFA, FI), as Human Rights Sub-Committee Chair) was sent as a formal request to Lady Hashton for her to act.⁷²
- 50 In September 2011, in response to the fall of Gaddafi, a joint resolution by the five main political groups welcomed the collapse of the former regime, called for European support for the transition process, backed explicitly the interim authority of the Libyan National Transitional Council (NTC) and asked for no impunity for crimes against humanity.⁷³
- 51 In the post-conflict stage,⁷⁴ as this country’s situation has yet to stabilize, with still numerous serious external and internal security threats, MEPs continued to show their preoccupation over Libya, even though in comparison to 2011, such attention has inevitably decreased.
- 52 To support Libya’s post-conflict reconstruction and reconciliation, the EU organized in November-December 2012 a five-week Induction Programme for the inexperienced newly elected Libyan members of parliament (included in the EU Public Administration Facility for Libya). Training courses on the functions of a parliament and constitution drafting were taught by top-level EU and member states’ experts, officials and politicians, among others.⁷⁵ The EP was associated to it, but has not launched so far any similar initiative on its own. The lack of a tradition of elections or political parties in this country leaves a vast room for assistance and cooperation in the field of institution-building, where the parliamentary input can be extremely valuable.⁷⁶
- 53 Election monitoring is seen as a key dimension to post-conflict peace-building. In that particular area, the EP’s involvement has increased notably in recent years. It is

nowadays engaged in this field globally, whether contributing to Organization for Security and Co-operation in Europe (OSCE)/ODIHR⁷⁷ International Election Observation Missions (IEOMs) in OSCE member countries, or as part of EU Election Observation Mission (EU EOMs), in the rest of the world.

- 54 In the 7 July 2012 Libyan general election, the EU was the most important donor to its organization, but did not deploy a full-scale EU EOM. Instead, after receiving an invitation from the Libyan High National Election Commission (HNEC), the national independent body tasked with preparing and monitoring the elections –a mandatory requirement–, it decided to dispatch an EU EAT on 8 June 2012⁷⁸. The main difference between these two modalities is that EU EOMs involve both long-term and short-term observers and cover the entire electoral process comprehensively (from six to eight weeks before election day), while the time frame of EU EATs is much more limited (around two weeks, including election day)⁷⁹.
- 55 The Libya EU EAT was headed by MEP Alexander Graf Lambsdorff and consisted of 7 core team members and 14 regional experts from 19 different EU member states. Funded by the European Instrument for Democracy and Human Rights, it was formally independent from the new EU Delegation in Libya, the Commission and the EU member states. The main criteria for assessing the quality of the electoral process include the degree of freedom of political parties and candidates, of impartiality shown by the election administration, respect for universal franchise, access to media, conduct and counting of polling, as well as other related issues to the democratic nature of the election.⁸⁰
- 56 To this aim, the EU EAT had contacts with the Libyan HNEC and a broad range of actors including political parties, civil society organizations, media, national and international observers and members of the international community.⁸¹ The supportive message conveyed by Lambsdorff both before and after the ballot emphasized the extraordinary relevance of this event:
- 57 This election is the first opportunity for Libyans to choose their representatives [...] after decades. It marks a historic step for the Country and its people [...]. [It] is crucial for the future of the country.⁸²
- 58 The preliminary EU EAT statement issued two days after the elections praised the efficient, pluralistic and overall peaceful development of the election. It also stressed the “festive atmosphere” of the election day.⁸³ The ensuing ballot counting operations were described as “transparent” and “exemplary”.⁸⁴
- 59 The final report published three months later, in October, added some detailed “constructive” recommendations for future electoral processes, focusing on aspects such as the constitutional and legal framework, election administration, voter registration, registration of political entities and candidates, voter information and civic education, media, human rights and participation of women, and complaints and appeals.⁸⁵
- 60 The EP’s emphasis was put on the NTC’s responsibility and need to immediately launch a vast process of institution-building and inclusive democratization.⁸⁶ It called for EU support to focus mainly on two areas: economic-financial facilitation, in compliance with the promises made in the ‘Friends of Libya’ international summit held in Paris on 1 September 2011 (release of frozen Libyan assets and lifting of sanctions), and assistance to the reform of the Libyan security sector.⁸⁷
- 61 This resolution mentioned reconciliation, highlighting the necessity that the process be launched by the NTC and managed by the Libyans themselves, and includes investigation

of all human rights violations. The suggested EU contribution consisted in sending experts and trainers on mediation and dialogue to help the Libyan actors. No specific role for the EP or MEPs was proposed at that moment.⁸⁸

- 62 A November 2012 resolution on the migratory problems connected to Libya, expressed concern about “the particularly vulnerable security and human rights situation of foreigners currently in Libya, especially those coming from sub-Saharan and Eastern Africa in search of work or political asylum and those still in prison”, as well as “the living conditions and treatment of migrant detainees in detention centres”.⁸⁹
- 63 Still during the post-conflict period, two top-level representatives of the new Libyan authorities were invited to meetings of the Committee on Foreign Affairs. The first of them, two months before the July 2012 elections, was Mustafa Abushagur, the Deputy Prime Minister of Abdurrahim el Keib’s interim government.⁹⁰ One year later, it was the turn of the first democratically elected Libyan Prime Minister, Ali Zeidan.⁹¹
- 64 The number of EP President’s statements on Libya in 2012-2013 also decreased substantially compared to the previous year, when the then holder of this position, Jerzy Buzek, spoke officially up to ten times about the North African country. In the post-conflict stage, President Martin Schulz “congratulate[d] the Libyan people for their remarkable democratic performance” in the elections to the GNC, which had set “a milestone in Libya’s democratisation process”. Referring explicitly to the EP’s potential support for the Libyan transition, he added that this institution “[stood] ready to engage and cooperate fully with the newly elected members of the Libyan General National Congress both bilaterally and in multilateral fora like the Parliamentary Assembly of the Union for the Mediterranean”.⁹² Later on, he also condemned the terrorist attack against the U.S. consulate in Benghazi in September 2012.⁹³

Whishful thinking does not reflect reality

- 65 It is also unfair to criticize the EU’s slowness in taking decisions, as coordination among its members and institutions necessarily requires time.⁹⁴ To pretend that there has been a successful Europeanization of all national foreign policies is to ignore the complexities of the question.⁹⁵ To claim that a supranational EU would not have such problems may be theoretically correct, but it is unlikely to become a reality in the near future.⁹⁶ Nor does it take into consideration the fact that it is possible for a united actor to rush into a mistaken decision or not to be able to produce a coherent policy either.
- 66 Thus, although it is ironic that this is taken from a critic of the EU in Libya, Anand Menon explains this point quite well:

Reasonable ambitions are the best starting point. It is unlikely that the EU will ever become the kind of high-profile and effective international security actor that some seem to think it should be. To assume that a Union comprising so many different states with so many different preferences and interests could easily assume control of a mission the size of the involvement in Libya is to *fundamentally misunderstand the nature of this grouping of sovereign nation states*. And it would be wrong to attribute the blame to the Union itself. Rather, it is up to member states to step up to the plate in order that, collectively, they can achieve things that none can manage individually. Debating institutions is all well and good. Yet this should not serve as an alibi for member states that are responsible for the major failings of EU security policies.⁹⁷

- 67 Furthermore, another key dimension is also missed: “military power is not the centerpiece of the Union’s security policy” as Anand Menon correctly points out. It is strange that this quote is also used in at least one critical assessment of the EU’s record in Libya in 2011 or that the very author of this quote himself provides a critical assessment of the overall EU record in Libya.
- 68 It is also important to note that the existence of alternative institutional frameworks, like NATO or, as importantly, the continued relevance of national defence policies (especially for the big states), account in part for the EU not to have become a fully fledged military actor. Something that some member states do not wish to see happen and that most public opinions in Europe would not support probably. This is part of the debate but it should not be limited to the Libyan case all the same. Especially when in the 2011 crisis in Libya it was NATO that took the lead under American military command and then passed it on to the British and the French, still under the NATO umbrella.
- 69 No military expert denies that the US role was vital: initial Cruise and other bombings, and continued intelligence support, and, in the final phase of the war, the use of drones which combined with British and French attack helicopters targeted bombings to bring it to a successful end.⁹⁸ The key argument for this article is that the USA played a key role but not an exclusive one. To claim that there was no EU military action as such amounts to a *faux débat* because there could not be such action in the first place as the EU does not possess the necessary tools to do so. It also minimizes the role that EU member states did play in the military field individually or collectively through NATO.
- 70 Finally, one should mention that by blaming the EU for so-called double standards with non-democratic regimes, it is somehow implied that there can be no relations at all with them. Bomb them or ignore them seems to be the motto. This is far too simplistic and naïve. The “stuff” of IR is –unfortunately– made of this type of dilemmas about how to deal with those regimes for democratic countries and groupings. To engage or not to engage also depends on circumstances, provided the objective remains the same: to find a way to promote democracy and human rights even, in fact, especially, in adverse circumstances. Otherwise, what is the point of being a democracy? This is a key dimension that most studies fail to address: to claim that Europe’s *realpolitik* had turned a blind eye to human rights abuse and lack of democracy⁹⁹, favouring stability over democracy, does not take into consideration short-term, medium-term and long-term objectives –nor specific circumstances of any given case, and of course wider considerations such as what particular international system are we describing: a Cold War situation, an immediate post-Cold War one, a post-2001 context, or at long last one where populations can fight for their freedom without fear of escalation. The literature on democratization is full of references to the need for revolution from within as a prerequisite for a truthful democratization process (a necessary but not sufficient condition). As for the external role, it uses various forms and means, including engagement when it is seen as appropriate or necessary, sometimes including direct or indirect support for military struggle.
- 71 At the time of finishing the writing of this study (January 2014), the 32nd EU-Russia Summit was taking place in Brussels. The media reproduced pictures of Vladimir Putin flanked by the respective presidents of the European Council and of the European Commission. Another news notice showed pictures of the respective presidents of Argentina and of Brazil with Fidel Castro. More news referred to the US President’s

announcement that he would veto any US Congress extension of sanctions against Iran. I just quote these examples to show how complicated it is to deal with non-democratic regimes and how policies can (and should) change over time. This should not necessarily be seen as double standards or considered as incoherence.

Conclusions

- 72 The conclusions of this study on how the EU reacted to the violent collapse of the Gaddafi regime in Libya are therefore contradicting what has been said to date: it is clearly not such a poor record after all. There were no “Europe’s double standards over Libya”. Evidence to that effect was provided fully and several assumptions, often bordering on wishful thinking, were dismissed. The article criticized the use (and abuse) of early studies¹⁰⁰ that did not take into account the benefit of hindsight (even publishing before the fall of the dictator), but also their ignorance of well-known facts about the Gaddafi regime and its difficult relations with EU states and institutions.
- 73 We do not pretend that the EU reaction cannot be criticized of course. But it is important to object to those claims. In spite of divisions (in particular: German abstention at UN SC), the EU acted united over time and some member states even participated militarily (through NATO) in the campaign to oust Libya’s Gaddafi under R2P. Any different assessment fails to take into consideration the existing imitations of means and instruments at EU disposal. They also do not take into consideration much less successful EU reactions in the past. This article however has gone one step beyond by adding the role of the EP, a dimension often ignored in those criticisms.
- 74 From this study it becomes clear that the harsh criticisms leveled at the EU over Libya are widely unfair, unwarranted, inaccurate and incorrect. A more nuanced approach would have been closer to reality. Such a view can also be found in other studies, which yet remains a small minority.¹⁰¹ Similarly, Javier Valenzuela asserted that Europe got a “pass” over Libya, unlike its earlier reactions to the other Arab revolutions¹⁰²; therefore, implying a “learning curve” among EU institutions and states. It is also important to note that we have also seen that even critics of the EU reaction often qualify substantially their own assessments but without concluding in the same line as this study all the same: for instance, Fabbrini points out that “[d]espite deep divisions, EU foreign ministers endorsed ongoing air strikes against Libya at their monthly meeting on 21 March [...]”.¹⁰³
- 75 Finally, there is no guarantee of success for the Arab Spring. But this is not a reason for blaming the EU states and institutions. In addition to qualifying substantially the rather harsh and underserved broad criticism of the EU over Libya, this study has also presented evidence that shows that the EP acted as a prime mover for stronger international and European responses to the atrocities perpetrated by the Gaddafi regime in 2011 –in particular by contributing actively and positively to a wider acceptance of a still emerging R2P concept.

NOTES

1. Juan Garrigues, “LIBYA, From Positive Precedent to Collective Frustration”, *Notes Internationals CIDOB* No. 37, July 2011; Nicole Koenig, *The EU and the Libyan Crisis: In Quest of Coherence?*, Rome, Istituto Affari Internazionali, IAI Working Papers No. 1119, July 2011; Nicole Koenig, “The EU and the Libyan Crisis: In Quest of Coherence”, *The International Spectator*, vol. 46, No. 4, 2011, p. 11-30.
2. Juan Garrigues, “LIBYA, From Positive Precedent to Collective Frustration”, art. cit.; Silvia Colombo and Nathalie Tocci, “The EU Response to the Arab Uprising: Old Wine in New Bottles”, in Riccardo Alcaro and Miguel Haubrich-Seco (eds.), *Re-thinking Western Policies in Light of the Arab Uprisings*, Rome, IAI Research Papers No. 4, February 2012: <http://www.iai.it/content.asp?langid=2&contentid=739>; Daniel Fiott and Marie Vincent, “The European Union”, in Gentian Zyberi (ed.), *An Institutional Approach to the Responsibility to Protect*, Cambridge, Cambridge University Press, 2013; Justin Morris, “Libya and Syria: R2P and the spectre of the swinging pendulum”, *International Affairs*, vol. 89, No. 5, 2013, p. 1265-1283.
3. Alister Miskimmon, “German Foreign Policy and the Libya Crisis”, *German Politics*, vol. 21, No. 4, 2012, p. 392-410.
4. Nicole Koenig, “The EU and the Libyan Crisis...”, art. cit., p. 12-13, emphasis added.
5. Sergio Fabbrini, “The dilemmas of an intergovernmental foreign policy: learning from the European Union’s answer to the Libyan crisis”, *International Politics*, vol. 51, No. 1, 2014, emphasis added. Text in press, final page numbering not yet available.
6. On R2P, see Alex Bellamy, *Global Politics and the Responsibility to Protect. From Words to Deeds*, Routledge, Abingdon, 2011; Tonny Brems Knudsen, “The Responsibility to Protect: European contributions in a changing world order”, in Knut Erik Jørgensen and Katie Verlin Laaitikainen (eds.), *The Routledge Handbook on the European Union and International Institutions*, London, Routledge, 2013, p. 157-170; Stelios Stavridis, *Responsibility to Protect: what role for parliamentary diplomacy?*, ReShape Online Papers 02/13, Università di Catania, p. 4-7: <http://www.fscpo.unict.it/EUROPA/JMAP/repaper2.pdf>; T. Weiss, *Humanitarian intervention – Ideas in Action*, 2nd edition, Polity, 2012.
7. Ivo Daadler and James Stavridis, “NATO’s Triumph in Libya – The Right Way to Run an Intervention”, *Foreign Affairs*, vol. 91, No. 2, 2012, p. 3. At the time of writing their piece, Ivo H. Daadler was US Permanent Representative to NATO, and James G. Stavridis, NATO’s Supreme Allied Commander Europe and Commander of the U.S. European Command.
8. Ana Echagüe, Hélène Michou and Barah Mikail, “Europe and the Arab Uprisings: EU Vision versus Member State Action”, *Mediterranean Politics*, vol. 16, No. 2, 2011, p. 329.
9. During the inaugural speech of the 3rd edition of the academic conference on “The European Union in International Affairs” that was held in Brussels on 3-5 May 2012.
10. Sergio Fabbrini, “The dilemmas of an intergovernmental foreign policy...”, art. cit.
11. Nicole Koenig, *The EU and the Libyan Crisis...*, op. cit.; Nicole Koenig, “The EU and the Libyan Crisis...”, art. cit.
12. Juan Garrigues, “LIBYA, From Positive Precedent to Collective Frustration”, art. cit.; Ana Echagüe, Hélène Michou and Barah Mikail, “Europe and the Arab Uprisings...”, art. cit.; Anand Menon, “European Defence Policy from Lisbon to Libya”, *Survival*, vol. 53, No. 3, 2011, p. 75-90; Luis Peral, *Implementing R2P in Libya – how to overcome the inaction of the UN Security Council*, Paris, ISS Analysis, 2011; Silvia Colombo and Nathalie Tocci, “The EU Response to the Arab Uprising...”, art. cit.; Jesús A. Nuñez Villaverde, “Mapa y diagnóstico de los principales conflictos”, in

- Fundación Seminario para la Paz (eds.), *El mundo árabe en la encrucijada*, Zaragoza, Mira Editores, 2013; Sergio Fabbrini, “The dilemmas of an intergovernmental foreign policy...”, art. cit.
13. Juan Garrigues, “LIBYA, From Positive Precedent to Collective Frustration”, art. cit., p. 4.
 14. Ana Echagüe, Hélène Michou and Barah Mikail, “Europe and the Arab Uprisings...”, art. cit., p. 329.
 15. Youri Devuyt, “The European Council and the CFSP after the Lisbon Treaty”, *European Foreign Affairs Review*, vol. 17, No. 3, 2012, p. 338.
 16. *Ibid.*, p. 335, emphasis added, note omitted.
 17. Ana Echagüe, Hélène Michou and Barah Mikail, “Europe and the Arab Uprisings...”, art. cit., p. 330.
 18. George Joffé and Emanuela Paoletti, *Libya’s foreign policy: drivers and objectives*, Washington, German Marshall Fund of the United States, Mediterranean Paper Series, October 2010, p. 3.
 19. See also Alison Pargeter, *Reform in Libya: chimera or reality?*, Washington, German Marshall Fund of the United States, Mediterranean Paper Series, October 2011.
 20. With Egypt and Sudan in 1970, Tunisia 1974, Syria 1980, Chad 1980, Morocco 1984: George Joffé and Emanuela Paoletti, *Libya’s foreign policy...*, *op. cit.*, p. 6-7, p. 9, p. 32-39. Libya used to pay for the African Union budgets of poorer states who cannot contribute their dues.
 21. Libya paid compensation to the Lockerbie victims (after formally accepting responsibility). Also when one of the culprits was liberated early for humanitarian reasons, he was received as a hero in Tripoli (“Lockerbie Convict Returns to Jubilant Welcome”, *International New York Times* (formerly *International Herald Tribune*), 20.08.09: <http://www.nytimes.com/2009/08/21/world/europe/21lockerbie.html?pagewanted=all&r=0add>). Previously, support of terrorism in the bombing of Berlin *La Belle Discotheque* in 1986 had led to US military action in Tripoli and Benghazi. The UK had also severed diplomatic relations in 1984 following the murder of WPC Yvonne Fletcher in London (who was shot from the premises of the Libyan embassy in Saint James’s Square). For more on the 1981 Gulf of Sirte, see also Alison Pargeter, *Reform in Libya: chimera or reality?*, *op. cit.*
 22. Osvaldo Croci and Marco Valigi, “Continuity and change in Italian foreign policy: the case of the international intervention in Libya”, *Contemporary Italian Politics*, vol. 5, No. 1, 2013, p. 43-44; Mustafa Abdalla A. Kashiam, “The Italian role in the Libyan spring revolution: is it a shift from soft to hard power?”, *Contemporary Arab Affairs*, vol. 5, No. 4, 2012, p. 556-570.
 23. George Joffé and Emanuela Paoletti, *Libya’s foreign policy...*, *op. cit.*, p. 9.
 24. Mustafa Abdalla A. Kashiam, “The Italian role in the Libyan spring revolution...”, art. cit.
 25. “Libya scorns Med union plan”, *Kathimerini-English Edition* (Athens) 11.06.2008.
 26. 6 “chapters” of a total of 10; EP Delegation for relations with the Maghreb countries, 2010, p. 7.
 27. Juan Garrigues, “LIBYA, From Positive Precedent to Collective Frustration”, art. cit., Nicole Koenig, “The EU and the Libyan Crisis...”, art. cit.
 28. For details, see the Chair’s statement: http://www.esteri.it/mae/approfondimenti/2011/20110428_GCL_Allegato_Londra.pdf.
 29. See –sic– Nicole Koenig, “The EU and the Libyan Crisis...”, art. cit., p. 4-6; Nicole Koenig, *The EU and the Libyan Crisis...*, *op. cit.* It is no doubt ironic to use Koenig’s own work in order to show how active the EU actually was (in spite of her claims to the contrary). This confirms the criticisms made above about the deficiencies of her own approach but also the limitations of the subsequent works of those who used her work but without even double checking relevant facts.
 30. Ashton declaration on 20 February 2011, concerns, restriction of the use of force, which must be considered within the wider EU reaction to the Arab Spring in general as codified in two 2011 European Commission’s documents entitled *A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean*, and *A new response to a changing Neighbourhood*, that were followed by many others. See also Isabel Schäfer, “Vers un nouveau paradigme de la politique européenne

dans le monde arabe? Une Politique Européenne de Voisinage réformée (PEV) et l’Union pour la Méditerranée (UPM)”, *EuroMeSCO/IEMed Brief* No. 3, 28/6, 2011.

31. Extraordinary European Council meeting of 11 March 2011: Gaddafi no longer legitimate regime.

32. 21 February 2011, European Commission: civil protection mechanism and humanitarian assistance (two of its major emergency instruments); evacuation of an estimated 5,800 EU citizens; EU field experts deployed inside Libya and on its borders (Tunisia, Egypt, Algeria, Chad); until May 2011, about 150 million euros in all. The opening of EU Humanitarian Assistance Office in Tripoli at the end of August 2011, subsequently opened as an EU Delegation by the High Representative Catherine Ashton in November 2011: http://eeas.europa.eu/libya/index_en.htm. For details on the ENP and the ENPI see: http://eeas.europa.eu/enp/index_en.htm - 3.

33. February 2011, FRONTEX Joint Operation Hermes to assist Italy (at its request), and extension of FRONTEX Joint Operation Poseidon Sea to include Crete, Justice and Home Affairs Council meeting (11-12 April 2011).

34. Nicole Koenig, “The EU and the Libyan Crisis...”, art. cit.; Sergio Fabbrini, “The dilemmas of an intergovernmental foreign policy...”, art. cit.

35. Timo Behr, “After the Revolution: The EU and the Arab Transition”, *Notre Europe Policy paper* No. 52, 2012, p. 10; p. 25 onwards.

36. *Memo: New EU support to Libya for economic integration and human rights*, Brussels, 21 November 2013: http://europa.eu/rapid/press_release_MEMO-13-1026_en.htm.

37. Elyès Ghanmi and Pekka Hakala, *Despite obstacles, Libya’s transition advances*, op. cit., p. 4-9.

38. http://eeas.europa.eu/csdp/missions-and-operations/eubam-libya/news/20131211_en.htm.

39. Ana Gomes’s closing lecture to the 3rd Rotating ECPR (European Consortium for Political Research)/ECPR Standing Group on the European Union PhD Summer School on Europe in the World (in collaboration with the University Institute of Lisbon and the LISBOAN Network of Universities), Lisbon, 29 June 2012. See also her blog: <http://www.anagomes.eu/PublicDocs/06022e42-da80-4cfd-8f01-4283da2b97d8.pdf>.

40. See for instance, Jesús A. Nuñez Villaverde, “Mapa y diagnóstico de los principales conflictos”, art. cit., p. 121-125.

41. Alister Miskimmon, “German Foreign Policy and the Libya Crisis”, art. cit., p. 397-398.

42. Ana Gomes (29 June 2012).

43. Osvaldo Croci and Marco Valigi, “Continuity and change in Italian foreign policy...”, art. cit.; Mustafa Abdalla A. Kashiam, “The Italian role in the Libyan spring revolution...”, art. cit.

44. <http://www.repubblica.it/2008/05/sezioni/esteri/libia-italia/testo-accordo/testo-accordo.html>.

45. George Joffé and Emanuela Paoletti, *Libya’s foreign policy...*, op. cit., p. 30.

46. “Raging Gaddafi orders forces to ‘capture the rats’”: <http://www.abc.net.au/news/2011-02-23/raging-gaddafi-orders-forces-to-capture-the-rats/1953788>.

47. Nicole Koenig, *The EU and the Libyan Crisis...*, op. cit., p. 20.

48. Jose Magone, *The European Parliament and the Mediterranean in the Age of Global Governance: A Difficult Partnership*, paper presented to the Third International Studies Conference on *World Crisis. Revolution or Evolution in the International Community* organized by WISC (World International Studies Committee) and the University of Porto, Porto, 17-20 August 2011.

49. Stelios Stavridis, *The European Parliament’s reaction to the 2011 military action in Libya*, paper presented to the Third International Studies Conference on *World Crisis. Revolution or Evolution in the International Community* organized by WISC (World International Studies Committee) and the University of Porto, Porto, 17-20 August 2011; Jose Magone, *The European Parliament and the Mediterranean...*, op. cit.; Stelios Stavridis and Irene Fernández Molina, “El Parlamento Europeo y el conflicto de Libia (2011): ¿una tribuna moral eficiente?”, *Revista CIDOB d’Afers Internacionals*,

No. 101, 2013, p. 153-176: www.cidob.org; Daniel Fiott and Marie Vincent, “The European Union”, art. cit., p. 204.

50. Sénat, *La diplomatie parlementaire*, Actes du Colloque, Paris, French Senate, 2001, www.senat.fr; Parliamentary Centre, *Parliamentary Diplomacy*, Occasional Papers on Parliamentary Government 16, Ottawa, Parliamentary Centre, 2003; Gabriel Eloriagga, *La diplomacia parlamentaria*, Madrid, Imagine Ediciones, 2004; Frans W. Weisglas and Gonnje Boer, “Parliamentary Diplomacy”, *Hague Journal of Diplomacy*, vol. 2, No. 1, 2007, p. 93-99; Lluís Maria de Puig, *International Parliaments*, Strasbourg, Council of Europe Publishing, 2008.

51. Robert M. Cutler, “The Emergence of International Parliamentary Institutions: New Networks of Influence in World Society”, in Gordon Smith and Daniel Wolfish (eds.), *Who Is Afraid of the State? Canada in a World of Multiple Centres of Power*, Toronto, University of Toronto Press, 2001, p. 201-229; Stelios Stavridis, “Parliamentary Diplomacy”: *some preliminary findings*, Jean Monnet Working Paper in Comparative and International Politics No. 48, Political Studies Department, Università di Catania, November 2002; Zlatko Šabič, “Building Democratic and Responsible Global Governance: The role of International Parliamentary Institutions”, *Parliamentary Affairs*, vol. 61, No. 2, 2008, p. 255-271; Claudia Kissling, *The Legal and Political Status of International Parliamentary Institutions*, Berlin, Committee for a Democratic U.N., 2011; Daniel Fiott, *On the Value of Parliamentary Diplomacy*, op. cit.; Olivier Costa, Clarissa Dri and Stelios Stavridis (eds.), *Parliamentary Dimensions of Regionalization and Globalization*, Basingstoke, Palgrave Macmillan, 2013.

52. What follows draws on Stelios Stavridis, Irene Fernández Molina, “El Parlamento Europeo y el conflicto de Libia (2011): ¿una tribuna moral eficiente?”, art. cit. and Paqui Santonja, Irene Fernández Molina and Stelios Stavridis, *Post-conflict Libya reconstruction and reconciliation: what role for Europe’s paradiplomatic and parliamentary actors*, Paper presented to the 8th Pan-European Conference on International Relations on *One International Relations or Many? Multiple Worlds, Multiple Crises* (18-21 September 2013, Warsaw).

53. A summary of EP-Libyan relations can be found out in the following document: European Parliament, 2009, *Délégation Interparlementaire Pour les Relations Avec Les Pays du Maghreb et l’Union du Maghreb Arabe*. Unpublished document posted on the European Parliament website: *Délégation Interparlementaire Pour les Relations Avec Les Pays du Maghreb et l’Union du Maghreb Arabe*: http://www.europarl.europa.eu/meetdocs/2009_2014/documents/dmag/dv/dmag20090917_03_/dmag20090917_03_fr.pdf.

54. Dealing mainly with the death penalty following executions in Tripoli in line with the EP’s traditional attempt to abolish the death penalty in the world.

55. <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2010-0246&language=EN> (emphasis added).

56. Ana Gomes (rapporteur), Committee on Foreign Affairs, Report with a proposal for a European Parliament recommendation to the Council on negotiations on the EU-Libya Framework Agreement (2010/2268(INI)), 13.12.2010, Plenary sitting A7-0368/2010 Document.

57. European Parliament recommendation of 20 January 2011 to the Council on the negotiations on the EU-Libya Framework Agreement (2010/2268(INI)), P7_TA-PROV(2011)0020 – A7-0368/2010: www.europarl.eu.int (as downloaded 13.05.2011).

58. http://www.europarl.europa.eu/president/view/en/press/press_release/2011/2011-February/press_release-2011-February-28.html (emphasis added).

59. The Conference of Presidents and HR Ashton debate the EU’s reaction to the events unfolding in Libya, Brussels-Wednesday, 2 March 2011: http://www.europarl.europa.eu/president/view/en/press/press_release/2011/2011-March/press_release-2011-March-4.html;jsessionid=8979C7D69030DA3717D2FD83B80DA5BC.

60. EP Press Release No. 20110304IPR14937, 04.03.2011, EP website.

61. EP website: Libya: MEPs urge HR Ashton to recognize rebel Council as official, Press Release No. 20110310IPR15255, 10.03.2011.
62. EP website: (1) Libya: MEPs urge HR Ashton to recognize rebel Council as official, EP Press Release No. 20110310IPR15255, 15.03.2010; (2) Strikes on Libya: MEPs criticise lack of coordination by Member States, EP Press Release No. 20110318IPR15872, 18.03.2010; (3) MEPs express sorrow at disaster in Japan and criticize EU response on Libya, EP Press Release No. 20110316IPR15694, 16.03.2010. Except for the minority groups that oppose any type of military intervention: GUE/NGL against no-fly zone or recognition of rebels. Willy Meyer: “Human rights can never be imposed militarily”. Nigel Farage (EFD, UK) “no legitimacy to take military action”.
63. European Parliament resolution of 10 March 2011 on the Southern Neighbourhood, and Libya in particular:
<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0095+0+DOC+XML+V0//EN>
64. Directorate-General for External Policies of the Union, European Parliament, Workshop on “Responsibility to Protect: Future Aspects”, held on 8 March 2012, Brussels (EXPO/AFET/FWC/2009-01/Lot6/17 – PE 433.835, March 2012).
65. European Parliament resolution of 16 February 2012 on Parliament’s position on the 19th Session of the UN Human Rights Council (2012/2530(RSP), Text Adopted P7_TA(2012)0058: / <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2012-0058&language=EN&ring=B7-2012-0071>.
66. <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2f%2fEP%2f%2fNONSGML+COMPARL+PE-504.207+01+DOC+PDF+V0%2f%2fEN>.
67. <http://www.europarl.europa.eu/en/mediaprofessionals/content/20110318SHL23213/html/Official-visit-by-EP-President-Jerzy-BUZEK-to-Tunis-76135>.
68. Delegation to visit refugee camps on Tunisian-Libyan border, EP Press Release No. 20110711IPR23771, 11.07.2011, EP website.
69. Refugees on Tunisian-Libyan border: EP delegation calls for rapid action, Committee on Civil Liberties, Justice and Home Affairs, EP Press Release No. 20110711IPR23757, 11.07.2011, EP website.
70. Greater EU unity needed on Arab revolts and tougher sanctions on Syria, Press Release No. 20110510IPR19132, 10.05.2011, EP website.
71. Syria and Libya opposition leaders ask EU help, EP Press Release No. 20110711IPR23777, 11.07.2011, EP website.
72. Libya: demand Eman al-Obeidy’s immediate release, MEPs urge High Representative Ashton – Committees: Subcommittee on Security and Defence, Press Release No. 20110329IPR16586, 29.03.2011, EP website. One must link this charge to other allegations made by female bodyguards that they had been raped by Gaddafi himself and by his sons. See Annick Cojean, “REPORTAJE: TESTIMONIO ‘Serás mi puta’ - Una esclava sexual de Gadafi cuenta su calvario en el harén del coronel”, *El País*, 20/11/2011: http://www.elpais.com/articulo/reportajes/Seras/puta/elpepusocdmg/20111120elpdmgrep_4/Tes?print=1. Also within wider changing context of “rape” as a weapon of war, and as crime against humanity, see relevant UN debates and reports, etc.
73. European Parliament resolution of 15 September 2011 on the situation in Libya, P7_TA(2011)0386.
74. This draws particularly on Paqui Santonja, Irene Fernández Molina, Stelios Stavridis, “Post-conflict Libya reconstruction and reconciliation...”, art. cit.
75. “EU support to the Libyan National General Congress: induction programme to the benefit of the 200 newly elected members started in Tripoli on 7 November” [press release], 9 November 2012.

76. Elyès Ghanmi and Pekka Hakala, *Despite obstacles, Libya’s transition advances*, European Parliament/Directorate-General for External Policies/Policy Department, Policy Briefing, January 2013, p. 4.
77. ODIHR: Office for Democratic Institutions and Human Rights.
78. Elyès Ghanmi and Pekka Hakala, *Despite obstacles, Libya’s transition advances*, *op. cit.*, p. 5-6.
79. See, with a slightly different terminology (“Election Assessment Missions”), *Election Observation Handbook* [6th ed.], OSCE/ODIHR, Warsaw, 2010, p. 29-32. EU EATs are not mentioned in the *Handbook for European Union Election Observation* [2nd ed.], Brussels, European Commission, 2008.
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92. “On the elections in Libya” [press release], 9 July 2012.
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94. See Paul Taylor, *The limits of European integration*, London, Croom Helm, 1983 for more on the “limits” of European integration.
95. On Europeanization, see Reuben Wong and Christopher Hill (eds.), *National and European Foreign Policies: Towards Europeanisation*, London, Routledge, 2011; Michael Baun and Dan Marek

(eds.), *The New Member States and the European Union: Foreign Policy and Europeanization*, London, Routledge, 2013.

96. Youri Devuyt, “The European Council and the CFSP after the Lisbon Treaty”, art. cit.; Sergio Fabbrini, “The dilemmas of an intergovernmental foreign policy...”, art. cit.

97. Anand Menon, “European Defence Policy from Lisbon to Libya”, art. cit., p. 87, emphasis added.

98. “In Libya, NATO coordinated the actions of 18 countries –14 member states and four partners– under a unified command. The United States certainly played a critical role, providing intelligence, fueling, and targeting capabilities. But other states made similarly indispensable contributions. France and the United Kingdom flew over 40 percent of the sorties, together destroying more than a third of the overall targets. Italy provided aircraft for reconnaissance missions and, along with Greece, access to a large number of air bases. Belgium, Canada, Denmark, Norway, and the United Arab Emirates deployed fighters for combat operations, and Jordan, the Netherlands, Spain, Sweden, Turkey, and Qatar helped enforce the no-fly zone. Many of these states, as well as Bulgaria and Romania, also deployed naval assets to enforce the arms embargo” [Ivo Daadler and James Stavridis, “NATO’s Triumph in Libya...”, art. cit., p. 4]. See also Fabrizio Coticchia, “The ‘enemy’ at the gates? Assessing the European military contribution to the Libyan war”, *Perspectives on Federalism*, vol. 3, No. 3, 2011, p. 48-69.

99. Silvia Colombo and Nathalie Tocci, “The EU Response to the Arab Uprising...”, art. cit.

100. .Some just quickly updated earlier work: for instance in fourteen pages Colombo and Tocci [Silvia Colombo and Nathalie Tocci, “The EU Response to the Arab Uprising...”, art. cit.] “manage” to include five long quotes from earlier work by Nathalie Tocci, Jean-Pierre Cassarino, *Rethinking the EU’s Mediterranean Policies Post-1/11*, Rome, IAI Working Papers, 11/06, March 2011: www.iai.it/pdf/dociai/iaiw1106.pdf.

101. For instance, Tobias Schumacher, “The EU and the Arab Spring: Between Spectatorship and Actorness”, *Insight Turkey*, vol. 13, No. 3, 2011, p. 107-119.

102. “Una cierta Europa aprueba el examen libio”, *El País*, 26.08.2011.

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ABSTRACTS

The existing literature has been rather critical of the way the EU has reacted to the conflict in Libya. It has even argued that it represented yet another example of EU incoherence and inconsistency. This article qualifies substantially those criticisms by providing evidence to the contrary: first, by using the “time factor”, it argues that first impressions are often misleading, and that most criticisms based on earlier studies had been published even before the fall of Gaddafi; moreover, only focusing on a few years before the 2011 conflict, they were taking a “selective memory” approach, conveniently forgetting about the role of Libya as a “pariah state” in the international community. Second, the article substantiates with evidence how the EU reaction was much more coherent and consistent than suggested. It also points out that at the end of the day, even Italy (special relationship with Gaddafi) participated in the bombing and eventually Germany (abstention at the UN) closed ranks. It also adds further data by presenting the impact of one of the most long-standing anti-Gaddafi institutions: that of the European Parliament which spurred the Union into promoting a practical implementation of the concept of Responsibility to Protect. Thirdly, the article also criticizes the rather unrealistic views taken

by many an observer, in particular those who presume of the existence of European and International Governance systems that simply do not reflect reality. Thus, the conclusion is that initial harsh criticisms should be somehow qualified, especially if one takes into account the learning curve that EU foreign policy appears to show, when its reaction to Libya is compared to those of the Balkans in the 1990s or to the Iraq war in 2003.

La littérature récente a été plutôt critique à propos de la manière dont l'Union européenne a réagi au conflit en Syrie. Il a même été avancé qu'elle représentait un autre exemple de l'incohérence et de l'inconsistance de l'Union européenne. Cet article prend le contre-pied de ces critiques. Tout d'abord, en faisant appel au « facteur temps », il soutient que les premières impressions sont souvent source d'égarement, et que la plupart des critiques sont fondées sur des études anciennes publiées avant la chute de Kadhafi. De plus, en se concentrant sur les dernières années qui précédèrent le conflit de 2011, elles font preuve d'une mémoire sélective, oubliant opportunément le rôle de la Libye comme « État paria » au sein de la communauté internationale. Puis, cet article analyse les preuves d'une réaction européenne plus cohérente et consistante que ses détracteurs ne l'ont soutenu.

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AUTHOR

STELIOS STAVRIDIS

Stelios Stavridis est chercheur senior ARAID au sein du groupe de recherches « Estudios Europeos e Internacionales » de l'Université Saragosse. Il est l'auteur de nombreux articles parmi lesquels : « Responsibility to Protect : what role for parliamentary diplomacy ? », *ReShape Online Papers Series*, Paper n° 02/13, Università di Catania, March, 23 p., ISSN 2281-910X : <http://www.fscpo.unict.it/EUROPA/JMAP/repaper2.pdf>. dr.stelios.stavridis@gmail.com