



## European Round Table

***“ Libya : A Major Crossroad for European Humanitarian, Foreign and Security Policy ? Views and Opinions on the Transition Process in North Africa and Middle East ”***

***10 May 2011, Brussels***

**Belgian Ministry of Foreign Affairs, Room DV01**

**Karmelitenstraat/Rue des Petites Carmes 15, 1000 Brussels**

**2:30 pm to 5:30 pm.**

*This Roundtable was the seventh in the series of events organised by CEIPA (Centre for European and International Policy) and hosted by the Belgian Ministry of Foreign Affairs. It was conveyed in order to discuss the crises in Libya and its impact on the EU Humanitarian and Common Foreign and Security Policy. The round table was chaired by Mr. **Peter von Bethlenfalvy, CEIPA Executive Director.***

After the introductory welcome from the CEIPA Executive Director Mr. Peter von Bethlenfalvy, **Mr. Frank Felix, Director of Asylum, Migration and Anti trafficking Department at the Ministry of Foreign Affairs, Belgium** began by providing an outlook of the situation in the North of Africa. He pointed out to the enormous challenge the EU is facing in relation to the ongoing events which are happening against the backdrop of financial crises (Greece, Ireland and Portugal) and the mounting pressure on the EU Schengen agreement (due to the flood of migrants arriving on European shores). In addition, the looming humanitarian crises (750 000 persons have fled Libya ever since the beginning of conflict) has

increased instability on EU borders, pushing the security issue on the top of the agenda. As to the EU response, there are already a number of things in a pipeline. First, the EU is offering to the countries of North Africa a Partnership for Democracy and Shared Prosperity, designed to help democratic transition, strengthen partnership with civil society and facilitate economic development in the region. By focusing on each country and refraining from the imposed solutions the EU is trying to avoid mistakes committed in the past. Second, the relations with North Africa are defined by the EU governing principles, namely the respect for democracy and human rights, freedom of expression, press and election freedom etc. The EU should be able to impose sanctions on regimes that do not respect these rights and commit atrocities against their own people. However, sanctioning measures must be undertaken in collaboration with the UN and the Arab League and should be always supported by the international community. Some choices have to be made tough, as this costs money (there are in total 30 countries concerned). With respect to the migration pressure, Mr. Felix reminded that Italy took the biggest bulk of migrants arriving from the North of Africa. This has caused a number of problems, not least regarding the requests from some countries to open up discussion on the Schengen agreement principles. At the same time Italy feels abandoned by its EU partners, even though the majority of migrants intend heading to other European countries. He also regretted the fact that the Common European Asylum System has not materialised in practice. Mr. Felix concluded on a positive note, expressing optimism that the final outcome of the measures undertaken would eventually bring benefits to all, with “the Mediterranean” spreading from Finland to the Arab peninsula.

**HE Ambassador M. Derbal, Head of the Permanent Mission of the League of Arab States**, thanked for being invited to this open and friendly discussion which allowed him to raise a few sensitive issues. He started his intervention by pointing to the dramatic situation in Libya.

He said that freedom is not only the universal value signifying freedom of speech and civil rights, but means also independence and sovereignty of nations, the right to development and the right to local decision making power. Democracy is an instrument for society organisation, but its interpretation and implementation is not the same for everybody and can differ from country to country. Because we have different coexisting civilisations at the international level, the interpretation of democracy can also contrast. What is happening in the Arab world today is not an Arab spring, but rather an autumn of division with the danger it represents for the Arab world, its population and the world as a whole. Regarding Libya, Ambassador Derbal reminded that the gist of the UN 1973 Resolution was to establish a no-fly zone in order to protect civilians, not to remove Quaddafi from power. The message from the League of Arab states was clear. The decision has been taken by majority and was not based on a consensus. What has happened in practice though was an aggression against Libya. While stressing that he is not supporting Quaddafi’s regime, Mr. Derbal qualified the intervention as illegal, quoting the NATO General Secretary as saying “the game is over for Colonel

Quaddafi, there is no future for his regime". He concluded by putting forward a question about the promotion of human rights and freedom on the one hand and the absence of reaction from the international community during the destruction of Gaza on the other. He ended by pleading for more coherence that would help re-establishing trust and avoid pursuit of double standards.

**Mr. Ali Wahida**, Belgian-Libyan journalist specialised in European and EU Arab relations recalled the sequence of events and the evolution of the rebellion in Libya. On 17 February 2011 an appeal for a peaceful protest was launched via the internet. A few days before, in Benghazi, a group of lawyers gathered to commemorate the massacre of 1500 prisoners. One of Quaddafi's son crushed this demonstration, triggering the revolt in Tripoli on 22 February 2011. The arrival of mercenaries from Africa marked the beginning of a massacre of civilians. As a result, the international community adopted the UN Resolutions 1970 and 1973. The protest turned into revolution. Mr. Wahida defended the NATO intervention, which he said was undertaken against the regime that was declared illegitimate by its population. The EU, although cautious at the beginning, is now more determined, especially with regard to financial support. The Benghazi Revolutionary Council was in the meantime recognised by France, Italy and the UK and its representatives met with Europe leaders. Mr. Wahida winded up his intervention by underlining that the NATO intervention, although necessary, should be only an instrument to accomplish the task defined by the UN Resolution. Europe should then step in by helping to build the country, facilitating free elections, supporting education and human rights and securing financial assistance.

**Mr. Fathi B'Chir, Journalist and Reporter in the field of international development, specialised in Mediterranean** began his intervention by addressing the breadth of democratic movement which may at a different pace spread as far as China. For the time being there are more questions than answers on how the future relations between the EU and the Middle East will be shaped. He reiterated that democracy is a universal value with different modalities of implementation. The concept of sovereignty by contrast should be better clarified, as it has become obsolete in the course of time. Quoting the example of the EU decision making, he noticed that no single country can take a decision without Brussels. The redefined concept of sovereignty means working together and reaching decision through negotiations. This however needs to be supported by the concept of reciprocity where protection of human rights is equal for all citizens wherever they are. It is from this angle that we should approach the Mediterranean and the Arab world. By the same token the issue of Israel and Palestine should be thoroughly discussed and eventually resolved. Speaking about Islam, Mr. B'Chir noticed that we have entered the post- Islamic times, especially after the killing of Bin Laden. The people in the Southern countries went against dictators, asking for democracy, not Islam. Islamism can prosper only in closed countries.

What we need today are relations based on improved trust, based on models such as the OSCE. What happened in the Arab world could be explained by the fact that a big layer of population came out of poverty and started asking for political rights. Unfortunately though, the reaction of the EU was all about containing the migration, focusing on security rather than providing support to democracy. The European fixation on migration and its restrictive visa policy is a cause of frustration among population in the South. There is no valid reason why should a Tunisian professor who wants to travel to Belgium be refused visa. Mr. B'Chir concluded by urging Europe to adopt more trustful and positive attitude in order to avoid that the people of the South turn their back to Europe.

**The discussion** which followed was very dynamic, with several participants addressing the issue of the EU role in the ongoing events. The Arab world wants to see a strong Europe, not a divided one. For the time being Europe has no clear vision about her role and objectives in the North Africa and the Middle East. Fears about security and migration are provoking confusion and prompting the rise of the extreme right parties in Europe. Solving the European problem first should be a prerequisite for a common project for the Arab world.

At present, we are facing the big challenge with legitimate demands of the people from the Middle East and North Africa who are seeking to establish democracy and the rule of law in their countries, according to their specific political and cultural features. The line of history is heading towards democracy. The EU should review its strategy towards the Mediterranean, avoid double standards and take a firm position in accordance with its own values. The Arab countries are closest and the most important strategic partner of Europe.

Several remarks were made regarding the application of international law in relation to Libya. Participants stressed the need to reform the international rules agreed upon in the aftermath of the Second World War, in circumstances rather different from the present ones. In this respect, the UN concept "The Responsibility to Protect" was addressed. It is a relatively new international human rights norm adopted by the UN General Assembly in 2005 to prevent and stop genocide, war crimes, ethnic cleansing and crimes against humanity. It gives right to the international community to intervene against dictators who brutalise their own population, allowing the use of force as an instrument of last resort. Yet this embryo of the world governance should be cleared from the pitfalls of diplomacy and international politics. The right to intervention should not be based on the premises of the balance of power, but anchored to the need of defending a noble cause. The Libyan conflict is the case in point which will certainly give teeth to this still fragile concept.

The issue of the Israel- Palestinian kept cropping up in the discussion. It was said that Europe would be safer with the resolution of this conflict. However Europe is lacking the strategic vision in its relation towards the Mediterranean. In spite of some good achievements there is a perceived absence of a long term strategy. On the bright side though, some good results were reported in the field of justice, police, education and the support to the civil society. Finally, mention was made

of a difficulty to conduct a dialogue with 43 countries. To achieve better results this cumbersome exercise would need to be reviewed.

In conclusion **Mrs. Patsy Sorensen** noticed that the democratic process is a lengthy exercise which may well take time to mature. Unfortunately, it is also the opportunity for criminals and traffickers to profit from the unrest, making their unlawful gains. She also reminded about the difficult situation in Lampedusa where migrants keep coming from the North of Africa.

**Mr. Frank Felix** for his part said that even though the Lisbon Treaty is vague, we have no luxury of time with regard to the events in North Africa. If it is true that Europe is still under construction we should also praise the positive developments. He concluding by stressing the fact that only through dialogue and by listening to each other we can achieve good results.

**Mr. Peter von Bethlenfalvy**, CEIPA Executive Director thanked the speakers and all the participants for their valuable input and lively discussion.