Europe between Interests, Institutions and Ideas:

Crisis cooperation during the 2011 uprisings in Libya

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Contents

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Abstract

This thesis analyses cooperation between France, Germany and the United Kingdom (the 'EU-3') throughout different episodes of the 2011 uprisings in Libya. Focusing on (i) the provision humanitarian assistance and consular support, (ii) measures taken in the realm of border protection and migration management, (iii) the use of restrictive measures, (iv) the diplomatic recognition of the Libyan opposition, and (v) the decision to intervene (or not) militarily, the study provides the first overview of the activities of the three most influential member states at the time. Drawing on a large set of original empirical material from primary and secondary sources, including 77 semi-structured interviews with foreign policy elites and experts in Berlin, Paris, London and Brussels, the thesis applies a novel two-step explanatory framework to account for decision-makers' actions. This approach first identifies those normative factors which influenced the way in which decision-makers constructed their respective state's interests, and subsequently demonstrates how these interests helped to form their interpretations of a given situation in light of the costs and benefits of the various options available to them. The study thus contributes to the growing body of literature that underlines the added value of idea-based research in foreign and security policies, and to crisis response in particular.

"Je voudrais te faire comprendre que l'admiration est un sentiment qui vient à la fin, qu'elle est un aboutissement, et jamais un principe de depart"

Roberto Controneo

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Meinen Eltern – in unendlicher Liebe und Dankbarkeit.

AU: African Union

BMZ: Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung

CDU: Christlich Demokratische Union Deutschlands

CFSP: Common Foreign and Security Policy

CSDP: Common Security and Defence Policy

DG Devco: European Commission Directorate-General International Cooperation and Development

DG Echo: European Commission Directorate-General Humanitarian Aid and Civil Protection

DG Elarg: European Commission Directorate-General for Enlargement

DG Near: European Commission Directorate-General for Neighbourhood and Enlargement Negotiations

DG Relex: European Commission Directorate-General for External Relations

DGSE: Direction générale de la sécurité extérieure (General Directorate for External Security)

DG Trade: European Commission Directorate-General for Trade

DG: Directorate-General

EC: European Commission

EIB: European Investment Bank

EIDHR: European Instrument for Democracy and Human Rights

EMP: Euro-Mediterranean Partnership

ENP: European Neighbourhood Policy

ENPI: European Neighborhood and Partnership Instrument

EPC: European Political Cooperation

EU BAM: EU Border Assistance Mission

EU: European Union

EU-3: The United Kingdom, France, and Germany

EU BAM: European Union Border Assistance Mission

EUFOR: European Union Force

ESDP: European Security and Defence Policy

Frontex: European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

FTA: Free Trade Agreement

HR/VP (HRVP): High Representative of the European Union for Foreign Affairs and Security Policy/Vice-President of the European Commission

ICMPD: International Centre for Migration Policy Development

IOM: International Organisation for Migration

JO Hermes: Joint Operation Hermes

MDGs: Millennium Development Goals

NAC: North Atlantic Council

NATO: North Atlantic Treaty Organisation

NFZ: No-Fly Zone

NGO: Non-Governmental Organisation

NTC: National Transitional Council

OPEC: Organisation of the Petroleum Exporting Countries

OUP: Operation Unified Protector

R2P: Responsibility to Protect

TEU: Treaty on European Union

TFEU: Treaty on Functioning of the European Union

ToL: Treaty of Lisbon

UAE: United Arab Emirates

UfM: Union for the Mediterranean

UK: United Kingdom

UMP: L'Union pour un mouvement populaire

UN: United Nations

UNHCR: United Nations High Commissioner for Refugees

UNSC: United Nations Security Council

UNSCR: United Nations Security Council Resolution

US/USA: United States of America

Tables and Figures

Figure 1: Map of Libya

Source: UNSMIL 2015

Introduction

"To contrast national solidarity and international cooperation as two opposites seems foolish to me."

Gustav Stresemann, Nobel Lecture, 1927

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It is often not until time reveals the longer-term consequences of decisions and events that their actual meaning becomes apparent. This finding also holds true for many episodes in history, and arguably also for the uprisings against Colonel Muammar Muhammad Abu Minyar al-Gaddafi (henceforth: Gaddafi) in 2011.[1] Even though the revolts were, at the time, perceived and indeed welcomed as a potential turning point by large parts of the Libyan population and many international leaders, the state of the country five years after the fall of the Gaddafi regime reveals that instability and violence have replaced the Jamahiriya system which had been in place for four decades. Among European leaders in particular, the anticipation of a sustainable transition toward a democratic form of governance has been replaced by concerns about the conflicting objectives of country's warring factions, the often detrimental influence of external actors, and the brutal and criminal activities of originations such as ISIL/Deash (see e.g. Gaub and Luengo-Cabrera, 2015). While the domestic population clearly suffers most from these developments and the absence of a legitimate government and a functioning state apparatus, terrorist activities, increasing migration numbers, and an insecure business environment also affect Europe.

Given their legal and rhetorical commitment to a common foreign and security policy, one might thus expect that the member states of the EU would seek common responses to these challenges. Yet, despite some commendable efforts regarding the provision of financial assistance[2] and the training of Libyan coastguards in the context of the EUNAVFOR MED

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[1] Throughout this thesis, the author refers to the events which took place in Libya from 15 February 2011 onward as 'uprisings' or 'protests', thereby reflecting the terms most commonly used in the relevant body of literature. Other terms employed in this context are 'revolution' or 'civil war' (for a discussion of the various terms, see Lawson 2011). The initially popular phrase 'Arab Spring' which bears reminiscence of the so-called 'Prague Spring' of political liberalization in Czechoslovakia in 1968 has gradually been replaced by more neutral terms as it was based on the faulty assessment of the development of the Middle Eastern societies, which some ascribed to an "inherent reluctance to engage in the cultural Otherness of the Middle East" (Susser, 2012, p.2).

[2] In 2016, the EU provided an assistance package to support public administration, security, democratic transition, civil society, health, vocational training and education via the allocation of more than €100 million.

Operation Sophia,[3] unilateral action and United Nations (UN) initiatives[4] appear to be the preferred ways to address the problem. In early 2016, an article in *Le Monde* indicating the presence of French special forces and agents in Libya,[5] and the correspondence between UK foreign secretary, Philipp Hammond, and the Chairman of the Foreign Affairs Committee, Crispin Blunt, about the form and extent of British engagement in Libya (Commons Selected Committee, 2016) suggest that some of Europe's most powerful states actively seek solutions on their own and are only partially inclined to cooperate with others. At the same time, however, another key player in Europe, Germany, seems to have limited its activities merely to the economic realm[6] and underline the "invaluable role of the (Tunis-based) EEAS delegation in facilitating the interaction with Libyan interlocutors" (Interview with German official, 05.02.2016). In light of this notable degree of divergence among the cooperation attitudes and practices of the "EU-3"[7] in 2016, the question arises whether and how such differences also shaped different episodes of Europe's response to the 2011 uprisings in Libya.

Seeking to provide a first in-depth analysis of the *status quo* of cooperation among France, Germany and the United Kingdom across five issue areas, the thesis hence traces the three states' respective courses of actions during this "most significant test for the EU foreign and defence policies in the post-Lisbon era" (Fabbrini 2014, 177). To do so, the study traces developments and actions, and engages with the relevant decision-makers' attitudes and rationales vis-à-vis cooperation. It thereby provides insights into the decision-making process in crisis scenarios, and analyses different ways in which ideas can shape foreign policy outcomes.

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[3] The operation "undertake(s) systematic efforts to identify, capture and dispose of vessels and enabling assets used or suspected of being used by migrant smugglers or traffickers" (EEAS, 2016a) in the Southern Mediterranean. The initiative forms part of the EU Comprehensive Approach toward the Southern Mediterranean and the broader reactions to the migrant crisis (Tardy, 2015).

[4] In 2011 the UN Security Council established in its Resolution 2009 (September 2011) the UN Support Mission in Libya (UNSMIL) at the request of the Libyan authorities following six months of armed conflict. The mission's aim was to support Libyan authorities in their post-conflict efforts in particular in the realms of democratic transition, establishing the rule of law and human rights, reforming the security sector and coordinating the various international assistance programmes (UNSMIL, 2015).

[5] These claims were instantly refuted by French defense minister Jean-Yves Le Drian who issued an *enquête pour compromission* (Guibert, 2016).

[6] This judgment is based on the information available to the author in early 2016.

[7] These terms are used interchangeably in the context of this thesis and commonly used by relevant scholars in the field, including Kienzle (2013), Lehne (2012), and Holland and Chaban (2010). The notion of the "EU-3" has furthermore received attention in the context of the negotiations with Iran about nuclear proliferations - an issue area in which these states have played a particularly prominent role as they were arguably seen as crucial in bringing about the lifting of economic sanctions. It remains to be seen whether and to which extent either term (EU-3 or Big Three) will remain appropriate in the future, following the United Kingdom's exit from the European Union.

The focus on the interaction among France, Germany and the United Kingdom – despite the undeniable importance of other member states such as Italy and Malta[8] – results from the finding that "the 'EU-3' is often taken as synonymous with the EU" (Holland and Chaban, 2010, p. 327) and that the interaction of Paris, Berlin and London hence significantly shapes the EU's *external image* and perception. Furthermore, it has been argued that the relationship between France, Germany and the United Kingdom has a heavy impact on the *internal dynamics* of the Union, due to the fact that "when some combination of the trio leads, other member states often fall into line, whereas when they do not – or when they cannot agree on how to lead – paralysis and gridlock often result" (Krotz and Maher, 2016, p. 1054).[9] As the (in)ability of the EU-3 to cooperate thus has severe consequences for the functioning of the EU overall, the subsequent chapters will carefully trace their respective actions during the Libyan crisis and identify those factors that can explain the respective outcomes. The present chapter provides a brief overview of the thesis, introduces the research questions in greater detail and elaborates on the method and analytical framework chosen to answer them. The chapter concludes with a succinct outline of the findings of the empirical analysis.

1. Research questions and case selection

According to King, Keohane and Verba a research project should raise questions that are "important in the real world" (1994, p. 15). Following this appeal, the thesis asks:

How can we explain various forms of cooperation between the EU-3, i.e. France, Germany and the UK, during different episodes of the Libyan crisis in 2011?

In doing so, this study sheds light on the state of crisis response cooperation in the EU in 2011, and contributes to the debate about why, in the area of foreign policy, "cooperation is uneven across both countries and individual policy issues" (Krotz and Maher, 2011, p. 549). In pursuit of this objective, the thesis addresses and is guided by three sub-questions:

1.) How did the EU-3 respond to different episodes of the Libyan uprisings and when and how did they cooperate?

2.) Which insights can be derived from focusing on ideas and their interaction with interests and institutions when seeking to account for specific forms of cooperation among the EU-3?

3.) What do these findings about different outcomes and explanatory factors say about the state of cooperation among the EU-3 in the realm of crisis response and foreign policy more broadly?

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[8] See also concluding remarks and avenues for future research, Chapter Eight.

[9] The initial version of the thesis was completed before the referendum on 23 June 2016 during which a majority of British voters expressed their will to leave the European Union.

To answer these questions, the thesis investigates cooperation between the EU-3 in five aspects of crisis response and broadly follows a chronological order, from the outbreak of the protests in Benghazi on 15 February 2011 until the overthrow of Gaddafi regime when Libyan rebel forces took over Tripoli on 22 August of that year. Starting with activities in the realm of humanitarian assistance and consular support, the first case study analyses the EU-3's efforts to evacuate their own citizens and provide aid to third country nationals (TCNs). Thereafter, insights are provided into the three member states' attempts to protect their borders and manage migration. The third empirical chapter engages with the decision to issue sanctions to coerce the Gaddafi regime and support the Libyan opposition. The latter takes the center-stage in Chapter Seven, which addresses the various ways in which the EU-3 engaged with the group that claimed to represent the 'New Libya', and which eventually became the key ally in the fight against Gaddafi's troops on the ground. The final empirical chapter addresses that aspect which arguably has received the most widespread attention to this point: the decision to intervene militarily into the conflict.   By focusing on these five areas which fall within the EU's crisis response cycle (see Chapter One), the thesis focuses on *immediate* rather than medium- or long-term measures, thereby deliberately refraining from investigating action that seeks to address the root causes of crises, such as weak governance or economic stagnation (Furness and Schäfer, 2015). It also does not inquire into more recent policy initiatives aimed at re-inventing relations with Libya, including the (revised) European Neighbourhood Policy (ENP) of 2015, the EU Global Strategy of 2016[10] or recent initiatives aimed peace-building and restorative justice. Seeking to respond to the questions outlined above, each empirical chapter is divided into a descriptive and an analytical part. The first part of every chapter thus provides an overview of cooperation practices and distinguishes three courses of action available to member states: (i) non-cooperation, i.e. unilateral action, (ii) cooperation outside the EU framework, and (iii) institutionalized cooperation 'via' the EU.[11]

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[10] The EU Global Strategy explicitly underlines "the positive human energy unleashed by the 2011 Arab uprisings has given way to a wave of upheavals in the region" and calls for "tailor-made policies in the fields of economic development, social protection and youth inclusion, as well as political accountability, justice and security" (EEAS, 2016b).

[11] As Figure 1 demonstrates, options two and three are furthermore divided into sub-categories in order to allow for an in-depth understanding of the action that was taken.

Figure 2: Courses of Action/Varieties of Cooperation

Courses of Action/Varieties of Cooperation

Option 1: Unilateral action/ Non-cooperation	Option 2: Cooperation outside the EU's institutional framework	Option 3: Cooperation via EU institutions

2a) Ad hoc intergovernmental cooperation (i.e. bi-/multilateral efforts; coalition of the willing)	2b) Cooperation via (non- EU) institutions (e.g. NATO or UN)	3a) Intergovern-mental cooperation in EU fora (European Council etc.)	3b) Delegation of action to (supranational) EU institutions (European Commission)

Thereafter, the second part of each case study explains the origins of these outcomes, and focuses on the role that ideas play in this context. Here, a two-step analytical framework is employed, which first identifies how interests evolve from the way in which decision-makers perceive of material factors through the lens of national role conceptions (NRCs). Thereafter, it is demonstrated how these interests translate into specific forms of action. At this stage, the notion of situation-specific rationales (SSR) is introduced, suggesting that decision-makers' rationality is bounded when taking decisions. The framework thus posits that NRCs form a *general* attitude toward cooperation by determining which actions are seen appropriate, before decision-makers take into consideration the specificities of a given situations, focusing more on the perceived costs and benefits of all options available to them. It light of the fact that it is found that their actions ultimately reinforce existing beliefs and attitudes, the thesis is consistent with a "thin" constructivist ontology, which acknowledges that "agents use ideas to interpret, and change, (…) material constraints, which then provide the content within which ideas are developed" (Marsh, 2009, p. 680).

2. Method

Even though Johnston and Pennypacker have argued that "any actions that lead to accurate statements about nature must be considered as having some methodological legitimacy" (1980, p. 412), the thesis choses a combination of methods that allows for the identification of different political phenomena, the assessment of a range of causal claims, and for comparative insights. By combining elements of process tracing with structured and focused comparison, the study follows King, Keohane and Verba's insight that "it is hard to develop (causal) explanations before we know something about the world and what needs to be explained on the basis of what characteristics" (1994, p. 34). Even though the "task of description has fallen into relative desuetude" (Gerring, 2012, p. 73), the study first outlines "the circumstances, meanings, intentions, strategies, motivations, and so on that characterize a particular episode" (Schwandt, 2007, p. 269) and then selects, interprets and weighs pieces of evidence (Collier, 2011). Following a detailed description of events (see e.g. Geertz, 1973; Ryle, 1949), each chapter then asks a "set of standardized, general questions" (George and Bennett, 2005, p. 69) in order to identify how specific factors influenced decision-makers' choices for a particular form of cooperation across different episodes of the crisis response cycle.

2.1 Answering the *What*- Question

When acknowledging the importance of answering *what*-questions by "making a descriptive argument" (Gerring, 2012, p. 722), the thesis builds on Mahoney's (2010) and Collier's (2011) insight that good description is fundamental to the research enterprise, and the finding that "competent description can challenge accepted assumptions about the way things are and can provoke action" (De Vaus, 2001, p. 2). Generally two forms of description can be distinguished: "thin description" is often seen as a "superficial account (that) does not explore the underlying meanings of cultural members (Holloway, 1997, p. 154) and which "simply reports facts, independent of intentions or the circumstances" (Denzin, 1989, p. 33). "Thick description", by contrast, is much more encompassing in that "(1) it gives the context of an act; (2) it states the intentions and meanings that organize the action; (3) it traces the evolution and development of the act; (and) (4) it presents the action as a text that can then be interpreted" (Ibid). To provide such a comprehensive account, various paths of investigation were taken simultaneously.

First, a large number of written publications including Council conclusions, EU regulations and directives, and press releases, as well as published speeches and statements by national and European officials, were analyzed with regard to their content and wording. In

order to interpret these documents, commentary by leading foreign policy experts from academia or think tanks was considered. Second, the extensive media coverage, which accompanied the European response to the Arab uprisings was used to the extent that it provided additional information into the decision-making processes or different actors' assessments of a situation. In particular, high quality journalistic sources such *as Le Monde, the Guardian, Der Spiegel,* and the *New York Times* provided relevant insights into the conditions and timing of decisions. With regard to developments in Brussels, numerous online publications on European affairs such as *EUObserver, EurActiv* and European Voice were consulted, while websites and blogs such as the *ME Insider* and *Al Jazeera News* allowed for additional insights into perspectives from outside Europe.

Third, internal documents such as briefing documents or situation assessments made available to the author by national and EU officials further clarified situational assessments, while also leaked classified government reports revealed information that contributed to a more thorough understanding of the overall context of the Libyan crisis. *Wikileaks* and *Al Monitor*, for instance, gave access to *The Global Intelligence Files* and the email correspondence between then-U.S. Secretary of State Hillary Clinton and her policy advisor Sidney Blumenthal, which proved particularly useful for determining the time frame of events and for gaining insights into considerations regarding the Libyan opposition and military engagement. Finally, the thesis draws on the insights from 77 semi-structured qualitative interviews with middle- and high-ranking officials from relevant national ministries, EU institutions and Permanent Representations to the EU in London, Berlin, Paris and Brussels.[12] These interviews provided relevant insights into political decision-making at the national and international level, and helped to detect and clarify inconsistencies between different narratives. Arguably, their main impact derives, however, from the fact that they also allowed for the development of causal explanations for the observed phenomena across case studies, and thereby proved essential for answering the *why*-question (see also Chapter One).

2.2 Answering the *Why*-Question

As previously stated, it is the purpose of *why*-questions is to develop causal explanations for the observed phenomena. In line with the observation that interviews allow researchers to "gather descriptions of the life-world of the interviewee with respect to interpretation of the

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[12] In approaching interview partners, the author opted for a "snowball sampling" technique, as many interviewees recommended additional colleagues and shared contacts provided a particularly useful way to reach out to experts. In addition, opportunistic sampling during international conferences or discussion rounds supplemented the data collection process. Interviews lasted between 20 and 90 minutes, during which interviewees were encouraged to reflect on their and other parties' engagement in the crisis, their level of understanding of the situation and of cooperation among the EU-3.

meaning of the described phenomena" (Kvale, 1983, p. 174). Indeed, conversations with a range of individuals proved the most useful resource in this regard.[13] Selected interview partners can be divided into three groups:

The primary group consists of key individuals working *in* the realm of foreign policy at the member states and institutional level. These included policy-makers, diplomats and officials from the ministries of foreign affairs in Paris, London and Berlin as well as individuals working in European institutions who were at the forefront of member states' negotiations and therefore highly familiar with the respective positions. After asking interview partners for their own accounts, they were usually presented with other participants' views in order to enable them to reflect and comment on events and explanations in greater detail. Several interview partners were furthermore provided with the opportunity to comment on parts of earlier drafts of the chapters which were relevant to them, and were taken into consideration to the extent that they clarified misunderstandings or provided additional information.

A second important sampling group consisted of individuals working *on* European foreign policy. These experts worked in academia, think tanks, NGOs or diplomatic academies and stemmed from a wide range of institutions, including *Sciences Po Paris*, *École Nationale d'Administration*, the *London School of Economics and Political Science*, *King's College London*, the *University of Bonn*, *Chatham House*, *Stiftung Wissenschaft und Politik (SWP)*, the *Institut de Recherche Stratégique de l'École Militaire (IRSEM)* and various political foundations. They thus possessed not only relevant knowledge about the larger context of European foreign policy, but often also insights into specific events that decision-makers were not necessarily willing to share officially in light of the highly sensitive nature of the subject matter and the temporal proximity to the events.

Finally, a last sampling group, used mainly for triangulation purposes and greater insights into the developments on the ground, entailed conversations with Libyan exiles, many of whom had returned to their home country during the uprisings or whose friends and family members still lived in Libya. As the majority of interview partners – especially in the first and third sampling group – requested not to be identified and in order to ensure equal treatment of all

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[13] In line with the LSE Research Ethics Policy, due consideration was given to the way in which the research was designed, reviewed and undertaken. To ensure integrity and quality, interviewees were informed in full about the purpose, methods and intended possible uses of the research. Research participants contributed in a voluntary way and the confidentiality of information they supplied and their anonymity was respected at all times. Interviewees were also informed about the researcher's independence and impartiality (*LSE Research Ethics Policy and Procedures*, 2008). When contacting and meeting with interviewees, the author volunteered information about the academic research project, explained her status as a researcher, her institutional affiliation, and the topic of the study. Occasionally the author needed to correct interviewees' assumptions about the purpose of this research and point out that it is not intended to reveal information that would put interviewees or third persons at risk.

participants, the thesis refrains from referring to individual names, specific titles or any other information which could indicate the interviewee's identity or background. Instead, references to conversations and specific statements only reveal the date of the interview and whether the research subject was affiliated with a European institution, an international organization, the Libyan opposition or a member state. Together, the accounts of members of all three groups hence allowed for crucial insights into the thoughts and perceptions of those individuals who drove or prevented foreign policy cooperation among the EU-3 during the Libyan crisis and thus constitute the primary sources for the respective outcomes.

The task of assessing the respective interviewees' statements was facilitated by the fact that throughout the course of this PhD thesis; the author spent several months in each of the EU-3 capitals, and had worked within the EU's foreign policy machinery immediately before starting the thesis. Working for the Africa department of the European External Action Service and in the European Parliament through most of 2011, i.e. during the heyday of the Arab uprisings, the author thus had the opportunity to directly witness the functioning of EU institutions and to observe the interaction of member states' representatives in forums such as working groups, Foreign Affairs Council (FAC) meetings, as well as sessions of the Political and Security Committee (PSC) sessions. These experiences proved highly relevant for the analysis of the events and the interpretation of accounts provided by interview partners.

2.3 Limitations

This project was subject to several challenges and limitations. First, access to information and people was limited by the topical nature[14] of the research theme and the fact that several potentially interesting sources have yet to be archived or released. While this may change when confidential material is released in the future, it is likely, however, that specific aspects of the decision-making process, including telephone calls or private conversations, were not recorded in the first place and may, therefore, never become subject to public knowledge and scrutiny. Furthermore, it must be acknowledged that, like the interviewees who shared personal – and at times contradictory – accounts and interpretations of events, the author was also limited by her subjective interpretation of the available data in light of her own experiences with and knowledge of diplomatic and political processes. In order to minimize the effects of such bias, the author not only used a large number of sources to triangulate information (Guba and Lincoln, 1989;

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[14] When arranging for interviews several decision-makers and officials expressed concern about commenting on cooperation practices in a crisis whose consequences continue to put major stress on European governments as violence and instability remain key features of Libya today.

Patton, 1990), but also frequently confronted interview partners with diverging narratives or viewpoints, and paid close attention to how their respective political orientations or positions might have influenced their understanding or interpretation of events. Despite these precautionary measures to integrate multiple subjective perspectives and bring about an inter-subjective account of the events, the reader is encouraged to recall E.H. Carr's observation that as individuals are not free of the environments that created them, the selection of facts is to a certain degree always arbitrary (1987).

Finally, methodological, ethical, and legal concerns could be raised regarding the handling of classified information (see e.g. Michael, 2015). Aware of these, the author carefully triangulated all information by drawing on a wide variety of sources and by addressing unclear or contentious issues during interviews. While some concerns may persist nonetheless, it should be noted, however, that scholars in other disciplines have long embraced and in some cases even "enthusiastically turned to" leaked information (Michael, 2015, p. 176).

3. Contributions

By collecting a large set of new data and presenting it in an idea-based framework, the thesis contributes to a larger body of literature on foreign policy crises and European cooperation. More specifically, it seeks to further the understanding of the *status quo* of cooperation among the EU-3, the role of ideas in European crisis response, and key developments during the Libyan crisis in 2011 as such. In light of these objectives, it must therefore first be mentioned that critical observations regarding the scope, coherence or effectiveness of activities in European crisis response (see e.g. Koenig (2012), Menon (2011), Brattberg (2011) are not limited to academic work related to the Libyan crisis in 2011. Rather, institutional deficiencies, legal impediments and a lack of willingness by member states to cooperate have been key themes in publications on EU and European foreign policy (Blockmans and Spernbauer, 2013; Marangoni, 2012). However, frequently such accounts apply implicit understandings of what cooperation should look like and issue criticism on a normative rather than objective basis. Accordingly, they often fall short of providing a clear framework by which cooperation can be assessed in terms of processes, outcomes and underlying course. While work on 'coherence' and 'consistency' in EU foreign policy (see e.g. Gebhard, 2011; Krenzler and Schneider, 1997) provides some valuable insights in this regard, it tends not to focus explicitly on both processes *and* outcomes, or to address the realm of crisis response.[15] This thesis therefore seeks to deepen our understanding of the *status quo* of cooperation in crisis response by

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[15] For notable exceptions, see Duke, 2008; Portela and Raube, 2012.

proposing a framework that allows for insights into processes, outcomes and their underlying causes.

In order to do so, the thesis engages in particular with how ideas mediate responses to the material world in this area, and thereby contributes to the still limited body of literature which addresses this theme. While the added value of idea-based research in foreign and security policies has been demonstrated over quite some time (see e.g. Garrett and Weingast, 1993; Goldstein and Keohane, 1993; Katzenstein, 1997) and also been applied to European states in the context of work on national role conceptions (see e.g. Aggestam, 1999; Krotz, 2002), realist and institutionalist approaches have nonetheless remained the most common approaches to the study of crisis response. Even though Kienzle's (2013) analysis of the role of ideas in EU responses toward the crises in Iraq (2003) and in Iran (2002) provides a notable exception in this regard, and demonstrates that ideas "can make a significant difference" when "no clear pre-given interests exist" (Ibid. p.425), there is still room for further investigation. Focusing on the impact of normative factors on the formation of interests in the first place, and on how decision-makers subsequently choose a specific course of action, this study hence advocates for a greater consideration of ideas in the field of crisis response.

In addition, the thesis seeks to further the understanding of the Libyan crisis in particular, and thereby contributes to the growing body of literature on these events and which can broadly be divided into three parts: work on the origins of the crisis, on the way the latter unfolded, and on its consequences. Focusing on cooperation among the EU-3 during various episodes of the events, this thesis contributes to the second aspect and a realm which so far has been covered predominantly by US scholars focusing on the military intervention.[16] European academics, by contrast, have engaged predominantly with national responses (see e.g. Notin 2013, Brockmeier 2013, or focused on diplomatic efforts, such as the events leading to UN SC resolutions 1970 and 1973 (Adler-Nissen and Pouliot (2014). As other issues areas such as humanitarian assistance, border control or diplomatic recognition have so far not been explicitly addressed at all, the thesis hence closes a rather wide gap by providing insights into the EU-3's activities in areas these realms.

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[16] While the latter have provided insightful analyses especially into the military campaign following the contested vote in the UN Security Council on Resolution 1973, the interpretation of the Responsibility to Protect (R2P) doctrine for humanitarian interventions, and the role of American leadership in military matters (see e.g. Campbell, 2013; Chivvis, 2013; Chorin, 2012; Cole and McQuinn, 2015; Hehir and Murray, 2013; Kuperman, 2013; Pargeter, 2012), a growing number of publications is now also addressing the European dimension of the crisis. Most of these efforts focus, however, on cooperation in the military realm (see e.g. Pannier, 2015, 2013), or seek to explain individual member states' decisions to participate (or not) in the military campaign (Brockmeier, 2013; Davidson, 2013; Harnisch, 2014; Lindström and Zetterlund, 2012; Menon, 2011; Notin, 2012; Oppermann, 2012), very little has so far been published on the non-military aspects of crisis response.

Rather than focusing on all member states, the focus here is merely on the interaction of the three largest member states of the European Union, and hence merely advances the understanding of the *status quo* of the latter's interaction. While other member states, most notably Italy and Malta, could have been included in this work, limiting this analysis to the EU-3[17] is justified in light of widespread claims about the extent to which France, Germany and the United Kingdom *do* and *should* cooperate. At the same time, it must be acknowledged that some level of contestation exist in this regard as some scholars underline that "the three big Member States make up an informal *directoire*" (Hill, 2004, p. 152) and draw on the Europeanisation literature in order to analyse how the national preferences of the EU-3 have impacted EU crisis decision-making in the past (Gross, 2009; Jørgensen et al., 2015; Meyer, 2005; Reynolds, 2004; Thomas, 2011; Thomas and Tonra, 2011).[18] Oher influential academics have argued that a "trilateral 'concert of powers' or 'directorate' has never emerged within the EU" (Krotz and Maher, 2016, p. 1054) and suggest that the three bilateral relationships (Britain–France, France–Germany and Britain–Germany) are "much more important for the shaping of European affairs and EU politics and policies" (Ibid). As these individuals, too, focus on the interaction among the EU-3 rather than on other states, it can be concluded that they constitute indeed a distinct sub-group within the EU.

4. Structure and findings

The thesis is structured as follows: Chapter One sets important theoretical and conceptual foundations. In addition to discussing the notion of cooperation as such and arguing that it must be assessed form both a process-level and an outcome dimension, the chapter introduces an analytical framework that first identifies and distinguishes different forms of cooperation (see Figure 2). In a second step, it then elaborates on the concepts of national role conceptions (NRCs) and situation-specific rationales (SSRs) in order to demonstrate how norms and the material context interact, and thereby bring about different forms of cooperation. Thereafter, Chapter Two lays out the various EU-level initiatives toward the Southern Neighborhood and focuses especially on the EU-3's ties with Libya, thereby providing the

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[17] One could make the case that incorporating the action of Italy, which traditionally has held rather close relations to Libya and which arguably also played a crucial role during the uprisings, would provide further interesting insight (see Conclusion).

[18] Instead of focusing on processes of cross-fertilization among the EU-3 in particular, attention has usually been given to the Europeanisation of individual member states, (Allen et al., 2006; Miskimmon, 2007; Wong, 2006) the socialization of elites in EU forums (see e.g. Adler-Nissen, 2014; Chelotti, 2016; Davis Cross, 2011), or the emergence of a diplomatic community within the EU (see e.g. Glarbo, 2011) in general.

background against which Europe's response to the events in 2011 must be analysed. More specifically, it is demonstrated that in light of a comparatively limited role of the EU in shaping relations with Libya, member states' individual relationships and in particular their commercial interests in and political ties with the country were likely to play a significant role also in shaping their action during the uprisings. Building on this insight, Chapters Three to Seven present concrete case studies during which the EU-3 had the opportunity to take decisive action, either unilaterally or in a joint effort with others. It is shown that in each scenario, instances of unilateralism as well as various forms of cooperative initiatives occurred simultaneously, thus reflecting decision-makers' different and situation-specific perceptions of what constitutes action that is both appropriate and effective in a given context.

In terms of the individual chapters, the following observations can then be made: focusing on cooperation in the areas of border protection and migration management, Chapter Three demonstrates that during the Libyan crisis, the EU-3 shared a concern for the protection of their borders and territory as a growing number of people arrived in Europe from North Africa. This resulted in the quick deployment of a Frontex operation, and in several unilateral and bilateral initiatives which manifested themselves, *inter alia,* in a dispute about temporary residence permits and, subsequently, in debates about the need to revise of the Schengen Treaty and the Dublin-System. While this policy area was also characterized by a high degree of action at the EU-level, this outcome was due first and foremost member states' respective attempts to instrumentalise EU institutions in the pursuit of different policy preferences which resulted from conflicting interpretations of sovereignty and of the identity of the people coming to Europe.

Thereafter, Chapter Four analyses different efforts that were taken in order to assist people in need, including measures related to the evacuation of European citizens and third country nationals (TCNs), and to the provision of financial assistance and necessary goods to people in Libya and adjacent states. It is demonstrated that even though the EU-3 successfully drew on EU-level mechanisms to provide financial assistance to support civilians, they generally relied heavily on their own resources and cooperated with international organizations on the ground. Even though individual member states also occasionally combined their resources due to their joint commitment to humanitarian values, they were also and nonetheless motivated by a desire to ensure their respective visibility.

Dealing with the practice of imposing sanctions, Chapter Five demonstrates the ways in which member states sought to punish the Gaddafi regime and support the Libyan opposition through visa bans, asset freezes and arms embargos. It is shown that overall they portrayed rather high levels of cooperation as they worked together both at the level of the EU as well as

the UN, guided by shared ideas about the appropriateness and effectiveness of these foreign policy instruments, and their common desire to convince more sceptical states of the necessity for measures against the Gaddafi regime in light of the latter's severe violations of human rights. Even when France took the decision to unilaterally support Libyan rebels with arms, cooperation among the EU-3 was not significantly challenged as Germany and France refrained from openly criticizing this act in light of their common overarching objectives and the possibility to demonstrate their ability to act in a joint manner.

In stark contrast to the findings in Chapter Five, Chapter Six illustrates the continued role of unilateral action in the realm of crisis response. It focuses on member states' engagement with the Libyan opposition and finds that the French government especially sought to gain a first-mover advantage when granting informal recognition to the National Transitional Council without coordinating its action with other member states or EU institutions. While Germany remained passive for a rather long time, also the United Kingdom established relations with members of the Libyan opposition early on. Keeping these ties deliberately at an informal level, however, London acted largely independently from and in a subtler way than Paris, thereby suggesting that cooperation in the area of diplomacy has remained largely characterized by national responses and unilateral action.

Finally, Chapter Seven deals with that aspect of crisis response which has received the greatest public and scholarly attention so far: the military intervention which took place in Libya from March 2011 onward. It is demonstrated that the operation which helped to overthrow Gaddafi resulted mostly from a bilateral effort between the governments of France and the United Kingdom. Despite their cooperation, however, Paris and London were characterized by rather diverging preferences nonetheless: while the former sought to generate support at the EU-level, pushing for a coalition of the willing among like-minded member states, the United Kingdom was keen to work with NATO partners and in close coordination with the United States. Having quickly dismissed EU-wide military action, member states' agreement to deploy an EUFOR mission in support of humanitarian assistance measures by the UN Office for the Coordination of Humanitarian Affairs (OCHA), constituted merely a symbolic gesture rather than an actual incident of successful cooperation.

Seeking to contribute to answering the question: "why is it that European cooperation in foreign, security, and defense policy (…) seems to work and hold together in some specific instances yet not in others?" (Krotz and Maher, 2011, p. 549), Chapter Eight provides a comparative assessment of the various outcomes in terms of their underlying explanations with respect to the EU-3's national role conceptions (NRCs) and situation-specific rationales (SSRs).

The study ends with reflections on avenues for future research and new pathways for investigation which can further deepen our understanding of European cooperation both in Libya in 2011, and during international crises more generally.

1. Interests, Ideas and Institutions in EU crisis response

Introduction

Cooperation is one of the most widely addressed themes in the discipline of International Relations and has been analysed from a broad range of theoretical angles and by scholars from areas as diverse as cooperation theory (see e.g. Axelrod, 1984; Oye, 1985), regime theory (see e.g. Keohane, 1986, 1984; Ruggie, 1998; Young, 1992) and international negotiation theory (Hopmann, 2010; Spector and Zartman, 2003; Touval, 2010). However, comparatively little attention has been given to cooperation in the realm of crisis response, especially in Europe. The thesis seeks to fill this gap by demonstrating how, when and why the EU-3 chose to cooperate during a particularly pertinent crisis, the 2011 uprisings in Libya. Providing the theoretical foundations that inform this research project, and focusing on how different outcomes emerged through the interaction of interests, institutions, and ideas, the present chapter puts forward a two-step framework which pays particular attention to the role ideas play in the construction of state interests, and subsequently in the choice for specific forms of action and cooperation.

It is argued that actions are shaped by how decision-makers interpret specific events and perceive of material factors that characterize a crisis scenario in light of two intervening variables: national role conceptions (NRCs) and situation-specific rationales (SSRs). It is argued that responses to events such as a sudden increase of refugees and migrants, attempts by members of the Libyan opposition to gain support for their objectives and activities, or reports on violent acts against civilians depend on how decision-makers perceive and interpret them. NRCs are collective images of the state, its foreign policy objectives and its guiding principles; they inform how decision-makers frame and seek to pursue state interests, thereby providing insights into their general likeliness to cooperate. SSRs, by contrast, reflect the perceived costs and benefits associated with various forms of action and hence account for the choice of one form of action over another. Against this background, the subsequent sections will first engage in greater detail with the term cooperation itself and apply it to the EU context, before elaborating on the methods used in this study providing an overview of the EU's institutional arrangements in the realm of crisis response.

1.1 Cooperation and EU member states

Numerous definitions and understandings of cooperation coexist in the academic literature. Building on Zartman and Touval's (2010) understanding of the concept as an active commitment to work together, to reach agreement and to allow all parties to gain from this agreement, states are likely to cooperate when they feel that they are able to sufficiently influence

the final results and maintain their visibility. This insight brings together Keohane's definition of cooperation as a political *process* which focuses on *interaction* dynamics, with the insight that, in politics, it is *outcomes* that matter. In the EU this latter aspect is reflected in critical commentary about member states' recurring failure to "act in concert" (see e.g. Hampton, 2013, p. 78) or to "speak with one voice" (see e.g. Hanelt, 2016). While such expressions of discontent often ignore the fact that in light of its institutional design, the EU *cannot* act like a single entity as it lacks the democratic legitimacy of a nation state that allows for streamlined processes, fixed priorities, and speedy decisions-making, they must nonetheless be taken seriously. After all, they have informed criticism since the beginnings of European Political Cooperation (EPC) and continue to shape the debate about the current status and future of the Common Foreign and Security Policy (CFSP) and the Common Security and Defence Policy (CSDP) in member states, EU institutions and among international partners.

Building on these different interpretations of cooperation, and acknowledging the absence of a clear definition of cooperation in the EU treaties[19] or a unified understanding among policy makers and foreign policy experts,[20] this thesis defines the term as a *process* of interaction, information exchange and negotiation by which (member) states' governments make a deliberate effort to reach outcomes that allow them to be seen as actors capable of taking *unified action*. This definition acknowledges that the EU is characterized by a highly complex decision-making and institutional structure, and subject to a wide range of expectations regarding both the content as well as the delivery of policy outcomes. Factors such as the visibility of (representatives of) EU institutions, the communication method of key messages, or the timing and way of implementing action can hence have a strong impact on whether member states are seen to be cooperating or not.

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[19] EU treaties frequently refer to the term "cooperation" but fail to provide a clear and unified definition of it. In the realms of foreign and defence policy, for instance, multiple usages and understandings of cooperation exist simultaneously. The Treaty of Lisbon thus created three types of cooperation specific to the field of defence alone: first, member states can establish *Permanent Structured Cooperation* and thereby commit themselves to participating in European military equipment programmes and to providing combat units for EU missions. (The Council authorises the permanent structured cooperation by qualified majority.)Second, member states may participate in missions relating in the context of the CFSP which are detailed in Article 43 of the Treaty on European Union and which concern, for instance, humanitarian or peace-keeping (such cooperation between Member States must be the subject of a decision given by the Council acting unanimously). Third, the European Defence Agency offers a framework for cooperation to those member states wishing to increase their military capacity.

[20] Throughout the interviews conducted in the context of this thesis, the insight has emerged that decision-makers, academics and other foreign policy experts assess both foreign policy outcomes and processes in rather different ways, demonstrating that they do not share a common understanding of what constitutes cooperation in the realm of foreign policy and crisis response.

In defining cooperation in a process- *and* outcome-focused way, the thesis builds on the rich body of literature in European studies which has suggested numerous quantitative and qualitative ways to better understand the phenomenon. This literature includes work on the growing institutionalisation and legalisation of CFSP and CSDP (see e.g. Cremona and de Witte, 2008), on the convergence of policies and preferences (see e.g. Checkel, 2007; Meyer, 2006; Pannier and Schmitt, 2014; Sjursen, 2012; Smith, 2004), and on the role of external perceptions of the EU (see e.g. Chaban et al., 2013; Larsen, 2014; Lucarelli and Fioramonti, 2010). In order to understand the *status quo* of European foreign policy further, it is also instructive to elaborate on the various ways governments can act in a crisis situation. The figure below (see figure 2 above) provides an overview of these options and identifies three major categories of action: unilateral initiatives, cooperation outside the EU's institutional framework, and cooperation via EU institutions.
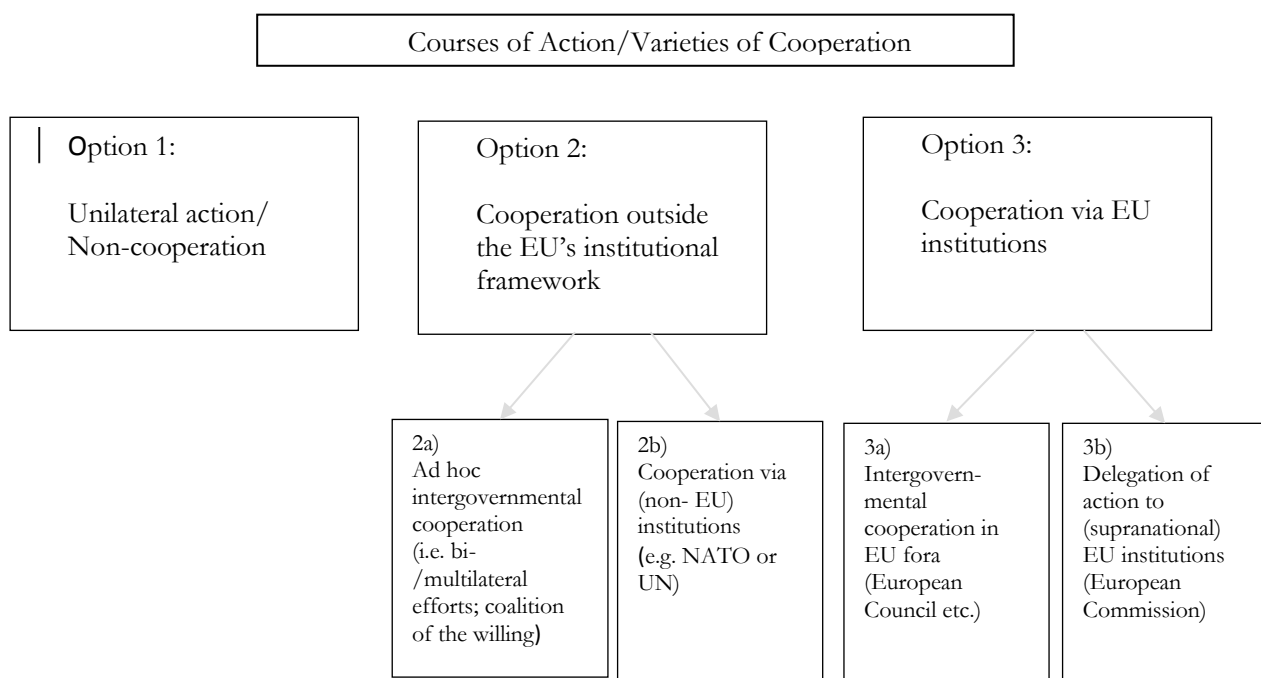
The first option refers to action that is based solely on the objective of pursuing one's own interests, and implies that states do not factor in others' preferences when making a decision, do not adapt their positions to the wishes of their partners, and do not seek compromises in order reach agreement or find common solutions to a problem. While this form of action therefore does not bear adjustment costs, it can nonetheless be to a state's disadvantage which, when acting unilaterally, the state must account for all possible expenditures by itself and

face opposition from its partners. The latter argument applies in particular to the EU, an international organisation *sui generis*, where cooperation has a high normative status. For even though levels of integration in the realm of foreign policy have traditionally been significantly lower than in other areas and expectations among member states might therefore anticipate and have greater tolerance for unilateral action, it is reasonable to assume – in light of the unity criteria suggested above – that conscious efforts to exclude European partners from decision-making will be considered poor behaviour. In order not to challenge their reputation as reliable partners and to abide by what is considered appropriate action in the EU, it is thus rather unlikely that member states' governments will take decisions or actions without making at least a symbolic attempt to engage with them, i.e. to cooperate in some form. However, they may choose to do so in different ways.

While both alternatives of cooperation (option 2 and 3 in the figure) indicate a state's willingness to engage with one or more countries in order to pursue a policy objective, significant differences exist between them nonetheless. In the realm of foreign policy and crisis response, states can hence form a "coalition of the willing" with one or more allies (option 2a), or choose to act via multilateral institutions such as NATO or the UN, or inter-governmental fora such as the G7/8 or the G20 (option 2b). Countries thus make a conscious effort to remain in charge while benefiting from various advantages of cooperation. However, these options hardly enhance the visibility of the EU and only implicitly suggest unity among member states. In order to fulfill this objective of unity, member states must therefore pursue the third option, and cooperate explicitly *via* the EU. Doing so might indeed seem particularly attractive in light of member states' high familiarity with each other, and the additional resources and expertise they can gather when co-coordinating their efforts. However, this option, too, comes at a cost, as delegating powers to institutions such as the European Commission, the European External Action Service (EEAS) or specific individuals such as the Council President or the High Representative of the Union for Foreign Affairs/Vice President of the European Commission (HR/VP) might lead governments to feel that are losing control over their foreign policy. In addition, they might perceive that enhanced visibility and influence of EU actors decreases rather than increases their respective relevance and reputation if they consider their own resources to be superior. Similarly, they might perceive that "adjust[ing] their behaviour to the actual or anticipated preferences of others" (Keohane, 1984, p. 51, emphasis added) might harm their initial interests.

As each option can thus be costly and advantageous at the same time, further attention must be given to the forces which ultimately determine decision-makers' choice of a specific

course of action and their attitudes toward cooperation overall. The subsequent sections will therefore introduce an analytical framework that serves this purpose.

1.2 Explaining cooperation

To explain cooperation, different IR theories and meta-theories have focused on a wide and diverse range of factors, including the compatibility of their interests, the expected rewards for each party, or the degree to which they share specific values and norms. While most of these approaches adopt one specific paradigmatic stance, Krotz and Maher argue that "any sensible observer would likely agree that the increase in the scope and intensity of cooperation is probably shaped by more than one of these factors, perhaps by all of them" (2011, p. 571). Also, Zartman and Touval (2010) suggest that it is the simultaneous existence, interaction and connection of various explanatory factors which ultimately determines specific forms of multilateral cooperation. Arguably, this finding holds even more when it comes to explaining cooperation in a crisis scenario, i.e. a period or situation characterized by increased instability, incomplete information, high public scrutiny and intense time pressure (see e.g. Wagner, 2003). The subsequent sections thus identify those factors that can explain cooperation among states, focusing in particular on the relationship of interests, institutions and ideas.

Demonstrating how specific ideas engrained in national role conceptions (NRCs) interact with material factors and preferences for cooperation, at this point the chapter provides into the NRCs of the EU-3 as they form the background against which the empirical analysis is carried out and on which basis cooperation outcomes will be assessed at the end of this thesis. Thereafter, it is shown how another set of factors, situation-specific rationales (SSRs), interact with these interests and thereby account for different kinds of action. As the use of institutions arguably constitutes a particularly attractive option for the member states of the EU, the second part of this chapter ends with insights into the added value governments may derive when choosing this option.

1.2.1 Formulating interests: material factors, roles and ideas

Scholars studying interests or preferences[21] often differentiate between various categories: while survival, for instance, is considered the *supreme* interest of the state, matters related to security, well-being and domestic tranquility are usually referred to as *vital* interests. In addition,

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[21]While some scholars make an explicit distinction between the two terms (see e.g. the work by Moravcsik, 1998, 1991), they will be used synonymously in the context of this thesis (see e.g. Alden and Aran, 2012; Krotz and Maher, 2011).

there are *tactical* interests which include material factors such as natural resources, access to commodities, production facilities and capital, as well as less *tangible* ones such as the desire to maintain a specific international order, to uphold certain norms and values, or to improve a country's international status and reputation (see e.g. Freeman, 1997). In the context of the uprisings in Libya, much attention was paid to this latter category of interests as the discussion revolved around states' attempts to assure a greater share in Libyan oil, better trade relationships, continued cooperation in managing migration from Africa to Europe or ensuring regional stability. Also, concerns over the effect of Gaddafi's gold and silver reserves on European and American currencies (see e.g. Blumenthal, 2011) and the perceived threat of increasing migration flows or the geopolitical implications of the protests factor into this category of interests. In light of the on-going inquiries into decision-making processes within the EU-3,[22] this thesis does not seek to determine the degree to which such claims informed political action in Libya, nor does it wish to contribute to speculations about the "true motives" (Hoff, 2016) for specific decisions and actions.[23] Instead it aims to explain how various cooperation outcomes emerged and with reference to the interaction of interests, institutions and ideas.

It thus builds on Katzenstein's observation that states "'define' national interests through a process of social interaction" (1996). How exactly these interests emerge in the first place and how they then determine states' actions is a key concern of scholars in the constructivist tradition. Underlining the role of norms, ideas, and culture, they often look at discourse in order to learn about outputs, behavior and change in the realm of foreign policy (see e.g. Carta and Morin, 2014). Even though definitions for each of these concepts abound and are widely contested, it is important to note, however, that they are also closely inter-related. Norms, for instance, are seen as factors that "shape actors' identities and preferences, define collective goals and prescribe or proscribe behaviour" (Boekle et al., 1999, p. 3) and therefore can explain foreign policy by stipulating conditions of appropriate behavior. These notions of appropriateness are then reflected at the individual level via a broader "range of subjective (…) considerations" (Hyde-Price, 2004, p. 102), i.e. decision-makers' ideas. The latter are, according to Goldstein and Keohane "beliefs held by individuals" (1993, p. 3) which "define the universe of possibilities for action" (Ibid. p.8). To then understand "why some of the innumerable ideas in circulation achieve prominence in the political realm at particular moments and others do not"

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[22] In September 2016, the UK Parliament's Foreign Affairs Select Committee published a report into the events. Similarly, extensive accounts by other Western and non-Western powers, including France and Germany are still outstanding.

[23] Insights into the EU-3's respective forms of commercial and political engagement in and with Libya, which may contribute to the debate about the plausibility of some of these claims, can be found in Chapter Two.

(Berman 2001, p.233), one must engage with a country's history and foreign policy tradition, i.e. long-standing ideas about its identity[24] or *role* in the world. According to Holsti's definition, role is a social concept which refers to a decision-maker's "'image' of the appropriate orientations or functions [of his/her respective state]" (1970, pp. 245–246).[25] The underlying assumption of this concept is that social activities can be compared to a stage show, where all actors assume a character, or play a role which comes with number of pre-set expectations in terms of appropriate action and beliefs. Specific national role conceptions (NRCs), i.e. identity-based "normative expectations of situationally specific meaningful behavior" (Joas, 1993, p. 226), then provide individual decision-makers with "scripts" that guide them through novel situations, and "lines" that shape the form and content of their respective responses. In a similar vein, Aggestam (1999) finds that "a role conception is a set of norms expressing expected foreign policy behaviour and action orientation" which she uses as a concept "to operationalise and 'bridge' perceptions of identity, on the one hand, with foreign policy behaviour on the other" and studies by analyzing policy speeches, documents and interviews. Meanwhile, Hudson finds that NRCs "shed light on how ideationally constructed identities shape how decision-makers *define* a situation" (Hudson, 2007, p. 8).

When it is arguing that NRCs "delineate the range of foreign policy choices *decision-makers* consider appropriate and suitable for the country they represent" (Oppermann, 2012, p. 505),[26] theorists focus on the beliefs of a small group of powerful *individuals*, to whom role conceptions "provide detailed normative guidance" (Aggestam, 2006, p. 24) by "advancing the knowledge of intersubjective perceptions and understandings" (Welch Larson, 2012, p. 58). While this focus on actual decision-makers underpins most definitions, it must be acknowledged, however, that some definitions also stress that NRCs are "*domestically shared* views and understandings regarding the proper role and purpose of one's own state as a social collectivity in the international arena" (Krotz, 2002, emphasis added by the author) and thereby build a close link between NRCs and the concept of political or civic culture (Almond and Verba, 1963; Chilton, 1988). Understood in this way, NRCs thus build on the assumption that there is "a collection of attitudes that are broadly shared by the political elites and a large proportion of the population" (Sodaro, 2004, p.

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[24] According to Wendt (1994), identity is the root cause for a variety of interests, including physical survival, autonomy, economic well-being and collective self-esteem, which determine state behaviour.

[25] Due to its focus on decision-makers, role-based research usually seeks to assess elite perceptions (see e.g. Jonnson and Westerlund, 1982; Walker, 1979; Wish and Walker, 1980), but acknowledges that, while held by elites, NRCs are constructed in a broader social context.

[26] For a more detailed discussion on the relationship between role theory and foreign policy, see Thies 2009.

258), and that they can provide crucial insights into the a society's collective identity by connecting "self and society, identity and action, agent and structure" (McCourt, 2012, p. 370).

Reflecting this understanding of NRCs, a deliberate effort is made in this thesis to incorporate the points of view of a rather large set of actors which can be seen as representative of domestically shared views *and* which are themselves involved or close enough to the decision-making process that they have a direct or indirect impact on. Accordingly, the thesis draws on and incorporates statements of representatives of various bureaucracies, the business sector, media and academia (see the Method section in the introductory chapter). This method has received widespread support and attention, with Risse et al. using "elite statements on the 'imagined community' of the nation-state and its relationship to Europe, including statements on the specific distinctiveness of one's nation" (1999, p. 156), as indicators for collective nation-state identities and NRCs (see also Aggestam, 2004, 1999; Jachtenfuchs et al., 1998). While the thesis itself abstains from conducting a fully-fledged discourse analysis, focusing merely on the "verbal and written utterances" of decision-makers rather than "all meaningful practices, from flag-raising to hand-shaking, from images to silences" (Diez, 2014, p. 27), it does build on findings that were established through this method. The subsequent sections will thus elaborate on the NRCs of the EU-3, thereby introducing the key ideas that form the background against which the statements presented in this thesis will be assessed.

French foreign policy

In the literature on NRCs, France has been described as a "residual world power", i.e. in terms of a concept that "summarizes the self-view of an active-independent regional leader with ambitions of global scale and presence" (Krotz, 2002, p. 14). In order to illustrate France's desire for "independence, activism and presence" (Ibid.) it has been suggested that French foreign policy is characterised by a striving for *grandeur* or *gloire* but also by a commitment to *europe puissance* and a *"mission civilisatrice"* (van Loon, 2012). While *grandeur* refers to ideas about French greatness, the country's cultural heritage and its international vocation that date back to the 1789 revolution and which was reconfirmed by Charles De Gaulle when he declared that "France could not be herself without greatness" (de Gaulle, 1954, p. 5), its relevance in present times can be witnessed in Paris' continued efforts to remain influential. It does so by promoting French culture and language – especially in opposition to the influence of the United States and the English language – and by promoting France's political objectives across the world, and especially on the African continent, both diplomatically and by military means. This ambition is

illustrated, *inter alia,* by the size and quality of the French diplomatic corps, cultural organisations such as 'la Francophonie', or the maintenance of the *"force de frappe"* (Waechter, 2006).

While *grandeur* thus suggests a drive for unilateralism, France is also seen to be guided by the concept of *europe puissance*, however. The latter underlines the importance that French authorities have ascribed to European integration since the Second World War and emphasises the belief that Europe can and should play a role in the world, not least as a counter-weight to the United States of America. Even though one might expect a contradiction between *grandeur* and *europe puissance*, France has managed to pursue "*grandeur* through a European *directoire*" (Charillon and Wong, 2011, p. 19) and thus been rather successful way in reconciling these concepts in practical politics. During the 20th century, French politicians were thus particularly successful in instrumentalising Europe for their respective political, economic or military objectives, and to do so by means of skillful persuasion and negotiation and via the socialisation of foreign policy elites in Brussels as well as in other international organisations (Juncos and Pomorska, 2006; Wong, 2005; Woyke, 2010). Guided not only by interests but also by a belief in European integration (Parsons, 2003), French political and administrative elites were particularly effective at "uploading" their preferences in the foreign policy realm, which they saw "as a means to maximize national diplomatic action" (Lequesne, 2015, p. 2). The same holds for the areas of security and defence, where France was particularly successful in convincing its European partners to follow French-British initiatives such as the 1999 St. Malo agreement and the Lancaster House treaties of 2010.[27] It can thus be argued that the CFSP has always been deemed useful in supporting French geostrategic interests, with the EU's policy toward the Southern Neighbourhood and peace-keeping-operations and rule of law-missions in sub-Saharan Africa being the most concrete examples (Bicchi, 2011; Menon, 2009; Wong, 2006).

Nonetheless, it has been argued that the French political class is sometimes "defiant and distrustful toward the EU's capacity to develop a real common foreign policy" (Charillon and Wong, 2011, p. 21). Nicholas Sarkozy's initiative for a Mediterranean Union (rather than the Union for the Mediterranean in the form it was agreed on in 2010, see e.g. Bicchi, 2011), is a prime example of this reluctance to subordinate French interests to European ones (Marchetti and Demesmay, 2010). It also reflects the country's continued self-understanding as a power with special relations to the African continent. These are also reflected in the notion of *Françafrique* which refers to partially contested policies that range from the maintenance of

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[27]In the St. Malo declaration, it is underlined that through the Common Security and Defence Policy (CSDP), the EU should have 'the capacity for autonomous action, backed up by credible military forces, the means to decide to use them and a readiness to do so, in order to respond to international crises' (*Franco-British summit, Joint declaration on European defence*, 1998).

privileged relations with African countries in the realms of economics,[28] immigration and security cooperation to occasional interventions in their domestic affairs (Verschave, 1998). As a consequence, Paris is simultaneously seen as a source of support for many African and especially MENA countries, but is also frequently criticised for the "diplomatic, military and financial pressure" (Melly and Darracq, 2013, p. 4) it puts on these countries.[29] It can thus be concluded that the influence which France exercises over a considerable part of the African continent also informs its attitude toward Europe in that it limits the extent to which Paris is willing to forego unilateral behaviour.

Even though large parts of the French population share a feeling of "normative attachment to France's former colonies, in particular Algeria and Tunisia" (Interview with French foreign policy expert, 10.06.2014), the politics of *Françafrique* are regularly met with resistance among the French public, which led Nicolas Sarkozy to declare in his 2007 election campaign to end an Africa policy that had been determined by "opaque and informal connections" (Melly and Darracq, 2013, p. 3). Under Sarkozy's presidency, French politics continued to focus on regional stability rather than human rights or democratic change, which became particularly obvious in the initial decision during the uprisings to side with the Ben Ali regime in Tunisia. This act thus constituted evidence of several factors at once: Paris' willingness to continue the politics of *Françafrique* even against popular will, the fact that in order to do so, French decision-makers were ready to prioritise stability over human rights, and importantly for the question of European cooperation, were ready "to act unilaterally to secure (French) national interests" (Drake, 2011, p. 198).

When combined, the three factors – *grandeur, europe puissance* and *mission civilisatrice* – have thus created a foreign policy context which is shaped by a desire to uphold and improve France's role in the world, to demonstrate its role as a key shaper of European foreign policy, and a country with a particularly strong commitment to human rights. In terms of cooperation with other member states, this usually led to policies characterized by a tendency to act unilaterally in areas which promised great visibility and which allowed for the advancement of its relations with North African countries.

German foreign policy

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[28] Particularly important sectors in this respect are logistics, port and rail operations, telecoms, shipping, banking and air transport.

[29] With reference to the continued use of the CFA Franc, for instance, it has been argued that "French control of monetary policy in their old colonies is (…) perhaps the most haunting spectre of French imperialism that still lingers on the continent" (Earnshaw, 2013).

According to experts on German foreign policy, the country's national role conception "shifted dramatically during the 20th century" (Beneš and Harnisch, 2015, p. 152). Traditionally characterised as a "civilian power" (Maull, 1990), i.e. as "a state whose foreign policy role conception and role behaviour are tied to goals, values, principles, as well as forms of exerting influence and instruments of exercising power, that serve to civilize international relation" (Kirste and Maull, 1996, p. 300), post-World War II Germany held multilateralism and supranational integration to its core. [30] Seen to be operating in the context of a "postmodern state" (Anderson, 2005; Bulmer, 1997; Miskimmon and Paterson, 2003), decision-makers in Berlin (and previously in Bonn) thus demonstrated an exceptional willingness to delegate power internationally (Bulmer et al., 2010; Katzenstein, 1997) and, especially, to EU institutions. Some foreign policy experts even went so far as to suggest that Germany had an "almost symbiotic relationship" with the EU which, in turn, "served as vehicle to regain [its] international credibility as a valid member of Europe's political community" (Daehnhardt, 2011, p. 37), and that compared to the United Kingdom and France, Germany was "most ready to surrender parts of its independence in the interest of an effective European common policy" (Lehne, 2012).

Even though Germany's strong commitment to the project of European integration manifested itself first and foremost in its close relationship with France, German decision-makers over time also demonstrated an increased "willingness to accept a leadership role within an enlarged and perhaps more diverse and less restrictive Europe" (Webber and Smith, 2012, p. 139).[31] This can be ascribed to general changes in the structure and composition of Europe as well as to the fact that "France's and Germany's diverging order and alliance interests and policies have complicated Franco-German bilateralism" (Krotz, 2002, p. 23). Yet, also beyond the European context, Germany's NRC has traditionally been shaped by a strong commitment to multilateralism, and it has thus been argued that "whereas for the British and the French it so often seemed there were choices to be made between a NATO or EU orientation", Germany had little difficulty reconciling its "multiple membership of several institutions in the Euro-Atlantic system (Webber and Smith, 2012, p. 192). Indeed, Germany's close relationship to the United States on the one hand and to European powers on the other were seen as twin pillars of the Federal Republic's *raison d'Etat*, enabled through shared objectives and values (Besson, 1970; Denison, 2010). Importantly, this also did not change following unification when "almost no

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[30] For further insights into the contested nature of this concept, see e.g. Frenkler, 2001; Hellmann, 2002; Risse, 2004; Tewes, 2001.

[31] As this thesis focuses on events which occurred in 2011, the chapter refrains from engaging further with the literature on recent trends in German foreign policy, including speculations regarding a growing willingness to take on responsibility in the military realm. A short discussion will, however, be provided in the Conclusion. For further literature, see e.g. Hellmann (2016).

signs that Germany would turn away from its multilateral, cooperative approach to foreign policy" (Rittberger, 2001, p. 6) were detected and it was found that continuity was the dominant feature of the country's policies, not least due to the influence of the foreign office which provided "a strong force for continuity" (Bulmer et al., 2001, p. 203).

Despite this particular cooperation-conducive identity, German policy-makers were, however, often limited by a deeply-rooted reluctance to engage in military action. Despite its early commitment to a common European foreign policy (Rummel, 1996),[32] Germany was thus keen to limit its military involvement to rather confined areas. Even though it participated, for instance, in several ESDP/CSDP missions and even became one of the major supporters of the European Union Naval Force Somalia (EUNAVFOR Somalia) Operation Atalanta (Bundeswehr, 2015) from 2008 onward, it remained comparatively disengaged in military matters and was principally occupied with ensuring that its security policy continued to be embedded in a multilateral process (Daehnhardt, 2011). Even though the attitude toward military intervention seemed to change from the (late) 1990s onward as Germany participated in the interventions in Kosovo and Afghanistan in order to protect civilians and human rights,[33] its overall engagement remained significantly lower than that of many of its European partners. While in particular France and the United Kingdom frequently demonstrated their willingness to promote their political objectives with military means, Germany focused on improving its economic power in Europe and elsewhere.

More recently it has been argued, however, that Germany's NRC as a "civilian power" has increasingly been replaced by "the concept of a normal ally" that defines its interests less "in terms of a normative attachment to multilateral principles, but that instead is characterised by an attitude which "fosters a foreign policy that is increasingly self-confident in pursuing narrowly defined national interests and in employing these interests as explicit benchmarks for its multilateral engagement and its response to international requests for alliance solidarity" (Oppermann, 2012, p.507). In order to explain this change, it has been suggested that German elites have sought to respond to the demands and expectations of its main allies (Brummer and Oppermann, 2016), and to criticism regarding the appropriateness of a "cheque-book diplomacy" approach and the caveats for military engagement in the 21st century (Saideman and Auerswald, 2012). Others have argued that a "new positive self-identification" is at the core of

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[32] It was thus London which, in a joint effort with Berlin, initiated a CFSP plan as early as 1993 to foster the reduction of arms exports.

[33] In particular, Germany's participation in NATO Operation Allied Force in Kosovo arguably marked a turn in German foreign policy, as it constituted the first participation of the Bundeswehr ever in a war-fighting mission and even took place without a formal mandate by the UN Council (see e.g. Brummer, 2012).

this new normalcy, as Germany's role conception has shifted from a negative one rooted in its Nazi-past to one which sees the EU "as an organized other with the primary function of preserving and strengthening the German self" (Beneš and Harnisch, 2015, p. 154). A third point of view perceives with scepticism Germany's growing influence in Europe and suggests that Berlin seeks to become a "semi-hegemon" which imposes its economic interests and its core values on others (Beneš and Harnisch, 2015; Fix, 2015; Köhler and Tonscheidt, 2015, p. 156; Kundnani, 2014). In Berlin this is hardly seen as problematic, however, as decision-makers continue to perceive of German interests as closely linked to those of other member states on the one hand, and to be aligned with the great ideals of European integration: solidarity and peace.[34]

UK foreign policy

For most of the 20th century the United Kingdom identified itself as a link between the English-speaking peoples and in the tradition of the Churchill's 'three circles' doctrine which saw London at the intersection of three circles of influence – the United States, Europe, and the Commonwealth (Churchill, 1950). Accordingly, UK elites sought to keep the "continued claim to global status" after the collapse of its empire (Wallace, 1991, p. 74). In combination with the "assumption that America represents the future, and continental Europe the past" (Wallace, 2005, p. 60), the UK became a rather "awkward partner" (George, 1994) for Europe, and developed what became a relationship that was ambivalent at best to EU institutions and the integration project as such. After its initial refusal to join the European Communities as a founding member, it was the desire to take "a step forward for the security and stability of a country that had recently ended its retreat from empire and was struggling internally and externally to find a place in the world" (Oliver, 2016)[35] which made membership increasingly attractive. Once the United Kingdom had joined the EC, its governments tended "to resist moves toward greater integration, in which France and Germany were usually in the vanguard, in favour of more intergovernmental approaches to institutional co-operation" (Lunn et al., 2008, p. 29). Seeking to ensure that decision-making structures continued to be intergovernmental and

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[34] Insight from interviews conducted with various German decision-makers in Berlin and Brussels between 2012-2015.

[35] On a more detailed level, Oliver evokes the international structure at the time when underlining that membership was able to "enhance Western European unity in the face of a still formidable Communist world" and argues that "support for membership amongst Conservative MPs in the 1970s was driven by hopes that EEC membership would lock Britain into a capitalist, free market club allowing the country to shed its 'sick man of Europe' label, a reason some on the left resisted membership" (Oliver, 2015).

that the unanimity principle prevailed, London was keen to curb the powers and role of the Community institutions. In the context of the Treaty of Lisbon, it thus opposed any moves to introduce QMV in the realm of security and defense policy, "initially opposed proposals for permanent structured cooperation in the CFSP, preferring to focus on building capabilities and was wary of an *'avant-garde'* of Member States which could lead to a two-tier EU in defence" (Lunn et al., 2008, p. 39). While thus maintaining a mental and rhetorical separation from "the Continent" and an ideological hostility toward the EU (Goodwin and Milazzo, 2015), London undertook significant efforts to further the scope of the CFSP (Aktipis and Oliver, 2011).

In order to explain this outcome, it has been argued that unlike other nations, and Germany in particular, the United Kingdom never felt the need to break with its pre-war identity, and continued to see itself as a nation that was sufficient in and by itself. Wallace explains this as a consequence of the fact that the "wartime experience reinforced the sense of national solidarity and revalidated the symbols of national identity for Britain" and finds that UK governments have not found it "necessary to redefine national goals or to launch an agonized debate about history and identity" (Wallace, 1991, p. 68). Rather, the UK's NRC remained shaped by the perception of the British Empire as "a benign, liberalizing force in the world" (Lowrance-Floyd, 2012, p. iii), and as an episode one might look back with nostalgia. While this view was formally overcome with the process of de-colonisation, it left its traces in the way in which the UK organises its relations with large parts of the world and the rhetoric of parts of the British establishment and both major parties. In a speech in 1997, Tony Blair thus underlined that Britain's empire should be the cause of "neither apology nor hand-wringing" (cf. Gott, 2011), but should rather serve the purpose of furthering the UK's global influence. Similar rhetoric was also used by Conservative Prime Minster David Cameron during his leader speech in 2011 (Cameron, 2011) and by Foreign Secretary William Hague in 2010. When the latter underlined that "we have put the 'C' back into FCO, we take the Commonwealth seriously" (Hague, 2010), he thus demonstrated that UK governments in the 21st century were committed to address the "failure of the dream of Commonwealth to become a political reality" (Lowrance-Floyd, 2012, p. 172).

Accordingly, the EU never became a major point of identification for UK citizens and policy-makers – even though EU institutions were often not only regarded to be of little use and as an effective tool mostly for small member states whose "positions are being amplified with our resources" and expressions of a reluctance to "haggl[e] with EU partners over meaningless texts aimed at achieving 'common positions'" (Crawford, 2012). While the UK's geographical position and its "island mentality" (Kerr and Kettell, 2006) are also likely to have played a role in

triggering this deeply rooted-scepticism, the latter manifested itself over time in a number of "opt-outs" (Adler-Nissen, 2014). At the same time, however, London also assumed a key role in EU foreign and security policy by participating in more than 80 per cent of all ESDP missions between 1999 and 2009 (Grevi et al., 2009). It also became one of the driving powers in promoting Europe as a partner to the United States, and encouraged other member states to increase their defence budgets and become more involved in military action abroad. As previously mentioned, London and Paris also cooperated closely in driving forward initiatives such as the St. Malo agreement and the Lancaster House treaties, and were thus described as leading "in both capabilities and experience" (Aktipis and Oliver, 2011, p. 73).

To explain what appears to be a contradictory policy, one must inquire in greater detail about how the UK cooperated with other member states and what actions it promoted. Doing so reveals, for instance, that even when advocating joint foreign, security and defence measures, London usually tried to curb the influence of supranational EU institutions, taking efforts, for instance, to "upgrade" the CFSP Unit of the Council Secretariat and to push most strongly for the creation of the PSC, as the latter ensured the continued influence of senior national officials (Lunn et al., 2008). While British elites thus sought to maintain UK independence from Europe, they stressed the "special relationship" between London and Washington and directed their policies in such ways that they would not risk alienating the White House through EU initiatives (Hill and Wong, 2011). London thus "insisted that the Trans-Atlantic Alliance and NATO should remain the cornerstone of European defence" and "supported expanding the Petersberg Tasks, which did not threaten the role of NATO, and the establishment of a civilian-military cell at the Military Staff of the European Union (EUMS), provided it was integrated with the NATO framework" (Lunn et al., 2008, p. 39). London was thus able to keep its status as "the bridge between the US and Europe" (Blair cf. Aggestam, 1999), and repeatedly offered itself as a reliable and experienced partner to American governments, e.g. when the latter sought rapprochement with Libya or decided to intervene in Iraq. That such action was not always conducive to cooperation with other EU member states (Andrews, 2009) did not seem to constitute a major problem in the eyes of UK decision-makers, however, but must be understood as an outcome that was readily accepted by elites in London. In short, the UK's attitude toward the EU thus "vacillated between indifference, opposition, and support" (Dryburgh, 2008).

1.2.2. Choosing a course of action: interests, institutions and ideas

In light of these general insights into the EU-3's respective role conceptions, and against the background of the finding of Section 2.1., i.e. that NRCs provide meaning to material factors and thereby allow for insights into states' interests (Wendt, 1999, p. 78), the following expectations arise regarding decision-makers' attitudes toward cooperation and what kind of action they consider "appropriate" and desirable in a given context. Based on their self-perception as a particularly powerful and competent country in Europe, and with strong ambitions and links to Africa, French decision-makers are likely to be motivated by a desire to portray their ability to take action independent of others. At the same time, however, they can be expected to seek support from other member states and EU institutions when they are incapable of pursuing their interests alone, trusting that they can further enhance France's power and influence in the world. Meanwhile, policy elites in Berlin are likely to frame national interests in light of broader European ones and to view themselves as guardians of European integration and solidarity. Because of their close identification with the EU and their strong focus on multilateralism, German authorities can furthermore be expected to seek cooperation more frequently than other member states. Problems in this regard may arise, however, when its self-perception as a civilian power is challenged. Finally, the United Kingdom's attitude toward cooperation is likely to be influenced by its trust in its own greatness and self-sufficiency, and a deep-held skepticism toward any forms of cooperation which may involve a loss of sovereignty. This is likely to manifest itself in a reluctance to take part in any efforts which may, in the longer term, lead to an institutionalisation of foreign policy. One might therefore expect London to be more sceptical of action via EU institutions and to prefer bilateral cooperation or other forms of *ad hoc* cooperation.

While national role conceptions (NRCs) hence allow for rather broad insights into how states constitute their interests and develop preferences for potential courses of action, they do not explain how decision-makers determine whether to act unilaterally or in some form of cooperative effort in a specific situation. To arrive at this insight, it is therefore necessary to identify how decision-makers perceive the various courses of action available to them at any given moment, and how they evaluate the respective costs and benefits of each option. In this context, one must underline that ideas matter not only at the time of interest-formation, but also at a later point. This has been demonstrated by a wide range of scholars. Among them are Goldstein and Keohane who showed that ideas can influence policy when they "provide road maps that increase actors' clarity about goals or ends-means relationships, when the affect outcomes or strategic situations in which there is no unique equilibrium, and when they become embedded in political institutions" (1993, p.3). In line with the insight that ideas and rational

behaviour hence do not need to be mutually exclusive, the following sections will introduce the concept of situation-specific rationales (SSRs) in greater detail, thereby seeking to demonstrate how individuals take decisions on the basis of which *particular* course of action or form of cooperation they consider to be the most effective to achieve a particular objective.

Situation-specific rationales as causal beliefs

Understood as a highly subjective mix of considerations about the expected consequences, benefits and costs of certain forms of action, SSRs constitute a form of causal belief that emerges from the way in which decision-makers construct their interests and their perceptions of and/or expectations about the added value of specific forms of cooperation. SSRs are a particularly useful concept in situations of incomplete information as they can explain why individuals act in one way rather than another, and allow for more detailed insights into decision-makers' considerations about the perceived advantages and disadvantages of various options. Providing information not only about "the ways in which political actors *make sense of* the world" (Larsen, 1997, p.7, emphasis added), but also about their assumptions as to how specific courses of action may *affect* their own world, i.e. the context in which they operate, SSRs are closely related to NRCs, but differ from the latter in that they provide information about how decision-makers perceive of specific forms of action in relation to their interests. They hence build on and further develop the insights about how NRCs and material factors interact and are able to explain why a general attitude towards cooperation leads to a specific form of action.

SSRs can furthermore be seen as particularly useful with regard to explaining variation in cooperation. Providing information about decision-makers' anticipations about the possible costs and benefits of various forms of action, including cooperation via the EU, they allow for insights into member states' respective ideas their about the adequate distribution of competences between the national and European level in a specific area of crisis response, and arguably, their attitude towards institutionalization in the realm of European foreign policy more broadly. More precisely, SSRs allow for comparative insights into member states' attitudes toward their respective national capabilities, the perceived efficiency of EU institutions, and the value they ascribe to other forms of cooperation, and inform decision-makers' choices by either

(i) underlining the importance of independence, sovereignty and action that demonstrate a state's own capabilities;

(ii) emphasizing that cooperative action should be constrained to a narrow set of activities and specific circumstances, and is to be assessed on a case by case basis;

(iii) stressing the necessity for cooperation via the EU framework and the use empowerment of EU institutions.

In short, cooperation among the EU-3 depends on how decision-makers interpret their interests in light their underlying ideas about themselves, others and (EU) institutions. The subsequent sections will therefore elaborate further on their respective functions, and then inquire into the specific institutional framework that characterizes the European Union.

2.2.2 Institutions and coordination in EU crisis response

Institutions can fulfill several crucial tasks in order to facilitate cooperation. These include activities such as the provision of additional resources, useful information or an amplified voice on the international stage. Institutions can furthermore assist governments in negotiations, pool activities, assets and risks, advance proposals, suggest linkages or propose trade-offs (see e.g. Fearon, 1994; Majone, 2001; Pollack, 2009, 2005; Putnam, 1988; Tallberg, 2002), and carry out a large volume of activities which allow governments to carry out action more effectively (Abbott and Snidal, 1998). Most international institutions are, however, characterized by rather low levels of delegation, and thereby allow states to opt out of a particular initiative when they wish to do so. While the absence of a supranational authority and the use of vetoes or exit clauses may seem attractive, in particular for sovereignty-conscious states (Koremenos, 2008), these provisions can also make cooperation less effective or lead to results which mostly reflect the interests of the most powerful state. To avoid these draw-backs, states may hence choose not to cooperate via institutions but instead on an *ad hoc* basis with like-minded countries. While this option may come at the expense of the added benefits that are provided by institutions, it does give governments greater flexibility, and tends to require less divergence from initial preferences.

In line with this observation, the level of delegation of powers in the area of foreign policy, and the realm of crisis response in particular, has remained rather limited. This finding even applies to the EU, which is otherwise characterized by high levels of integration. Yet the institutional landscape of European foreign policy and crisis response has undergone significant developments since member states first started to share viewpoints under the EPC in the 1970s (Jones, 2007; Keukeleire, 2008). The latest set of innovations followed in the context and aftermath of the Treaty of Lisbon (ToL) in 2007 and included the creation of the post of HR/VP, the EEAS, and a single civilian-military strategic planning structure for EU peace-keeping and humanitarian operations and missions, the Crisis Management Planning Directorate (CMPD). Among the three, the CMPD deserves special attention as it works under the political

control and strategic direction of the Political and Security Committee (PSC), which is composed of member states' and institutional representatives, and tasked, *inter alia*, with monitoring critical situations and delivering opinions to the Council in order to help define policies. It is also in charge of strategic, integrated civilian-military planning and is supposed to ensure the coherence and effectiveness of the CSDP missions and operations as part of a comprehensive approach.

Unsurprisingly, the introduction of these measures first raised hopes for greater "visibility, continuity, consistency and efficiency of EU external action" (Paul, 2008, p. 4), and was hence similar to the expectations that surrounded the EU crisis response instruments which had been established in the context of the Cologne European Council, the Council summit in Helsinki in June 1999, and the Feira European Summit June in 2000. In addition to the CMPD, the aftermath of the Lisbon Treaty also saw the creation of a "crisis response platform" which brings together representatives of the military realm, i.e. the CMPD, the Military European Committee (EUMC)[36] and the EU Military Staff (EUMS),[37] and the civilian realm, i.e. the Civilian Planning and Conduct Capability (CPCC)[38] of crisis response,[39]. This platform was, again, supposed to enhance crisis response cooperation. Yet, from the outset it was obvious that the extent to which the crisis response platform could be used and exercise its potential influence would remain subject to the agreement of national representatives rather than EU-level bureaucrats.

Yet, not all short-, medium- and long-term instruments in EU crisis response (laid out in Figure3) require the same level of authorisation by member states, as the European Commission also retains authority in some issues areas. It exercises, for instance, considerable influence via its various budget lines (see e.g. Chapters Three and Four), when drafting proposals for regulations (see Chapter Two), or when providing policy-relevant expertise and its long-standing experience with handling crises (see Chapter Three).[40] Even though some crisis response instruments fall

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[36] The EUMC is the highest military body within the Council and is tasked with providing advice and recommendations on all military matters within the EU. It is composed of the Chiefs of Defense of the Member States, which are represented by their permanent military representatives who monitor the proper execution of the military operations.

[37] The EUMS conducts EU-led military crisis management operations and Military Strategic Operations (MSO).

[38] The CPCC is the permanent headquarters for civilian CSDP missions and assists the Civilian Operations Commander (CivOpsCdr/CPCC director) in the operational planning and mandate implementation of civilian CSDP missions.

[39] Additional expertise may furthermore come from staff of the EU Situation Centre (SitCen), the relevant geographical and horizontal departments of the EEAS, and specific Commission services, such as DG ECHO or DG DEVCO.

[40] The Commission's Humanitarian Aid and Civil Protection Department (DG ECHO) is also in charge of the "Civil Protection Mechanism" (CPM) which, since 2001, seeks to promote cooperation among national civil protection authorities across all EU member states as well as Iceland, Norway, and the Former Yugoslav Republic of Macedonia (see Chapter Four).

under the influence of the Commission, most of them are CFSP or CSDP-structures, and are therefore characterized by intergovernmentalism. Most crisis response action in the EU hence depends on the political will of individual governments to take joint rather than individual action, and leads to the question of how – if at all – institutions can facilitate cooperation in this area. Drawing on findings from the relevant (institutionalist) literature, the subsequent sections seek to answer this question in view of the various activities that (EU) institutions can take on the realm of crisis response.

Figure 3: Short-, medium, and long-term instruments in EU crisis response *
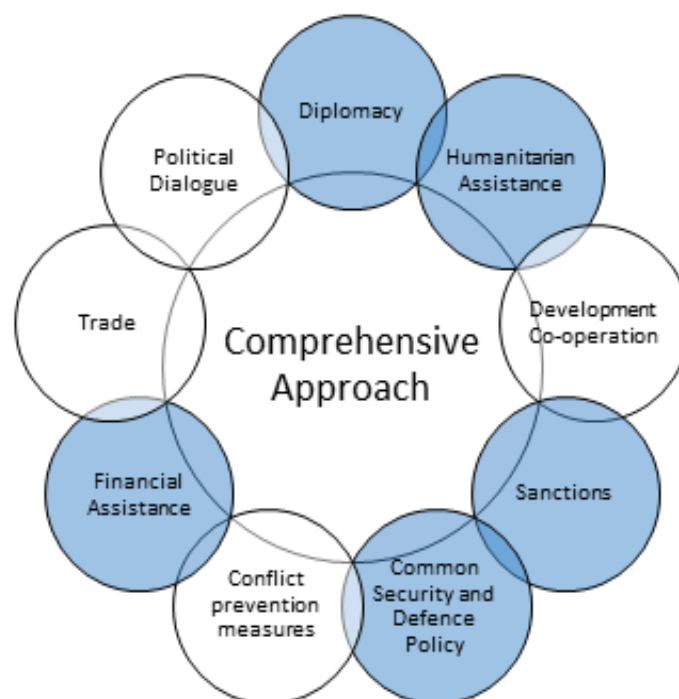
Source: adapted from Rehrl 2015

The blue colouring indicates the short-term instruments and areas of crisis response which will be treated in the case studies presented in this thesis

It can be concluded that even though institutions can potentially exercise significant influence on political processes and governments, their impact in the realm of European foreign policy and crisis response in particular, has been comparatively low. Accordingly, many of the measures presented in the crisis response cycle (see Figure 4) remain subject to member states' approval.

Figure 4: EU crisis response cycle[41]
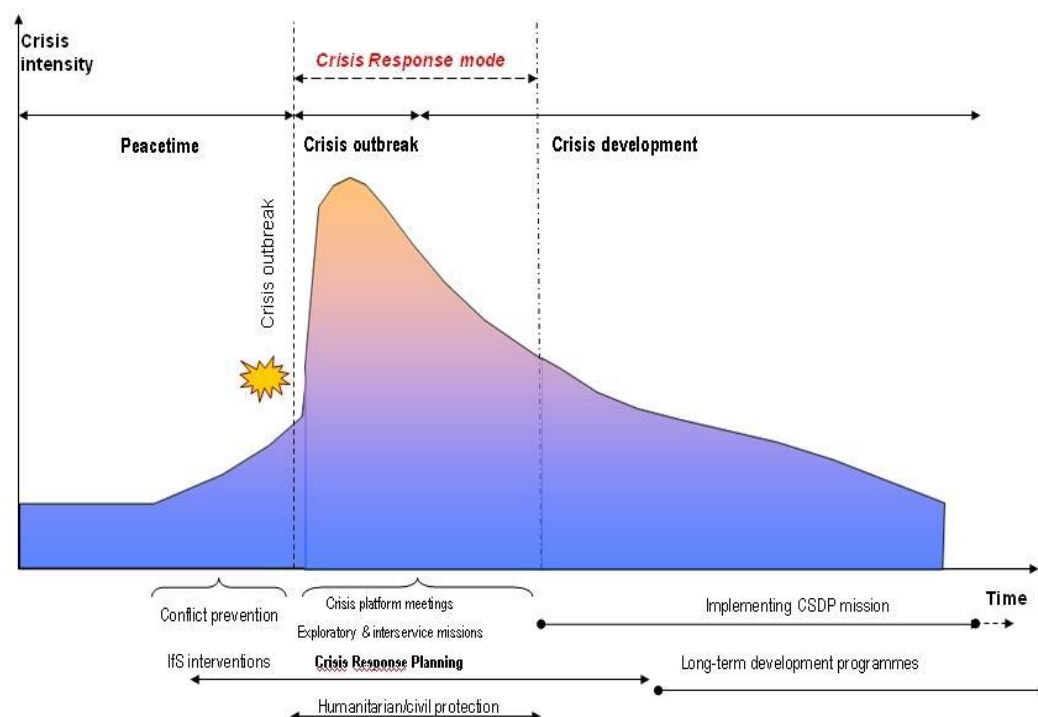
Source: EEAS Crisis Platform, 2015.[42]

2.3 Analytical framework

Building on the insights laid out in the previous sections regarding the formation of interests and the choice for a specific course of action, Figure 5 provides an overview of how these different stages connect and build on each other. It demonstrates how this thesis explains variation in cooperation from the perspective of the interplay of interests, ideas and institutions: it shows that when a crisis event occurs, material factors are interpreted via NRCs, which lead decision-makers to identify specific interests. While one can deduct a general likelihood for cooperation from these findings, it is only by subsequently analyzing how these interests interact with perceptions about the costs and benefits of various courses of action, i.e. by elaborating on member states' situation-specific rationales (SSRs) in a given situation, that one can explain specific forms of and variation in cooperation.

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[41]Please note: some essential aspects which form part of the EU's crisis response – such as sanctions or diplomatic measures – are not captured in the figure, while other aspects, e.g. mediation efforts, are included even though they do not commonly form part of the immediate crisis response mechanisms.

[42] The focus of this thesis lies broadly in the middle section of the figure.

Figure 5: Decision-making in EU crisis response

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│                                                       │
│            Crisis event/Material factors              │
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                        │          ◄══════════════════╗
                        ▼            National Role      ║
                                   Conceptions (NRC)    ║
┌─────────────────────────────────────────────────────┐
│                                                       │
│                     Interests                         │
│                                                       │
└─────────────────────────────────────────────────────┘
                        │
                        │          ◄══════════════════╗
                        ▼            Situation-Specific ║
                                   Rationales (SSR)     ║
┌─────────────────────────────────────────────────────┐
│        Courses of Action/Varieties of Cooperation     │
└─────────────────────────────────────────────────────┘
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Option 1:	Option 2:	Option 3:
Unilateral action/ Non-cooperation	Cooperation outside the EU's institutional framework	Cooperation via EU institutions

| 2a) *Ad hoc* intergovernmental cooperation (i.e. bi-/multilateral efforts; coalition of the willing**)** | 2b) Cooperation via (non- EU) institutions (e.g. NATO or UN) | 3a) Intergovern-mental cooperation in EU fora (European Council etc.) | 3b) Delegation of action to (supranational) EU institutions (European Commission) |

At the first stage, the framework hence builds on the (constructivist) assumption that agents and structure are mutually constitutive and that intersubjective meaning influences the selection and development of actors' interests (see e.g. Wendt, 1999, 1987). These interests then also form the basis for their *general* approach to and likelihood for cooperation. At the second stage, (rationalist) considerations about the expected costs and benefits of various forms of action are then taken into consideration, thereby allowing for insights into why decision-makers prefer one *specific* form of action over another. Together, NRCs and SSRs hence provide insights into how decision-makers (i) evaluate material conditions, (ii) form their interests and attitudes towards cooperation, and (iii) weigh various options in light of their perceived comparative value. It is thus argued here that throughout one event, decision-makers can be guided by two different "logics", one which assumes that states have a desire to satisfy social expectations and wish to contribute to the construction of norms ("Logic of Appropriateness", LoA), and one which stresses that actors behave on the basis of deliberate self-interest and cost-benefit calculations (' "Logic of Consequentialism" - LoC) (March and Olsen, 1989). Rather than assuming that these logics are mutually exclusive, it is thus argued here that the two can coexist, and even reinforce one another (see also Houghton, 2012).

Emphasizing the role of norms and what is considered appropriate behavior as driving forces for state action, many constructivists share, however, an aversion toward theories "adhering minimally to one simple postulate: when faced with several courses of action, people usually do what they believe is likely to have the best overall outcome" (Elster, 1989, p. 22). Such rational choice approaches are based on methodological individualism, assume a fixed set of exogenously defined preferences (Hall and Taylor, 1996, p. 944), and expect a consequentialist logic of action (March and Olsen, 2004). Constructivism, by contrast, places greater weight on collective agents and assumes that the latter are (predominantly) guided by ideas, norms and culture. While these positions seem to fundamentally contradict each other, numerous scholars have now taken middle-ground positions and argue for a "thin" constructivist framework (Ruggie, 1998) that explores the role of norms and culture *in* the formation of state interests and identities and that stresses the complementary rather than contradictory nature of material factors and ideas. By arguing that the later shape the way in which decision-makers perceive of events and of the material conditions under which they operate, this thesis assumes such a moderate constructivist stance.

The study thus positions itself not only against approaches that deny the significance of ideas in the first place, but also against those who challenge the assumption that actors seek to act in objectively rational ways. This makes it vulnerable to criticism from the more radical (post-

positivist) constructivist camp, as well as the strictly rationalist one. While acknowledging the concerns of these camps, it shall be underlined here that the chosen approach is justified in light of its objective to take on "problem-driven, empirically oriented perspective" (Jupille et al., 2003, p. 16) and in its attempt to respond to calls for frameworks that "combine insights, cross boundaries and, if possible, synthesize arguments in hope of gaining more compelling answers and a better picture of reality" (Fearon and Wendt 2002, p. 68). The thesis furthermore shows that it is possible to empirically study processes of cooperation by identifying the role conceptions of actors as well as their respective perceptions of the added value of different forms of action in a given situation, and therefore, that it is possible to integrate approaches rather than to stress the supremacy of a specific ontology or epistemology.

Conclusion

This chapter has provided the theoretical underpinnings for the empirical analysis in Chapters 3–7. It first discussed the notion of cooperation in general terms and applied it to the EU context by laying out the different instruments available for member states in this area. Here, it suggested a novel definition of cooperation that integrates underlines the necessity for processes and outcomes that can be perceived as "cooperative" by third actors. In this context, the degree of visibility for (representatives of) EU institutions, the content, timing and communication method of key messages, and the provision of assistance to other member states in carrying out action were suggested as three factors that can increase the extent to which action is perceived as cooperative. At this point, the various options for crisis response cooperation were laid out and it was argued that a states' decision to act unilaterally, to cooperate outside the EU framework or to act via the EU, can be traced back to the role of two sets of ideational factors: in the first step, NRCs provide insights into how member states construct their interests and define standards of appropriateness that impact on their overall *likelihood for cooperation*; thereafter SSRs provide insights into the way in which different instruments are perceived in terms of their respective legitimacy and adequacy, thereby explaining member states' choices for a *specific kind of cooperation*. The chapter ended with a discussion about the ontological, epistemological and methodological challenges of a bridge-building framework and agreed with the position in the literature that underlines that material and ideational ontologies can be complementary, and that take on a "moderate" or "thin" constructivist perspective. It was furthermore shown that the thesis lends itself to a positivist methodology, even though the latter obviously exposes itself to more radical constructivist critiques.

2. Prelude: Europe, Libya and the Southern neighborhood before the uprisings

Introduction

The self-immolation of Mohamed Bouazizi in December 2010 is generally seen as the start of a series of events which irrevocably transformed the MENA and Libya. Often referred to as the "Arab Spring", these events included demonstrations which largely were motivated by socio-economic problems and deepening political grievances which quickly spread across cities, regions and countries. In January and February 2011, they led to the fall of Zine el-Abidine Ben Ali in Tunisia and President Hosni Mubarak in Egypt in January and February of 2011 respectively, while in other places, crowds were unable to remove rulers from power. King Hamad of Bahrain, for instance, suppressed protests with the support of Saudi Arabia-led Gulf Cooperation Council (GCC) forces and thereby ensured his position, while in Yemen President Ali Saleh utilized a "combination of repression, counter-mobilization, economic enticements, and promises of political compromise" (Delacoura, 2012, pp. 65–66) to ensure the continuation of his reign.[43] In Jordan and Morocco, the monarchs initiated limited changes, and thereby preempted the intensification of demands to the extent of regime removal, while in Libya, a NATO intervention eventually led to the overthrow of the Gaddafi regime.

Just as outcomes differed, so did the underlying factors for the protests in the first place. While low levels of political contestation, freedom of speech, and police accountability were shared features among all of the affected countries, each was also characterized by a set of challenges which were unique to its political system, history and society. Prior to the uprisings, European states and EU institutions had thus engaged rather differently with the MENA countries and in particular relations to Libya were rather exceptional in character. Aiming to provide further insights in this regard, the present chapter constitutes a broad overview of Europe's relations with Libya and the region prior to the uprisings. It lines out the various EU initiatives which existed toward the Southern Neighborhood and demonstrate the special status that Libya held for most of its history. The last part of the chapter focuses on the specific bilateral relations of the EU-3 with Libya and underlines in particular their interests in the realms of energy and security.

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[43]King Hamad of Bahrain was able to suppress protests with the support of Saudi Arabia-led Gulf Cooperation Council (GCC) forces, while President Ali Saleh ensured his position of power through a "combination of repression, counter-mobilization, economic enticements, and promises of political compromise" (Delacoura, 2012, pp. 65–66).

2.1 EU initiatives toward the Southern Neighbourhood

In the decades prior to the uprisings in the Arab world, Europe had engaged with its Southern neighbours through a range of initiatives which were characterized by regionalism and bilateralism, differentiation and co-ownership, incentives and conditionality.[44] These included the Global Mediterranean Policy (GMP) which "invented" the MENA region as a "homogenous group" (Bicchi, 2013, p. 14) and the Renewed Mediterranean Policy (RMP) which was established in 1990, attempting to balance the increased focus on Eastern Europe after the Cold War. In 1995, the European-Mediterranean Partnership (EMP)[45] sought to formalise the EU's relations with the Southern Neighbourhood in an innovative way. Created after the Conference of Euro-Mediterranean Ministers of Foreign Affairs held in Barcelona under the Spanish presidency of the EU, the EMP not only aimed to establish a common ground of peace and stability and a free market zone, but also sought to enable exchanges between the various peoples and cultures of Europe and North Africa. The initiative constituted a major change in Euro-Mediterranean relations, differing from earlier initiatives by its "multi-layered institutional structure of dialogue, the number of topics on the agenda, [and a] new approach to economic questions and development" (Bicchi, 2013, p. 17).

Particularly relevant was, however, the European Neighbourhood Policy (ENP) which from 2004 onward sought to tackle some of the problems that these early initiatives had encountered and which was directed at Europe's neighbours both to the south and to east. The policy introduced a differential approach to cooperation through "jointly agreed Action Plans (...), reflecting the existing state of relations with each country" (European Commission, 2004) and was initially seen as a rather promising endeavor in Brussels and many national capitals even though analysts also quickly pointed out that the ENP "offers little new thematic content" and concluded that it "can at best be seen as an opportunity to refocus and synthesize attention" (Smith and Baun, 2007, p. 61). In addition, France soon found that the ENP only insufficiently represented its interests in the Mediterranean and in 2007 the presidential candidate Nicholas Sarkozy proposed yet another framework for EU-Mediterranean relations: a Mediterranean Union. Following intense debates and negotiations at the European level (see e.g. Aliboni and Ammor, 2009) and significant "scaling down" of the original proposal,[46] a revised version of this

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[44] Following the end of decolonisation and a period of relative neglect in the 1960s, European governments signed bilateral agreements with their Mediterranean neighbours, focusing merely on trade-related issues; from the 1970s onward, these were replaced by regional initiatives, which were later accompanied by bilateral arrangements.

[45] The EMP is also known as the Barcelona Process.

[46] In light of the pressure from some member states, in particular Germany, France adapted the initial proposal of a Mediterranean Union so that it would complement rather than replace existing EU

project was eventually endorsed by the heads of state and government at a summit in Paris in 2008. In order to underline the changes that had been made to the original proposal, the initiative was renamed 'Union for the Mediterranean' (UfM), epitomizing the "time-specific political context" (Bicchi, 2011, p. 4). In this context, it is important to underline, however, that when, in 2011, popular uprisings challenged the legitimacy of many governments and individual rulers in the MENA, the UfM remained formally in place.

In order to accommodate this new development, the European Commission, the EEAS and national governments, rather than looking at existing rules, responded with yet another new initiative, the Joint Communication 'Partnership for Democracy and Shared Prosperity' (PfDSP) which, at the time, was described as a "qualitative step forward in relations between the EU and its southern neighbours", meant to "offer practical measures to support and underpin this process of transition" (Ashton, 2011). It was also encapsulated in the "More for More"-principle and the official review of the ENP[47]. In addition to these broad regional frameworks, the EU also individually entered into Association Agreements (AA) with individual countries in the MENA region, setting out conditions for economic, social and cultural cooperation between the EU and each of the partner countries and constituted a way by which country-specific issues and interests could be tackled more effectively. While Europe "launched, tested, and re-launched" (Wouters and Duquet, 2013) various forms of cooperation with MENA countries over time, Libya hardly participated in any of them. Rather, its relations to the EU and European governments were governed by a singular set of initiatives, created largely outside the existing structures and reflective of the difficult relationship between the Gaddafi regime and the United States during the Cold War (Schumacher, 1986). The next section will elaborate on this aspect.

2.2 Europe's Relations with Libya: Between Alienation and Rapprochement

Ever since the overthrow of King Idris in a coup d'état initiated by Gaddafi in 1969, Europe's relations with Libya were characterized by two contradictory forces: the refusal to engage with a regime that supported international terrorism on the one hand, and their desire to

structures and policies in the region, and thereby the "thick institutional context" in which it was established (Bicchi, 2011, p. 4).

[47]The ENP applies to Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Palestine, Syria, Tunisia and Ukraine. A review of the latter had been envisioned and initiated by Commissioner Füle and High Representative Ashton in October 2010 already, i.e. prior to the uprisings, in order to demonstrate that the institutional changes following the Treaty of Lisbon (ToL) allowed for a more effective foreign policy (Interview with Commission official, 07.05.2012)

cooperate in areas which were key to their national interests on the other. This led to forms of engagement which fluctuated between alienation and rapprochement, which nevertheless largely prevented Libya's participation in the large number of EU initiatives toward its Southern Neighbourhood outlined above. This was due to the fact that after he had seized power, Gaddafi oriented the country's foreign policy toward the goals of Arab unity, the advancement of Islam, the elimination of Israel, support for Palestinians, and the elimination of Western influence in the Middle East and Africa. In order to illustrate these policy preferences, Deeb (1991) described the Libyan foreign policy system as a pyramid, with the neighbouring states of North Africa and the Sahel at the peak, the Arab world dominated by the Mashriq at a second stage, followed by the Islamic world overall, the developing world, and finally, the industrialized countries of both East and West at the bottom. Gaddafi's reign thus presented an alternative to the pro-Western politics which had shaped Libya since its independence from Italy in 1951 and which had resulted in the Libyan government allowing both the United States and the United Kingdom to maintain military bases at Wheelus Field and Cyrenaica and which had led to oil exploration treaties after the valuable resource was discovered in the late 1950s (Vandewalle, 1998).

Gaddafi began to nationalize companies and resources, especially in the oil and energy sector, soon after seizing power but failed to create a true national identity or to strengthen state institutions (van Genugten, 2016). Eventually his ideology-driven policies resulted in an insecure business environment which made Libya increasingly unattractive for foreign investors. Together with growing repression of any political opposition, these developments soon also alienated many Libyans from the regime and led to a wave of emigration in the 1970s and 1980s. Especially Libya's former colonizers, Italy and the United Kingdom[48] as well as the United States and to a lesser degree France and Switzerland became places where regime opponents sought to build a new life. This development further increased tensions with Gaddafi, who soon became an active supporter of some of the West's most-feared terrorist groups, including the Red Army Faction, the Red Brigades, and the Irish Republican Army (Vandewalle, 2006).[49] The regime also sponsored groups and regimes in Africa, Latin America and the South Pacific in what it considered legitimate struggles for national liberation (St John, 1987). During the 1970s, Gaddafi

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[48] A colony of Italy during much of the first half of the 20th century, Libya was invaded in World War II by Western allies. From 1943 to 1951 the provinces of Tripolitania and Cyrenaica were under British administration, Fezzan was occupied by France, while Italy relinquished all claims to Libya under the terms of a peace treaty in 1947. After the war, the UN-led negotiations to decolonise Libya led to the United Kingdom of Libya under the leadership of King Idris al-Senussi from 1951 onward, following his return from exile in Egypt in 1942.

[49] While there is widespread agreement regarding the accuracy of such claims, some commentators have recognized the poor quality of the evidence brought forward. For a sceptical assessment of the latter and for an alternative account of the events, see e.g. Ani and Uzodike (2015) and Wardlaw (1998).

thus supported, *inter alia,* the military ruler of Ethiopia Haile Mengistu, the Ugandan dictator Idi Amin and as the Polisario Front in the Moroccan-controlled Western Sahara, as well as a variety of guerrilla organizations in Guatemala, Mexico, Peru, East Timor and the Philippines. Further evidence has suggested that Tripoli was involved in an attempt to destabilize governments in Kenya, Benin, Burundi and Ethiopia in the late 1980s and early 1990s.

It was, however, developments which directly impacted Western governments and societies, such as the killing of British policewoman Yvonne Fletcher by Libyan officials during protests in London in 1984, attacks at the airports of Rome and Vienna in 1985, the bombings of a nightclub in Berlin in 1986[50] and of the Pan Am flight 103 airliner over Lockerbie in Scotland in 1988,[51] which eventually led the West to end its diplomatic relations with Libya and to impose sanctions at the levels of the UN, the EU and bilaterally. Here, the United States was particularly active and banned certain types of military sales as early as 1973 (Niblock, 2001).[52] However, the EU – then the European Communities (EC) – also imposed restrictive measures following the attacks at the airports of Rome and Vienna, and increasingly tightened its sanctions regimes which were aligned to measures taken at the UN (Portela, 2005). However, halting business relations and cooperation in vital areas such as energy and migration management also had a negative effect on European countries' economies and interests. It is therefore hardly surprising that political leaders soon sought ways to come to a *modus vivendi* with the Gaddafi regime and to convince the regime in Tripoli to stop seeking to acquire nuclear weapons in spite of its international commitments.[53] Following months of secret negotiations with the CIA and the British secret intelligence service the MI6, a deal was eventually struck to facilitate Libya's diplomatic rehabilitation. In return for its acceptance of responsibility for terrorist attacks in the past, a complete removal of all components of its WMD programme, and the dismantling of its long-range ballistic missiles, from 2003 onward, Libya was officially welcomed back into the international community.

In line with these developments, an EU exploratory mission to Libya was conducted in May 2003, charged with assessing the willingness of the authorities in Tripoli to work with the

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[50] The "La Belle" nightclub in Berlin was frequented by U.S. military officers. During the course of the attack three people were killed, and 229 people injured.

[51] While the exact circumstances of the terrorist attack are still unclear, the Gaddafi regime formally assumed responsibility for the act in a letter to the United Nations in February 2004, accompanied by compensation payments for the victims' families.

[52] Eventually the US resorted to stronger measures when conducting airstrikes on Tripoli and Benghazi during Operation El Dorado Canyon on 15 April 1986, when the United States carried out, killing approximately 60 Libyans.

[53] Libya had signed the Nuclear Non-Proliferation Treaty (NPT) in 1968 under King Idris, and ratified the treaty in 1975 under Colonel Muammar Gaddafi.

EU on migration. These efforts must also be seen in the context of the European Neighbourhood Policy from 2003, which made an explicit commitment toward fostering "stability and peace" on the Union's external borders by creating a "ring of friends", i.e. a circle of like-minded states which could help Europe to pursue its interests. After it was found that Libya was both ready and willing to cooperate, the Council decided – following intense pressure by Italy – to lift the EU arms embargo on Libya in 2004, and thereby initiate a new phase of relations with Libya, which in 2005 led to decision to establish an "ad-hoc dialogue" on migration issues. Subsequently, the Joint EU-Libya Action Plan on Migration was drafted and concrete steps, including the release of substantial funds, were taken (Hamood, 2008). In 2007 the first Frontex Technical Assistance mission was launched, followed by a series of bi-lateral agreements signed between Italy and Libya. In documents such as the "The Treaty of Friendship, Partnership and Co-operation", Rome and Tripoli hence agreed on measures such as joint patrols, the provision of surveillance equipment for the monitoring of Libya's land and sea borders, and that Libyan authorities would accept disembarkation of individuals intercepted at sea by Italian vessels.

While most agreements were made between Libya and individual EU member states such as Italy, Malta or France, it is important to note that the EU did not act as a mere bystander. Aware of the significant risks of detention and refoulement which migrants faced in Libya, the European Commission had noted the absence of a functioning asylum system and had, in 2005, already criticized the detention conditions in Libya (Hamood, 2008). While the EU therefore cooperated with the Gaddafi regime dependent on the latter's the full respect for human rights, the principle of non-refoulement and the recognition of UNHCR, it nonetheless partially funded the technical material needed to de facto stop immigration to Europe. This led critics to argue that "conditionality (…) turned out to be mere fig-leaf" and that European standards were being compromised, "instead of improving the human rights situation on the ground" (Fruehauf, 2011a, p. 246). Over time, Libya thus became a partner in helping to locate terrorists across North Africa and limit migration to Europe, while its new status as an attractive investment opportunity for foreign capital resulted in "a huge financial gain for the Libyan state" (Alterman, 2006, p. 21).[54]

The normalisation of relations between the West and the Gaddafi regime represented thus an ideological as well as pragmatic strategic shift in both actors' foreign policy which, before

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[54] Negotiations were arguably facilitated by the fact that issues such as the compensation of victims or reductions in weapons systems were easily measurable and did not contain references to "vague issues like 'political openness' or human rights" (Alterman, 2006, p. 25), even though the importance of these issue areas was frequently stressed, in particular by Europe.

the uprisings, seemed likely to be carried forward by Gaddafi's son Saif al-Islam and the West's willingness to gradually replace policies of exclusion with increased cooperation (MacLeod, 2006). This was illustrated, *inter alia,* in the diplomatic efforts of Western leaders welcoming Gaddafi and his extensive entourage in their respective capitals or when visiting him in Libya. For the first time since 1986, Gaddafi thus undertook what was considered "a landmark official visit" to Europe in 2004. He was welcomed by then-Commission President Romano Prodi who commended the Libyan leader's "bold moves" in renouncing weapons of mass destruction (cf. "Libyan leader embraces West," 2004).

Following Libya's international rehabilitation, several new initiatives illustrated the policy of engagement with the Gaddafi regime. The 2007 EU-Libya Memorandum of Understanding on bilateral relations, for instance, sought to establish a political dialogue and put in place a number of economic measures which would facilitate trade in areas such as energy, transport, tourism agriculture and fisheries. Its aim was to eventually lead to a "deep and comprehensive free trade area (FTA) to cover trade in goods and services, investment issues and other key trade rules" (European Commission, 2009). Another Memorandum of Understanding followed in June 2010 and provided € 60 million of financial assistance to Libya for the period 2011-2013 (European Commission, 2012) "in return for closer cooperation on migration" (Interview with EEAS official, 11.06.2015). The overall aim of these initiatives was to "consolidate Libya's integration in the rules-based international political and economic system" (European Commission, 2009, p. 5). This was also the motivating factor behind making Libya an integral part of the existing institutional mechanisms fostering EU-MENA cooperation.

It was hence Libya which, together with Spain, chaired the Africa-EU Migration, Mobility and Employment Partnership[55] in 2009. While some of these initiatives proved to be quite successful in helping to solve issues which had burdened relations between European countries and Libya throughout the 1980s and 1990s, such as the fate of the Bulgarian medical personnel that had been held captive by Gaddafi since 1999,[56] it must be concluded that, overall, Europe's relations with Libya remained far behind those with other countries in the region. This insight applies to the Community level as well as individual member states and their respective actors. On the eve of the uprisings, the EU thus did not maintain a delegation in Libya, but used the delegation in Tunisia to cover both countries. At the same time, however, the Commission acknowledged that "Libya's leading existing trading partners are presently found in Europe and

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[55] This framework formed part of greater EU efforts to establish a long-term strategic framework for interaction with African countries and institutions such as the African Union since 2005.

[56] Six foreign medical workers, 5 nurses from Bulgaria and a Palestinian medical intern were charged with conspiring to deliberately infect over 400 children with HIV in 1998, causing an epidemic at a children's Hospital in Benghazi.

its prospects for enhanced economic collaboration with the European Union are significant" (European Commission DG Trade, 2009). The following section will therefore provide greater detail regarding the EU-3's commercial interests in Libya and will focus on two areas in particular, energy trade and cooperation in the realm of military and security equipment.

2.3 The EU-3 and Libya

Following Libya's international rehabilitation, EU member states were keen to reestablish favorable relations with the Gaddafi regime, and successfully initiated a number of cooperation initiatives. Shortly before the 2011 uprisings, the EU accounted for approximately 70% of Libya's total trade and supported negotiations for Libya's accession to the WTO (European Commission, 2015). Most remarkable in this context were, however, the bilateral relations between the EU-3 and Libya, rooted in a common interest in trade in the realms of energy, and military and security equipment. While these activities "triggered the accusation – by media, non-governmental organizations (NGOs), and academia – that member states had prioritized material interests over the moral considerations they were preaching" (Hansen and Marsh 2015, p. 265), it must be underlined that the EU's arms control regime is comparatively well-developed.[57]

2.3.1 Energy relations

With a daily production of 1.8 million barrels and reserves estimated at 46.4 billion barrels, Libya was – according to the Organization of Petroleum Exporting Countries (OPEC) – the fourth largest oil producer in Africa after Nigeria, Algeria and Angola before the uprisings (cf. in Rousseau, 2011).[58] Given that Libya's geographic position places its oilfields close to the refineries and markets of Europe, Western governments have traditionally had great incentives to build and uphold favourable relations with the country and its government. Similarly, Libya has been interested in maintaining good business relations with Europe as its economy was based nearly exclusively on oil,[59] and exports to Europe accounted for nearly 25 per cent of its

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[57] In 2008 member states had agreed to make the 1998 EU Code of Conduct on Arms Exports (CoC) legally binding, and to apply a list of criteria when considering export license requests for items on the EU Common Military List. Among these criteria were aspects such as the internal situation in the country of final destination, the behaviour of the buyer country with regard to the international community, or the risk that the military technology or equipment will be diverted within the buyer country or re-exported under undesirable conditions (Council of the European Union 1998).

[58] Gas reserves are estimated at 55 trillion cubic feet, amounting to approximately 2.85 % of the world's reserves (BP Statistical Review of World Energy 2012).

[59] Income from energy exports made up between 75% and 90% of state revenues before the uprisings (Mbendi, 2015).

total share prior to the uprisings (Chossudovsky, 2011). European as well as Libyan companies were thus highly interested in ending the Western sanctions regime which caused major disruptions to their business activities during the 1990s. It has thus been suggested that the political rapprochement with Libya, facilitated in particular by American President George W. Bush and British Prime Minister Tony Blair (Kawczynski, 2011), occurred mostly due to mutual business interests. One foreign policy expert even stated explicitly that "BP was the commercial arm of the foreign office and able to heavily influence the government's agenda" (Interview with British foreign policy expert 24.02.2016).[60]

Such claims seem to be confirmed by the fact that, in the context of an investigation in 2010 by the U.S. foreign relations committee on BP's[61] alleged involvement in the release of Lockerbie convict Abdelbaset al-Megrahi, BP acknowledged that it "did bring to the attention of the UK government in late 2007 our concerns about the slow progress in concluding a prisoner-transfer agreement with Libya" (Brady and Usborne 2010). Prior to the uprisings, this influence seemed not to have faded significantly, as a former British diplomat confirmed the existence of regular, quarterly meetings between the British political leadership and leading energy companies (Interview with former British diplomat, 08.12.2015). It can thus be concluded that in the years before the protests, British energy companies had been keen to catch up with their European competitors from France, Italy, Spain and Germany.[62] In addition, all of these companies faced growing international competition from China and the United States,[63] and lobbied their governments accordingly.

With respect to the overall question of European cooperation, these facts and developments demonstrate that in the area of energy trade member states' economic interests stood in direct competition with one another, and national governments were under intense pressure from their industries to engage in economic diplomacy and provide conditions

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[60] In the end, Megrahi was not released as a prisoner transfer, but on compassionate grounds because of what was portrayed to be a poor health condition.

[61] BP first moved into Libya after the Second World War and was instrumental in 1961 in the discovery of the Sarir field in the Sirte basin. After being expelled by Gaddafi for more than three decades, BP was keen to return to Libya and in 2007 struck a "historic deal" (Chazan, 2011) under which it was granted the right to explore for gas in offshore and onshore fields for $900m (£450m)(Wray, 2007).

[62] Of particular importance were French Total (which before the uprisings controlled approx. 14% of the oil and gas market (Rousseau, 2011), the Italian energy company ENI (which had been active in the country since 1959, and maintained its operations, even when other Western nations had ended economic relations in light of the political tensions as the Italian government made a deliberate choice to reduce its dependency on other Middle-Eastern states, while favouring a policy of "constructive dialogue" over one of "exclusion") (Callingaert, 1999, p. 29). Furthermore of importance were the Spanish REPSOL company as well as Germany's Wintershall and RWE (Stratfor, 2011).

[63] In particular, the China National Petroleum Corp (CNPC), as well as a the American companies ExxonMobil, Chevron, Occidental Petroleum, Hess, Conoco Phillips are key competitors in the Libyan energy market.

conducive to their respective interests. In order to do so, they sought to strengthen bilateral trade ties with Libya and outperform competitors. Ultimately, this led to a situation in which Gaddafi was able to "play the suppliers off each other" (Holtom cf. Rettman, 2011) and "business interests and economic interests as well as political interests overrode the ethical standards in many cases" (Nassauer cf. Rettman, 2011).

Figure 6: Major Foreign Energy Presence in Libya
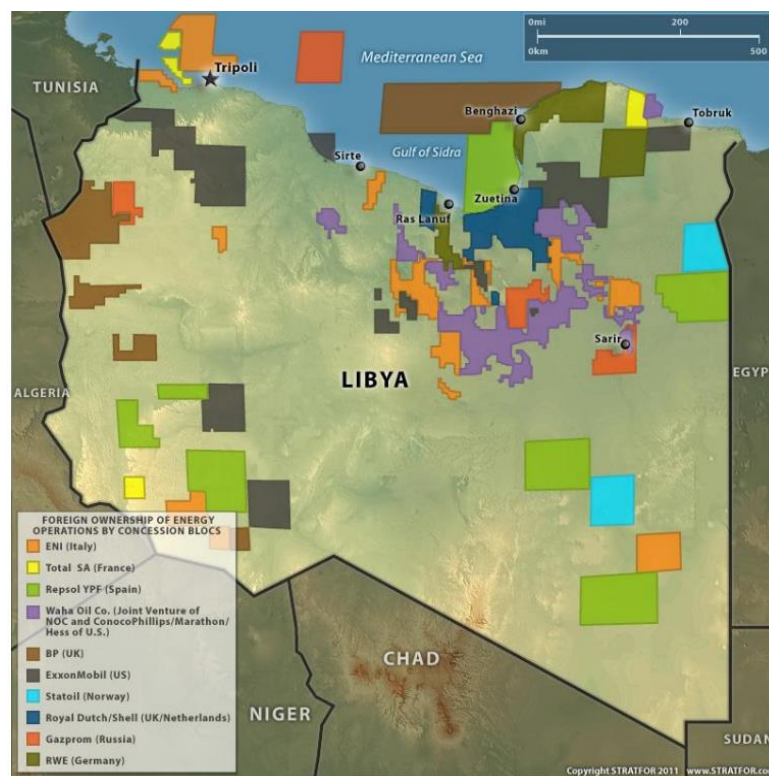
Source: Stratfor, 2011

2.3.2 Military and security affairs

The transfer of military and security equipment before the uprisings provides us with a second illustration of member states' relations not only with Libya, but also with the MENA region in general. While the value of export licenses from the EU to different countries in the region varied considerably (see Table 1), the MENA represented a considerable share of European arms exports overall. The relatively high military expenditure rates reflected many of the countries' wealth, as well as their complex security situations in light of inter- and intra-state tensions. The case of Libya, once more, is special in that between 1985 and 2003 it was subject to UN and EU embargos for all military equipment and technology. When the embargos were

lifted in 2003 and 2004 following the Gaddafi regime's promise to end its nuclear programme, discontinue its support to terrorist groups and to collaborate in the War on Terror, several member states identified "a window of opportunity (...) for exporting military and security equipment to Libya" (Vranckx et al., 2011, p. 37) and sold Gaddafi arms worth € 1.1 billion until the outbreak of the uprisings (Rousseau, 2011).[64] Such sales also took place in order to facilitate cooperation in the area of migration management; the argument used to legitimize the export of such equipment was that border control was needed to prevent illegal immigration from Africa to Europe. While a deal for surveillance and security equipment failed to materialise in 2010, i.e. just before the uprisings, due, *inter alia*, to concerns about abuses of migrants by Libyan authorities, it has been argued that the extensive preparations taken prior to the deal "illustrate the grand manoeuvres authorities in EU Member States were willing to make to justify arms exports in a situation where human rights were clearly at risk" (Vranckx et al., 2011, p. 38).

Table 1: Population and expenditure of defense and arms in selected MENA countries (2009)

Country	Population (thousands)	Armed forces (# active)	Defense budget as % of GDP	Defense budget, in € million
Algeria	35,468	147,000	3.8	3,786
Bahrain	1,262	8,200	3.6	532
Egypt	81,121	468,500	2.2	2,952
Iraq	31,672	578,269	6.3	2,952
Israel	7,418	176,500	6.9	9,690
Jordan	6,187	100,500	5.5	999
Kuwait	2,737	15,500	4.3	3,000
Lebanon	4,228	59,100	4.1	1,022
Libya	**6,355**	**76,000**	**2.8**	**1,225**
Mauritania	3,460	15,870	3.8	82
Morocco	34,603	195,800	3.3	2,195

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[64] While they "were looking forward to much more in the future" (Rousseau, 2011), new sanctions imposed by at the EU and UN-level in the wake of the uprisings prohibited such developments.

Oman	2,82	42,600	8.7	2,881
Qatar	1,759	11,800	2.5	1,792
Saudi Arabia	27,448	233,500	10.9	29,593
Syria	20,411	325,000	4.1	1,598
Tunisia	10,481	35,800	1.2	381
UAE	7,512	51,000	3.6	5,705
Yemen	24,053	66,700	3.5	633

Sources: The Military Balance 2011, Department of Economic and Social Affairs of the United Nations (2010)

Apart from Italy, France and the United Kingdom constituted the most active member states in this regard and in 2007, both countries signed agreements with the Gaddafi regime arranging the export of military equipment. For France, the 2007 Memorandum of Understanding (MoU) provided the opportunity to export Mirage fighter jets and other equipment (Vranckx et al., 2011),[65] while the UK signed an £85 million contract with the brigade of Gaddafi's son Khamis for a state-of-the-art command and control system from General Dynamics UK (Freeman, 2011).[66] While also Germany exported military planes, electronic equipment and tear gas to Libya, and thereby arguably provided the Gaddafi regime with the technical means it needed for the effective but highly contentious control of migration flows toward Europe via the Mediterranean Sea (Böcking, 2011)[67], it also reported more license denials than any other member states.[68] was hence more limited than that of France, the United Kingdom and other member states, the total value of export licenses from the EU to Libya saw a

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[65] The fact that France was the first country to conclude a major arms deal with Libya since the lifting of the embargoes was attributed, *inter alia,* to the fact that, while fighting in the Chad war, Libya's French-supported opponents were equipped with highly effective anti-tank missiles which were seen to have made a major contribution to their victory.

[66] For further treaties see e.g. Tholens (2011)

[67] If one further takes into account data on licenses and the wider commercial activities which constitute the arms trade business, including the production and sale of arms components (in contrast to the final product) or the training of Libyan personnel (Lutterbeck 2009; O'Huiginn), it becomes apparent just how much of a connection Europe had with Libya due to its business interests in the military sector prior to the uprisings against Gaddafi.

[68] This outcome is generally ascribed to the comparatively strong strong pressure by NGOs, media, and civil society to closely regulate the military-industrial complex (see e.g. Kollmer 2015)

steady increase from 2005 to 2011 nonetheless (see Figure 8). Experts hence concluded that "norms were trumped by the sake of material and strategic benefits" (Hansen and Marsh, 2015, p. 282), and argued that the "the normative power [Europe] was engaging in organized hypocrisy" (Ibid, p. 265).

Figure 7: Value of arms export licenses granted to Libya from member states
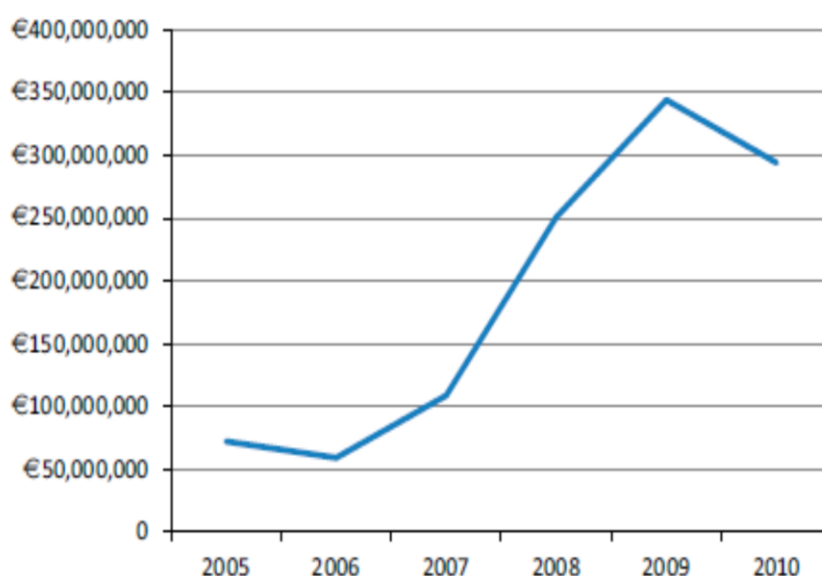
Source: Hansen and Marsh (2015)

Meanwhile Europe's most powerful member states, in addition to Italy and also Malta (see Tables 3-4), turned into Libya's suppliers of military and security equipment, competing for market shares and the most advantageous deals (Martinez, 2008).

Table 2: Table 3: Member states' military exports to Libya in 2009

Country	Small Guns	Military Planes	Electronic Equipment	Tear Gas, Chemical weapons
Total	6,101,995	9,688,033	85,416,087	278,244,867
Italy	0		1,016,948	107,726,979
France	2,345,007	1,045,360	10,689,216	126,177,565
UK	3,088	455,705	26,163,548	2,118,152
Germany	0	7,765,968	46,894,764	15,780,000
Malta	14,900			

Source: The Guardian 2011 cf. O'Huiginn, (2011)

Table 3: Exports of military equipment from EU-3 (and Italy) to Libya 2005–2010

State	No. of licences issued	Total value of licences issued in Euros
France	187	381,688,627
Germany	37	93,483,560
Italy	24	315,600,608
United Kingdom	539	98,464,407

Sources: cf. Hansen and Marsh 2015; Rettman (2011)

2.3.3 Migration management

A third area crucial for Libyan-EU relations until the uprisings was that of migration management. In the context of the aforementioned creation of a 'ring of friends', which could help Europe to pursue its interest of curbing from Africa to the continent, a number of initiatives took place as the Council of the European Union considered it "essential to initiate cooperation with Libya" in the context of "intensified cooperation on the management of migration flows with third countries" (Council of the European Union, 2002). Accordingly, an exploratory mission was conducted by the European Commission in 2003 in order to assess the potential for cooperation with Libyan authorities on migration matters. After the latter decided that a joint approach was indeed possible, a technical mission was conducted in the subsequent year with the objective to identify concrete measures for cooperation. The mission's recommendations laid out a number of different methods of future cooperation with Libya in the field of illegal immigration, including the "reinforcement of institution building", "training initiatives" in the areas of border control, surveillance, human rights and basic investigation techniques, "management of asylum", i.e. training for staff in charge of border control, reception centers and policy definition and "awareness raising" in terms of media campaigns aimed at discouraging irregular migration to be launched in Libya in the first place (Hamood, 2006, p.73). In addition to these initiatives, a first FRONTEX 'Technical Assistance' mission was launched in 2007, soon followed by a series of bi-lateral agreements, including a treaty between Italy and Libya in which Rome and Tripoli. While the treaty specified border control cooperation between the two countries, the European Union provided relevant funds, and thereby confirmed once more that migration management formed a crucial pillar of its relations with Libya. While this

practice of off-shoring and out-sourcing European interests (Vaughan-Williams, 2012, p. 189) contravened the principle of non-refoulement which was enshrined in Article 3 of the European Convention on Human Rights and thus put into question the genuine orientation of member states' foreign policy, it allowed the Gaddafi-regime to continue its use of migration as a foreign policy tool,[69] and turn itself into a much-sought after partner in the fight against terrorism, organized crime and undocumented immigration.

Conclusion

This chapter has provided an overview of the various agreements and interests which shaped Europe's relations with Libya prior to the uprisings and which constitute the background against which the EU-3 took action in 2011. It has demonstrated that whereas a wide range of different policy initiatives were pursued at the EU level toward the Southern Neighbourhood, Libya largely remained in an outsider position. Its relationship to Europe was thus for the most part characterized by coercive measures that reflected the logic and dynamics of the Cold War and Libya's hostility with the United States. The reconciliation efforts aimed at facilitating commercial activities and people-to-people contacts in the early 2000s were pushed forward by the EU – which increasingly built on Libya in helping to manage migration flows and protect Europe's Southern borders – and by those member states interested in furthering their business ties, in particular in the energy and the arms sector. European governments were thus at once competing and cooperation with each other, a fact which also impacted the way in which they interacted during the 2011 uprisings as the following chapters will demonstrate.

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[69] After having initially pursued an open immigration policy toward Arab countries as part of his pan-Arab approach, the Gaddafi regime changed its policy in the 1990s when Arab governments backed UN sanctions against Libya. Libya then shifted its focus toward Sub-Saharan migrant workers who it welcomed in line with Gaddafi's new approach on pan-Africanism.

3. Border Protection and Migration Management

Introduction

When, in 2012, the United Nations High Commissioner for Refugees (UNHCR) concluded that the Mediterranean Sea had become the "most deadly stretch of water for migrants"[70] (UNHCR, 2012) during 2011, the wider consequences of the uprisings in Libya and other states in the Middle East and North Africa (MENA) became obvious. Even though attempts to reach Europe – especially via the Italian islands of Lampedusa and Pantelleria – were not limited to that specific period of time and had impacted the EU's southern member states for decades, the political instability caused by the revolutions incentivized an unusually high number of people to undertake this dangerous journey (Frontex, 2016a). On the EU side, the increase in migrants was mirrored by growing political tension within and among member states as they sought to protect their borders and limit immigration. While, due to their geographic position, Italy, Malta and Greece were initially the most affected nations, the action of the EU-3 was highly relevant due to their overall influence on EU foreign policy and the significance of their available resources for activities in the realms of border protection and migration management.

The present chapter hence focuses on the various ways in which the EU-3 governments sought to respond to the sharp increase in the number of people fleeing Libya and North Africa in the context of the uprisings. It finds that in the early stages of the Libyan crisis, cooperation appeared to be rather high, as governments quickly agreed to take joint action by deploying European Border Guard teams through the border control agency Frontex.[71] Thereafter the

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[70] In this thesis, the term "migrant" is a general category used to describe people who do not have a constant place of residence and who – dependent on their momentary legal status and the level of protection granted to them – could be classified as asylum-seekers, refugees, or economic migrants (see e.g. Huysmans, 2000). As will be shown throughout this chapter, this distinction is, however, of vital importance for the different discourses taking place in member states and the respective action arising from it.

[71] Not a border police in its own right, the role of Frontex is that of a coordinating mechanism "with a strong intelligence component to it" (Interview with human rights activist, 01.03.2016). In its day-to-day activities, Frontex deploys additional experts such as false document experts, border checks and surveillance experts, dog handlers, debriefers, cultural mediators and interpreters, etc., and technical equipment (such as helicopters, planes, patrol cars, thermo-vision equipment, heart-beat detectors) to specific border areas when these are "under significant pressure" (Frontex, 2016b). When carrying out JO Hermes in 2011, the agency made use of all of these tools and subsequently laid out its efforts in a report, underlining the operational results of their activities (Frontex, 2012). Despite the positive light in which Frontex represented its activities, civil society groups repeatedly voiced criticism of the agency's practices, and a German refugee expert suggested that by returning migrants to places where they were detained under primitive conditions, JO Hermes showed a "crude disregard for human rights standards" (cf. Kroekel, 2011). This assessment was also shared by observers inside Libya who identified "a serious lack of policy and of a common (political and economic) agenda between EU member states (and) a lack of

French-Italian border dispute demonstrated that national authorities soon perceived the need to take unilateral or bilateral action in order to realize their respective interests.[72]

In order to explain these outcomes, it is demonstrated how the EU-3 constructed their interests against the background of their respective national role conceptions (NRCs) and how these shaped their attitudes toward specific forms of cooperation. It is found that in the realm of border protection, member states were driven by the perception of a common threat, whereas with regard to migration management, interests diverged in light of conflicting interpretations of sovereignty. Accordingly, they were keen to cooperate on stopping migrants and refugees from coming to Europe, but took different positions on how migration and asylum should be handled thereafter, with France pressing for a revision of the Schengen and Dublin systems, and Germany and the United Kingdom seeking to prevent such measures due to concerns about national security. While Germany later changed its position on these issues and developed into one of the key players in advocating for burden sharing, it can be concluded that in 2011 cooperation among the EU-3 was impeded by xenophobic tendencies in all three states.

3.1 Course of action

According to a well-informed French foreign policy-expert, the overthrow of the regimes in Tunisia, Egypt and in particular, Libya constituted a "three-fold challenge" (Interview with French foreign policy expert, 05.05.2014) to EU member states, as they simultaneously wanted to protect themselves from crime and unwanted migrants, to help people in need, and to use the opportunity to devise sustainable solutions for migration and refugee management in the future.[73] While seemingly separate issues, it must be stressed that in a narrow geographic space, where people as well as 'threats' travel easily regardless of whether internal borders exist or not, security concerns all EU member states, including the countries that are not part of the Schengen Agreement. Similarly, it can be expected that liberal democracies that frequently emphasise a shared value system and a commitment to human rights and security share an interest in devising policies that improve ways in which refugee and migration management are handled. Against this background and in light of the interconnected nature of security and migration issues, the

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serious response capacity" (NGO woker in Libya cf. Heinitz, 2013, p. 30). For an assessment of Frontex on the basis of its own stated goals, see Perkowski (2012).

[72] Due to the relevance that Italy played in this context, this part of the chapter provides rather detailed information on the activities carried out by Rome. Part two, however, will return to the initial focus of this thesis and explain the outcomes with respect to the EU-3 only.

[73] This chapter will engage solely with how the EU-3 responded to these challenges in 2011, and refrain from tracing the on-going and contentious debate about the future of the EU's migration and asylum policies.

subsequent sections will pay close attention to the different ways in which the EU-3 sought to address these challenges and the mechanisms through which interests and courses of action emerged.

3.1.1 Cooperative initiatives

The first measures taken by the EU-3 in the realm of border control and migration management were introduced on 20 February 2011, when all member states agreed to launch a search and rescue mission under the authority of Frontex and with participation of the European Police Office (Europol). The decision for Joint Operation ENP Hermes (JO Hermes) was taken quickly following the Italian government's request on 15 February 2011 – the very day that protesters gathered in front of Benghazi's police headquarters.[74] Comprised of 30 experts from 13 member states, JO Hermes was tasked with debriefing and interviewing migrants, the early detection and prevention of possible criminal activities at the EU's external borders and the collection of information on transportation routes and arrival numbers "for risk analysis purposes" in order to facilitate the "detection and prevention of border crossings" (Frontex Press Release, 21.2.2011).

In addition, Frontex deployed 20 expert personnel to immigrant detention centres in Calabria, Sicily and Puglia (Frontex, 2011b), while specialist screening and debriefing experts from six member states/Schengen-Associated Countries (SACs)[75] assisted the Italian authorities with processing irregular migrants.[76] Apart from personnel, member states also provided technical assets such as naval and aerial equipment to carry out the operation (see Table 34).

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[74] The timing of Italy's request demonstrates that the measure sought to address developments not only in Libya, but the whole MENA region.

[75] On 14 June 1985, five of the then ten member states of the European Economic Community (EEC) signed the Schengen Agreement, which established a single geographic area without internal border checks and subsequently introduced common rules on external border crossings (Neville, 2015). Over time, national border security systems were complemented by a range of EU-wide tools and as of 2004, the *European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union* (Frontex) became the most visible sign of Europe's commitment to cooperation in this area. While not members of the EU, Norway, Iceland, Switzerland and Liechtenstein are part of the Schengen Area, which does not include Britain, Ireland and Cyprus (maybe other EU member states as well).

[76] Interviewers found that the vast majority of irregular migrants that arrived in Italy were Tunisian, mostly young adult males, approximately 20 percent of whom indicated an intention to apply for international protection.

Table 4: Resources available to JO Hermes Extension 2011 (as of 25 February 2011)

Italy (Host Member State)	2 coastal patrol vessels, 1 aircraft, 5 experts, 2 cultural mediators
Austria	1 expert
Belgium	2 experts
Denmark	3–5 experts
France	10 experts, 1 aircraft
Germany	2 experts, 2 aircrafts
Hungary	2 experts
the Netherlands	1 aircraft, 2 experts
Portugal	7 experts, 1 aircraft
Romania	6 experts
Sweden	1 expert
Switzerland	2 experts
Spain	4 experts, 1 aircraft (at a later stage)
Source: Frenzen 2011	

When, on 23 March 2011, Frontex announced a five-month extension of the operation, the costs of the latter had amounted to €2.6 million (Frentzen, 2011). Even though the operation was seen as comparatively modest in the terms of its financial effort, it received widespread attention by human rights groups and civil society activists who were sceptical of Frontex's security-driven approach to migration. When Amnesty International accused the agency of systematically violating the Geneva Convention, and church representatives suggested a disregard for human rights standards, Frontex Director Illka Laitinen suggested that "should a humanitarian emergency erupt in the Mediterranean and should people flee for their lives, then we won't turn them away" (cf. Kroekel, 2011). He further underlined that "doing so would break international law" thereby indicating to the UN Geneva Convention and the ToL which made "democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter" (Article 21 ToL, 2007) compulsory for all of the EU's external action. The UK authorities also shared Laitinen's concern for security, and contributed to the Frontex operation from 2012 onward (see Frontex Annual Reports 2007-2014), thereby following the House of Commons' advice that the "Government make clear to the other

Member States that they wish to play as full a part as possible in operations, and should commit resources to them for this purpose" (House of Lords, 2008, p. 56)

Despite the criticism that Frontex faced from NGOs and human rights activists, the quick agreement on JO Hermes and the numerous other measures taken by the EU (see Table 5) can be seen as evidence of effective European cooperation. This assessment was also implicit in the comments of the EU Commission President José Manuel Barroso who, after having called for a "true spirit of solidarity and burden sharing on this issue", stated that he was "happy to see that the European Council endorsed this approach of solidarity among Member States, because some of them will probably be more affected" (Barroso cf. Frontex, 2011b). Other parts of the European Commission also praised member states' willingness to "assist the Italian authorities in managing the inflow of migrants from North Africa, particularly arrivals from Tunisia and the island of Lampedusa" (European Commission, 2011a), and hence concluded that "the EU's response has been swift, comprehensive and effective" (cf. European Scrutiny Committee, 2011). What first appeared to be intense cooperation at the EU level was soon challenged, however, by a number of unilateral initiatives that tested the solidarity of the EU-3.

Table 5: Overview of EU measures in the realm of border protection/migration management (as of May 2011)

Allocation of €40 million (€102 million if Member State contributions are included) for emergency humanitarian assistance
Launch of a FRONTEX operation (Joint Operation Hermes Extension 2011) to help Italy control sea vessels carrying migrants and refugees
Deployment of Europol experts to Italy to help identify possible criminals
Allocation of an additional €25 million from the European External Borders Fund[77] (European Commission, 2011b), and the European Refugee Funds and the Return Fund (European Commission, 2011c, p. 3) to assist Member States most exposed to the influx of migrants and refugees
Concrete proposals to develop a **dialogue on migration, mobility and security with southern Mediterranean countries**
Source: UK European Scrutiny Committee, 2011

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[77] The EBF seeks to strengthen financial solidarity between Schengen countries and focuses in particular on the facilitating the implementation of common standards for control of the EU's external borders (DG Migration and Home Affairs, 2015).

3.1.2 Instances of Unilateralism

The first act that demonstrated a lack of unity among the EU-3 was the decision by French authorities to re-install checkpoints along the border to Italy, which allowed them to control the number of people crossing the Italian-French border from the city of Ventimiglia to the commune of Menton (Ira, 2011). They did so after Italian authorities had begun to issue temporary residence permits to approximately 6500 people (Ajabili, 2011) after initially trying other measures to reduce the inflow of migrants into their country.[78] Even though the documents allowed the migrants to travel freely within the entire Schengen Area, most of them had indicated that they wanted to move to France.[79] Faced with this prospect and afraid of the precedent that this measure would set, Paris regarded this measure as an adequate response to "threats to public order" (Heuzé, 2011). It caused, however, a "diplomatic row" in Brussels (Pascouau, 2011), as other member states felt compelled to take positions on the disagreement.[80]

Even though the dispute was settled within days at a bilateral summit in Rome, where both parties agreed that France would honour the temporary residence permits on the conditions that the individuals could support themselves financially, this incident led to further and much more far-reaching disagreement among member states. Stating that "the situation concerning migration in the Mediterranean could rapidly transform into a crisis that would undermine the trust that our compatriots have in the [principle] of freedom of travel within Schengen" (Rinelli, 2015, p. 4), Sarkozy and Berlusconi underlined the need for reform if the other member states did not want the Schengen Agreement to end, and issued a formal request for a revision of its rules. Herein they demanded that temporary checkpoints be introduced more easily in the future, called for "more collective discipline and cohesion at all protection stages of common external borders" (Pascouau, 2011, p. 2), and lobbied a reinforcement of the mandate and resources of Frontex, an intensification of the Schengen evaluation system, and decided on joint sea and air patrols to try to stop African migrants from reaching Europe (Ibid.).

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[78] In light of an increase of migrants from Tunisia, the government in Rome first offered to pay €1500 to each person willing to return provided that the EU agreed to reimburse Italy (Frentzen, 2011).

[79] Italy's Interior Minister, Roberto Maroni, mentioned this destination explicitly when stating that the visas allowed free travel "for all those who want to go to France" (cf. in Euronews, 17.04.2011).

[80] The Dutch Minister for Immigration and Asylum, for instance, publicly scolded Italy for its "surprise decision to pass on its problems to all the others without prior notice" (cf. Leers in The Economist, 2011). The Austrian Minister of the Interior, Hans-Peter Friedrich, demanded that Italy "show a bit of goodwill" and "meet its responsibility" (Ehlers et al., 2011). Malta, by contrast, expressed its sympathy with the Italian decision, and acknowledged the logistical and administrative challenges the latter faced (Ibid, confirmed also in Interview with national official, 20.12.2015). Meanwhile, European Commissioner Malmström sought to calm the debate by underlining that "the inflow of refugees is very, very limited" and that "the debate is over-heated" (Malmström cf. Ehlers et al., 2011).

Throughout this process, German authorities seemed at first to pursue a conciliatory approach, stressing that "no one should be taking unilateral measures at this moment", and arguing that "rather than blaming each other, we need to put things into perspective" (Interview with German politician, 11.01.2016). Also, Germany's Minister of the Interior, Thomas de Maizière, tried to de-escalate the situation, stating that "so far there haven't seen any significant inflows – let's not make them a self-fulfilling prophecy" (Somsen, 2011). At the same time, however, decision-makers in Berlin discussed the re-introduction of border control measures and the option not to recognize the documents in Italy in order to avoid "attracting even more refugees" (Müller, 2011). Interior Minister Hans-Peter Friedrich even suggested that Italy should cope with what he considered a rather small number of refugees and criticized Rome for acting against the spirit of Schengen (cf. FAZ, 2011). Prime Minister David Cameron also claimed that the German and UK authorities cooperated closely in ensuring that proposals for a reform of the Dublin II Regulation, which determines the criteria and mechanisms by which a third-country national's asylum application is handled in the EU,[81] "were not referred to in any way in the council conclusions" (Cameron cf. Grant and Domokos, 2011a).

While Berlin and London hence cooperated on countering demands for greater solidarity by France and Italy, it was the UK government that most openly expressed its opposition to measures that challenged the status quo; it was the UK government that played the most major role "in blocking all discussion on reform to Dublin" (Grant and Domokos, 2011a). Following comments by the Home Office that "Italy is a safe country, with enough support available for all those in the asylum system" (Home Office cf. Grant and Domokos, 2011b),[82] media representatives accused Rome of pursuing a "strategy (…) to present this as a challenge to EU basic principles" (Hewitt, 2011) with the aim of "forc[ing] countries to construct a European solution" to a problem which – according to London – belonged to the southern member states. While such statements illustrate the degree to which public discourse in the United Kingdom was characterized by anti-migrant sentiment, it must be noted that they merely reflected the UK

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[81] On 18 February 2003 Council Regulation (EC) No 343/2003 established the principle that only one member state is responsible for examining an asylum application in order "to avoid asylum seekers from being sent from one country to another, and also to prevent abuse of the system by the submission of several applications for asylum by one person" (Council Regulation European Council, 2003 No 343/2003). The Dublin Regulation forms part of the Common European Asylum System (CEAS) which is meant to ensure the orderly processing and reception of asylum seekers and to create a wider harmonized migration policy throughout the EEA region. You may want to add here that this ruling put all the burden on southern EU member states and relieved countries such as Denmark, Germany or the Netherlands.

[82] According to the Dublin Convention, refugees are to be returned to the country via which they entered the EU as long as it is "safe" – a condition which applies to all member states of the EU. This was perceived as unfair in south EU member states.

government's position. The EU commissioner for human rights, Thomas Hammarberg, criticized this position openly when referring to Prime Minister David Cameron as "one of the northern representatives in this unfortunate discussion who has created a gap between north and south" (Hammarberg cf. Ibid.).

At the EU level these statements triggered mixed responses: after initially underlining the importance of preserving the Schengen *acquis* and insisting that the existing rules on the free movement of persons be equally applied by all member states,[83] European Council President Herman van Rompuy eventually agreed to reopen discussions about the possibility of temporarily suspending the application of the Schengen system in exceptional and well-defined situations. By responding to the French-Italian request, he thus paved the way for member states' discussions at the Justice and Home Affairs (JHA) Council meeting of 9–10 June 2011 and the subsequent European Council summit of 23–24 June 2011. During these meetings, EU governments recognized the "exceptional circumstances putting the overall functioning of Schengen cooperation at risk", and agreed that "as a very last resort (…) a safeguard clause could be introduced to allow the exceptional reintroduction of internal border controls in a truly critical situation" (Council Conclusions of 23–24 June 2011 paragraph 22). EU Commissioner Malmström confirmed this result when she officially acknowledged the need for reform of the Dublin II Regulation (Ehlers et al., 2011)[84], and thereby demonstrated the extent to which France and Italy had been successful in using EU institutions to amplify their voices and in turning their individual preferences into positions that were embraced at the EU level. Even

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[83] The statement occurred in form of a written response to a joint letter by France and Italy to Council President Van Rompuy and Commission President Barroso in which the two governments had presented their views.

[84] Following member states' agreement on the necessity to revise the rules governing the entry and stay of third country nationals, the Commission developed a range of initiatives and policy documents to reform and improve the existing legal framework of migration. The Dialogues on Migration, Mobility, and Security constituted the first initiative in this regard and sought to "develop mobility partnerships, ensuring that the movement of persons between the EU and its partner countries is well managed and takes place in a secure environment" (DG Migration and Home Affairs, 2011). From June 2011 onward, the EU began to conclude mobility partnerships and thereby reinitiated a process that had been started in 2006 but which was halted at the beginning of the uprisings. In addition, the Commission issued a number of communications and documents aimed at "re-installing both order and solidarity among member states" (Interview with Commission official, 15.06.2015). Among these documents, in particular, the Communication on Migration and its more comprehensive follow-up strategy, "A New Response to a Changing Neighbourhood", are noteworthy as they proposed essential reforms to the southern dimension of the European Neighbourhood Policy (European Commission, 2011d). Following the same objective, i.e. to provide a more comprehensive and less Euro-centric approach to migration, the Commission then also set out to revise its Global Approach to Migration (GAM), a framework which has since 2005 defined how the EU conducted its policy dialogue and cooperation with non-EU countries of origin, transit and destination. This had repeatedly been criticized for not sufficiently taking into consideration the interests of third countries and for being too conditionality-focused (Carrera et al., 2012). While its reform was already well underway in 2011, uprisings became a catalyst for this process.

though they were also able to ensure the *ex post* legitimization of their action through a Commission press release, which concluded that "from a formal point of view steps taken by Italian and French authorities have been in compliance with EU law" (European Commission, 2011e), the events demonstrated nonetheless that in the absence of legal certainty,[85] disunity could easily emerge and taint the overall image of cooperation in the EU.

It can thus be concluded that initially, the EU-3 cooperated closely when agreeing to measures to protect their borders, to detect and prevent criminal activities and to limit immigration numbers. However, this joint approach was soon challenged when, in response to action by Italy, France re-installed border control measures and then worked toward a revision of the Schengen Agreement and the Dublin II Regulation. While Germany officially sought to present itself as an arbiter on the issue, it appears that Berlin – at least initially – worked closely with London in order to prevent such changes. Building on these insights, the next part of this chapter will investigate the reasons that can account for this change from high to low levels of cooperation among the EU-3. The subsequent sections focus first on how the three states framed their respective interests before insights are provided into the rationales that drove their respective attitudes toward cooperation.

3.2 Explanations

Building on the insights regarding different cooperation outcomes set out in the first part of this chapter, the subsequent sections seek to explain the EU-3's respective choices with regard to how they constructed their interests and perceived the courses of action available to them. It is found that decision-makers in Berlin, London and Paris were initially driven by what they saw as threats to their national security and identity. While in the realm of border protection they were thus able to identify common ground that enabled highly cooperative action via the EU (Frontex), they were unable to uphold this common attitude in the realm of migration. Instead, took rather different interpretations of European solidarity which led them to take actions that served their own interests rather than a common objective. While France initially perceived unilateral action as an adequate response to limit migration, it soon saw bilateral cooperation with Italy, and work via the Commission as the most effective ways to realize its goal of revising the existing legal framework for migration and asylum. Yet also, the interests of the United Kingdom and Germany shifted from jointly protecting European borders to acting against France and others in order to ensure that the current system of migration management stayed in

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[85] For a detailed discussion of the legality and compatibility of the Italian and French measures with EU legislation, see Carrera et al. (2011).

place. Unified by this common objective, Berlin and London cooperated closely with each other, and other member states who were less directly affected than their southern partners. Whilst doing so, Germany felt compelled, however, to pursue – at least rhetorically – an approach that acknowledged its status as a Schengen member, whereas the United Kingdom, as a non-Schengen-member, was freer to openly push for a position that stressed the importance and dominance of national over European interests.

3.2.1 Interest formation

In order to understand the change from cooperative to adversarial behaviour in the realm of border protection and migration management among the EU-3, attention must first be paid to how the three countries constructed their respective interests in the first place. In this context, it is noteworthy that all governments perceived the increased likelihood of large numbers of migrants as a threat and potential trigger of criminal activities. While the Frontex mandate and the political rhetoric in EU capitals suggested that these governments also felt compelled to help people in need, the dominance of the security-rationale was revealed in the context of the dispute between Italy and France and their subsequent quarrel with other member states.

As people from its former colonies in Africa headed to France in order to join family members, find work, seek education or simply improve their standard of living, decision-makers in Paris were faced with a conundrum: one the one hand, they felt they had to live up to the idea of *Franceafrique*, i.e. its status as a powerful nation-state with close ties to its former colonies in North Africa, while on the other hand, they were aware that further immigration would not be welcomed by large parts of the French public. This became increasingly obvious as the right-wing xenophobic party *Front National (FN)* and its leader, Marine Le Pen, gained in popularity (Freedland, 2011). In order to respond to public concerns,[86] the government in Paris hence sought to take action that clearly communicated that it, too, would limit migration. In April 2011, the Interior Minister Claude Guéant, hence, echoed what he perceived as the public sentiment when he suggested that many French citizens no longer felt like they were "among themselves", and that that they were subjected to "practices which do not correspond to their social life" (Guéant cf. LeMonde, 2011).[87] He announced his determination to considerably lower the

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[86] In the following years, this sentiment increased even further. The discourse became increasingly securitized in light of terrorist attacks, leading observers to conclude a link between "an underlying Islamophobia" and countries' migration policies (see e.g. Betts, 2016).

[87] The original quote ("Les Français, à force d'immigration incontrôlée, ont parfois le sentiment de ne plus être chez eux, ou bien ils ont le sentiment de voir des pratiques qui s'imposent à eux et qui ne correspondent pas aux règles de notre vie sociale" – Guéant cf. LeMonde, 2011) caused considerable

number of people settling in France by reducing family reunifications. Directly comparing France's asylum policy with that of Germany and the United Kingdom, he also argued, however, that "our country is much more generous" than other European countries, and subsequently pushed for a reform of the existing legal frameworks for asylum and migration in Europe.

However, France was not alone in this harsh attitude toward migrants and refugees at the time. Also the governments of the Germany and United Kingdom framed their interests in light of concerns that the uprisings would trigger a vast increase in migrants via the Central Mediterranean Route, and stressed the unclear "societal and financial costs" (Interview with foreign policy expert, 05.08.2014). German foreign policy experts even acknowledged France's "dilemma" when explaining that "the French government was clearly torn between doing what was right – helping people and respecting Schengen – and responding to people's fears" (Interview with foreign policy expert, 05.08.2014), or when arguing that "Paris simply couldn't ignore Le Pen and risk losing French voters to extremists" (Interview with foreign policy expert, 05.08.2014).

Even though Germany later established itself as a more open country, welcoming more than one million refugees in 2015 alone (German Ministry of the Interior cf. FAZ, 2016), its authorities held a rather distinct attitude in 2011, when they expressed concern about the possibility of growing criminal activities and "large numbers of unidentified people arriving in Europe in an uncontrolled way" (Interview with German foreign policy expert, 04.08.2011). In order to justify this approach, several government representatives called for a better protection of European borders (ZeitOnline, 2011), while officials underlined the importance to uphold the "existing legal framework under which these matters are regulated in Europe" (Interview with German diplomat, 05.02.2016). However, other governmental officials underlined a "moral duty to help" and the necessity to "live up to European human rights standards and help people in need" (Interview with foreign policy expert, 29.02.2016). They furthermore saw the French-Italian border dispute in particular as a potential threat to the principles of the Schengen Agreement, which they perceived to be "one of the cornerstones of the European project" (Interview with German diplomat, 02.11.2015), and therefore stressed the need to arrive at a compromise. A German politician furthermore underlined that the Frontex operations had to be seen "in a greater context of demonstrating solidarity" (Interview with German politician, 11.01.2016), thereby referring in particular to the economic situation of the southern member states in the Eurozone crisis at the time. Also a foreign policy expert argued according the the

debate in France as it was seen as "right-wing politics which we would have accepted from Le Pen, but not from the government" (Interview with French foreign policy expert, 15.06.2014).

same line when suggesting "that some of the countries that were managing Europe's borders simply did not have the financial means to administer large numbers of people" (Interview with German foreign policy expert, 05.08.2014).[88]

While parts of Germany's political elites were hence keen to demonstrate solidarity as a "sign of good will" with its neighbours (Interview with German foreign policy expert, 04.08.2015) and fellow members of the Schengen Area, this particular rationale did not apply to the United Kingdom in light of the fact that the UK had not signed the underlying agreement.[89] UK politicians shared, however, Germany's concerns about illegal activities at Europe's borders and France's fears regarding a further increase in immigration, and therefore stressed the need for adequate monitoring, control and intelligence strategies (Interview with migration expert, 01.03.2016).[90] In this context it is important to note, however, that the discourse regarding migrants and refugees was particularly harsh in the UK (Interview with human rights activist, 22.01.2016). Despite the notable exceptions of MPs who spoke out for the rights of refugees,[91] many UK politicians merely stood by as the media increasingly framed the refugee crisis as a case of potential "foreign infiltration" and concerns over "what migrants were taking and what they were bringing" (Interview with foreign policy expert, 24.04.2016).[92] Such hostile attitudes were fuelled in particular by the right-wing UK Independence Party (UKIP) and its leader Nigel Farage, whose campaigns had stressed the seemingly adverse effects of migration for UK citizens with respect to employment and welfare benefits, and who created an atmosphere in which the words "foreigner" and "migrant" were increasingly perceived in negative terms (Interview with

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[88] More than the German government at the time, it was the opposition, however, which upheld the pro-European element of German national identity most strongly. Demanding for "the North not to leave the South on its own" (Özdemir cf. ZeitOnline, 2011), Germany's green party called for burden-sharing early one, while representatives of NGOs and human rights demanded that Berlin abandon its "Blockadehaltung" (obstructive attitude) toward a quota system and a "solidarity-based solution across the EU" (Lüke cf. ZeitOnline, 2011). These voices thus agreed with countries like Italy and France which had demanded greater solidarity when pushing for a temporary suspension of the Schengen Agreement and a revision of the Dublin System (Grant and Domokos, 2011b).

[89] While the United Kingdom and the Republic of Ireland have opted out of Schengen Agreement and instead maintain a free movement arrangement with each other – the Common Travel Area – they began taking part in some aspects of the Schengen Agreement, such as the Schengen Information System (SIS), from 2000 and 2002 respectively. Cyprus is also not a party due to the de facto division of the island.

[90] Whether the respective reactions by France and Italy are ultimately to be seen as proportionate, especially when at the same time Tunisian and Egyptian authorities, aided by the UNHCR and the IOM, "kept their borders open in order to cope with more than 600,000 people fleeing war in Libya" (Pascouau, 2011) remains a contentious issue throughout the crisis. In terms of cooperation, these developments are particularly interesting, however, in that what began as severe disagreement led, instead to close bilateral cooperation between the two countries shortly afterwards.

[91] These included, for instance, Sarah Teather (MP) and the members of the All-Party Parliamentary Group on Refugees.

[92] The interviewee suggested that large parts of the British public felt that immigrants "take jobs and money, and bring crime" (Interview with foreign policy expert, 24.04.2016).

UK human rights activist, 01.03.2016). But also UK government representatives refrained from taking a more supportive stance, when portraying an EU-wide burden-sharing scheme as "some sort of version of pass the parcel" (Clegg cf. Travis, 2011), or reiterating that that the people who had arrived in Lampedusa were "principally economic migrants"[93] (Cameron cf. Crawley et al., 2013) rather than refugees worthy of protection under the 1951 UN Refugee Convention.[94]

While such statements were uttered partly in response to Farage's growing popularity, and partly because it represented decision-makers' respective points of view (Interview with foreign policy expert, 24.04.2016), they must be seen as elements which further fuelled an already heated debate. It can thus be concluded that in 2011, the United Kingdom hence witnessed the emergence of a discourse of "a 'guest worker' labour force that is likely to damage the UK economy" (Home Office cf. Travis, 2011) and that contrasted with its self-perception as an open, tolerant and influential society (Interview with human right activist, 01.03.2016). Following the rationale that "the only true deterrent to illegal migration into the EU is an enhanced expectation of swift return to the migrant's country of origin" (European Scrutiny Committee, 2011, p. 47), and seeking to prevent a reform of the Dublin System, the United Kingdom furthermore adopted an approach that demonstrated its limited commitment to Europe.[95] Building on these insights about how EU-3 framed their interests in line with their security concerns and against the background of their respective NRCs, the subsequent sections will identity the situation-specific rationales (SSRs) that can account for these governments' respective choices regarding different courses of action.

3.2.2. Taking action

In order to account for member states' decisions to take different forms of action, and in particular to act via or outside the EU framework, it must first be underlined that the European

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[93] See differentiation between "irregular migrants (economic migrants trying to cross EU borders illegally), refugees or persons who may seek asylum, and people who are temporarily displaced (such as foreign workers in Libya driven out by the conflict and wishing to move back to their country of origin)" (European Commission, 2011d, p. 5).

[94] Despite the legal obligation to grant protection to anyone with a "well-founded fear of persecution" it has been argued that a range of measures to "prevent or deter the arrival of asylum seekers or to ensure their speedy departure from the country" has been used since the late 1990s. These measures include restrictions on access to welfare, place of residence, and freedom to settle in a place of their choosing (Gibney, 2011).

[95] More recent publications suggest a change in attitude in this respect, with a report of the House of Commons from 2016 stating that "all EU national governments should share the burden and contribute to disrupting the activities and destroying the boats and equipment of criminal elements who are the source of much of the migrant crisis, and who are the only party in this crisis to have gained from the suffering of vulnerable people" (House of Commons, 2016).

Commission has assumed a key role as the guardian of the "four freedoms",[96] and thereby influenced the way in which migration is regulated in the European Union. However, it has also taken a strong role in advocating for incentives to reduce irregular migration via a common European asylum system, and has advocated for a range of measures to secure the EU's external borders. In doing so, the Commission has also always operated in an environment of great tension, as control over borders and decisions regarding residence and citizenship are seen as closely linked to notions of national sovereignty. As member states are becoming increasingly aware of the interconnected nature of border protection in a unified Europe and the transnational character of crime and terrorism, they have successively transferred important competences to the European level.[97] While this insight is most obviously shared by the members of the Schengen Area, which cooperate via a wide range of measures, the United Kingdom[98] also largely ascribes to these insights and has therefore supported initiatives, joint operations, and agencies such as Frontex.[99] One can thus explain the UK's aforementioned decision to participate in JO Hermes from 2012 onward in light of this general awareness of a shared vulnerability to external threats.

That London has nonetheless retained a preference for independent action outside the EU framework manifested itself in 2011 most clearly in its opposition against a revision of the Schengen and Dublin rules. While cooperating closely with Germany on the matter, its underlying motivation was to avoid any measures that would potentially increase the number of migrants and refugees in the United Kingdom. Yet Berlin also was driven by a rather instrumentalist approach to cooperation when it opposed the revision of the existing framework, and seemed ready to forsake a joint EU approach in pursuit of its national interests. As has been demonstrated, however, Germany was, at the same time, also motivated by its commitment to

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[96] The free movement of persons, services, goods and capital are often considered the fundamental principles of the European Union and "central concepts of the Internal Market" (Sabathil et al., 2008, p. 73).

[97] One important step in this regard was the Tampere European Council of 1999, which called for "closer cooperation and mutual technical assistance between the member states' border control services, such as exchange programmes and technology transfer, especially on maritime borders, and for the rapid inclusion of the applicant States in this co-operation" (European Council, 1999). While the 2002 Communication 'Towards Integrated Management of the External Borders of the Member States of the EU' then sought to establish a common policy of management of the external borders to "overcome the weaknesses of national management of the external borders" by acting collectively (Mungianu, 2013, p. 361), it was only the creation of Frontex in 2004 which marked a "turning point in the development of operational cooperation" (Ilişescu, 2015, p. 5).

[98] The United Kingdom has not joined the Schengen area due to a belief "that we can protect our borders better than the Schengen states control their own" (House of Lords, 2008, p. 21).

[99] UK Parliamentarians have even explicitly recommended that "the Government should ensure that the United Kingdom participates effectively in the development and operation of Frontex" (House of Lords, 2008, p. 24).

Europe and therefore sought to promote its objectives not only in the European Council, but also via the European Commission. The latter, however, was also used by France and Italy, however, which managed to upload their interests in a particularly successful way. Since President Sarkozy had stated that "for the treaty to stay alive it must be reformed" (Sarkozy cf. Mahony, 2011), the Commission had little option but to support the demands of Paris and Rome.

Conclusion

While the speedy authorisation of Joint Operation Hermes suggests that the EU-3 acted in a concerted and coordinated way in the area of border control and migration management during the 2011 uprisings, the French-Italian border dispute and the subsequent debate regarding the reform of the asylum system soon challenged the image of close cooperation. Even though the bilateral dispute was quickly resolved and even led to a range of bilateral initiatives between Paris and Rome, it nonetheless triggered an intensive debate about solidarity and burden-sharing among all member states. In order to account for these outcomes, it was demonstrated that while the EU-3 shared the perception of the developments as a threat to national security and identity, they held rather distinct attitudes about how to effectively manage migration. These then manifested themselves in efforts by France, which together with Italy, pushed for a revision of the existing migration management and asylum rules. The United Kingdom and Germany were opposed to such measures and sought to promote their respective preferences with the help of EU institutions. While member states eventually reached compromises in the form of a revision of the Schengen rules, new EU-initiatives to manage migration, and a strengthened border security regime, the ongoing and contentious nature of the debate demonstrates that the measures taken in 2011 were insufficient in the end. This must be ascribed to the fact that they ultimately failed to address the underlying problems, namely, member states' perception of diverging vulnerability to migration flows and their different attitudes to refugees and migrants more generally.

4. Humanitarian Assistance and consular support

Introduction

In September 2011, the UK Foreign Secretary William Hague gave a speech entitled "The best diplomatic service in the world: strengthening the Foreign and Commonwealth Office as an Institution" (Foreign & Commonwealth Office, 2011) during which he expressed that between January and April 2011, the Foreign Office was "the busiest it has been since the Second World War" (Foreign & Commonwealth Office, 2011). According to Hague, one of the major causes of this outcome was the fact that the FCO had helped "to evacuate 6,000 British nationals from instability and violence in the Middle East and more than 570 extra staff volunteered to join large consular and political crisis teams that worked day and night in the FCO" (Ibid.). Indeed, the UK and most other European governments had engaged in numerous activities in order to evacuate their respective citizens and other people trapped in the conflict zone and to provide aid of various kinds to Libyan citizens and Third-country-nationals (TCNs).[100] In doing so they claimed to follow the principle of impartiality which underlies EU humanitarian assistance[101] (ECHO, 2015), and to focus merely on those people who were most affected, independent of their affiliation or background.[102]

The extent to which the EU-3 in particular were able and willing to cooperate when providing consular support and humanitarian assistance is the focus of this chapter. The first part describes action taken at the national and the Community levels and finds that while the EU-3's governments carried out most action unilaterally, they also took considerable efforts to work together. In doing so, they were able to cooperate on the expertise of the Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO), and the EEAS' Monitoring and Information Centre (MIC). In addition, Paris, London and Berlin also took a number of *ad hoc* initiatives, such as joint evacuation operations of European and Libyan citizens as well as third country nationals.

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[100] According to Libyan authorities, between one and two million foreigners were staying in the country before the uprisings. The largest groups consisted of migrant workers, mainly from neighboring Tunisia and Egypt as well as from West Africa and South Asia. Another group consisted of "genuine refugees and asylum seekers" who had fled war, forced military conscription or political persecution in countries such as Somalia, Eritrea, Ethiopia or Darfur (Fruehauf, 2011).

[101] The term "humanitarian assistance" is generally used to describe the provision of *immediate* support for victims of an emergency, while *long-term* rehabilitation as well as economic and social development efforts are usually referred to by the term "humanitarian aid" (UN 2004). Reflecting the political practice in the EU as described by relevant officials, the terms humanitarian "aid" and "assistance" will be used interchangeably throughout this chapter.

[102] In line with the objectives laid out in the European Consensus on Humanitarian Aid that the Council, the European Parliament, and the European Commission had signed in 2007, governments also sought to prove their commitment to improved coherence, effectiveness and quality of the EU's humanitarian response during the Libyan crisis (Ibid.).

The second part of this chapter explains this outcome of comparatively high levels of cooperation with view of how the EU-3 framed their interests in light of their national role conceptions, and their respective situation-specific rationales. It is found that across all three countries decision-makers perceived the protection of citizens as a key responsibility of the state, and were driven by the same normative conviction that helping people in need, including third country nationals, is a moral obligation. At the same time, governments were held back by a number of concerns which occasionally led them to take unilateral action, such as the insight that the provision of humanitarian assistance can also constitute a very effective foreign policy tool. Accordingly, they felt that this was not an activity that they wanted to fully 'outsource' to EU institutions in Brussels.

4.1 Courses of action

In light of the growing violence and increasing instability in the aftermath of the outbreak of the protests in Libya in February 2011, all EU-3 governments quickly took action to evacuate their citizens from Libya.[103] In doing so, they also supported other European governments, and soon widened their efforts to include other non-European nationals. In addition, they also provided humanitarian assistance to people of different nationalities within Libya.[104] Against this background, the subsequent sections will first elaborate the various cooperative initiatives and then focus on those instances during which governments preferred to take unilateral action instead.

4.1.1 Cooperative initiatives

On 22–23 and 26 February 2011, Germany carried out two evacuation operations, *Operation Pegasus* and *Operation Nafurah,* which safely transported 262 people out of Tripoli and the Nafurah area (Gebauer, 2011).[105] However, only 125 of them were German nationals (Deutscher Bundestag, 17/5359, 2011). [106] Similarly, French evacuation task forces carried out several

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[103] According to an assessment by the EEAS, there were about 7,500 EU citizens in Libya at the time, of which 6,500 asked to be evacuated (EEAS, 2011).

[104] Prior to 2011, large numbers of foreigners lived and worked in Libya, or were "held in police stations, prisons and camps across the country" (Hamood, 2006, p.30).

[105] These efforts led to a discussion about the government's alleged failure to request parliamentary approval for evacuation activities which had included the presence of German soldiers on board an evacuation air plane (Deutscher Bundestag, 2011). The criticism, brought forward by the Green Party was eventually refuted by a Federal Constitutional Court judgment which found that in the case of an emergency evacuation, no such authorisation was needed (Bundesverfassungsgericht, 2015).

[106] In doing so, German authorities cooperated closely with some of the commercial companies that were active in Libya, including the crude oil and natural gas producer, Wintershall AG. Together, they

manoeuvres through which not only 342 French citizens were evacuated, but also 45 nationals of other European countries and 111 individuals from other countries (Government of France, 2011), including 23 Malian, 20 Lebanese, 10 Comorian and 10 Guinean citizens. Meanwhile, the United Kingdom carried out its evacuation activities, code-named *Operation Deference,* through the UK Joint Force Headquarters which had deployed into the British High Commission in Valletta, Malta, on 25 February (Ripley, 2011).[107] In addition to presiding over the UK evacuation operation, British Army Brigadier James Bashall, also oversaw an *ad hoc* multinational Non-combatant Evacuation Operation (NEO) co-ordination cell, charged with accommodating all international NEO missions.

The attention that the UK gave to the NEO Coordination Group (NCG) reflected the fact that the latter had been championed by UK representatives in the first place with the objective of providing a "forum for the sharing of doctrinal concepts and methodology, increases situational awareness and allows lessons to be identified, shared and learned for the benefit of all" (Sutherland, 2012, p. 17).[108] However, also staff from EU institutions underlined the usefulness of this forum and pointed to the relevance of the relationship between representatives of the Consular Unit of the EEAS' Situation Centre and their counterparts in EU capitals when it came to establishing the location and number of citizens for evacuation (Interview with two EEAS official, 12.06.2015). They furthermore alluded to the "close cooperation between EU Military Staff and the various Ministries of Defence", and suggested that "the Non Combatant Evacuation Coordination Group became the core of the evacuation by military personnel" (Interview with two EEAS official, 12.06.2015).

Shortly after initiating evacuation measures, the EU-3 furthermore began their support for civilians inside Libya. On 24 February 2011, Germany provided the International Committee of the Red Cross and Red Crescent with an initial round of funding to facilitate the emergency treatment of people who had become victims of violence in Libya (Auswärtiges Amt, 2011). Four days later, France also announced the first stage of the mobilisation of its emergency

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facilitated the evacuation of 132 individuals by the German GSG-9 through its private runway (Blumenthal, 2011).

[107] Initially, the United Kingdom's evacuation operations were accompanied by complaints about delays after the government of David Cameron had failed to charter flights early on and the liberal-democratic coalition was accused of a "rudderless government" (Wintour and Watt, 2011).

[108] The NCG is an intergovernmental group which meets twice a year and has a rotating presidency and which consists of three representatives per member: a military NEO planner, a military NEO practitioner, and a member of the Foreign Office Consular Crisis Group. The group derives its added value from the fact that it provides contact details for all NEO planners and thereby enables the establishment of a virtual NEO Coordination Cell in the early stages of any crisis. In addition it "provides a forum for the sharing of doctrinal concepts and methodology, increases situational awareness and allows lessons to be identified, shared and learned for the benefit of all" (Sutherland, 2012, p. 17).

support for Libya and sent two planes carrying doctors, nurses, logistics coordinators, and five tons of medical equipment and medication to Benghazi (Government of France, 2011), while the United Kingdom made funds and equipment available to support organisations working on the ground (British Red Cross, 2011). These examples demonstrate that all three member states were keen to quickly signal their willingness to provide aid workers with the equipment and resources they needed in order to be able to carry out their important tasks. In view of the extent of the crisis and the way in which the latter affected large numbers of civilians, especially in Libya's major cities[109], these initial efforts soon proved insufficient, however.

On 3 March 2011, in response to growing levels of instability and suffering, EU Commissioner for International Cooperation, Humanitarian Aid and Crisis Response, Kristalina Georgieva, and Enikő Győri, the Hungarian Minister of State for EU affairs, therefore called on member states "to step up their efforts to provide urgent relief to the stranded refugees and to facilitate their passage home" (European Commission, 2011). Following the Commission's appeal, EU governments indeed increased their financial and in-kind support significantly, providing nearly €74million until October 2011. Together with the funds provided by the European Commission, member states thus provided more than €154 million in total support.[110] At the same time, individual contributions differed considerably. The United Kingdom and Germany (as well as Sweden) acted as particularly generous donors, whereas Eastern European member states dispersed funds only reluctantly[111] (European Commission Humanitarian Aid & Civil Protection Office, 2011, see Table 6). This was interpreted as a "clear indicator of the political meaning of the crisis for these donor countries" (Interview with national official, 05.01.2016).

From the viewpoint of EU institutions, the provision of humanitarian aid constituted an "unprecedented effort" of cooperation among the Commission, the EEAS (SitCen/EU Military Staff) and the (Hungarian) Presidency which activated the EU's civilian defence mechanism

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[109] Nearly half of Libya's population lives in these cities.

[110] One official suggested, however, that while this encouragement from Brussels might have motivated some officials to take even more action, there was already a general awareness among European governments of the growing need for humanitarian aid due to continued violence (Interview with German official, 07.02.2016).

[111] This finding corresponds with other studies, which found that Hungary, Poland, Slovakia and the Czech Republic have overall been rather "reluctant" to approximate their official development assistance (ODA) policies to the EU's *acquis communautaire* since their accession (Lightfood and Szent-Iványi, 2014, p. 1257). As the same time, however, Hungary, in its function of holding the rotating presidency at the time, maintained a presence in Libya which allowed other member states to stay aware of developments on the ground even, after they had closed their embassies due to increasing violence (Ladányi and Rózsa 2011). In addition, Romania proved to be essential in facilitating the coordination of evacuation efforts (see subsequent section).

(European Union Delegation to the United Nations, 2011a).[112] As a major donor organisation in its own right, the Commission/DG ECHO[113] provided more than €80 million to "ensure that the immediate needs of those who had crossed the border were covered, people in need were assisted, and that migrants who were stranded could be repatriated" (European Commission, 2012, p. 8). Community-level support was thus even higher than the voluntary contributions which reached Libya from member states directly and which amounted to €73.9 million in October 2011. In this context, it is crucial to notice that not all resources drawn from the general European Commission budget, the Civil Protection Mechanism (CPM) and the European Development Fund (EDF) were used exclusively to support action inside Libya. Approximately 0.7% of the funds (see Table 6) were also dispersed among member states in order to support the latter in covering the costs incurred from large numbers of migrants arriving to these territories. This kind of financial assistance, formally known as 'co-financing', was thus granted to Belgium, Bulgaria, France, Hungary, Italy, Malta, Spain and Sweden in order to help them provide medical care, facilitate further travel and support the repatriation and reintegration of TCNs (European Commission 2012).

Table 6: Member states' and EU contribution to humanitarian assistance in Libya
(as of 14 August 2011 on the basis of aid figures contained in ECHO fact sheet)

Donor (top 3 in brackets)	Commitments Total (€) (cash and in-kind)	In-kind Assistance (MIC/CECIS) Main items
Austria	1,150,000	Health kits, kitchen sets
Belgium	1,000,000	Plane for repatriation
Bulgaria	139,650	Plane for repatriation
Czech Republic	100,000	
Denmark	4,844,690	Experts
ECHO	70,000,000	
Estonia	100,000	
Finland	2,850,000	Blankets, tents, medical team

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[112] The mechanism was an instrument which had been decided by member states' interior ministers in 2001, and its activation constituted a first important step toward the quick disbursement of funds on 23 February 2011. In 2013, the mechanism was then turned into an EU legal act, following the joint decision by the Council and Parliament (European Council, 2013).

[113] Following the Lisbon Treaty, the former Civil Protection Department under the Directorate-General (DG) for Environment merged with DG ECHO and the new agency became the DG for Humanitarian Aid and Civil Protection.

France	2,942,584	Planes, vessels, medicines
Germany (3)	9,913,861	Planes, vessels, sanitation
Greece	1,660,752	
Hungary	51,200	Plane, experts
Ireland	1,000,000	Blankets, tents
Italy	4,001,971	Planes, tents
Lithuania	14,481	
Luxembourg	1,077,700	Expert
Malta	430,949	Planes for repatriation
Netherlands	2,500,000	
Poland	277,032	
Slovenia	50,000	
Spain	6,606,794	Planes, medical post
Sweden (1)	15,861,391	Planes, tents, sanitation
United Kingdom (2)	13,651,934	Planes, vessels
Total (before co-financing)	**140,224,988**	
Co-financing requested by Belgium, Bulgaria, France, Hungary, Italy, Malta, Spain and Sweden	10,574,084	Transport co-financing requests
European Union Total	**150,799,072**	

Source information: European Commission 2012; Interviews conducted by the author.

In addition to the financial assistance, European institutions furthermore took an important role when DG ECHO deployed its own humanitarian and civil protection experts to the Libyan borders with Tunisia, Egypt, Algeria and Chad in order to get a better understanding of the support needed there. Tasked with providing constant assessments of the situation on the ground, the multi-sectoral teams collected the information necessary in order to deliver emergency treatment and to coordinate mechanisms to deliver relief aid (European Commission, 2011). As they arrived before most member states' experts, they also acted as a "first contact point" (Interview with German official, 05.02.2016) for the latter. Where the EU cooperated with Libyan NGOs, most of which were still located in or around the capital city of Tripoli, they paid close attention to ensuring the organizations' independence and impartiality.

In order to facilitate such efforts, the EU opened an office in Benghazi in May 2011, from where its experts coordinated with the international humanitarian community and regional actors such as Tunisia, Jordan and Turkey to ensure that "relief reaches the most vulnerable people" (European Union Delegation to the United Nations, 2011b). At the end of August 2011, a second humanitarian office was established in Tripoli in an effort to reach out even more effectively to international partners such as the United Nations High Commissioner for Refugees (UNHCR), the International Federation of the Red Cross (IFRC) or the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA). In addition, the EU delegations allowed for increased European visibility on the ground and thereby fulfilled a similar function as the visits to Libya of high-level staff, such as the Commissioners for Enlargement and Neighbourhood Policy (Štefan Füle), for Home Affairs (Cecilia Malmström) and for Humanitarian Aid (Kristalina Georgieva) (European Union Delegation to the United Nations, 2011a). Official EU actors thus replaced the Hungarian Presidency, which had initially taken up this task and facilitated the coordination of different assistance efforts between European and international partners.

Table 7: Overview of Commission-funded humanitarian assistance

✓ Assistance to the people fleeing Libya/Evacuation of EU citizens
✓ Support to the repatriation of third-country nationals to their country of origin
✓ Financing and prepositioning of emergency stocks to provide relief aid in Libya
Source: EU Delegation to the United Nations 2011a

In addition to these EU-level wide efforts, there were also instances of bilateral cooperation. Such was the case when France and the United Kingdom carried out a mass airlift of refugees from the Libyan-Tunisian border to Cairo and other destinations. While the majority of those fleeing were Egyptians, citizens of other nations including Bangladesh, Thailand, Vietnam, Sudan, Ghana and Mali had been working in Libya and were seeking to leave the country at the outbreak of violence. Following a request from the United Nations High Commissioner for Refugees (UNHCR) and the International Office for Migration (IOM), in view of a growing number of people stranded in tent cities on both sides of the Libyan-Egyptian border and UN concerns over racially charged violent clashes among them, the European countries established an air bridge from the Tunisian island of Djerba which allowed approximately 10,000 foreigners to return to their home countries (Borger et al., 2011). The activities were carried out for about three months, starting in the United Kingdom on 2 March

2011 and in France one week later. While member states cooperated closely in various ways when evacuating citizens and assisting people on the ground, they engaged in unilateral initiatives nonetheless as the subsequent sections will demonstrate.

4.1.2 Instances of Unilateralism

In order to ensure that financial and in-kind contributions were used most effectively, the EU-3 usually worked through their respective ministries of foreign affairs and/or development, which then assured close cooperation with actors on the ground. In particular the UN, the Red Cross, Red Crescent, the World Health Organisation (WHO), the International Organization for Migration (IOM) and several European non-governmental organisations were essential partners in this respect, as "they held well-established networks of personal relations which allowed them to deliver aid most effectively" (Interview with member states' official, 05.02.2016).

One particularly successful example of an area in which member states worked with partners on the ground – though not necessarily with each other – was medical support. According to Libyans involved in these efforts, Greece, Germany and Malta in particular provided extensive support to the Libyan health services after most of the foreign medical personnel that had been employed in Libya before the uprisings had fled the country. As Libya lacked qualified medical personnel as well as equipment after the outbreak of violence, the expertise, resources and organisation skills of member states, directed through projects such as the Wounded Libyan Evacuation Team (WLET) which had been set up by the NTC in order to facilitate urgent health care, were much appreciated. However, representatives of WLET pointed out differences among member states, and found that while Germany and Greece "showed a great deal of flexibility with regard to administrative processes such as issuing visas etc., other countries weren't very co-operative in this regard, especially British and French authorities who often took weeks to issue visas so that they could treat people abroad" (Interview with Libyan health care worker, 08.04.2015). This suggests that cooperation among the EU-3 was rather poor, as they clearly pursued different policies on this issue.

Another realm in which member states showed considerable commitment and sizable support – though not necessarily high degrees of cooperation – was the provision of food supplies. This essential task had become problematic due to the disruption of food imports once Mediterranean ports became insecure and thus unreliable when faced with fighting. The ports had previously served as distribution points for goods. In cooperation with the World Food Programme, the Red Cross and the Red Crescent movement, and a number of smaller NGOs, several member states thus supported the local civilian population. It was, for instance, a French

Red Cross boat which was the first to reach Misrata after the town was besieged and provided "invaluable support for the local population" (Interview with German diplomat, 05.01.2016). However, these efforts were taken mostly on a unilateral basis, and priorities were identified by experts in national capitals who cooperated closely with the relevant NGOs (Ibid.). This attitude was also reflected in the visits to Libya of national representatives, which they undertook on their own rather than as a group with other Europeans. After UK representatives already had made their way to Libya on 6 June 2011, the German Foreign Minister Guido Westerwelle and development minister Dirk Nibel formally visited the country on 13 June 2011, in order to demonstrate Berlin's willingness to "contribute to stabilisation of the situation in Libya as rapidly as possible" and announcing that the Federal Ministry for Economic Cooperation and Development (BMZ) "will also provide up to 7 million euro for emergency and transitional measures" (BMZ, 2011). Insiders suggested, however, that "this was obviously and above all a way for Berlin to "also get a foot in the door'" (Interview with German official, 22.12.2015).

In light of these findings, it can thus be concluded that the EU-3 took a wide range actions which were unilateral, but which often complemented EU-level aid. In addition, member states also supported each other directly when evacuating not their own and other European citizens as well as TCNs. In terms of cooperation, the picture is thus mixed, demonstrating instances of close cooperation and of unilateral action.

4.2. Explanations

Building on the insights regarding the EU-3's practices in providing consular support and humanitarian assistance laid out in the previous sections, the second part of this chapter investigates the underlying reasons for the comparatively high levels of cooperation. It finds that, irrespective of their individual national role conceptions, all three states were motivated by the belief that protecting their citizens and helping people in need more broadly constitute a prime responsibility of the state, and of EU countries in particular. It is therefore the extent to which they also sought to ensure individual visibility in order to promote their image in the region or their economic interests that reveals greater insights into their different ideational constructs which led them to the choice of one course of action of another. The subsequent sections will therefore elaborate on these ideas, starting with insights into how the EU-3 perceived their interests, before insights into their respective SSRs are provided.

4.2.1 Interest formation

The wide array of activities that the EU-3 undertook in order to help citizens in Libya and neighbouring countries during the uprisings reveals the strong commitment these states had toward humanitarian values. Yet, when asked about their priorities, representatives of all three states stated that their main concern lay with the well-being of *their own* citizens. With regard to the evacuation efforts carried out by the German government, one official thus noted: "of course the primary responsibility lies with the individual, or maybe their employer, to avoid danger. But one cannot always foresee events – that's the character of a disaster (like the one in Libya) – and when things go wrong, we step in. It is the role of governments to be there for their citizens" (Interview with German diplomat, 05.01.2016). While this statement reflects an idea of government as a protective force for citizens which is already present in 17th century social contract theory,[114] it furthermore suggests an understanding of government officials as service providers. This idea was also reflected in the comments of a French former diplomat, who stated that "in the end, we, our government, France (…) are assessed by how we perform in the face of unexpected event" (Interview with French official, 12.06.2016), thereby suggesting that in his work for the foreign service, he ultimately also contributed to domestic politics. This insight was furthermore confirmed when, following initial difficulties to evacuate UK citizens, David Cameron felt the need to publically apologise (Wintour and Watt, 2011).

While one might assume that governments have few incentives to extend these levels of protection to citizens of other countries, one official underlined that he felt that "there is a moral obligation to help" (Interview with German diplomat, 05.01.2015). The fact that this attitude is not limited to representatives in Berlin but is shared among member states becomes obvious if one considers the fact that under the Treaty of Lisbon, any EU citizen whose country does not have a representation in a third country can obtain assistance from another member state's consular services under the same conditions that this state would give assistance to its own citizens, in particular during times of crisis (Article 23 TFEU, 2007). The fact that cooperation in consular affairs takes place under a specific legal framework demonstrates that member states are characterized by a shared awareness and ideational commitment to provide support to each other. At the same time, however, European governments frequently demonstrated that they were also willing to apply this rule to third country nationals and that their solidarity with people in need was not dependent on their citizenship. One official sought to emphasis this principle

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[114] Locke (1689) suggests that governments are formed first and foremost in order to ensure the preservations of the natural rights of citizens.

when claiming that "we will help others as long as we have sufficient capacities and resources" (Interview with German official, 05.01.2015).

At the same time, it must be acknowledged, that the provision of support and assistance in crises, much like development aid, is often a mere reflection of states' preferences. While in the academic literature on the nature of EU action toward the external world this has at times revealed inconsistencies between action and objectives (see e.g. Aggestam, 2008; Ferreira Nunes, 2011), most interviewees did not see this practice as problematic. One foreign policy expert furthermore suggested that "who you evacuate and how you communicate this are highly political acts" (Interview with French foreign policy expert, 16.06.2014), thereby demonstrating the relevance of such humanitarian action for domestic politics at the national level. One foreign policy expert explained that aid became an "entrance gate" (Interview with foreign policy expert, 04.08.2014) for all major powers into Libya. In light of the insight that member states' ideational predisposition to help people in need is easily influenced by or even contingent upon their material interests, further attention must be given to the specific ideas that determined their actions during the Libyan crisis.

The EU-3's national role conceptions played out in numerous instances during the Libyan crisis in the realms of consular support and humanitarian assistance. High-profile action such as the air-bridge or the evacuation of large number of citizens from African countries are hence not only a reflection of France's commitment to provide support to those in need, but must also be seen in the context of its self-image as a key regional player in North Africa. Similarly, also the United Kingdom had the opportunity to demonstrate its status as an influential global power and the continued relevance of the Royal Navy when carrying out actions in and around Libya. In addition, the Cameron government was able to dismiss claims that it was mostly interested in pursuing commercial objectives in Libya and the Middle East after it was accused of only having "turned its attention to dealing with the humanitarian crisis after a lukewarm response to the United Kingdom's proposal for a no-fly zone over Libya" (Borger et al., 2011).

By contrast, German activities in this field must be seen in the context of its conception of its role as a "civilian power" and the opportunity to demonstrate commitment to the region without having to deploy soldiers or engage in combat. It can thus be argued that in light of this self-image, Berlin was particularly interested in humanitarian assistance as a foreign policy tool. In particular, the provision of medical treatment seems to have served strategic objectives in addition to humanitarian relief, as governments were aware that taking care of the physical needs of the revolutionaries "was an important card for the National Transitional Council to win its

war against Gaddafi" (Interview with Libyan health care worker, 08.04.2015). Supporting the latter in its efforts thus constituted another way for the Germany to strengthen its ties to the Libyan opposition despite its reluctance to act as proactively as France and the United Kingdom.

Indeed, one can make the argument that in 2011, humanitarian assistance had moved away from its original palliative function and was now part of a broader framework of political tools – an interpretations which resonates with that of assistance as an instrument for peace-building and a means of promoting human rights and good governance (see e.g. Macrae and Leader, 2000; Mills, 2005). Furthermore, the political dimension of humanitarian assistance became obvious in the differences between member states' support for wounded civilians. Even though Libyan interlocutors demonstrated understanding for the diverging practices among the EU-3 and member states more generally and acknowledged that "there wasn't yet a new government in place which could have assured payment to European hospitals" (Interview with UK-based expat from Libya (health care worker), 08.04.2015), the outcome demonstrated different attitudes toward the provision of humanitarian aid as such. This became even more obvious when "a pattern emerged within the first few weeks of the evacuation process to use the WLET as a vehicle to reach European destination for other purposes than health treatment such as political asylum, tourism (…) etc." (Ibid). The fact that Germany (and Greece) purposefully overlooked such practices was perceived by Libyan partners as a "serious commitment to save human lives", which resulted from the fact that "they really believed in what the Libyans were doing at that particular point in time" (Ibid.). Alternatively, it can be regarded as a particularly effective way to build relations with the Libyan people, and to thereby engage in exactly the kind of politically-motivated provision of aid which the European Commission sought to avoid.

4.2.2. Taking action

As EU institutions such as the Commission's *Monitoring and Information Centre* (MIC) did not possess any assets of its own, authorities among the EU-3 found that the latter's role was rather limited, with one official arguing that the MIC was "really only a communications hub" which enabled authorities to share updates on the situation if they wanted. It was also argued that it "really only provided added value for smaller member states which did not have sufficient capabilities on their own and therefore needed to rely on the support of larger ones" (Interview with French diplomat, 13.06.2014). While EU officials were aware of these constraints (Interview with EU official, 13.06.2015), they nonetheless argued that the MIC had played a crucial role in

facilitating the evacuation of around 5,800 EU citizens and more than 31,700 TCNs[115] between March and May 2011. At the same time, they suggested that there was "still considerable room for improvement" in the future if only member states were willing to "fully share their assets" (Ibid).

Interviews with bureaucrats in the EU-3 capitals revealed, however, that they had few intentions to do so, as they perceived a need to be able to use their own resources wherever and whenever they were needed. One official thus explained: "sharing is an excellent idea, but we need to make sure our resources are sufficiently flexible in order to use them when – and wherever we might need them. We cannot risk for them to be bound elsewhere" (Interview with national official, 06.02.2016). It was furthermore suggested that the "Consular Online" (CoOl) database, which allows its users to share relevant information on consular affairs and especially on planned and successful evacuation efforts, could as such be a useful tool, but that "feeding information into a database is not our priority during a crisis" (Ibid.) That official also suggested that "we prefer calling our partners directly when we need help" (Interview with national official, 06.02.2016.).

This preference for an *ad hoc* level of cooperation was particularly dominant in the United Kingdom, where it was argued that an "adequate mechanism cooperation mechanism existed already since 2006 already", namely, the Coordination Cell for the Non-Combatant Evacuation Operations (NEO).[116] In line with official documents stating that "as a result of the inherent variance in national political thresholds for action and the potential speed of onset, NEOs are unlikely to be conducted as a multinational operation acting under a single headquarters" (Ministry of Defence, 2013), one British official argued "we should focus on improving existing structures rather than on creating new ones at the EU-level" (Interview UK diplomat, 08.12.2015). The UK hence acted according to the rationale that while states' action needed to be coordinated, the EU and MIC did not necessarily constitute the only adequate organisation through which to do so. With regard to the provision of humanitarian assistance, member states were furthermore reluctant to completely transfer powers to EU institutions as doing so bore the risk of reducing their individual visibility. In this context, one foreign policy expert hence

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[115] Because many TCNs were from Sub-Saharan Africa and were regarded as mercenaries of the Gaddafi regime, they increasingly became subject to threats of reprisal and deliberate attacks of regime opponents. Prevented from moving freely across Libyan territory and seeking shelter and support, they thus became a priority to humanitarian aid workers (Interview with MS aid worker No. 1).

[116] A NEO is defined as an "operation conducted to relocate designated non-combatants threatened in a foreign country to a place of safety" (NATO, 2013, Glossary of Terms and Definitions). The cell was set up after following an *ad hoc* operation during the 34-day military conflict in Lebanon in 2006.

referred to assistance as a "key tool for foreign policy" (Interview with foreign policy expert, 15.03.2016).

At the same time, however, the EU-3 did identify numerous instances in which they regarded cooperation at the EU-level as beneficial. Such was the case with regard to activities which could be facilitated by DG ECHO. In light of the latter's 200 highly-specialised desk officers in Brussels, 100 experienced field experts and a large corps of voluntary workers who provide specialist knowledge, the Directorate was thus deemed useful due to its organisational skills in the technically complex domain of humanitarian assistance and seen as a particularly effective way for member states to dispose of knowledge and resources which otherwise would not have been available to them (Interview with Commission official, 15.05.2015). A German diplomat underlined this point when stating that "we didn't know much about Libya. The country, the people, the culture – this was *terra incognita* for most of us. Being able to speak to someone who knows where to go, who to meet, how to do things, was really useful for us" (Interview with German diplomat, 05.01.2016). These functions became even more relevant once member states had closed their respective embassies. Drawing on ECHO experts as well as the Hungarian Presidency thus allowed governments to be represented and informed even when they had to withdraw their own diplomats in light of an unclear security situation. While this was of particular importance for smaller member states, the EU-3 also cooperated closely with the Commission services by informing them about "who was in the country, who they were meeting, what projects they wanted to do" (Interview with Commission official, 07.05.2015). During the uprisings in Libya, member states were thus in a position that allowed them to draw on EU expertise when needed and to provide (part of their) assistance without it being subject to the risk of being understood as a political tool.

Conclusion

This chapter has demonstrated various ways in which the EU-3 acted and cooperated in the realm of humanitarian assistance and consular support. It was found that with regard to evacuation activities as well as the provision of humanitarian assistance, the EU-3 were willing to support each other. At the same time, however, they also took a wide range of unilateral initiatives, and cooperated with international organisations on the ground rather than with each other directly. By providing resources as well as services, such as a mass airlift or the treatment of wounded Libyans in European hospitals, the EU-3 furthermore demonstrated their willingness to alleviate suffering. In this context, it was found that the role and involvement of EU institutions was particularly high as the Commission contributed significant amounts of

funding as well as expertise via DG ECHO and that the overall level of cooperation in the realm of humanitarian aid and consular support can be considered rather high.

In order to explain this outcome, it must be emphasized that while the EU-3 were motivated predominantly by a desire to help people in need, they were also deeply aware that humanitarian assistance can constitute an effective tool to reach political objectives. Interpreting events through their respective NRCs, the EU-3 hence sought to confirm their self-images as important global or civilian powers. Their situation-specific rationales then led them to take action that was seen as most effective and efficient with regard to pursuing overall goals such as furthering political prestige or economic advancement. With its strong support for the NEO Coordination Cell, the UK in particular demonstrated its preference for *ad hoc* cooperation over institutionalised cooperation in this area, but was willing, nonetheless, to work via the EU if doing so promised to be advantageous. Meanwhile, Germany and France seemed to have fewer concerns about cooperating via EU institutions and the MIC in particular. However, all three states acknowledged the added value of EU cooperation in the realm of humanitarian assistance even though they shared a concern that doing so might decrease their respective visibility in the long run.

5. Restrictive Measures

Introduction

The practice of imposing sanctions is part of the EU's "integrated and comprehensive policy approach" (European Council, 2016) to crisis-response and constitutes an essential tool in European foreign policy. Used by individual states and the EU as a whole "to pursue objectives in accordance with the principles of the Common Foreign and Security Policy" (EEAS, 2016), sanctions are commonly presented as a means to target third countries, specific individuals, or selective entities in a "preventive [and] non-punitive" fashion (Ibid.). This idealized image of sanctions promoted by the EU frequently contrasts, however, with the latter's actual practice of treating sanctions as a means to punish behaviour, especially violations of human rights. A more accurate way of looking at sanctions thus conceives of them as "politically motivated penalties imposed as a declared consequence of the target's failure to observe international standards or international obligations by one or more international actors [the senders] against one or more others [the targets]" (Giumelli, 2011, p. 15). Because they fulfill a multitude of different functions, from coercing to constraining and signaling, sanctions or restrictive measures, must be analysed within the "larger foreign policy strategy context" (Giumelli, 2013, p. 7) of a given situation in order to be adequately understood. Even though it has been argued that the "sanctions practice transcends the CFSP framework, affecting broader dimensions of EU governance" (Portela, 2015, p. 40), member states are still at the heart of defining and setting the limitations of this strategy context.

Against this background, the present chapter explores how the EU-3 positioned themselves toward and made use of restrictive measures during the 2011 uprisings in Libya. It finds that overall Berlin, Paris, and London closely coordinated their actions with the assistance of EU institutions which, in turn, prepared meetings, provided expertise, and drafted relevant documents. In addition, the chapter finds that, even when they disagreed on specific aspects, these states largely refrained from communicating their disunity in a public manner, thus upholding an image of close cooperation. In order to explain this outcome, the chapter argues that member states were characterized by general willingness to cooperate in order to incentivize the Gaddafi regime to change course, to support the Libyan opposition, and to help to protect civilians. At the same time, they shared a common understanding about the effectiveness and appropriateness of sanctions and the necessity to pursue them via the EU. It is shown that in line with their respective NRCs, the United Kingdom was particularly interested in staying close to the United States, while the French government sought to re-establish and underline its credibility and calm domestic critics, whereas decision-makers in Germany were keen to promote

an image of the EU as an effective international actor. Once military options were discussed, Berlin furthermore perceived of sanctions as a means to punish the regime without having to resort to the use of force. When faced with the question of how to cooperate, the three governments furthermore agreed that action via the EU was needed in order to fulfil their legal obligations, to ensure the effectiveness of the measures, and to convince sceptical members to adhere to a common line.

5.1. Courses of action

While the initial responses of the EU-3 had focused on condemning violence against civilians, the EU-3 soon agreed that critical statements alone were insufficient to achieve a change in behaviour by the Gaddafi regime. In order to explain this change in policy, one British diplomat stated that there was a growing awareness among the EU-3 that "naming and shaming clearly didn't lead us anywhere", concluding that "we needed to send a more forceful signal that Gaddafi's action was intolerable" (Interview with British diplomat, 08.12.2015). The limited time frame in which this realisation occurred becomes apparent when one takes into consideration the fact that only three days after protests had broken out, UK Foreign Secretary William Hague called for a reassessment of Britain's trade relationship with Libya (Hufbauer et al., 2011) and condemned the "violence in Libya, including reports of the use of heavy weapons fire and a unit of snipers against demonstrators" (Hague cf. Beaumont and Clark, 2011). Accordingly, the United Kingdom revoked eight licenses for the export of arms to Libya on the following day (Ghosh, 2011). The Parliamentary Under Secretary of State at the Foreign and Commonwealth Office (FCO) responsible for the Middle East and North Africa, Alistair Burt, further declared that licenses would not be issued "where we judge there is a clear risk that the proposed export might provoke or prolong regional or internal conflicts, or which might be used to facilitate internal repression" (cf. Al Arabiya, 2011), thereby also explaining government policy toward Bahrain.[117] This early push for sanctions was not undisputed domestically, however, and led Prime Minister Cameron to emphasise that, irrespective of these measures, the UK was generally in favour of free trade, and sanctions should only be used against states that caused "real problems" (Notin, 2012, p. 30). As the subsequent sections will demonstrate, however, Germany and France soon pursued a similar policy, thereby initiating a highly cooperative course of action among the EU-3.

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[117] Following the violent response to events in Bahrain, the UK government revoked 44 licenses which concerned mostly riot control equipment, including tear gas and rubber bullets (Al Arabiya 2011).

5.1.1 Cooperative initiatives

On the 23rd of February, the same day that Cameron underlined his continued commitment to free trade, French President Nicolas Sarkozy pressed for "concrete sanctions" during a Council meeting, in an act that was widely seen as a way of countering allegations of poor leadership in foreign affairs (France 24, 2011).[118] Germany embraced this sanctions policy as well by taking similar measures against Libya and Bahrain, with German Foreign Minister Guido Westerwelle pressing for "even more comprehensive economic and financial sanctions" (Westerwelle cf. in Die Bundesregierung, 2011) after a first set of restrictive measures had been agreed upon. Concretely, he proposed to cut off all oil and other payments to Libya for sixty days in order to limit Gaddafi's ability to hire further mercenaries to repress the popular uprising (Novinite, 2011). The sanctions track was quickly endorsed at the EU-level as well, where the multiannual programming ENPI 2011-2013[119] was suspended and negotiations on a framework agreement with Libya were halted (Stavridis, 2014). While these already constituted restrictive measures in and of themselves, they also fulfilled a legal precondition for further sanctions, as the latter could not be imposed without ending formal agreements first.[120]

Despite these measures, and despite the fact that on 23 February 2011, EU representatives jointly condemned the "unacceptable use of force against civilians" (cf. Pop, 2011), stating that the Union was "ready to take further measures" if need be, other member states were not as keen on taking measures against the Gaddafi regime. It was not until they were obliged to implement provisions from UN Security Council Resolution 1970[121] on the 17th of February 2011 (European Council, 2011a; UN News Centre, 2011) and faced additional

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[118] In an article in Le Monde, a group of French diplomats anonymously complained that role of the French diplomatic service had declined under the presidency of Sarkozy.

[119] The 2011 allocations to Libya of around €10 million were dispersed nonetheless – albeit in way that corresponded to the needs of the Libyan population for humanitarian and technical assistance. Under the headings Civil Society Support, Education and Public administration capacity building, sums of €3.1 million, €2.4 million and €4.5 million respectively were thus dispersed in order to establish NGO resource centres, support local councils and grassroots organisations, and support the transitional Libyan authorities (EEAS Internal Document). Further funds were provided via the Instrument for Stability (IfS) and the European Instrument for Democracy and Human Rights (EIDHR).

[120] EU trade restrictions would have contravened Community obligations under ongoing treaties.

[121] Resolution 1970 imposed, *inter alia*, an arms embargo on Libya that requested that all states take measures to "prevent the direct or indirect supply, sale or transfer to the Libyan Arab Jamahiriya, from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical assistance, training, financial or other assistance, related to military activities or the provision, maintenance or use of any arms and related materiel, including the provision of armed mercenary personnel whether or not originating in their territories" (United Nations Security Council Resolution, 1970).

pressures from high-level authorities[122] that EU member states were able to truly agree on a common approach.

Before the meeting on 23 February 2011, French and German representatives had called for "immediate sanctions" (Pop, 2011). Rather than agreeing on concrete measures, however, national representatives ended up merely declaring their intention to take action. The communiqué that was issued in the aftermath of the meeting was therefore seen as evidence of the fact that France and Germany were "wary of imposing sanctions on the Libyan dictator" (Ibid), and it was perceived to reflect the fact that neither EEAS officials nor the EU-3 were at this point able to convince those member states raising doubts that sanctions would actually help to prevent further atrocities against protesters. Arguably, UN-level measures thus played not only a crucial role in convincing non-Western states, which initially had expressed doubts regarding the adequacy of sanctions (Adler-Nissen and Pouliot, 2014), but also in convincing the more sceptical members of the EU.[123]

In addition, also bilateral and EU-level efforts were soon made for the very purpose of ensuring a united European position. For instance, on 24 February 2011, four days before another relevant Council meeting, German Foreign Minister Guido Westerwelle met with his Italian counterpart Franco Frattini in Berlin and underlined that Italy's cooperation was needed if Europe was to take effective action against Gaddafi (Interview with German diplomat, 10.08.2014). Furthermore, HR/VP Ashton stressed the need for "as much pressure as possible to try and stop the violence (…) and see the country move forward" (Ashton cf. Radio Free Europe, 2011). On 28 February 2011, Council decision 2011/137/CFSP then introduced a range of restrictive measures, including an arms embargo (i.e. a ban on the supply of arms, ammunition and related material to Libya), a prohibition on trade in equipment which might be used for internal repression, and a freezing of the assets of Gaddafi and five members of his family. In addition to this, activities such as training, assistance, and the provision of armed mercenary personnel were prohibited under these guidelines (see Table 8).

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[122] UN Secretary General Ban Ki-moon reminded the International Community that sanctions constituted "a necessary step to speed the transition to a new system of governance" and "a strong message that gross violations of basic human rights will not be tolerated" (Ban cf. UN News Centre, 2011).

[123] Among the latter was Italy, which held particularly close trade relations with the Gaddafi regime under the government of Silvio Berlusconi (see Chapter 2).

Table 8: Timeline Sanctions (EU and UN)

Date	Measure	Level of activity
19.02.2011	UK and France revoke licenses for the export of arms to Libya	National
22.02.2011	**Suspension of EU-Libya cooperation agreement** on political, economic, social, and cultural dialogue and cooperation on migration	Commission
24/25.02.2011	**Consultations among EU Energy minister** on the situation in Libya	Council
26.02.2011	**SC Resolution 1970** -authorizes all (UN) member states to seize and dispose of military-related materiel banned by the text. -calls on all (UN) member states to facilitate and support the return of humanitarian agencies and make available humanitarian and related assistance in Libya. -expresses SC's readiness to consider taking additional appropriate measures as necessary to achieve that goal. -establishes a new committee to monitor sanctions, to liaison with member states on compliance, to respond to violations, and to designate the individuals subject to the targeted measures. -lists all individuals and entities immediately subjected to the targeted sanctions in an Annex to the resolution.	UN SC
28.02.2011	**COUNCIL DECISION 2011/137/CFSP** adopts measures "to reinforce the UN Security Council-mandated sanctions", i.e. -introduces a weapons embargo, a no-fly zone over Libyan airspace, and restrictions on admitting certain persons into European Union (EU) territory. -provides for the freezing of their economic resources.	Council
02.03.2011	**COUNCIL REGULATION (EU) 204/2011** implements a legal prohibition to -sell, supply, transfer, export, purchase, import or transport from Libya equipment which might be used for internal repression.-provide technical assistance or brokering services related to equipment which might be used for internal repression	Council
03.03.2011	**COUNCIL REGULATION (EU) 204/2011** implements the following measures: -an embargo on equipment which might be used for internal repression. -a ban on the provision of certain services. -a directive enforcing a 'prior information' requirement on cargoes to and from Libya. -a freezing of the funds and economic resources of listed persons, entities and bodies	Council

	-a prohibition to grant certain claims to the government of Libya.	
23.03.2011	**Council Decision 2011/178/CFSP** amends Decision 2011/137/CFSP by -banning flights of Libyan aircraft in EU airspace and vice versa; -introducing exceptions to asset freezes	Council

Sources: European Commission 2011, compilation by the author

Member states also agreed on a visa ban for sixteen persons which, apart from Gaddafi and parts of his family, also included other persons who were seen as "responsible for the violent crackdown on the civilian population since 15 February" (European Council, 2011e). While these measures were implemented UN Resolution 1970, the EU chose to adopt a range of autonomous measures[124] (Koutrakos, P. (ed.), 2011) by both extending the visa ban on ten additional individuals and freezing the assets of another twenty persons who were seen as responsible for the violence against civilians (European Council, 2011b, 2011c in Annex, 2011e).[125]

In view of the ongoing repression of protestors, three additional EU regulations were then adopted in the weeks following the Council meeting on the 28 February 2011 (see Annex), all of which extended the scope of EU sanctions even further whilst largely reflecting the fact that further action was taken at the UN level as well. These measures concerned the interruption of financial and technical assistance, aid cut-offs, the withdrawal of GSP benefits[126] (see Table 8), and the targeting of relevant business entities (including Libyan oil companies like the National Oil Corporation (NOC)), sovereign wealth funds, and financial institutions in an attempt to cut off Gaddafi's sources of funds.[127] Particularly relevant at the level of the UN was Resolution 1973, adopted on 17 March 2011, which not only imposed further sanctions on the Gaddafi

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[124] Autonomous can take the form of "additional entries for the blacklists approved by the UN" or constitute "more stringent prohibitions than those the UN stipulated", thereby falling within the UN sanctions regime or existing independently.

[125] This practice reflected the procedure laid out in Article 215 of the Treaty on the Functioning of the European Union (TFEU) which provides a legal basis for the interruption or reduction of the Union's economic and financial relations with one or more third countries "where such restrictive measures are necessary to achieve the objectives of the Common Foreign and Security Policy (CFSP)" (TFEU).

[126] The EU's "Generalised Scheme of Preferences" (GSP) allows exporters from developing countries to pay smaller or no duties on their exports to the EU.

[127] In June 2011 it was argued, however, that "the impact of these wider measures is potentially limited as Libya's oil industry has already been brought to a near standstill by the heavy fighting" (Cannon et al., 2011).

regime but encouraged the International Community to take "all necessary measures to enforce a no-fly zone (NFZ) over Libyan airspace in order to protect civilians".[128]

Close cooperation among the EU-3 further manifested itself in the common statements and positions that emerged from both Council and PSC meetings and the technical expertise that was provided by the Council secretariat and the EEAS.[129] In addition, the European Commission played a particularly important role as well when it tried to generate agreement among member states and calm markets and investors by publicly communicating messages that underlined both the necessity and the added value of sanctions. Energy Commissioner Oettinger, for instance, stressed both that Europe held large oil reserves and that it could count on other OECD countries, notably Saudi Arabia and Russia, to ensure that its demand was met. Indeed, he suggested that "Gaddafi is dependent on Europe rather than the other way round" (Oettinger cf. Deutschlandfunk 2011) In this context, EU institutions thus served as relevant forums for interaction: they helped to put into perspective member states' respective interests, and they encouraged cooperation, especially among those countries that were either going to be more affected by sanctions than others or had concerns about specific aspects of the way in which restrictive measures were handled.

An example of the latter was the decision, on 15 April 2011, to lift some of the sanctions that member states had initially put into place. Among the individuals who profited from these measures was Libya's former intelligence chief and Foreign Minister, Moussa Koussa, who had defected from the Gaddafi regime on 30 March 2011 and who is widely believed to have "approved of the extrajudicial killings of enemies and foreigners" (Julie, 2013, p. 226) while in office. After the United States had lifted sanctions against Koussa on the 4th of April, EU representatives agreed to follow suit in order to "encourage others within the Libyan government to take similar decisions to abandon the Gaddafi regime" (Cohen cf. Rettman, 2011). They furthermore expected that "Mr. Koussa's close knowledge of the ruling circle, which he is believed to be sharing inside a British safe house, could be invaluable in trying to strip Colonel Qaddafi of support" (Shane, 2011). Even though the decision was taken by all EU member states, they were rather divided on the issue. A German diplomat, for instance,

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[128] Concretely, this provision meant that, except for emergencies, countries were to prohibit the take-off, over-flight and landing in their territory of any aircraft that was registered in Libya or belonged to a Libyan person or company, as well as aircraft suspected of carrying items that were prohibited because it could be used for internal repression and military purposes. These provisions did not apply to flights with solely humanitarian objectives, e.g. aircraft transporting medicines, food or personnel on humanitarian missions.

[129] For further information on the legal basis of sanctions and the procedure for the adoption of legal instruments implementing restrictive measures at the Community level, see European Commission (2008).

emphasized that "this initiative originated in London" (Interview with German diplomat 05.02.2016), and indicated that members in the Auswärtige Amt were rather sceptical toward a policy that tried to incentivize defections by lifting sanctions against a person as controversial as Mr Koussa.

Criticism was raised within the United Kingdom itself as well, however, where some observers deplored the fact that the decision was made "without debate or public remarks" (Rettman, 2011). Relatives of the victims of the Lockerbie bombing further accused the UK government of hypocrisy, as the coalition government had previously opposed the freeing of Abdel Basset al-Megrahi, the only man convicted of the Lockerbie bombing, by Scottish authorities in 2009.[130] While opponents of the lifting of restrictive measures against Koussa pointed to the potential negative effects of this "diplomatic game" for the justice system (Flynn cf. Shane, 2011), a spokesperson of the government explained that "sanctions are designed to change behaviour" and underlined that "it is right they are adjusted when new circumstances arise" (cf. Reuters, 2011a). Foreign Secretary Hague furthermore expressed that the lifting of sanctions would not preclude the criminal persecution of Mr Koussa. While EU institutions were unable to help the EU-3 overcome these differences, they nonetheless proved to be effective fora for bringing about a unified position as, eventually, all member states did agree on this measure. That they were not always successful in generating a joint outcome, however, can be seen in France's controversial decision to deliver arms to Libyan rebels despite the arms embargo (Gélie, 2011).

5.1.2 Instances of unilateralism

As previously described, Resolution 1970 imposed an arms embargo on Libya, and it thereby prevented all transfers of weapons to the country. However, there were three exceptions to this rule. The final of these referred to items for "humanitarian or protective use": protective items taken to Libya by UN personnel or journalists, and any "other sales or supply of arms and related materiel, or provision of assistance or personnel as approved in advance by the Committee" (UN Resolution 1970).[131] Even though it was argued that the formulation "humanitarian or protective use" left some room for interpretation, it was to be interpreted in a rather narrow way. A briefing for the UK Parliament, for instance, concluded that "the

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[130] The victims' families were furthermore particularly upset about the fact that in dealing with Mr. Koussa, the Cameron government followed the advice of a UK secret service member who underlined that "under no circumstances should Koussa be handcuffed" (Ferguson cf. Volkery, 2011).

[131] The word 'Committee' in the quote refers to a body that had been set up to monitor the sanctions imposed by resolutions 1970 and 1973, and that was to report if either the governments of member states or any actors within those states took measures that violated the rules put in place.

committee might refuse to allow" any "method of transferring arms to the rebels" (Smith and Thorp, 2011, p. 7).

Against this background, it is particularly surprising that soon reports emerged according to which the French government had decided to directly supply opposition fighters with arms, thereby breaching the arms embargo which applied to *all* groups inside Libya and not only to Gaddafi's troops.[132] While a lack of clarity continues to persist as to what kinds of weapons were delivered at what point,[133] it is crucial for the question of cooperation among the EU-3 to highlight that neither Germany nor the United Kingdom seemed to have previously been informed of such measures. When confronted with these accusations, UK Parliamentary Under-Secretary of State at the Ministry of Defence Gerard Howarth, for instance, seemed to have been unaware of Paris' alleged practices, stating merely that "this is not something we should do" (Howarth cf. Der Spiegel, 2011).[134] Also German diplomats reported not to have been aware of such measures either (Interview with German diplomat, 10.08.2014).

While this incident did not lead to open disagreement between the EU-3, a British official suggested informally that "overall, Germany and the United Kingdom were much more aligned on the sanctions issue than each of them was with France" (Interview with British official, 8.12.2015), thereby suggesting that neither London nor Berlin approved of Paris' proactive approach of arming the rebels. While it is for future research to provide further clarity about these events and their legality, it can – for now – be concluded that France's (alleged) violation of the arms embargo indicates a level of disagreement and a propensity toward unilateral behaviour which stands in contrast with the overall image of close cooperation among the EU-3 throughout the sanctions process. This can be ascribed to the fact that the attention given to these contentious issues outside of France was limited, and that the media's attention overall focused more on the legality of arms transfers as such rather than on the level of

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[132] Russian Foreign Minister Sergey Lavrov was the harshest critic and pointed out that "[if] this is confirmed, it is a very crude violation of the UN Security Council resolution 1970" (Reuters, 2011b). His French colleague Alain Juppé, however, suggested that "we had informed the UNSC and our NATO partners" (Juppé cf. AFP, 2011), and military spokesperson Thierry Burkhard emphasised that Paris had only delivered light weaponry for self-defence purposes (Burkhard cf. Der Spiegel, 2011).

[133] While Thierry Burkhard admitted that France had merely delivered light weaponry, but indicated that "anti-tank missiles have been parachuted into Jebel Nafusa", it was found that "Le Figaro newspaper and a well-placed non-government source said France dropped several tons of arms including Milan anti-tank missiles and light armored vehicles" (Stratfor, 2013).

[134] Later on in became known, however, that in order to "help the re-establishment of a civilian security presence on the streets and will strengthen the capability of the NTC police to provide security in the areas under their control" (UK Department for International Development, 2012), the United Kingdom had itself provided limited assistance to Libyan rebels at the time. Unlike the weapons allegedly provided by France, the UK's delivery of 5,000 sets of body armor, 6,650 police uniforms, 5,000 high-visibility vests and communication tools did not trigger a diplomatic fall-out at the international level however.

cooperation among the EU-3. In addition, levels of disagreement among the EU-3 were relatively small when compared to the differences that existed between the EU-3 and some of the southern member states, which maintained particularly close political and economic ties to the Gaddafi regime (see e.g. Cala, 2011).[135]

5.2 Explanations

In order to explain the high degree of cooperation which, overall, characterised the EU-3's approach to sanctions, the next part of this chapter will first elaborate on how French, German and UK decision-makers framed their country's respective interests, and how the latter then shaped their attitudes toward cooperation. In order to do so, attention is first given to the impact of their national role conceptions (NRCs) in determining the overall likelihood of these countries choosing cooperation as a preferred strategy, before insights into the prevalent situation-specific rationales (SSRs) are used in order to account for the three states' respective choices to pursue action predominantly via the EU and UN. It will be argued that in France, Germany and the United Kingdom, sanctions were seen as a legitimate and effective way to both coerce the Gaddafi regime and support the Libyan opposition, and that decision-makers generally felt a strong commitment to taking joint action through the available fora and portraying an image of unity.

5.2.1 Interest formation

In order to understand the broader context in which the decision to issue sanctions against the Gaddafi regime was made, it is necessary to recall the business ties that France, Germany and the United Kingdom had with Libya, and the fact that their respective industries and economies were going to be affected by sanctions as well. As they derived 7.7, 8 and 16 per cent of their oil imports from Libya, respectively (see Table 9), while the EU-average was a mere 2 per cent (Oettinger cf. Deutschlandfunk, 2011), it thus seems particularly puzzling that Germany, the United Kingdom and France did not seek to obstruct agreement during the meeting of EU Energy Ministers on the 24[t] and 25 February 2011, but rather emerged as the principal powers pushing for restrictive measures. Indeed, they also put considerable effort in trying to convince others to follow suit.

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[135] Later in 2011, reports emerged according to which the Libyan government had been illicitly importing gasoline from its close ally, Italy, thereby exploiting an apparent loophole in United Nations' sanctions regime (Watkins, 2011).

Germany's Energy Minister Rainer Brüderle, for instance, suggesting that while Libya constituted a "stress factor for the business climate" (cf. Bundesministerium für Wirtschaft und Energie, 2011), it would not put at risk Germany's economy at large, and would not lead to an energy shortage in Europe. A UK foreign policy and energy expert furthermore explained that "we all understood that worse than for single companies to lose business was the threat of an overall recession and a shortage of oil supply" (Interview with UK diplomat, 08.12.2015). Another analyst argued that "the worst that could happen was that during the course of fighting, oil pipelines would be destroyed or that the protests would spread to other oil-producing countries such as Saudi-Arabia and make the entire situation much worse" (Interview with German foreign policy expert 28.07.2015). He further elaborated that "a shortage of oil supply would have had severe consequences for any business activity in Europe – all countries would have suffered" (Ibid.). This viewpoint was also confirmed by a UK MP, who explained the extent to which all three states were "interested in ensuring stability in the region" (Interview with UK Politician, 14.03.2016).

Table 9: Crude Oil imported from Libya

OECD Total	2007	2008	2009	2010	% of total crude imports (2010)
France	105	141	131	205	15.7%
Germany	220	210	167	144	7.7%
Italy	538	504	423	376	22.0%
Spain	99	120	102	136	12.1%
United Kingdom	51	81	71	95	8.5%
United States	122	105	78	51	0.5%

Source: IEA 2011

Interview partners furthermore agreed that sanctions constituted an effective way of contributing to the overall goal of coercing Gaddafi into a change of policy. Germany's Foreign Minister Guido Westerwelle, for instance, stated that he "welcomed sanctions against the Libyan government" as they constituted a "necessary and clear response to the violence in our immediate neighbourhood" (Westerwelle cf. in Auswärtiges Amt, 2011) and a leading foreign policy analyst suggested that there was a "shared belief among politicians and the public in

Germany that we must communicate clearly what is right and wrong" (Interview with German foreign policy expert, 04.08.2014). Similar statements by leading politicians in France and the United Kingdom furthermore demonstrated that this attitude was shared among the other two leading European powers. President Sarkozy, for instance, stressed that sanctions were needed "so that all those involved in the ongoing violence know that they must assume the consequences of their actions" (Sarkozy cf. Radio France Internationale, 2011), while Prime Minister Cameron "positioned himself as a defender of the highest moral standards, a promoter of human rights and civilian life" when arguing for various forms of restrictive measures (van Genugten, 2016, pp. 154–155).

In addition to sending a clear signal to the Gaddafi regime, whilst ensuring a secure supply of energy in the future, the EU-3 were furthermore guided by a range of additional interests that emerged more directly from their respective national role conceptions. In line with its self-perception as a 'transatlantic bridge' (Gannon, 2014) and as Washington's close partner during the months of secret meetings which eventually led to Libya's 2004 announcement to dismantle its weapons of mass destruction (WMD) programme (Sengupta et al., 2011), UK authorities were keen to closely coordinate their actions with those of the United States. They therefore framed their interests largely along those of the United States and took similar positions at roughly the same time. A UK-based foreign policy expert explained this practice in geopolitical terms, suggesting that "it is much more difficult to make a point against a particular policy if the government is backed by or acts in the same way as Washington" (Interview with UK foreign policy expert, 24.02.2016). The fact that the UK government saw its Libya policy as closely connected to that of the US was also revealed in the UK Parliamentary Report "UK Relations with Libya". Published in March 2011, the latter begins with an outline of UK *and* US relations with the country, followed by a list of measures taken by American actors in response to various developments in Libya (Smith, 2011). In the context of a discussion of the al-Megrahi case, the report even explicitly alludes to "political interference (…) from both sides of the Atlantic" (Smith, 2011, p. 6). As the UK's position on the use of restrictive measures was thus informed by its close ties to the United States which underlined the necessity for a unified international approach, it was open to cooperation with European partners.

Meanwhile, Paris and Berlin also framed their interests according to their respective NRCs. In line with its self-perception as an important power in international politics, its continued quest for *grandeur* and its desire to ensure the continued influence of France in North Africa, the political leadership in Paris was keen to communicate to Libyans, its partners across the MENA, and its domestic constituency that it was determined to take decisive action against

the regime. Especially in light of a column, published on 24 February 2011, which accused Sarkozy of scorning French diplomats and of not taking into account their advice (Le Monde, 2011), a firm stance on sanctions provided an excellent opportunity for the president to re-establish his reputation. French media hence suggested that "the call for sanctions [came] as a group of French diplomats criticise[d] the president's approach to diplomacy" (Radio France Internationale, 2011).

In a similar vein, also authorities in Germany were guided by their respective NRCs when pushing for restrictive measures. As Foreign Minister Guido Westerwelle explained, Germany's strategy in Libya was to "increase(e) pressure on the Gaddafi regime" and to ensure that "the dictator lacks the financial resources to continue his own warfare" (Auswärtiges Amt, 2011). A leading politician saw this as a "direct consequence of the limited set of tools available in German foreign policy in comparison to other European states" (Interview with German politician, 11.01.2016). He furthermore argued that "as military engagement is hardly an option for any German government, politicians tend to focus their efforts on sanctions to demonstrate that they are willing to do something" (Ibid), thereby making reference to the culture of restraint that has shaped Germany since the Second World War. This assessment was also confirmed by a German diplomat who underlined that "Germany has also pushed for sanctions in scenarios where doing so was even more costly than in Libya, like Russia for example" (Interview with German diplomat, 10.08.2014). As decision-makers in France and Germany perceived sanctions as appropriate and legitimate tools for action against Gaddafi, which furthermore fit the countries' political cultures, they held similar positive attitudes toward cooperation as their colleagues in the United Kingdom.

5.2.2. Taking action

As cooperation hence emerged as the preferred approach among the EU-3, the focus of the subsequent section will be on explaining which factors led to the specific outcome, i.e. close cooperation on both the level of the UN and the EU. In this context, the EU-3's situation-specific rationales (SSRs) can provide relevant insights, with three aspects proving particularly influential: first, all three member states had a strong commitment to act via the United Nations, which led them to actively take part in designing and promoting restrictive measures at the level of the Security Council.[136] Prior to taking up its role as a non-permanent member, Berlin had underlined its objective to pursue a particularly "Europe-friendly policy", and that it sought to

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[136] In 2011/2012, not only France and the United Kingdom, but also Germany held a seat in the Security Council.

"strengthen the EU delegation, to intensify coordination among European Security Council members and to improve the feedback to other EU member states" (Wittig, 2011, p. 7). Even though its abstention on Resolution 1973 ultimately received the highest attention and led to a discussion about the country's strengths and weaknesses (Gowan, 2013), a German diplomat expressed that "up until this point, Germany had actually been a key player in shaping the Security Council's response to the events in Libya" (Interview with German diplomat, 05.02.2016). Other diplomats who had closely followed the negotiations on Resolution 1970 further "pointed out that Germany was very pushy in its support of the Resolution against the Gaddafi-regime" (Fröhlich and Tröller, 2014, p. 9). Finally, a government report stressed Germany's role in both supporting the referral of the case to the International Criminal Court and putting into place the arms embargo (Auswärtiges Amt, 2012, p. 15). In the meantime, France and the United Kingdom – as permanent members of the Security Council – sought to convince sceptical countries by "twist[ing] UN procedures to their advantage" and "harnessing the framing power of the media", thereby revealing not only the extent to which "British and French diplomats actively strove to establish themselves as the competent hands on Libya" (Adler-Nissen and Pouliot, 2014, pp. 898–899) but also the overall commitment of both countries to the United Nations.

In addition to their high support for UN-level measures, the EU-3 also put specific emphasis on EU-level measures. As economic sanctions fall under the realm of the common commercial policy, which is an exclusive EU competence, it is difficult to determine whether it was legal requirements or member states' actual preferences which led to the high levels of activity in this regard. In addition, sanctions were also seen as a way to illustrate the EU's ability to act together, while allowing member states to pursue their individual policy preferences. A German foreign policy expert furthermore argued that "sanctions are always a great way to demonstrate that member states can agree on more than joint statements" (Interview with foreign policy expert, 04.08.2014). Importantly, in contrast to its often sceptical approach toward action via the EU, the UK identified an added value in joint action, highlighting the fact that "sanctions [which] are imposed collectively by the EU show that pressure is not just exercised by the big powers" (HM Government, 2013, p. 48). The same source furthermore concluded that as "the measures complement those taken by the US", they can "have a positive knock-on effect on other like-minded states outside the EU" (Ibid.), while underlining the success of the EU's sanctions policy toward Iran, Burma and Zimbabwe, where "access, or denial of access, to the EU market represent[ed] important leverage" (Cooper cf. HM Government, 2013, p. 43).

It was arguably also this desire to uphold the image of the EU as an effective and unified actor in the realm of sanctions that informed London and Berlin's decision not to criticize France for its unilateral decision to arm the rebels. Confronted with the choice of either being grist for the mill for those powers who openly opposed Western action in Libya and elsewhere or acquiescing in France's support of the rebels, Germany and the United Kingdom opted for the latter. In particular for the UK, restrictive measures were furthermore attractive as they served the broader purpose of supporting the Libyan opposition against the Gaddafi regime, thereby complementing action in the military realm. Similarly, France's decision to take unilateral action can be explained as one which evolved out of the situation on the ground as the comment of a French diplomat suggests. While the latter emphasised that it "was an operational decision taken at the time to help civilians who were in imminent danger" (cf. Channel 4 News, 2011), this explanation is challenged, however, by other interpretations according to which France acted in a deliberate neglect of its international obligations.

Conclusion

This chapter has demonstrated that cooperation among the EU-3 was particularly high in the realm of restrictive measures, due to member states' shared understanding of sanctions as an effective tool to address the wrongdoings of the Gaddafi regime and support the Libyan opposition. Their respective national role conceptions thus allowed for a cooperative approach. In addition, all relevant decision-makers identified an added value in acting both via the UN and the EU, in particular as the latter was seen to increase the effectiveness of their action with regard to ensuring that more sceptical member states complied with the proposed sanction policies as well. It can therefore be concluded that the rapid agreement on, and implementation of, sanctions not only constrained the Gaddafi regime , but also demonstrated that given the right constellation of interests and ideas, member states are indeed able to cooperate closely at the EU-level; they are even willing to tolerate unilateral action as long as it is perceived to serve a greater, shared purpose and does not challenge the credibility of the EU as a whole.

6. Diplomatic recognition

Introduction

Most western accounts of the uprisings in Libya consider the arrest of human rights lawyer Fathi Terbil on 15 February 2011 as the starting point (Human Rights Watch, 2011).[137] More broadly, however, protesters were seen to raise their voices against the same problems of corruption, abuse of power and economic inequality that had characterized the regimes of Ben Ali in Tunisia and Mubarak in Egypt, (Rogan, 2011). At the same time, it was suggested that the struggle in Libya was more about power than democratic values,[138] as it was fuelled by inter-tribal rivalries, long-held secessionist ambitions, and claims to power by old elites such as the former royal family (Blumenthal, 2011a; Lacher, 2013). Indeed, a London-based Libyan expat whose family played a prominent role in the opposition against Gaddafi confirmed that numerous of the groups and individuals taking to the streets in February 2011 had long been personal enemies of Gaddafi. In light of a lack of clarity about the identity, legitimacy and objectives of different actors and a general "lack of familiarity with Libya" (Interview with German diplomat, 01.08.2014), most decision-makers were initially quite hesitant to take forceful measures, whereas the European External Action Service (EEAS) suggested that the EU's diplomatic response to the events in Libya was "broad, comprehensive and swift" (European Commission, 2011). In particular High Representative Baroness Catherine Ashton, was portrayed as a welcome guest in Libya and the opening of a new EU delegation in Benghazi[139] on 22 May 2011 was celebrated as "an important signal of support for the Libyan people" and a means to "foster EU assistance in coordination with member states and other international organisations" (EEAS, 2011).[140] It is crucial to notice, however, that the EEAS really only became active rather late and that Ashton's work was not undisputed; she suggested herself that she was "more popular in Benghazi than in Britain" (The Economist, 2011).[141]

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[137]It has been argued that Terbil was arrested in a pre-emptive act to stop protests against the regime which he and others had planned for 17 February, the anniversary of a massacre at Abu Salim prison in which hundreds of inmates are rumoured to have died (West, 2011).

[138] Interview with Libyan expat who suggested that the uprisings constituted less of a struggle for human rights than an attempt to "take personal revenge" (04.12.2015).

[139]Initially the delegation was located in the Tibesti Hotel in central Benghazi, where also numerous UN agencies, the EU's Humanitarian Aid Agency ECHO as well as diplomats from national governments stayed at the time – a fact which facilitated European and international cooperation.

[140] In particular, diplomatic support and political assistance for "the nascent democratic Libya" (Gottwald, 2012) were identified as priorities for EU action, which encompassed activities in the realm of border management, security reform, economic development, health, education and civil society.

[141] In fact, critics had long found her unable to encourage intra-European cooperation (see e.g. Brattberg, 2011; Labaki, 2011), and Belgian Foreign Minister Steven Vanackere even blamed her publicly for having failed to set priorities, and for not having turned the EEAS into a "central axis" around which member states could gather (Vanackere cf. Labaki, 2011). More implicitly, this discontent was also

6.1. Courses of action

Against this background, this chapter pays attention to the diplomatic efforts taken by the EU-3 and focuses in particular on their respective attempts to build relations with the Libyan opposition. At first, the various unilateral and cooperative initiatives are outlined, and it is demonstrated that even though France, Germany and the United Kingdom had a common interest in a stable government in Libya, they engaged with the Libyan opposition in rather distinct ways. While France hence quickly sought to establish itself as the principal supporter of the National Transitional Council (NTC)[142] in Europe and pushed for the group's formal diplomatic recognition, the UK and German governments were hesitant to take any acts that could have been seen as biased or legally contentious. Nonetheless, a common official European position was eventually found and communicated via the High Representative, resulting in the opening of an EU delegation in Benghazi. Building on these observations, the second part of the chapter then explores how the EU-3 framed their interests in light of their respective national role conceptions and how different attitudes and perceptions shaped theirs attitude toward specific forms of cooperation.

6.1.1 Cooperative Initiatives

As early as 9 March 2011, representatives of the Libyan opposition met with members of the EEAS, MEPs and HR/VP Ashton at the European Parliament in Strasbourg (Fhelboom, 2013).[143] The group had formed in Benghazi on 27 February 2011 with the aim of leading the uprisings, and was eventually composed of 30 members who claimed to be "representing all of Libya's regions and all segments of Libyan society, with youth membership representing no less than five members" (National Transitional Council, 2011). Understanding the need to be

expressed in a joint letter by the foreign ministers of twelve member states that aimed to "further enhance the effectiveness of the EEAS and to help it develop its full potential" (Reynders et al., 2011). What has remained unclear in this context, however, is whether the critical assessment of the diplomatic work done at the EU-level was the result of sincere disillusionment with the EU's institutional machinery under Ashton's leadership, or whether it constituted an attempt to "deliberately present the new EU institutions in a negative light" (Interview with EEAS official, 15.06.2015), as a comment by a British official stating that "here, no one really had an interest in losing power to Brussels" (Interview with national official, 06.06.2014) suggests. This possibility is further supported by the analysis of a well-known European foreign policy expert who detected "disdain" toward "the unwanted new kid on the block in the EU's institutional line-up" (Techau, 2014) among some member states' foreign services.

[142] The Council was originally known as "The Libyan Interim National Council" before it was renamed to "The Interim Transitional National Council (ITNC)", and later the "National Transitional Council (NTC)" (Temehu, 2015).

[143] The meeting came about when a member of the Libyan opposition member contacted former Belgian Foreign Minister Louis Michel (MEP) in order to organise a meeting with Members of the European Parliament. Subsequently, NTC members were invited to Strasbourg where Jibril "made clear to everyone that there would be a serious alternative if Gaddafi fell" (Debeuf cf. Fhelboom, 2013).

perceived as a unified actor in order to be taken seriously by the International Community, the group members referred to themselves as the National Libyan Council (NLC) and later as the National Transitional Council (NTC) and declared the latter officially established on 5 March 2011. Its stated objective was to oversee the transition period to an elected government after the liberation of Libya internally (Temehu, 2015), and to organise relations with other countries and international organisations (National Transitional Council, 2011).[144] Among the main figures in the NTC (see Table 10) were the Council's chairman Mustafa Mohammed Abdul Jalil,[145] and the head of the executive board Mahmoud Jibril.[146] Both men had once been officials or diplomats in the Gaddafi regime and now became Europe's principal interlocutors with it. According to one observer present at the meeting in Brussels on 9 March 2011, Jibril appealed to Western representatives due to the fact that the he was able to provide a "short and precise (…) description of the situation of the Libyan revolution and (of) his demands to the European Union" (Fhelboom, 2013).[147] The NTC leader and his colleagues thus "shaped early perceptions of the rebels" (Bartu, 2015, p. 36) in a way that allowed Western governments to assume that this group would constitute a viable alternative to Gaddafi, and would also be better suited than other potential candidates, including members of the al-Senussi tribe and the former royal family, which had initially been supported by Italy (Interview with EEAS official, 17.06.2015).

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[144] Initially, however, NTC members had been divided over the extent to which they should claim to be speaking for Libya and underlined that the group was merely an extension of the temporary local councils which had coalesced during the protests against Gaddafi. They also suggested that they did not have any "strategic imperative or vision beyond the removal of the regime" (Bartu, 2015, p. 31), thereby meeting the demands of the opposition's military committee which had stated that it would join the Council's efforts only if the latter was "not acting as an interim government or (…) an established political party" (Blumenthal, 2011b).

[145] Mr Jalil, a judge and former president of the court of the city of Al-Bayda, was Gaddafi's Justice Minister until he defected and became chairman of the NTC (Gritten, 2011). According to US diplomatic cables, his will for change was, however, "driven more by his conservative point of view rather than a reformist agenda"(U.S. Embassy Tripoli, 2010).

[146] Dr. Jibril, a political-scientist and consultant, lived in the United States and Egypt before becoming Minister of National Planning under Gaddafi. In the course of the uprisings, he helped form and represent the NTC abroad, and eventually became the chairman of the executive board of the Benghazi-based rebel government (Samuel, 2011; Temehu, 2015).

[147] Among the other reasons suggested for this decision were, *inter alia*, Jibril's business contacts, his pro-Western attitude, and the "important international relationships" (Bartu, 2015, p. 36) he had formed while living in the United States.

Table 10: Overview of key personnel among Libyan opposition

Name	Function	Description Comments/Source
Mahmoud **Jibril**	Chairman of executive board; responsible for foreign affairs	- Lived in the U.S. and Egypt before becoming Minister of National Planning under Gaddafi - In the course of the uprisings he helped to form and represent the NTC abroad (together with Dr. Ali al-Issawi)
Mustapha Abdel **Jalil**	Chairman of the NTC	- Held the position of President of the Court of Appeal and President of the Court in Al-Bayda before becoming Justice Minister under Gaddafi - Was initially dispatched by Gaddafi to negotiate with the rebels, but defected on 21 February 2011
Abdel Fattah **Younis** al-Obeidi	Chief of Staff of the rebels	- Held positions of Head of Special Forces and Interior Minister under Gaddafi and was rumoured to have been responsible for killings of demonstrators outside the Italian consulate in Benghazi in 2006 - On 28 July 2011 his death was announced under mysterious circumstances
Khalifa Belqasim **Haftar**	Commander of rebels' ground forces	- One of Gaddafi's commanders in the war in Chad, before he fell out with the regime and set up a CIA-funded militia - Commander of the rebels, before replaced by his major rival Abdel Fattah Younis (see above)
Ali al-**Issawi**	NTC responsible for foreign affairs	- Served as Secretary of the General People's Committee of Libya (GPCO) for Economy, Trade, and Investment before leaving the post on allegations of corruption - Was later considered chief suspect in the killing of Abdel Fattah Younis, a claim which he refuted

Source: Human Rights Investigations, 2011

While apart from MEPs also representatives of other EU institutions supported the Libyan opposition by "staying in close contact with their representatives" (Interview with EEAS official, 07.11.2015) and by sanctioning the Gaddafi regime, the early encounter between the NTC and the MEPs was of only informal nature.[148] Further common initiatives on behalf of the EU included the opening of an EU office to "foster EU assistance in coordination with member states and other international organisations" (EEAS, 2011) on 22 May 2011. For this purpose, HV/VP Ashton had deployed an EEAS team under the Managing Director for Crisis Response

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[148] Formal recognition by the EU as well as by NATO was not granted until 14 July 2011.

and Coordination, Agostino Miozzo, to Benghazi, seeking to increase awareness of the situation on the ground and to facilitate diplomatic relations with Libyan interlocutors.

But bilateral cooperation also characterized activities in the diplomatic realm early on: internationally, France and the United Kingdom emerged as the key European powers behind the Libya Contact Group,[149] while on the European level, they sought to influence other member states toward supporting the NTC. On 10 March 2011, following the failure to reach a common position on the NTC at the European Council, Paris and London hence sent a joint letter to Council President Herman van Rompuy and all EU heads of state and government in which they stated their support for "the Libyan people's desire to choose their own leadership and to decide their own political system" and welcomed in particular "the formation of an Interim Transitional National Council based in Benghazi" (Sarkozy and Cameron, 2011). In addition, officers of the French General Directorate for External Security (DGSE) were reported to have said to rebel leaders in late February 2011 that "Sarkozy felt that he would have the support of British Prime Minister David Cameron on this (recognition) matter" (Blumenthal, 2011d) and a Libyan interview partner suggested that "much like the Iraqi National Congress in 1992 [which was funded by the US government to overthrow Saddam Hussein], the Libyan NTC, too, received money from the West" and in this context alluded in particular to the UK and French government (Interview with London-based Libyan expat, 22.01.2016).[150]

6.1.2 Instances of unilateralism

While most European governments seemed to be overwhelmed by the complexity of the situation and the plethora of groups which claimed to be able or entitled to rule Libya, decision-makers in Paris and London only needed a couple of weeks from the start of the protests to identify the group of people they deemed worthy of support.[151] After the NTC had been welcomed by the European Parliament in early March 2011, France thus took decisive action in support of the NTC when it invited Mahmoud Jibril and Ali al-Issawi to Paris for the following day, 10 March 2011, and thereafter announced that it would recognise the council as the "sole

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[149] The group was formed during the London Conference on Libya in March 2011 and intended to provide support to the Libyan opposition. It is also known under the names *Friends of Libya* or *International Contact Group for Libya* and was co-hosted by Western nations and members of the Arab League.

[150] As these claims have not been confirmed by either British or French authorities, no conclusive statement can yet be made about the extent and specific character of the level of bilateral cooperation in the diplomatic realm.

[151] The exact events which led to this outcome are contested, as Bernard Henri-Lévy, for instance, underlines his own role, whereas other voices have suggested that the European Parliament played a particularly important role in establishing first contacts with individuals such as Jibril, Zeidan and al-Issawi (see e.g. Fhelboom, 2013).

legitimate representative of the Libyan people" (Cowell and Erlanger, 2011). Even though legal experts have suggested that the consequences of this act were rather limited, and "reminiscent of the recognition of the Palestine Liberation Organization (PLO)"[152] (Talmon, 2011), the act of granting what *appeared* to be recognition, gave to the NTC gained considerable attention internationally.[153]

Germany, by contrast, was keen to avoid action that was so legally contested, and a senior diplomat argued that even though Berlin considered the Gaddafi government "discredited", the situation was still "too unclear to decide how to proceed" (Hoyer cf. in l'Express 2011). Another German representative explained that that they preferred an approach that was in line with the diplomatic practice of granting diplomatic recognition only to states and not to governments in order to avoid allegations of interference in the internal matters of other countries by making a normative statement about the legitimacy of specific groups (Interview with a German Diplomat, 05.02.2016; see also Berridge and James, 2001). Arguing that "before taking this kind of action, it is important to first know who one is actually dealing with" (Westerwelle cf. Der Spiegel, 2011). At the European Council meeting on 11 March 2011, Germany hence agreed with most member states that for the time being, they should merely focus on condemning the violence inflicted by the Gaddafi regime, but refrain from taking a clear stance vis-à-vis a particular opposition group. This had changed by 13 June when Germany recognised the NTC during a visit to Libya by Foreign Minister Westerwelle and Development Minister Niebel. Following a conversation with Westerwelle, a NTC member told reporters that "he said clearly (...) that the National Council is the legitimate representation of the Libyan people" (Ghoga cf. Libya Uprising Archive, 2016). This thereby confirmed that Berlin had changed its policy toward recognition after it had initially done "its best to slow the process in the aftermath of Resolution 1970" (Fröhlich and Tröller, 2014, p. 9).

The UK's approach to recognition is particularly noteworthy, however, as even though London was among the group of European countries that waited until 15 July 2011 to officially grant recognition to the NTC,[154] and thus seems to have pursued an even more cautious

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[152] According to an expert opinion, this act "was not meant to signify recognition as the government of a prospective Palestinian State and did not include the exercise of any sovereign rights" (Talmon, 2011).

[153] On 4 April 2011 Italy also recognized the NTC as Libya's "only legitimate interlocutor in bilateral relations" (cf. from Talmon, 2011), thereby taking a step which "seems to have gone beyond the recognition by France" (Ibid.), and which suggests that Rome was keen not to risk its status as Libya's principal European partner.

[154] On that date, Foreign Minister William Hague announced that his government would from now on treat NTC "as if they were the state of Libya" (FCO 2011), and that it would furthermore expel all diplomats appointed by the Gaddafi regime. Hague also invited the NTC to determine a new Libyan diplomatic envoy to take over the Libyan Embassy in London.

approach toward formal recognition than Germany, London seemed rather ambivalent. While British Foreign Minister William Hague underlined that the United Kingdom considered the NTC "legitimate people to talk to" and he visited Libya in early June 2011 (Rice and Sengupta, 2011; Uhlich, 2011), the government in London reiterated that it felt bound by the practice to "recognise states rather than groups within states" (EurActiv, 2011). While the United Kingdom and Germany hence officially followed the same temporising policy, the former had already taken critical action, however, when it had invited Libyan rebels to open their first (unofficial) office in a foreign country in London as early as 5 March 2011 (France 24, 2011). While these contacts were merely informal in nature, and had no legal implications as the office did not constitute an official representation, there is little doubt that this measure facilitated contacts and sent a clear message to the Libyan opposition at a time when the latter had yet to meet with EU representatives and French officials.[155] The official invitation for the opening of an office in London then occurred on 12 May 2011 (The Telegraph, 2011); the United Kingdom subsequently granted formal recognition of the NTC at the same time as the United States, on 15 July 2011 (Arsu and Erlanger, 2011).

Table 11: Recognition timeline of key countries and international actors

Country	(Perceived) date of recognition	Phrasing
France	10.03.2011	NTC as "legitimate representatives of the Libyan people" + pledge to exchange ambassadors with NTC
Qatar*	28.03.2011	NTC as "legitimate representatives of the Libyan people"
Italy	04.04.2011	NTC as "only legitimate interlocutor in Libya" + pledge to exchange ambassadors with NTC
UAE	12.06.2011	NTC as "sole legitimate representative of the Libyan people"
Germany	13.06.2011	NTC as "the only legitimate representative of the Libyan people"
Turkey	03.07.2011	NTC as "the legitimate representative of the Libyan people"
United States	15.07.2011	NTC as Libya's "legitimate governing authority"
United Kingdom	15.07.2011	NTC as "the legitimate authority of Libya"
Libya Contact Group	15.07.2011	NTC as "the legitimate authority of Libya

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[155] Whether British officials handled the manner in such a secretive way in order to protect the members of the Libyan opposition or to establish a first-mover advantage cannot be determined here.

| EU and NATO | 14.07.2011 | NTC as "the only legitimate representative of the Libyan people" |
| Arab League | 24.08.2011 | "NTC will be the legitimate representative of the Libyan state" |

Sources: France 24, Interviews with EU-3 diplomats and EU officials, Cowell and Erlanger, 2011, Al Jazeera, 2011, Al Arabiya News, 2011.

In light of the above, it can be concluded that the EU-3's levels of engagement with the Libyan opposition differed quite significantly overall, but were dominated by France, which ended up influencing not only other member states' positions, but indeed that of the international community at large. While Paris' decision to take legally contested action by granting *de facto* recognition to the NTC can be seen as highly effective in terms of reconfirming its status as the dominant European power in the diplomatic sphere and a key player on the international stage, it did, however, violate EU consultation norms. By excluding other member states as well as relevant EU institutions such as the HR/VP and the EEAS from its deliberations, French decision-makers clearly stated their foreign policy priorities and demonstrated a rather instrumentalist approach to cooperation that was quite similar to that of the United Kingdom. While the latter, too, established relations to the Libyan opposition early on, London's efforts were arguably more subtle and less contentious, and therefore triggered less criticism among the European capitals as well EU institutions. [156] Germany, by contrast, maintained a rather low profile throughout the entire process, not recognising the NTC until mid-June when Berlin, too, took the decision to recognise the NTC as the "only legitimate representative of the Libyan people".

In an effort to explain these outcomes, the second part of this chapter will now consider the way in which the EU-3's respective interests interrelated with each other, and how this relationship was impacted by the three states' different foreign policy cultures and their attitudes toward cooperation in the realm of diplomacy overall.

6.2. Explanations

In view of the insight that Europe's response to the Libyan uprisings in the diplomatic realm was shaped predominantly by France's unilateral action, the subsequent sections will consider different explanatory factors which can account for these outcomes. Drawing on the

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[156] Indeed, representatives of both groups seemed to be highly unaware of London's early engagement with the Libyan opposition.

three countries' respective national role conceptions and situation-specific rationales, it is shown that by establishing close relations with the Libyan opposition early on, Paris was able to reconfirm its self-perception as a highly competent actor in the realm of diplomacy, and to ensure a privileged position with its preferred future leaders in Libya. Meanwhile other member states had an interest in following suit in order to ensure a quick move toward a stable government in Libya, whereas in particular German and UK decision-makers were keen not to take action which could be seen as contradicting the letter of the law. To then explain the EU-3's respective choices for specific forms of action, it is particularly noteworthy that while taking unilateral measures to ensure that its interests were met, the United Kingdom was keen not to engage in meaningful action without the support its key allies in NATO and EU, most notably the government in Washington.

6.2.1 Interest formation

French interests in the diplomatic sphere were shaped in particular by the decision-makers' perceptions of France as a *grande nation* and as a particularly powerful player in North Africa. These ideas manifested themselves in a number of aspects during the Libyan crisis, including in the role of the French Foreign Service. Even though diplomats tend to have a special status in most countries and have been described as particularly "important functionaries (…) in world society" (Modelski, 1970, p. 137), the French Foreign Service in particular is known for its expertise, education and elitism (Lequesne and Heilbronn, 2012). Highly respected within France and abroad, employees of the Quai d'Orsay and French embassies around the world have thus been described as "extraordinarily efficient", "superbly trained" and "very well informed" by their colleagues (Interviews with German diplomats, 05.02.2016, 07.02.2016). In line with their self-perception as "servants to a great nation" (Interview with French diplomat, 12.06.2014), one might thus assume that diplomats in Paris had only a limited desire to share their insights and expertise with their foreign colleagues in Brussels and other member states. Indeed, one EEAS official suggested that among the bigger member states, France especially is "still not convinced that diplomacy is something that the EU should do" (Interview with EEAS official, 12.06.2015). At the same time, however, European cooperation also constitutes a key pillar in French foreign policy so that this explanation alone appears to be insufficient to account for the highly unilateral approach taken by France.

The answer to the puzzle seems to lie in the fact that it was not the French diplomatic service and the French Foreign Minister Alain Juppé[157] who took the lead role with regard to building relations with the Libyan opposition, but rather the well-known writer and public intellectual Bernhard-Henri Lévy. As the most visible diplomatic actor and advisor to French President Sarkozy, he suggested that "the effect of surprise was absolutely necessary", and admitted to having been aware that "this act that would break with all custom, all diplomatic rules, all conformism" (Lévy cf. Christian Science Monitor, 2011). That the French diplomatic corps felt both sidelined and unsatisfied with the outcome became apparent when they openly complained about the style of foreign policy under President Sarkozy in an anonymous letter published in Le Monde on 22 February 2011 (Marly, 2011). Suggesting that it was shaped by "impulsiveness", "amateurism" and a "precoccupation with the media", they saw French *grandeur* at risk. This finding confirms, however, that it was this NRC which functioned as the lens through which Paris perceived the situation (see also Interview with French diplomat, 12.06.2014).

While not shaped by a quest for greatness, officials in Berlin were also interested in an adequate interlocutor in Libya as this was needed for the effective provision of humanitarian aid and in order to guarantee stability in the country. In particular, there was need for a partner to administer funds once when sanctions were to be lifted. Given that Germany had been particularly active in this realm (see Chapter Five), it hence had a particular interest in identifying suitable and reliable individuals among the Libyans. A German diplomat underlined, however, that Berlin believed a joint approach was needed in this regard, and disapproved of France's "unnecessary decision to push ahead" (Interview with German diplomat, 22.12.2015). Another official furthermore stated that "this decision [by France] casted a shadow on Europe's unity (Interview with German diplomat, 06.02.2015), while explaining Berlin's decision with the words: "we were sceptical and wanted to know more about the people we were engaging with", adding that "overall we had similar objectives" (Ibid.). These statements suggest that Berlin would have preferred a common approach, in line with its general preference for European and multilateral action.[158]

Similar to its European partners, also the United Kingdom sought a partner for the post-Gaddafi era, and shared France's concern for a reliable ally during military intervention. This became clear as UK officials underlined that a stable government was needed to ensure not only

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[157] Juppé's predecessor Michèle Alliot-Marie was forced to resign at the end of January 2011 in light of allegations over her personal connections to the Ben-Ali regime in Tunisia (Koenig, 2012).

[158] At the same time, it must be noted that Germany itself prevented such action when it recognised the NTC about one month before most other member states.

the continued supply of oil, and the adequate handling of financial aid that Western and regional powers provided to rebels, but also close coordination on military matters (BBC News, 2011; Engelbrekt et al., 2014). When he eventually announced the recognition of the council, William Hague thus emphasised that this decision also reflected "the responsibilities that the NTC has taken on in the areas under its control" (Hague cf. Foreign and Commonwealth Office, 2011). Another politician furthermore underlined that London's support for the NTC had been due to a need for a "moderate interim government that could prevent that radical Islamist leaders took over power", and to ensure that democratic elections would be held after Gaddafi was gone (Interview with UK politician, 14.04.2016). In light of the fact that later reports revealed that already in October 2011, NTC representatives were "extremely concerned" with "the potential for conflict among the more than 30 different ethnic and regional militias operating under the NTC" (Blumenthal, 2011e), it is questionable whether this extensive support given to the NTC was indeed appropriate. Yet, the aforementioned politician suggested "we couldn't know how things turned out. That's why we waited as long as we did. But eventually we needed to take action. And so did everyone else" (Interview with UK politician, 14.04.2016), underlining the close coordination of efforts with NATO partners and the United States, in particular.

While the EU-3's respective interests were thus clearly informed by their respective role conceptions, it will be for the subsequent sections to provide insights into the how three states' respective situation-specific rationales can explain their respective courses of action.

6.2.2. Taking action

In order to explain in particular France's decision for unilateral action at a rather early point, it is useful to look further into the reasons provided by Bernhard-Henri Lévy. Suggesting that "the operation would simply have been drowned in the flood of quibbling and neo-Munichesque blah-blah-blah", he indicated that he was aware that France would not have been able to convince other member states to participate in joint action before the Council meeting on 11 March 2011. According to this rationale, the French government hence felt that it did not have much of a choice but to endure the "squawks of protest from one and the other" and to avoid "dilatory manoeuvres of all kinds" (Lévy, 2011) by acting unilaterally. At the same time, it must be emphasised that taking action before anyone else also promised considerable advantages, especially if other member states would soon follow the French lead (BBC 2011). These advantages included the opportunity to compensate for diplomatic-*faux pas* in the past and to seize material benefits.

The first explanation sees French diplomacy in Libya in February 2011 as a direct consequence of the action taken in response to the uprisings in Tunisia in the previous weeks. The then-Foreign Minister Michèle Alliot-Marie had refused to "pose as a lesson-giver in a situation we realise is complex" and offered that French police forces could help their Tunisian counterparts to "appease the situation through law enforcement techniques" (cf. Alliot-Marie in Mouterde, 2011). As this approach impacted negatively on France's image across the southern Mediterranean as well as among European partners, it was argued that the pro-active approach taken toward the events in Libya constituted a way for the Sarkozy government to reconcile its relationship with – and thereby secure French interests in – the MENA (Interviews with several officials from MS and EEAS June 2014-November 2015). In order to do so, the French government underlined repeatedly that it would stand by the side of the allegedly democratic Libyan forces against Gaddafi's paramilitary organisations (Notin, 2012). Against this background, French unilateralism can be explained as a way of compensating for the belated response elsewhere and as a means to (re)build Paris' reputation as a country supporting pro-democracy movements rather than dictators. As German and UK politicians had faced less opposition toward their actions in the Arab uprisings, they were less motivated to restore a broken image. Nonetheless, they underlined as well that the Arab uprisings were the moment to break with previous practices of granting support to autocratic regimes, to make up for a faulty foreign policy and to focus on support for democratic change (see e.g. Daul, 2012; Somsen, 2011), thereby responding to demands voiced by their respective publics.

A second argument employed to explain unilateral behaviour suggests that establishing relations with new authorities as early as possible would result in significant material benefits (Interview with foreign policy expert, 28.07.2014). Helping the new authorities to come into and consolidate power thus seemed like a particularly promising way to secure favourable political and economic relationships with the future leadership of a particularly oil-rich country. This explanation is particularly relevant in light of the fact that the recognition of the NTC as the *de jure* government of Libya also implied that the group became the rightful commander of Libyan resources and was able to enter into legal treaties. While all of the EU-3 were interested in a stable government in Libya and therefore ultimately supported the NTC's claims to power, it seemed obvious, however, that the country that supported the opposition most strongly was likely to be "remembered" and presumably appreciated for it. While this rationale can explain why France pushed forward in granting informal recognition, it can also explain the United

Kingdom's decision to offer NTC rebels the opportunity to open up an informal office in London long before diplomatic relations with the official Libyan government were terminated.[159]

In light of these potential benefits, the associated costs of early recognition seemed rather small and merely included the risk of being criticized by European partners. While the latter indeed blamed France for "creating the interlocutor of its choice without paying attention to what other EU members wanted" (Interview with foreign policy expert from a small member states, 27.11.2015), doing so had no long term consequences. Rather, France managed to establish itself as *the* international power to have identified the NTC as a valuable interlocutor for the West. That the United Kingdom, too, was able to seize its position, became obvious when – following the end of the military campaign – Cameron and Sarkozy were greeted with "Merci Sarkozy" and "Thank You Britain" signs upon their visit to Tripoli in 2011 (Simons et al., 2011).

Conclusion

This chapter on the EU-3's activities in the military realm has demonstrated that levels of cooperation were rather low as member states' responses differed quite significantly from each other. While France took on an especially proactive role and pursued its objectives mostly unilaterally, thereby demonstrating its readiness and willingness to take decisive steps in the area of foreign policy also without broad international support, Germany remained, together with most European countries and much of the international community, cautious of taking such action early on and without the support of all relevant partners. Meanwhile, the UK government, also keen to respect international law and diplomatic practices regarding recognition, found a way to informally engage with the Libyan opposition at a very early stage, and thereby ensuring close relations with the interim leaders of the struggling country even before France. Even though the EU also took numerous measures to build relations with the rebel groups, national governments played the key role in this field.

The second part of the chapter then demonstrated that this outcome was brought about by how member states perceived of their own capabilities in the diplomatic realm and how the latter compared to those of other member states and EU institutions. Paris was thus reluctant to exchange a position of comparative advantage for a European position, solely out of solidarity with other member states, while the United Kingdom undertook similar efforts but in a more

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[159]The argument can furthermore explain Italy's early recognition of the NTC on 4 April 2011 – an act which several member states saw as incoherent, as only shortly before recognizing the NTC, the Italian government had declared that "the most important thing was for Europe to speak with one voice on the matter" (Frattini cf. EurActiv, 2011).

subtle way. Meanwhile, Germany underlined the need to respect international law and the necessity to act together, but then recognised the NTC one month before the majority of member states nonetheless. In response to these developments, a senior EU official argued that "we understand, and are in a way used to, [the fact that] that countries do not want to and can probably not share all relevant information with us. But the extent of secrecy we saw in Libya was new" (Interview with EEAS official 12.06.2015). His colleague stated that even though he was "optimistic that one day we will reach a point when states will realize that there is a need to define common European interests and to pursue them in a joint way", he had to admit that "in Libya that time had not come yet" (Interview with EEAS official, 10.01.2016).

7. Military Engagement

Introduction

Even though frequently portrayed as a small, short and low-cost intervention (see e.g. Mueller, 2013), NATO's 2011 Libya campaign *Unified Protector* has been regarded as significant in a number of ways: first, it saw a unique "symbiosis of air assets, special forces and indigenous fighters" (Egnell, 2014, p. 230) and a "confluence of political, military and strategic factors that (…) were – according to most observers – unusually conducive to an intervention" (Engelbrekt et al., 2014, p. 10). Second, the operation constituted the first UN-approved military engagement inspired by the Responsibility to Protect (R2P) doctrine and thereby seemed to carry an unusually high degree of legitimacy. Third, it enabled EU member states to demonstrate that they had learned lessons from the Balkan wars, and were finally able to carry out military action in their neighbourhood (Senior French diplomat, 12.06.2014).[160] However, rather than an increased ability to take joint and effective action, the operation soon revealed grave divisions among the EU-3's perceptions of the necessity for and conditions of military engagement.[161]

In order to shed further light on and explain this outcome, this chapter begins with an overview of the events in the military dimension of EU-3 engagement in Libya. It finds that the latter was dominated by bilateral cooperation between France and the United Kingdom, but that unilateralism, too, was a key characteristic of this area. While the latter manifested itself most prominently in Germany's abstention on Resolution 1973 in the UN Security Council, a number of subsequent initiatives, predominantly by France, reveal the limits to cooperation among the EU-3. Following these insights, the second part of the chapter explains outcomes with reference to the three states' respective interests, as informed by their NRCs, and the situation-specific rationales that drove their choices for action. It will be demonstrated that France and the United Kingdom, as powerful regional leaders with a shared ambition, interpreted the situation as an "imminent humanitarian catastrophe" that required immediate military action . German decision-makers, by contrast, were shaped by an overall more hesitant approach to military engagement, and stressed than in this "Civil War", decisive action – but not necessarily military engagement – was needed.

Building on these observations, the chapter shows that in light of their differentiated interpretation of the situation, Paris and London perceived close bilateral cooperation as the

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[160] This opportunity arose due to Washington's contested decision to "lead from behind" (see e.g. Bellamy, 2010).

[161] In line with the overall focus of this thesis on action of the EU-3, this chapter focuses on France, Germany and the United Kingdom. It must be underlined, however, that as disagreements over the purpose, extent and conditions of the intervention divided the EU overall: only half of all EU member states chose to actively participate in the NATO-led intervention in Libya.

most effective way to pursue their shared objectives of avoiding a massacre and, eventually, of overthrowing the Gaddafi regime, while decision-makers in Germany felt the need to abstain from the UN vote that authorised military intervention - even if doing so bore the risk of appearing to break with a long-held foreign policy tradition.

7.1 Courses of action

After having successfully advocated for UN Resolution 1970, French and UK diplomats put substantial efforts into gathering support for a second draft resolution in March 2011 (Interview with senior French diplomat, 12.06.2014). Skillfully framing the affair as a matter of adopting moral responsibility during a humanitarian emergency, and using their "institutional privileges, bureaucratic expertise, and reputation to establish their competence" (Adler-Nissen and Pouliot, 2014, p. 14), Paris and London did most of the legwork "in drumming up international support for a no-fly zone" (Coughlin, 2011).[162] While it is still unclear from where exactly the idea for the latter originated in the Libyan context,[163] the United Kingdom pushed most forcefully for such action when, on 22 February 2011, former Foreign Secretary Lord David Owen called for a UN Security Council emergency session, expecting that the other UN SC members would agree on a declaration that the situation in Libya constituted a threat to peace under Chapter 7 of the UN Charter (Blumenthal, 2011a). Even though also France quickly assured its support for this formulation (Le Fol, 2012; Lévy, 2011; Lévy and Roussel, 2012)

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[162] A no-fly zone (NFZ) is an area over which aircraft are forbidden to pass in order to ensure the protection of civilians. It is usually enforced by an international coalition which sets out the specific measures it can take in the operation's rules of engagement (RoEs). The latter can be fairly restrictive (as was the case for Iraq) or rather broad (as was the case for Libya, where the formulation "all necessary measures" provided a lot of leeway to whomever was going to enforce the NFZ (Kiger, 2011). Generally speaking, however, states participating in the enforcement of a NFZ agree to take efforts to deny any plane permission to land in, take off from, or overfly the territory if it is suspected of carrying weapons or mercenaries. Exceptions exist for aircraft evacuating foreign nationals or delivering medical supplies and food.

[162] Even the United States, Europe's principal partner on foreign policy issues, initially appeared hesitant toward any form of military engagement, as large parts of the establishment in Washington were reluctant to get engaged in yet another country in the Middle East.

[163] In line with the positive experiences that American, British and French forces had gained with this measure during the Persian Gulf war against Kuwait in 1991 and 1992, where they ensured the protection of Kurdish civilians and Shi'ite Muslims, New York Time's journalist Nicholas Kristof tweeted on 21 February that "under 'right to protect' doctrine, West could bomb air fields from which Gaddafi's warplanes are taking off" (Kristof, 2011). Others have suggested that the proposal was brought forward by members of the European Parliament after they had met with representatives of the Libyan opposition (IISS, 2011, p. 2).

which provided the legal prerequisite for a NFZ, the two powers were unable to convince other members of the Security Council to agree on this suggested measure.[164]

At this stage, even the United States, Europe's principal partner on foreign policy issues, appeared hesitant toward any form of military engagement as powerful actors in Washington advised against military engagement in yet another country in the Middle East.[165] On 15 March, however, due largely to Clinton's advocacy of intervention (Pannier, 2015), President Obama agreed to endorse a draft UNSC resolution that allowed "all necessary measures" to be taken to protect civilians in Libya and thereby potentially even allowed for measures that went beyond a NFZ. As President Obama stressed that the purpose of military engagement was not regime change but the protection of citizens in light of an imminent attack on the city of Benghazi (Hastings, 2011), the shift in U.S. policy marked a turning point for the overall course of events as subsequently even some countries that had previously been weary of intervention rethought their approach.[166] When, on 17 March 2011, Resolution 1973 was passed, Germany remained sceptical however and chose to abstain, thereby presumably refusing to cooperate with its European and transatlantic partners.[167]

In order to provide further details into this scenario and overall levels of cooperation between France and the United Kingdom, the subsequent sections focus first on the cooperative initiatives that were taken. Then, attention will shift toward instances of unilateral action. It is found that cooperation 'outside' the EU framework dominated, as France and the UK actively pursued a bilateral approach in pushing for and preparing a NFZ, and that neither EU institutions nor Germany played any particular role in this context. Building on these insights, it is furthermore demonstrated that despite their overall close cooperation, also Paris and London occasionally sought to pursue their interests in a unilateral fashion.

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[164] UN SC members hence merely issued a statement that expressed their "grave concern" with the situation in Libya and deplored "the use of violence against civilians" (UN Security Council, 2011).

[165] In particular, Defence Secretary Roberts Gates was opposed to a NFZ, underlining that air strikes alone would be insufficient and that ultimately group troops would be required (Blanchard, 2011).

[166] Even as late as 28 March, President Obama argued that the NATO intervention was aimed at bringing about a regime change in Libya (Steinberg, 2011). The latter was only endorsed on 14 April when the U.S., French and UK governments simultaneously published a joint letter in the Washington Post, the Times and the Figaro, demanding that Gaddafi step down.

[167] An alternative account suggests that rather than a deliberate decision not to cooperate, Germany's vote resulted from a lack of awareness of the United States' sudden endorsement of military action and argues that "had Obama, Secretary of State Hillary Clinton or US Ambassador to the UN Susan Rice immediately informed their German counterparts of their changed positions, they would have provided the Bundestag with the opportunity to discuss the Libya crisis in a new light. Such a debate would have allowed the German government to change course, possibly leading to a 'yes' vote in the Security Council and even minimal German military participation" (see Brockmeier, 2013, p. 65).

7.1.1 Cooperative initiatives

Initially, the United Kingdom and France pursued a double-track strategy by simultaneously seeking support for military action at the level of the EU and NATO.[168] While commentators claimed that "London had no specific interest in NATO, the EU, or a 'coalition of the willing'" (Zartman, 2015, p. 340), a closer analysis of the events suggests, however, that the British government had a clear preference that the NFZ be enforced by NATO early on. Already in his initial call for a SC meeting, Lord Owen had made it clear that he expected a NFZ to be enforced by NATO, and UK Defence secretary Liam Fox had contacted NATO Secretary General Anders Fogh Rasmussen two days later to "discuss possible options" (Chivvis, 2014, p. 34). In addition, the United Kingdom's permanent representative to the Joint Delegation of NATO, Mariot Leslie, proposed three criteria which became a "touchstone for every possible NATO action" (Zartman, 2015, p. 339): a demonstrable need for military activity, a clear legal basis, and regional support. Despite this formulation, several important NATO members, including Turkey and Germany, remained sceptical. Also, interactions with Berlin at the EU level proved not to be promising from the standpoint of France and the United Kingdom, as Germany's most senior decision-makers expressed severe concerns over a NFZ.[169]

Seeking to convince their European partners, many of whom were equally sceptical as Germany, the two leaders sent a joint letter to Council President Herman van Rompuy and all EU heads of states and government on 10 March 2011 in which they underlined their commitment to the sovereignty, independence, territorial integrity and national unity of Libya. It was suggested, however, that this measure did not convince sceptics because "no one believed that in the end it would really only come down to a NFZ" (Interview with French foreign policy expert, 28.07.2014). While several European heads of state thus seemed to share the concerns of American Defense Secretary Robert Gates (Blanchard, 2011), several interview partners expressed unease about the fact that Paris had called for targeted air strikes before the EU summit on 11 March 2011 (Interview with German diplomat, 01.08.2014) – an act which had triggered a surprisingly harsh reaction by European Council President Herman van Rompuy, who stated that "we don't live in a colonial era anymore where foreign powers intervene where

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[168] It was found that even the briefings presented at EU meetings were "essentially identical to those provided in the NAC" (Adler-Nissen and Pouliot, 2014, p. 17).

[169] While Chancellor Angela Merkel asked "What is our plan if we create a no-fly zone and it doesn't work? Do we send in ground troops? (...) We have to think this through" (cf. Tisdall, 2011), Germany's Ambassador at the UN, Peter Wittig, underlined that the risks of implementing Resolution 1973 were considerable in terms of potential negative effects on the civilian population. He further pointed out that the intervention could lead to a protracted military conflict that could widen across the region, and that Germany thus preferred to weaken Gaddafi by strengthening the sanctions regime (Permanent Mission of Germany to the United Nations, 2011).

they like" (Louati, 2011). Others finally suggested that they disagreed with the "determination with which France and the United Kingdom approached this topic" (Interview with German diplomat, 06.03.2016). President Sarkozy had indeed suggested that if both options, i.e. a legal or a 'moral' mandate were unobtainable, "my friend Cameron and I have the means to do it alone" (Sarkozy cf. Notin, 2012, p. 96). Aware that such statements repelled European partners, senior diplomats underlined France's respect for international law, stating that "we would have never acted without a [UN] mandate" (Levitte cf. Notin, 2012, p. 96). However, at the time, distrust among EU member states was high and it was only when the United States had changed its policy on Libya and had turned into one of the driving forces behind a new initiative at the UN (SC Resolution 1973), that numerous European states[170] agreed to partake in the military campaign against the Gaddafi regime. The latter came about as the result of UN SC Resolution 1973, which was passed on 17 March 2011 with ten yes votes and five abstentions[171] and which enabled the international community to take "all necessary measures" to defend civilians in Libya (UN Security Council Resolution 1973).[172] These included the establishment of a no-fly Zone (NFZ) from 19 March 2011 onward. Three days later, French Foreign Minister Juppé proposed the formation of a political steering committee in order to accompany the military initiatives. The latter came into being during the London Conference on Libya on 29 March and further advanced the relationship between France and the United Kingdom.[173]

While bilateral cooperation between the two countries thus proved highly successful in terms of bringing about desired outcomes, joint efforts among the EU-3 turned out to be rather difficult, and the only substantial agreement that could be reached at this level concerned a civilian CSDP mission. EUFOR Libya[174] was envisaged to support UN humanitarian efforts, to bring relief especially to the besieged city of Misrata, and to provide assistance to the refugee camps along Libyan borders in an attempt to "contribute to the safe movement and evacuation

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[170] Participating countries from Europe were Belgium, Denmark, Norway, Italy, Greece, the Netherlands, Spain, Sweden, Romania and Bulgaria. Among regional powers, the UAE, Turkey, Jordan and Qatar took part in the intervention (Engberg, 2014).

[171] Together with Brazil, China, India and Russia Germany abstained from the vote, while France, Great Britain, the United States, Bosnia and Herzegovina, Columbia, Gabon, Lebanon, Nigeria, Portugal and South Africa voted in favour.

[172] The stated purpose of this measure was, however, not regime change. The US officially endorsed regime change later, as previously described. (Steinberg 2011).

[173] Composed of the foreign ministers of the countries involved in the military operation in Libya as well as representatives of international organisations such as the UN, the EU, NATO, the Arab League, the Organisation of Islamic Conference and the Cooperation Council for the Arab Gulf States, the Conference's purpose was to coordinate international efforts as long as Gaddafi was still in power, and to discuss different options for post-conflict support. For an overview of the attendees, see Annex 1.

[174] The Rome-based mission was provided with an €8 million budget, the Italian Rear Admiral Claudio Gaudiosi was placed in command, and Germany was foreseen to contribute 990 out of 1500 initial troops (Marsden, 2011).

of displaced persons" (Council Decision 2011/210/CFSP).[175] While approved by EU member states on 1 April 2011, only two weeks after the failed agreement in the UN SC in New York on Resolution 1973 with relatively little internal struggle[176] and with the support of those member states that had been sceptical of military action, the mission was never deployed, however. This is due to the fact that the mission's deployment was dependent on a request from the UN's Office for the Coordination of Humanitarian Affairs (OCHA) – the probability of which, critics have argued, was rather low from the beginning (Marsden, 2011).[177] As no other CSDP action was considered, EUFOR Libya was soon seen as a mere attempt by European states to demonstrate that they were in fact willing to act together, and led foreign policy expert and MEP, Ana Gomes, to speak of a failure to act together "in the security sphere" (Gomes, 2011).

7.1.2 Instances of Unilateralism

While Western diplomats referred to the abstentions on Resolution 1973 as either "expected", or in the case of Russia and China "a sign of hope that cooperation in the face of a catastrophe is possible" (Interview with A.G.), Germany's vote, by contrast, constituted a rather unexpected outcome that triggered surprise and criticism both domestically and among its partners. In order to restore its image (see e.g. Hacke, 2011), Foreign Minister Westerwelle

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[175] At the same time, critical voices such as Ana Gomes, the EP's Special Rapporteur on Libya, have underlined that "EU capitals could not reach agreement on a full-scale Common Security and Defence (CSDP) operation" (Gomes, 2011) and that it was thus in a context of limited cooperation in the military realm that EUFOR Libya was presented as a mission to support humanitarian assistance.

[176] Reported tensions among European states were limited to an incident when Sweden blocked at the last minute the mission's concept of operations on the grounds that the move was premature, pending a UN request for EU military assistance to deliver humanitarian aid or to help get refugees out (Pop, 2011a).

[177] Among the suggested explanations for why EUFOR Libya was not requested were fears that EU troops threatened to only further politicize and militarize the situation and that Russia and China were unlikely to agree on an EU mission in the Security Council given their growing scepticism toward NATO intervention. NATO officials and rebel representatives in Libya further expressed scepticism as to whether an EU mission would provide any added value on the basis that they considered a need for more military rather than humanitarian action in order to win over Gaddafi's troops, while some member states and EU diplomats feared that France was "basically trying to get 'boots on the ground' via an EU humanitarian-military mission" (cf. in Pop, 2011a). Also HR/VP Catherine Ashton expressed cautious scepticism when stating that "in support of humanitarian efforts, military assets are to be used very carefully", and underlined that "a lot member states are very reluctant in signing up to that" (Ibid.). In this context, it was also suggested that decision-makers feared that EU troops could be held hostage by the regime in order to halt NATO strikes, a strategy that had been applied during the Bosnian war. And finally, it was speculated that the leadership of OCHA, Valerie Amos, was "biased" toward the British strategy of engaging alongside France and the US via NATO,. Whichever the (combination of) reasons, for Amos, who officially expressed concerns over the blurred lines between military and humanitarian action, EUFOR Libya hence remained a measure of last resort and one which, ultimately, was not used (Gottwald, 2012). In terms of Europe's ability to cooperate, it was, however, rather significant as it demonstrated the EU-3's potential for joint action even in the military realm and despite the fact that in particular the German population has been identified as "*kriegsavers*" (Stahl, 2011, p. 22).

initially underlined the role Germany had played in promoting sanctions. However, this strategy not only proved ineffective in terms of appeasing critics, it even increased criticism in Germany after the opposition ridiculed Westerwelle for apparently suggesting that sanctions had been as effective as the use of force by allied powers in protecting civilians and bringing an end to the Gaddafi regime (Drozdiak, 2011). In response, the government in Berlin then sought other ways by which it could "rebuild its image as a constructive partner" (Adler-Nissen and Pouliot, 2014, p. 15). Authorities also underlined that they had only been opposed to that part of the resolution that referred to military engagement, but fully endorsed the non-military measures contained in the resolution (Interview with senior German politician 11.01.2016, see also Zeit Online, 2011).[178]

After 17 March, German diplomats in New York were furthermore particularly keen to ensure that their position was from now on aligned with those of its partners (Adler-Nissen and Pouliot, 2014), and sought to establish themselves as major forces behind the resolutions that addressed the situation in Syria (Interview with senior German diplomat 10.08.2014). Perhaps most importantly in terms of attempts to restore relations with its partners was, however, the agreement to increase surveillance flights over Afghanistan as it freed up NATO Airborne Warning and Control System planes for the air strikes in North Africa, and allowed NATO partners to use their resources in Libya. Although Berlin hence took numerous measures to appear as a constructive partner in Libya, the implementation of the NFZ as well as most of the follow-up action after the fall of the Gaddafi regime remained in the hands of its European and transatlantic partners.

However, Germany was not the only country to pursue a unilateral course in the realm of military engagement. Despite its overall close cooperation with the United Kingdom, France demonstrated its willingness to forego cooperation if doing so promised to be advantageous. This became particularly obvious when, on 19 March, French forces started the air campaign before an official agreement on the implementation of the no-fly zone had been reached.[179] In order to defend this decision, the responsible officials argued that they had reacted to news that Gaddafi's forces were attacking Benghazi and therefore "had no choice but to defend Libyan civilians and opposition forces" (Kirkpatrick et al., 2011). Meanwhile, French authorities claimed that the British and American leadership had been made aware of these plans prior to their

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[178] Germany's UN ambassador Peter Wittig expressed that Germany was "fully supportive of the economic sanctions because Gaddafi's rule has to be brought to an end" but explained "military engagement is always very difficult and we see immense risks" (cf. Zeit Online, 2011).

[179] A French plane reportedly fired the first shots against targets of the Libyan government at 16:45 GMT, a time when a meeting between those countries willing to participate in the intervention was still on-going (BBC News, 2011).

arrival at an international emergency meeting on Libya held in Paris on the same day (see e.g. Kirkpatrick et al., 2011, confirmed by Interview with French politician, 18.06.2014).

Given that none of the other attendees of the summit, including numerous heads of state and government, UN Secretary General Ban Ki-moon, EU High Representative Catherine Ashton or Secretary General of the Arab League, Amr Moussa, has previously been informed of the beginning of the attacks (see e.g. Kirkpatrick et al., 2011), however, these claims cannot be confirmed and must be questioned in light of the revelations that Paris and London led "diplomatic battles behind the scene" (Stroobants, 2011) and claims that that the "Libya strategy [split] France and Britain" (Black and Pidd, 2011). This did not change much when, from 23 March 2011 onward, and due *inter alia* to pressure from Italy,[180] the multilateral operations[181] were replaced by the joint NATO operation "Unified Protector".[182] Also, once the campaign had begun, critics suggested that French and UK competition for leadership "continued to dog the enterprise" (Clarke, 2012, p. 9) and it was argued that London and Paris were seen as "stepping forward and backward as domestic and international debates developed" (Pannier, 2015, p. 5).

In light of these findings, it can therefore be concluded that even though Germany's abstention was the most explicit case of unilateral action, Paris, too, demonstrated its willingness to act against its partners when it found that doing so would further its interests. The subsequent sections will now engage with how these outcomes came about, focusing first on how the three states constructed their interests, before elaborating on their situation-specific rationales in order to explain their different courses of action.

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[180] On 21 March Foreign minister Franco Frattini said "we want Nato to take control of the operation (...) we have given permission for our bases to be used and would not like to bear the political responsibility for things done by others, without our control" (cf. Pop, 2011b).

[181] In the initial phase of the campaign, France carried out air strikes in Benghazi under the name Opération Harmattan, while the United Kingdom and the United States undertook naval attacks which were later followed by further air strikes against ground targets and the establishment of a naval blockade under the names Operation Ellamy and Operation Odyssey Dawn, respectively (Chivvis, 2014; Notin, 2012).

[182] While NATO forces initially only carried out the naval arms embargo, the air assets of the international coalition were soon integrated under NATO command, which lasted until national operations formally ended on 31 March 2011.
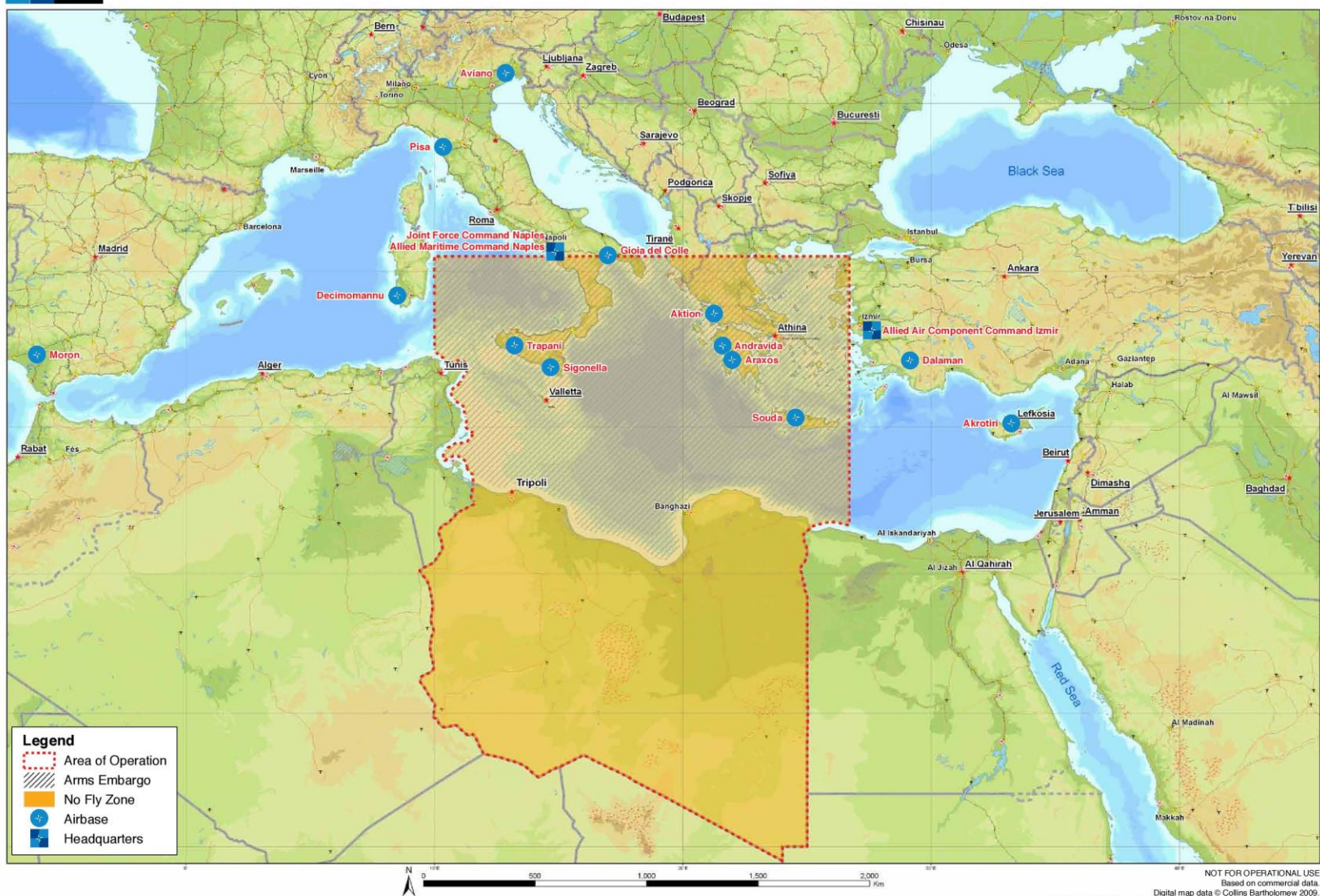
Figure 8 NATO OPERATION Unified Protector 2011
Source: NATO, 2011

7.2. Explanations

Following these insights into the actions taken by the EU-3 in the military realm, the second part of this chapter seeks to provide insights into the ideational factors that can account for the close bilateral cooperation between France and the United Kingdom on the one hand, and Germany's abstention and refusal to participate in military action in Libya on the other. It is found that, shaped by their respective self-images as world powers with strong military capabilities and traditional spheres of influence in the Middle East and North Africa, elites in London and Paris perceived the situation as an imminent massacre of civilians which they were able to stop. German decision-makers, by contrast, were constrained by their reluctance to engage in military action and hence saw the events first and foremost as a "civil war" which required "an adequate response", but "not necessarily outside intervention" (Interview with German diplomat, 05.01.2016).[183] Against this background of unilateral action, the country's abstention at the UN was deemed the appropriate action among German decision-makers, while driven by similar objectives, French and UK politicians opted for close bilateral decision in different fora.

7.2.1 Interest formation

Despite "a consensus in France and Britain that the 2003 Iraq War was a disaster and such endeavors should be avoided in the future" (Davidson, 2013, p. 310), the two countries quickly decided to take military action in Libya, while Germany refused to participate in such endeavors. While numerous attempts have been made to explain these outcomes, the subsequent analysis focuses on the specific impact of the three countries' national role conceptions as the latter allow for insights into the way in which they constructed their respective interests in light of a "lack of well documented, large-scale atrocities committed by the Gaddafi regime" (Ibid, p.315). Thereafter, it will be demonstrated how based on these interests and their respective attitudes

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[183] In order to explain the decision to abstain, a large range of explanations have been suggested: one explanation suggests that the decision resulted from an unawareness of crucial developments, such as the fact that China and Russia would abstain rather than veto, or that the Obama administration suddenly expressed great support for a draft resolution which not only allowed for a NFZ, but also for targeted air strikes (see e.g. Brockmeier, 2013). Such claims are put into question, however, by interviewees who underlined "we knew where this was headed, but we also knew that there was no way Germany would participate in a de facto military intervention – in particular under the leadership of Angela Merkel" (Interview with German diplomat, 10.08.2014), and by the general discussion which focused more on the expected consequences of military engagement (see e.g. Miskimmon, 2012). Another explanation suggests that decision-makers in Berlin were disappointed with France and the UK after the latter had failed to inform Berlin about the revision of an earlier French-British-Lebanese draft resolution. One interviewee hence suggested that this "apparent lack of trust and cooperation" caused a major outcry among German foreign policy elites (Interview with German diplomat, 05.02.2016). While this explanation seems crucial to understanding attitudes in the German Foreign Office, this is unlikely to have been a sufficient cause for a vote to abstain.

toward different forms of cooperation, they then opted for specific forms of action. In the case of France and the United Kingdom this included bilateral cooperation – first on an *ad hoc* level, thereafter via NATO – while Germany acted de facto in a unilateral way[184] when abstaining in the UN vote and subsequently attempting to compensate for this act.

In the case of the former two, it appears that, in line with their respective self-images as powers of global status with significant military capabilities and a responsibility toward others, decision-makers in London and Paris interpreted reports by Human Rights Watch and other NGOs, according to which Gaddafi had already killed hundreds of people and was about to carry out a massacre in the city of Benghazi (Interview with British politician, 14.04.2016) as a clear case where the Responsibility to Protect (R2P) applied. Drawing parallels to the crisis in former Yugoslavia and underlining that the latter had "cruelly exposed the EU's and its member states' limited capacity for actual intervention in conflicts" (Nielsen, 2013, p. 732), they advocated for immediate action. French politicians furthermore argued that Europe must not again be seen as unresponsive to the use of violence in its immediate neighbourhood, while President Sarkozy expressed his determination to help the Libyan opposition in, what he considered, their fight for freedom (cf. Howorth, 2013). Meanwhile, Prime Minister Cameron warned that given the "murderous" character of the Gaddafi regime, there was a "real danger (…) of a humanitarian crisis inside Libya" which needed to be prevented (Cameron cf. in House of Commons, 2011). Even though Germany also acknowledged the need to protect civilians, its decision-makers were more sceptical about both the nature of events as well as the action they required. While the EU-3 agreed that Gaddafi was a dictator who violated the rights and even murdered thousands of people, they nonetheless differed in the way in which they interpreted these events. This manifested itself especially among the attitudes of decision-makers in Paris and London, who saw especially the "imminent fall of Benghazi" (Interview with former French diplomat, 06.06.2014), as a case of R2P, while the same argument hardly played a role in Germany.[185]

Rather, in line with the deeply-rooted anti-militarist tradition in which most Germans had been raised and educated, a significant number of decision-makers in Berlin opposed military intervention. One official hence underlined that "in Europe diplomacy should always take precedence" (Interview with German official, 07.02.2011), while another suggested that "we didn't think that all other options had been sufficiently explored" (Interview with German

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[184] Whether and to which extent Germany acted unilaterally when abstaining from the UN vote and deciding not to take part in the military intervention in Libya is debatable in light of the fact that a majority of states and a large group of EU member states chose to do the same. The assessment presented here results merely from the fact that with view of the EU-3, Germany was the power that acted differently.

[185] Only two MEPs referred to the Responsibility to Protect in the context of a parliamentary debate on Resolution 1973 (Deutscher Bundestag 2011).

diplomat. 10.08.2014). Meanwhile a second group among German politicians, commentators and the media stressed a second role conception which had shaped Germany throughout the 20th century: that of a reliable ally to European powers and the United States and criticized the decision as "a serious mistake of historic dimensions, with inevitable repercussions" (Rühe cf. der Spiegel 2011).

Since both ideas – that of a Germany as a civilian power and that of Germany as a reliable partner favouring multilateral over unilateral action – co-existed in the discourse in Berlin, the interest-formation process proved to be rather difficult. That the former eventually 'won' over the latter can be traced back to a number of different factors, most of which are located at the domestic level. Their interpretation, and subsequently the "contradictory attitude within the German government", by contrast was "long-term in nature [and] supported by consensus within the German political class" (Seidel 2013, p.101). Rather than due to a "lack of professionalism in the way of governing" (Ibid.), it is suggested here that different role conceptions can account for this outcome. This is not to say that some of the most frequently suggested explanations for the abstention did not also factor into the decision-making process. Indeed, it is highly likely and to be expected that electoral considerations[186] and personal convictions[187] influenced the decision-making process. In addition, convincing arguments[188] have been suggested to support the point that Chancellor Merkel generally seeks to rule in accordance with, rather than contrary to, public opinion. Yet an interpretation of these factors through conflicting national role conceptions bears the greatest explanatory power. As such, it was found, for instance, that according to a poll conducted between May and June 2011, only 37 per cent of the German population approved of

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[186] In 2011 regional elections were to take place in seven German *Länder*. While the approval ratings of chancellor Angela Merkel and the Christian Democratic Party were stable, her coalition-partner, the Free Democratic Party, was facing a severe decline in popularity (IISS, 2011). As this development could have led to a domination of the Bundesrat by opposition forces and would have impacted negatively on Merkel's decision-making ability at the federal level, she too was keen to please her domestic constituency, of whom only 37 per cent supported military engagement in Libya. It has furthermore been suggested that Merkel was particularly keen to meet public demands in the context of the protracted Eurozone crisis which had caused intensive debate among German citizens (Miskimmon, 2012).

[187] One German diplomat stated with regard to Merkel and Westerwelle that "they simply did not want to intervene. They don't believe that military force is the solution" (Interview with German diplomat, 07.02.2016).

[188] The relevance of the argument that Merkel oriented her policies strongly along the preferences of her constituency is supported by her quick adaption of German nuclear policies following the energy accident at the Nuclear Power Plant in Fukushima in 2011. As the German public had responded very sensitively to the events, voices from the German business community suggested that the nuclear phase-out was "not a rational decision but rather (…) heavily influenced by electoral politics" (IISS, 2011, p. 203), while a foreign policy expert suggested that both Merkel and Westerwelle believed that "it is wrong to commit to military intervention anywhere when the people are not behind this decision" (Interview with German foreign policy expert, 04.08.2014).

the international intervention in Libya, whereas 53 and 58 per cent of UK and French citizens supported the undertaking.[189]

Figure 8: Approval for Libyan Intervention by International Forces
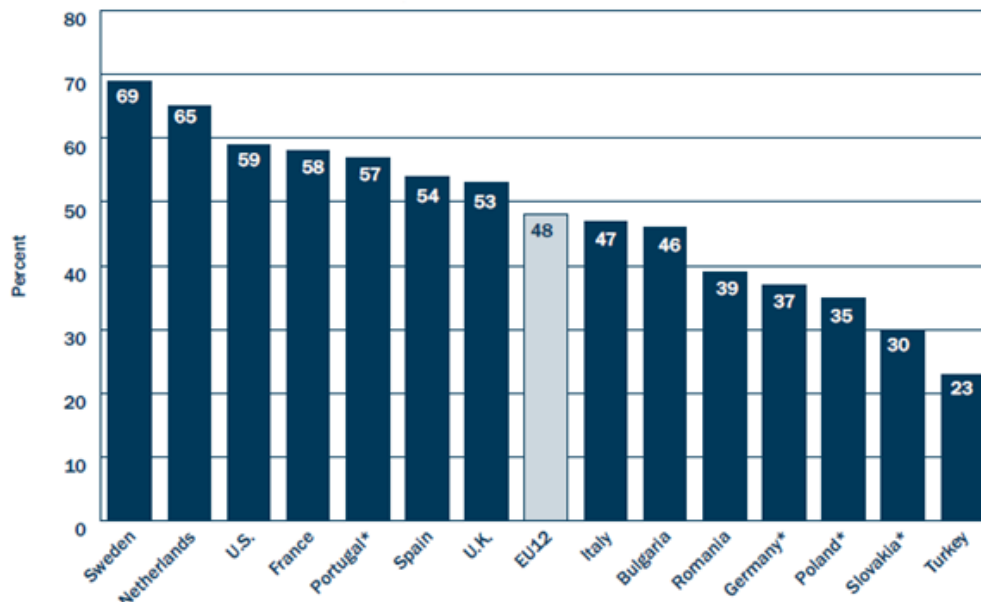
Source: German Marshall Fund Transatlantic Trends, 2011, p. 29 *('EU-12' is a category used by the GMF, referring to France, Germany, Italy, The Netherlands, Poland, The United Kingdom, Portugal, Slovakia, Spain, Bulgaria, Romania as well as the non-EU member state, Turkey.)*

In France and the United Kingdom, by contrast, intervention was widely supported and decision-makers across the political spectrum endorsed the idea of military engagement to protect citizens via military action. Yet over time, critical voices also emerged in Paris and London, especially when it became increasingly obvious that the intervention shifted more and more toward a regime change operation. In the face of such criticism, Cameron hence felt obliged to underline that regime change was merely "an indirect humanitarian outcome, rather than an explicit political aim" (Holland and Aaronson, 2014, p. 14), while Sarkozy announced that he didn't want to commit the same mistakes as his predecessor Jacques Chirac in Bosnia (Notin, 2012, p. 96).[190]

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[189] Reference is made to the German Marshall Fund Trend analysis as it provides a comparative overview of different European countries at a specific point in time. Alternative surveys at the national level came, however, to diverging and sometimes even contradictory results (see for example the polls conducted by YouGov in Wells, 2011).

[190] Sarkozy thus pointed to the criticism which Jacques Chirac had faced in the context of the ethnic cleansing in Bosnia.

Building on these insights about how EU-3 hence framed their interests in line with their respective NRCs, the subsequent sections will identify the situation-specific rationales (SSRs) that can account for their respective choices regarding different courses of action.

7.2.2 Taking action

In order to explain the different ways in which the EU-3 pursued their respective interests, attention must furthermore be paid to the extent that different courses of action allowed them to pursue the aforementioned interests. In this context it is important to recall that, even though they are both notable military powers, neither France nor the United Kingdom had sufficient means to take action on their own.[191] Yet, while France pushed for a 'coalition of the willing' in light with its overall commitment to Europe, the United Kingdom preferred action via NATO.

In order to explain these different preferences, it has been argued that the French president favoured actions that would allow him to regain public support by sharpening his profile as a decisive and international crisis-manager and by "underscore[ing] the role of French power" (Chivvis, 2014, p. 36) more generally. Indeed, a military initiative led by France and the United Kingdom rather than by the United States or NATO promised to be a particularly powerful "opportunity for France to reassert itself as a military power" (French military and security personnel cf. Blumenthal, 2011b) and to "rebuild the reputation of the French military" after the latter's abstention from the 2003 invasion of Iraq (Ibid.). In addition, it was argued that an operation under a European flag would have allowed Europeans to demonstrate that the EU was not only a powerful economic actor, but was also capable of exerting "independent influence over international security affairs" (Menon, 2011a). Despite this argument, however, decision-makers in Paris did not actually seek a CSDP operation as such. While this should be seen as part of a broader trend of a declining commitment to institutionalised cooperation in this area,[192] it demonstrated that by 2011 Europe's joint activities in the realm of security and defense had moved from a state of "fatigue" to one of "hibernation" (Koenig, 2012, p. 5).

This finding corresponds in particular with the changing preferences among UK decision-makers, some of who openly advocated a return to "the primacy of the Anglo-American Relationship" (Interview with British politician, 25.05.2015) after they had closely cooperated with France in the early 2000s in pushing for a further development of the EU's crisis

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[191] As the NATO involvement demonstrated, also their combined forces did not suffice to carry out a military campaign as required in Libya.

[192] European defence cooperation had seen a steady decrease in and spending and a growing reluctance in national capitals to discuss the defence-related innovations introduced by the ToL.

management structures (see also Whitman, 2016). In the specific context of Libya, however, it was suggested that in particular, the Lisbon Treaty's requirement for unanimity stood in the way of quick and effective decision-making – and, ultimately, also of EUFOR Libya. Despite the possibility for hesitant member states, such as Germany, to "constructively abstain" (ToL, 2007 Art 31) from any action, decision-makers in France and especially in the United Kingdom feared that it would take too long to agree on the specific form, scope and duration of a CSDP operation in Libya. One EU diplomat argued that while a CSDP mission could have been deployed to carry out naval patrols similar to NATO, the process of finding agreement on "how to go about this, secure resources from member states and reach agreement" on the details of such an operation would have taken too long (cf. Menon, 2011b, p. 83). This comment points to the structural deficits of the EU in the military realm: the fact that the EU does not have a common army with an integrated command structure, shared tools for joint planning, easily deployable assets or a common doctrine for conducting military action (Pannier, 2015).

While several attempts had been made in the past to address this issue, in 2011 EU structures were still not as advanced and, therefore, in the eyes of Paris and especially London, not as attractive as those of NATO. Underlining the latter's advantage of being a familiar actor whose functioning and expertise were well known and appreciated, one former member of the UK military thus suggested that:

> "it might now always be easy to reach agreement among NATO partners, but there is expertise and there is experience. People have done their jobs for a long time. They know what to do when it comes to planning and carrying military action. And they also know what to do in order to convince others to go along." (Interview with former member of the British military, 28.07.2015)

This quality also proved particularly relevant as consensus needed to be found in particular with Turkey and initially also with Italy, which were – at first – highly sceptical about the plans proposed (see e.g. German Marshall Fund, 2011). This positive assessment of NATO structures contrasted quite significantly with that of the EU, which had previously been criticized on other levels as well: in the process of negotiating the details of a NFZ within the EU, for instance, national officials had deplored the "poor preparations of foreign affairs minister's meetings", the "lack of in-depth knowledge" at the institutional level, and the insufficient degree of "strategy and leadership" (Adler-Nissen and Pouliot, 2014, p. 16). Even though EU staff repeatedly complained that "certain member states showed no willingness to cooperate", "purposefully withheld crucial information", and were seen as "keen to remain in charge at all times" (Interview

with EU official, 12.06.2015), there was thus a certain degree of distrust among national officials toward EU-level actors.

Conclusion

While previous chapters have demonstrated that the EU-3 quickly agreed on various responses to the events in Libya such as the deployment of JO Hermes to control EU borders, support for civilians via humanitarian assistance, and sanctions to limit Gaddafi's room for manoeuvre, this case study found that France, Germany and the United Kingdom faced significant challenges in cooperating in the military realm. While the split vote on UNSC Resolution 1973 was the most obvious sign thereof, the quarrel surrounding the specific way in which the NFZ was to be implemented also illustrated significant differences. Even though the United Kingdom and France shared the common objectives of establishing a NFZ and of helping to bring an end to Gaddafi's rule early on, they held rather diverging preferences regarding the latter's implementation. In light of a greater, shared objective, however, they were mostly able to pursue a cooperative path nonetheless, while Germany had to pursue a unilateral path in order to pursue its preferred strategy of non-intervention. With regard to the latter, it must be underlined, however, that even though Berlin's abstention on Resolution 1973 gave it an "outlier-role" among the EU-3, a closer analysis of the positions of other European countries suggests that this response was in fact not as unilateral as often suggested. In fact, it is better understood as a reflection of the preference for a more cautious approach to military engagement in Libya that was shared by a majority of EU member states, but which – unlike the EU-3 and Portugal – were not presented in the UN Security Council and therefore lacked the same degree of visibility.

As regards the overall assessment of the intervention, opinions continue to diverge today: while parts of NATO considered it a "model intervention", voices from academia have found that the intervention "extended the war's duration about six-fold; increased its death toll approximately seven to ten times; and exacerbated human rights abuses, humanitarian suffering, Islamic radicalism, and weapons proliferation in Libya and its neighbors" (Kuperman, 2013, p. 105). In light of the fact that Libya finds itself today in an ever more unstable condition, European voices who had initially supported involvement have raised doubts as to whether the intervention had been a mistake and whether it would not have been "wiser to side with the Germans" (Interview with UK politician, 14.03.2016, similarly: Interview with UK foreign policy

expert, 24.04.2016).[193] President Obama recently indicated that Western inaction in the aftermath allowed Libya to "spiral out of control" (see e.g. Obama in Goldberg, 2016), and experts on the region stated as early as 2012 that "the fact that Libya today has all the prerequisites of a failed state springs from the legacies of Gaddafi's rule, the way regime change was realised, and the actions of politicians and militia leaders in its aftermath" (Dodge, 2012, p. 67).

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[193] The most common attitude among those who intervened seems to be, however, that the decision for military engagement was not wrong as such, but that more should have been done, in particular in the aftermath.

8. Assessment & Conclusion

Introduction

This thesis addressed the question: *How can we explain various forms of cooperation between the EU-3, i.e. France, Germany and the UK, during different episodes of the Libyan crisis in 2011?* and aimed to contribute to the academic discourse about the state of EU foreign policy and crisis response. More specifically, it sought to critically engage with the finding that "cooperation is uneven across both countries and individual policy issues" (Krotz and Maher, 2011, p. 549) and offer explanations. The concluding chapter will therefore demonstrate how the findings from the five empirical case studies can enhance our understanding of cooperation both in empirical and theoretical terms. Attention will be paid in particular to the three sub-questions that were laid out in the introduction:

1.) How did the EU-3 respond to different episodes of the Libyan uprisings and when and how did they cooperate?

2.) Which insights can be derived from focusing on ideas and their interaction with interests and institutions when seeking to account for specific forms of cooperation among the EU-3?

3.) What do these findings about different outcomes and explanatory factors say about the state of cooperation among the EU-3 in the realm of crisis response and foreign policy more broadly?

After providing a brief overview of the findings of the empirical chapters in order to answer these questions, and discussing the explanation provided here, the chapter critically reflects on alternative explanations, and ends with propositions for possible avenues for further research and inquiry.

8.1 Findings of the empirical chapters

The subsequent sections provide a comparative overview of the findings of the case studies, both in terms of cooperation outcomes and explanations, and with reference to the analytical framework laid out in Chapter One. It is shown that two major findings emerge from this overview: first, the response of the EU-3 to the events demonstrates that cooperation took a multitude of different forms and can be seen as a prime example of the varied nature of cooperation in Europe. This finding renders void the argument that the 2011 Libyan crisis as a failed test case of post-Lisbon European foreign policy, and unveils the specific normative expectations underlying this judgement. Second, in order to account for the different outcomes, it is instructive to employ a framework that focuses on the role of ideas in crisis response.

8.1.1 Border protection and migration management (Chapter Three)

The chapter on border protection and migration management demonstrated that member states were able to cooperate closely when they quickly deployed the joint search and rescue operation *Hermes* off the Libyan coast. It was also shown, however, that the initial agreement was soon challenged when France responded to Italy's issuing of temporary residence permits with the re-introduction of border controls, thereby triggering an intense discussion about burden-sharing and solidarity in Europe. Fearful about the consequences of this action for the 'Schengen spirit' and the future of border-free Europe, Germany sought to de-escalate the situation, while simultaneously working with the United Kingdom against the French proposal for the reform of the Schengen and Dublin regimes. Throughout this process, all three member states sought to instrumentalise the European Commission and European Council meetings in an effort to pursue national interests.

In order to explain member states' action it was then demonstrated how the different governments were shaped by their attitudes toward specific forms of cooperation. In the realm of border protection, member states were found to have been driven by a common threat perception, whereas with regard to migration management, interests diverged in light of conflicting interpretations of sovereignty. While joint in their desire to stop migrants from entering Europe and in light of their respective concerns about national security and identity, the EU-3 nonetheless took rather different positions on how migration and asylum should be handled in the longer run. While France pushed for 'burden sharing' and a reform of the existing regime, Germany and the United Kingdom were opposed to these ideas. Whereas Berlin eventually changed its position on the reform of the Dublin and Schengen system, and indeed became one of the key players in advocating European solidarity on the issue, the United Kingdom remained highly sceptical of such endeavors, and favoured a more unilateral approach.

8.1.2 Humanitarian assistance and consular support (Chapter Four)

The chapter on humanitarian assistance and consular support demonstrated that, on the one hand, the EU-3 governments were keen to take unilateral action by quickly evacuating citizens from the conflict zone, and by providing assistance to those in need. On the other hand, they were also willing to support each other and carry out initiatives in a joint manner. Bilateral efforts at cooperation between Germany and the United Kingdom as well as the French-British airlift in North Africa constitute successful examples thereof, while the dispersion of funds by the European Commission, and the use of the expertise provided by DG ECHO to member states' delegations on the ground demonstrate the added value of cooperation via the EU.

These actions were explained in light of two factors which simultaneously drove member states' action: the desire to ensure effective assistance to their own and third country nationals, and the perceived necessity to remain highly visible on a national basis. Even though it was found that decision-makers were generally aware of the added value that they could have derived from working with each other and via the EU, they nonetheless perceived of the protection of citizens as a key responsibility of the nation state and were driven by the desire to stay in charge of humanitarian assistance as the latter provides an effective tool in foreign policy tool.

8.1.3 Restrictive measures (Chapter Five)

Dealing with the decision to implement numerous diplomatic and economic sanctions, Chapter Five revealed a particularly high level of cooperation among the EU-3. Agreeing on a wide range of measures, including asset freezes, arms embargos, import bans and travel restrictions, the three member states generally demonstrated their ability to act jointly and pushed for restrictive measures that went beyond the ones they had proposed at the level of the UN. Aided by the relevant EU institutions, the French, German and UK governments hence jointly took measures intended to punish and coerce the Gaddafi regime, prevent further atrocities, and support the Libyan opposition. They also managed to overcome the opposition of those member states which initially had been rather sceptical of or even opposed to coercive measures in light of the potential negative effects such measures would have on their economies and business activities in and with Libya.

In order to explain these initiatives, the chapter demonstrated that the EU-3 were not only characterized by a common desire to prevent further atrocities, but also by a shared perception that sanctions constitute an effective way to provide support to opposition forces. In addition, they wished to comply with their UN obligations, to establish themselves as responsible international actors and to demonstrate Europe's ability to act together. While speculations about unilateral violations of the arms embargo could potentially have cast a shadow on the latter objective, none of the EU-3 seemed to have an incentive to further inquire into the respective allegations in light of their shared opposition to the Gaddafi regime.

8.1.4 Diplomatic recognition (Chapter Six)

Activities in the diplomatic realm were, at least initially, more strongly characterized by unilateral action than in any other aspect of crisis response as in particular France actively sought to build relations with the Libyan opposition without engaging other member states. Even though EU institutions and other member states eventually took on a more prominent role, the

early response was thus characterised by Paris. Presenting its European partners with a *fait accompli* when it unilaterally recognised the NTC one day before a European Council, French decision-makers clearly had an interest in spear-heading Europe's diplomatic engagement with the Libyan opposition. While also the United Kingdom established relations with the group around Mahmoud Jibril, it did so on an informal basis, whereas Germany reacted rather belatedly, and yet still before the majority of other states.

In order to explain these actions, it was suggested that France was driven by a desire to uphold its profile as a particularly potent actor in the diplomatic realm, while the UK's unclear stance was the result of a number of conflicting dynamics and perceptions: London's belief in its capabilities and the desire not to upset international norms or to act differently from its principal partner, the United States. Also Germany found itself torn between different imperatives: its preference for a coordinated European approach on the one hand, and its desire not to miss out on the opportunity to establish the ties needed for future economic activities in Libya.

8.1.5 Military engagement (Chapter Seven)

More obviously than in any other area, cooperation in the military realm was dominated by bilateral initiatives, as France and the United Kingdom worked closely toward the preparation and subsequent implementation of a no-fly zone (NFZ). Pursuing a common objective and working together at the level of the UN, NATO and the EU, Paris and London soon dominated the international discourse and determined the cause of action. While Germany's decisions to abstain from the vote on UN Resolution 1973 and not to partake in military action in Libya made the lack of cooperation among the EU-3 particularly obvious, it must be underlined that also the relationship between France and the United Kingdom was not without tensions, however. In particular, London's preference for NATO action and close coordination with the United States contrasted with France's desire for a 'coalition of the willing' under French or joint French-UK leadership. As these differences were less obvious than Germany's abstention, however, they barely attracted attention.[194]

In an attempt to explain these outcomes, it was suggested that the EU-3 were driven by their respective interpretations of the events which, in turn, were mostly a reflection of their diverging ideas about the use of force. While France and the United Kingdom pushed for military action in light of what they saw as a case involving the Responsibility to Protect (R2P), it was demonstrated that decision-makers in Germany found themselves torn between a commitment to multilateralism and a joint European approach and a reluctance to engage militarily in a

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[194] For an exception, see Pannier 2015.

conflict of whose origin, context and consequences they were uncertain. Against this background, Berlin pushed for EUFOR Libya, a civilian assistance mission in support of UN efforts, whose effect remained merely symbolic however.

8.2 The state of European cooperation in crisis response

Seen in a comparative fashion, the insights presented above allow for a number of conclusions about the state of cooperation among the EU-3 and the reasons accounting for the findings presented in this thesis. They may also lead us to question the continued relevance of the existing narratives about EU member states' foreign policy and about what accounts for their action. The following sections will therefore first provide an overview of recurring trends among the EU-3 responses and then engage critically with explanations that can account for this outcome.

With respect to three states cooperation practices, it can be concluded that both Germany and France frequently underlined the significance of the European Union and of close cooperation with its European partners, while the UK seemed less inclined to make such references and focused more on initiatives with individual member states. In particular France regularly sought to use EU institutions to pursue its national interest, even though decision-makers in Paris repeatedly also favoured unilateral over joint action during the Libyan crisis. This manifested itself in the realm of migration management and border protection and the unilateral decision to temporarily close the border with Italy before lobbying for a reform of the Schengen rules at the level of the European Commission. The extent to which France's attitude toward cooperation is situation- and context-dependent became most obvious, however, in its engagement with the Libyan opposition. Here, Paris' desire to establish itself as the dominant power and principal interlocutor of a new government clearly trumped any coordination reflex. Also in the military realm, Paris was predominantly concerned with ensuring a position of power as it worked toward a 'coalition of the willing' under French or Franco-British leadership, seeking to avoid any measures which could compromise Paris' influence. This raises the question whether the preferred course of action of decision-makers in Paris and indeed their de-fault state of mind is one of close cooperation with EU partners, or rather one of unilateralism in pursuit of French greatness.

Similar to their French counterparts, also German elites frequently underlined the role of the EU and sought to instrumentalise EU institutions for their purposes. While, for instance, their efforts regarding a common sanctions policy suggest that elites in Berlin were indeed particularly keen to take action in close coordination with other member states, several instances

also demonstrate the limits to this commitment. In line with their specific interpretation of their country's national interest, German decision-makers initially opposed burden-sharing measures in the realm of migration management and then refrained from taking part in the military intervention in Libya.[195] Even though Berlin sought to make up for this apparently uncooperative act by pushing for an EU humanitarian assistance mission, the latter was not able to divert attention from the fact that the German government had taken action in defiance of the impulsions of France and the United Kingdom to act in concordance with them, and instead chose to uphold the idea of Germany as a civilian power.

Also the United Kingdom seemed closely connected to its traditional line in foreign policy, namely an *ad hoc* approach to cooperation and a preference for bilateral initiatives. London hence either worked with selected partners in specific areas in order to reduce costs and improve efficiency or relied, similar to France, on its own abilities. This approach manifested itself in the independent engagement with members of the Libyan opposition, the joint efforts with France in providing humanitarian assistance, and in the military realm, where the United Kingdom actively pushed for close coordination with the United States and action via the NATO framework. Transferring powers to or relying on EU institutions, by contrast, was regularly seen as the least attractive option as became particularly obvious in situations where EU and non-EU measures existed in parallel. The realm of consular activities is a particularly fitting example in this context as London clearly preferred *ad hoc* measures of cooperation over any action that could lead to a transfer of powers in the long run. Seen in light of the long-standing discussion about the UK's Eurosceptic attitude, such findings are hardly surprising.

It addition to these country-specific findings, it can furthermore be concluded that despite joint efforts in all areas, the EU-3 regularly refrained from fully involving the EU-level. This holds true in particular for the military realm, where the level of institutional involvement was particularly low, but also applies to the field of diplomacy where member states' individual efforts significantly curtailed the ability of the High Representative and the European External Action Service to ensure that Europe. Similarly, some member states could have improved the efficiency and effectiveness of their evacuation activities if they had cooperated more closely with the MIC or even created joint evacuation forces prior to the uprisings. Also humanitarian assistance would also have arguably profited from a transfer of powers to the Commission and DG ECHO and if member states had refrained from pursuing their own individual objectives

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[195] In this context, one should acknowledge a qualitative difference in the form and extent of 'unilateralism' between France and Germany, however: while with regard to the diplomatic recognition France took action which deliberately excluded member states chose, Germany's abstention reflected the position taken by a large number of other member states.

while helping others. A similar point can be made with regard to the area of migration management where the absence of a joint approach effects not only European citizens.

In order to account for these outcomes and the EU-3's respective preferences, the thesis suggested a framework which argued that governments' perceptions and underlying notions of appropriateness and consequences constituted crucial explanatory factors. This approach allowed for insights into the way in which the EU-3 constituted their interests in the first place and how they then perceived of various options for action. The high explanatory potential of this approach notwithstanding, alternative explanations are possible, however, two of which shall be considered here in greater detail.

A pertinent potential explanation in the discipline of International Relations is rooted in political Realism and focuses on the distinction between "high" and "low" politics. It assumes that states are more likely to cooperate in areas where their sovereignty is less affected. While the relevance of states' core interests in foreign policy decision-making – along with the argument that "cooperation among states has limits, mainly because it is constrained by the dominating logic of security competition" (Mearsheimer 1994, p. 9) – shall not be refuted as such, it must be underlined, however, that this explanation alone is insufficient in accounting for the specific outcomes we have witnessed in the empirical chapters. First, it tends to look at issue areas as a whole, and expect governments to *either* take a cooperative approach or not on cooperation on the basis that a policy area touches upon states' core interests and responsibilities or not. Applied to the case of Libya, however, they fail to appreciate the fact that governments frequently changed course within a specific realm. Focusing on "high" and "low" politics hence does not account for the fact that decision-makers in Berlin eventually decided to recognise the NTC and to do so before most other European states, especially after they had initially underlined the significance of a joint approach and their commitment to the practice of recognising states rather than governments. The proposed explanation furthermore fails to account for the fact that also in (presumably) "low politics" areas such as humanitarian assistance and restrictive measures, the EU-3 took unilateral action nonetheless. Most importantly, however, the proposed hypothesis does not explain why the three states stopped cooperating in the realm of migration management after decades of cooperation. It is therefore necessary to combine insights into the relevance of interests with findings into how they come into being in the first place. The proposed framework has done by stressing the role of NRCs in shaping how states perceived of material factors.

Another explanation focuses on institutional capabilities and argues that cooperation depends to a large degree on the institutional design of a specific area (see Chapter One). While it is certainly the case that the distribution of competences is key to effective cooperation, it must be underlined, however, that this explanation aloe is insufficient as it fails to take into consideration

the fact that crisis response is a policy area which, as a whole, is shaped by intergovernmentalism. Moreover, even aspects such as humanitarian assistance, diplomacy or restrictive measures which are characterized by a greater degree of institutionalisation than others, were not immune against member states' desire to exercise their powers individually. One must thus again build on a set of additional factors – this time SSRs – in order to allow for insights into member states' attitudes towards and perceptions of themselves, others and EU institutions. Against this background, it can thus be concluded that the current state of European cooperation in the realm of crisis response depends to a significant degree of how ideas, interests and institutions interact. In order to understand the way in which it might develop in the future, one must therefore consider the way in which these three aspects interconnect. As this constitutes a highly challenging and complex task for any researcher, the subsequent sections will elaborate on a number of additional avenues for future research.

8.3 Avenues for future research

Building on the insights presented in this thesis, three areas emerge as particularly interesting avenues for future research. The first relates to the role of ideas in explanations for cooperation and would investigate how appearances of cooperation emerge in the first place and how they compare across different institutional, national, cultural or linguistic contexts. In this respect, it could be particularly interesting to draw on discursive approaches to the study of foreign policy and European integration (see e.g. Carta and Morin 2014, Diez 1999), and to identify and contrast discourses regarding cooperation by practitioners across member states, EU and interlocutors in third countries. Such analyses would also contribute to the emerging research agenda of "outside-in" approaches (Keukelaire 2011) and to work that focuses on the effects of day-to-day processes of dialogue and interaction on the political preferences that are formulated in national capitals.

A second interesting field of future research would broaden the analysis of cooperation during the Libyan crisis beyond the EU-3, and demonstrate if and how other member states[196] and regional actors influenced cooperation. Particularly insightful in this regard would be a focus on Italy, whose close ties and strong interest in Libya proved crucial in various aspects, and especially in the realms of sanctions, diplomatic recognition, border control and military action. In all of these instances, Italy held initially diverging positions or advocated action which often differed from the positions of the EU-3. Compelling insights might furthermore emerge if attention is given to smaller member states or specific EU institutions such as the European

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Parliament, whose role has so far been nearly ignored but which played a significant role with regard to the Libyan opposition. It was thus Belgium's former Foreign Ministers and MEP, Louis Michel and Guy Verhofstadt, who reportedly played a key role in facilitating contact between the Libyan opposition and European powers when meeting Mahmoud Jibril even before the French government (Deboeuf 2013). Similarly, further insights regarding cooperation dynamics during the Libyan crisis might be derived from a closer engagement with the actions of Portugal, which like Germany was a non-permanent member of the UN Security Council at the time, or Hungary, which held the EU rotating presidency in the first half of 2011. Arguably the most insightful would be, however, a closer analysis of the role of the United States and particularly whether and to which extent its decision to change course on military intervention and to the "lead from behind" approach impacted the cooperation between the EU-3.[197]

Lastly, it would be highly instructive if future researchers chose to elaborate on the core work presented in this thesis, and to further investigate the role of the EU-3 in the realm of foreign policy and crisis response in particular. While some efforts have been taken in this regard already (see e.g. Krotz and Maher 2016), it appears that such analyses into the relations among France, Germany and the United Kingdom would be particularly interesting after the latter voted on whether to remain a member of the European Union. As this decision is likely to fundamentally challenge the underlying legal framework for cooperation among the three states, attention should thus be paid to how the three countries' interactions, the form and extent of their cooperation as well as their individual influence and roles will develop in the future. Particularly interesting in this context could be research that traces the development of the partnership between France and Germany as the two powers have been most crucial in promoting and deepening European integration over time (Krotz and Schild 2013). Also further work on the bilateral relationship between France and the United Kingdom could be instructive, however, as leading politicians in both countries have stressed the continued significance of cooperation shortly after the referendum, stating that they found it "more necessary than ever" (House of Lords 2016). Finally, it is the future relationship between the United Kingdom and Germany which requires particularly attention, especially in light of the fact that Berlin appears to be extending its influence beyond the economic and into the political realm.[198].

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[197] Alternative accounts than the ones presented in this thesis have argued that it was the US administration rather than France and the United Kingdom who played the key role in determining the international response to the Libyan crisis (Boyle 2011) and who first decided when and how to engage with and support the Libyan opposition. Further and comparative research may thus lead to particularly interesting findings

[198] While underlining its commitment toward multilateralism and the EU, Berlin has already demonstrated its ability to act as a leading power in the field of crisis response. With regard to the crisis in

While considerable room remains for further inquiry into European cooperation during the 2011 uprisings in Libya, this thesis has demonstrated that the EU-3 took joint action much more frequently than has been suggested, as their interaction ranged from unilateral initiatives and bilateral efforts to the use of EU institutions on various occasions. It was furthermore shown that in doing so, the three governments frequently took a rather pragmatic approach, pursuing those courses of action that – constrained by their respective ideas about appropriate action – promised to be most effective. As this means that the EU-3 frequently refrained from using the institutional framework, this triggered criticism by EU and national officials as well as commentators and parts of the public. In this context, it must be recalled, however, that at the time of the uprisings, i.e. in the spring of 2011, the EU's foreign policy machine had just undergone a range of major changes. Member states were yet to find out whether and how the innovations could help them reach their respective objectives. Equally, the institutions were yet to prove their effectiveness and added value.

While this led optimistic commentators to suggest at the time that "in a few years from now, we may witness a more common policy toward our Southern Neighbourhood" (Kundnani and Vaisse 2011), there is now increasingly room to believe that this forecast might not materialise. Five years after the uprisings, certain member states increasingly question not only the form and substance of EU foreign policy, but the project of European integration as such. Criticising shortcomings with respect to institutional design, democratic legitimacy and day-to-day practices, parts of the population in several EU countries and some of their leaders seem to be increasingly disenchanted with the project of cooperation. Failing to demonstrate solidarity, focusing on the shortcomings rather than the achievements of the European project and considering leaving the Union, numerous member states even no longer seem to see an added value in cooperation. As the European Union thus seems to be at a juncture, it is important to recall one of the key findings of this thesis: even though at times Europe was driven by national interests, power politics and governments that jealously guard their competences, decision-makers were frequently also able to identify the added value of cooperation and understand that the latter can enable them to reach their respective goals more effectively and efficiently. As governments' ability and willingness to cooperate is determined by how they perceive different options in light of their constituencies' support, it is hence worthwhile to underline that public pressure alongside carefully-designed institutions may help them to identify when and under which circumstances a joint approach is beneficial.

Ukraine, it was found to have "played the pre-eminent role in formulating and implementing the EU response to Russia" (Krotz and Maher 2016, p.1060).

Annex 1 : London Conference on Libya - List of attendees, 29.03.2011

International Organisations	
United Nations	Secretary General HE Ban Ki Moon
Organisation of the Islamic Conference	Secretary General HE Prof. Ekmeleddin Ihsanoglu
North Atlantic Treaty Organisation	Secretary General Anders Fogh Rasmussen
European Union	High Representative of the European Union for Foreign Affairs and Security Policy Baroness Ashton of Upholland
United Nations	Special Envoy for Libya Abdelilah Mohamed Al Khatib
Arab League	Ambassador Hesham Youssef
Countries	
Albania	Foreign Minister Edmond Haxhinasto
Belgium	Foreign Minister Steven Van Ackere
Bulgaria	Foreign Minister Nickolay Mladenov
Canada	Deputy Minister Morris Rosenberg
Croatia	Deputy Prime Minister Gordon Jandrokovic
Czech Republic	Foreign Minister Karel Schwarzenberg
Denmark	Foreign Minister Lene Espersen
Estonia	Foreign Minister Urmas Paet
France	Foreign Minister Alain Juppe
Germany	Foreign Minister Dr Guido Westerwelle
Greece	Foreign Minister Dimitrios Droutsas
Hungary	Foreign Minister Janos Martonyi
Iceland	Foreign Minister Ossur Skarphedinsson
Italy	Foreign Minister Franco Frattini
Iraq	Foreign Minister Hoshyar Zebari
Jordan	Foreign Minister Nasser Judeh
Kuwait	Ambassador Khaled Duwaisan
Latvia	Foreign Minister Girts Valdis Kristovskis
Lebanon	Ambassador Inaam Osseirah
Lithuania	Vice- Minister Asta Skaisgiryte-Liauskiene
Luxembourg	Foreign Minister Jean Asselborn
Malta	Deputy Prime Minister Dr Tonio Borg
Morocco	Foreign Minister Taib Fassi Fihri
Netherlands	Ambassador Pieter Willem Waldeck
Norway	Foreign Minister Jonas Gahr Store
Poland	Foreign Minister Radoslaw Sikorski
Portugal	Foreign Minister Joao Cravinho
Qatar	Prime Minister and Minister Foreign Affairs His Excellency Sheikh Hamad Bin Jabr Al Thani
Romania	Foreign Minister Teodor Baconschi
Slovakia	Foreign Minister Mikulas Dzurinda
Slovenia	Foreign Minister Samuel Zbogar
Spain	Foreign Minister Trinidad Jimenez
Sweden	Foreign Minister Carl Bildt
Tunisia	Ambassador Hatem Attalah
Turkey	Foreign Minister Ahmet Davutoglu
UAE	Foreign Minister His Highness Abdullah bin Zayed Al Nahyan
USA	Secretary of State Hillary Clinton
Observers	
Australia	High Commissioner John Dauth LVO
Holy See	HE Archbishop Mennini
World Bank	Senior Counsellor for UK and Ireland Andrew Felton

Source: Foreign and Commonwealth Office, 2011

List of Interviewees

Throughout this PhD process, 77 people generously took time to share with me their experiences regarding European cooperation, national foreign policies or the 2011 uprisings in Libya. My interlocutors included bureaucrats from various national ministries and EU institutions, academics, politicians, military personnel, media representatives, human rights activists, Libyan expats or general experts on the various issue areas addressed in this thesis. We spoke in Brussels, London, Paris and Berlin and occasionally communicated via email or phone.

In order to respect the wish of the vast majority of my interlocutors in Brussels, London, Paris and Berlin to remain anonymous, I refrain from providing their names and merely list their respective function as well as the date and place of our encounter, or – where appropriate – if our exchange occurred solely via email or phone.

Interview partners in EU member states

No.	Date/Place	Position
1	19.01.2014, (email)	Senior French diplomat
2	05.05.2014, Paris	French foreign policy expert (academia)
3	06.06.2014, Paris	Former Senior French diplomat; foreign policy expert (academia)
4	10.06.2014, Paris	French foreign policy expert (academia)
5	11.06.2014, Paris	French foreign policy expert (think tank)
6	12.06.2014, Paris	Senior French diplomat
7	15.06.2014, Paris	French foreign policy expert (media)
8	13.06.2014, (email)	Senior French diplomat
9	16.06.2016, Paris	French foreign policy expert (think tank)
10	18.06.2016, Paris	French politician
11	28.07.2014, Berlin	German foreign policy expert (media)
12	30.07.2014, Berlin	German foreign policy expert (think tank)
13	30.07.2014, Berlin	German foreign policy expert (think tank)
14	01.08.2014, Berlin	Senior German diplomat
15	04.08.2014, Berlin	German foreign policy expert (think tank)
16	05.08.2014, Berlin	German foreign policy expert (think tank)

17	06.08.2014, Berlin	German foreign policy expert (think tank)
18	10.08.2014, Berlin	Senior German diplomat
19	02.11.2015, Berlin	Senior German diplomat
20	03.11.2015, Berlin	MENA trade specialist
21	20.12.2015, Berlin	Senior German diplomat
22	22.12.2015, (phone)	Senior German diplomat
23	22.12.2015, Bonn	Senior German official
24	05.01.2016 (a), Berlin	Senior German diplomat
25	05.02.2016 (b), Berlin	Senior German diplomat
26	06.02.2016, Berlin	Senior German diplomat
27	07.02.2016, Berlin	Senior German diplomat
28	29.02.2016, London	Senior German diplomat
29	29.02.2016, London	UK foreign policy expert (media)
30	01.03.2016, London	Human Rights activist
31	11.08.2014; 4.12.2015, London	UK-based expat from Libya
32	08.04.2015, Oxford	UK-based expat from Libya
33	22.01.2016, London	UK-based expat from Libya
34	25.05.2015, London	UK politician
35	25.05.2015 (a), London	UK foreign policy expert (think tank)
36	25.05.2015 (b), London	UK foreign policy expert (think tank)
37	13.07.2015, London	UK politician
38	13.07.2015, London	Two Libyan Representatives (GNC members)
39	27.07.2015, London	UK foreign policy expert (media)
40	28.07.2015, London	Former member of the UK military
41	29.07.2015, London	Former member of the UK military
42	08.12.2015, London	Senior UK diplomat; foreign policy expert (think tank)
43	27.11.2015 (email)	Former foreign policy expert (think tank)
44	27.11.2015 (phone)	Diplomat from a small member state

45	22.01.2016, London	Human Rights activist
46	22.01.2016, London	International Human Rights lawyer
47	22.01.2016, London	International Human Rights lawyer
48	22.01.2016, London	Representative of United Nations Mission in Libya
49	23.01.2016 (email)	Academic with expertise on the Libya crisis
50	20.01.2016, London	Risk consultant for Libya
51	22.01.2016, London	Expert on International Law, Human Rights and Refugee Law (academia)
52	08.02.2016, London	UK foreign policy expert (academia)
53	18.02.2016, London	Maltese businessman with strong professional ties to Libya
54	24.02.2016, London	UK foreign policy expert (media)
55	24.02.2016, London	International Human Rights Lawyer
56	29.02.2016, London	UK politician
57	01.03.2016, London	UK-based Human Rights activist
58	01.03.2016, London	UK foreign policy expert (academia)
59	14.03.2016, London	UK politician
60	15.03.2016, London	UK foreign policy expert (media)
62	16.03.2016, London	(Libyan-American) Libya expert (think tank)

Interview partners in EU institutions

No.	Date/Place	Position
1	05.06.2011, Brussels	EEAS official
2	07.05.2012, (telephone call)	Commission official
3	11.06.2015, Brussels	EEAS official
4	11.06.2015, 19.08.2015, 02.11.2015, Brussels (and telephone call and email)	EEAS official
5	11.06.2015, Brussels	Commission official
6	12.06.2015 (a), 02.11.2015, Brussels	EEAS official

7	12.06. 2015 (b), 15.06.2015, Brussels	EEAS official
8	12.06.2015 (c), 07.11.2015, Brussels	EEAS official
9	13.06.2015, Brussels	EEAS official
10	15.06.2015, Brussels	Commission official
11	15.06.2015, Brussels	Council secretariat official
12	16.06.2015, Brussels	EEAS official
13	17.06.2015, Brussels	EEAS official
14	26.11.2015, 12.01.2016, Brussels (and email)	EEAS official
15	10.01.2016 (email)	EEAS official

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