

## **A trade-off between security or rights? The migration issue in the Italy-Libya relations.**

The migration issue is one of the most discussed topics nowadays around the world; thus, I have decided to analyse it paying my attention to the relations between my country, Italy, and Libya, one of the departure countries of the Mediterranean, from which many refugees try to reach our coasts, often unsuccessfully. In the “social media era” is very simple to know what is happening on the other side of the world but more often some issues are hidden or not told in the right way to understand why they are happening: from the 80s the Italian newspapers, television and radio have a decisive role in the conception of this phenomenon, talking about migration as well as criminality, provoking the so called “culture of panic and emergency<sup>1</sup>” used also by politicians to satisfy their ideologies.

Migration as a social threat, a criminality booster, that must be stopped.

The Italian government from the 80s has started to adopt many laws in order to control and reduce the flows, from the Martelli Law, the Dini Degree, Turco-Napolitano Act, to the Bossi-Fini Law and so on, when the issue has started to be raised by media; then, Italy also has started to sign agreements with third countries, in particular the departures one, and Libya has been one of the first countries on the list. Libya has deep and articulate links with Italy, from the latter years of the 17<sup>th</sup> century it has seen the Italian presence which has increased during the Italian colonization between the outbreak of the WWF, colony officially established in 1934, and 1943 when Italy has been losing its colonies. In these years around 100000 locals, or rebels that had tried to resist to the colonisation, were resettled in camps along the coast where between 40 and 50000 have died in bad life conditions<sup>2</sup>. On the other hand, there has been an economic development thank to the Italian settlers who have opened activities in the country. At the end of the 30s, the Italians moved to Libya were around 120000<sup>3</sup>. After the Italian defeat during WWS, the winning powers have decided to establish in 1952 the Kingdom of Libya

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<sup>1</sup> Emanuela Paoletti, *The Migration of Power and North-South Inequalities. The Case of Italy and Libya*, Palgrave MacMillan (2011)

<sup>2</sup> Maurizio Veglio, «Amiche, nemiche, complici. l'Italia, la Libia e un secolo di caccia agli stranieri», *Tra l'Europa e l'Italia*, seconda parte ([https://www.migrantes.it/wp-content/uploads/sites/50/2019/11/06\\_cap4.pdf](https://www.migrantes.it/wp-content/uploads/sites/50/2019/11/06_cap4.pdf))

<sup>3</sup> Laura Guazzone, *Storia contemporanea del Mondo Arabo*, Mondatori Università (2016)

with king Idris al-Senussi, who has fallen in 1969 due to the backwardness of the country which has made the Colonel Mu‘ ammar al-Qadhdhāfi’s coup d’état successful. His regime has started with the Colonel’s intention to strengthen Libya relations with the Arab and African countries in name of their national feeling (Pan-Arabism before and Pan-Africanism then), raising Libya’s position in the international community with several strategic decisions such as the nationalisation of the “black gold” which has made Libya as powerful as Saudi Arabia and Iran in the 70s; and the sign of international agreements, in particular with Italy. His policy toward Italy was full of contradictions, he has first unleashed his colonial resentment expelling all the Italians from Libya and taking all their assets, establishing on the October 7<sup>th</sup> the “Day of Revenge” against Italy, where Libyans have celebrated the commemoration of the martyrs died during the colonisation. Then, he has started to use this feeling as an instrument to make requests to Italy in order to forget the past, as a “gesture of friendship and reparation”: the building of a highway from Tunisia to Egypt, passing trough Libya, has been on the Libyan agenda for years. Moreover, he has used other two points in his favour: the public mood created by the Italian media and the energy issue -gas and oil-: Qadhdhāfi has exacerbated the sense of crisis and no control of the arrivals with the aim to put Italy in the position to need Libyan assistance through bilateral agreements and this has occurred. The first one was signed in 1998, the Joint Communication, in which Italy firstly reported the formal acknowledgment of the colonial suffering caused to the population and by the way, the commitment to remove whatever remains of that period (searching for Libyan citizens who were coercively expelled, removal of mines, to compensate the victims of mines and to give all documents, manuscripts and goods back), the establishment of ALI (Agenzia Libica Italiana) in 1999 and to invest in Libya for its development. But this agreement was signed during UN embargo (adopted because Libya was defined a “rogue State” and “sponsor State of terrorism”), thus international community suspended it. In 2000 Memorandum of Intent dealt with economic and social- health investments and with migration cooperation: the parties had to share information about their modus operandi, their itineraries and about criminal organisation that favour illegal migration; to give reciprocal assistance, obviously with the supply of the equipment by Italians.

During Berlusconi governments the relations with Libya have become more intense: in July 2002, with the Tripoli Declaration sign, the parties had to define a road map on migration and development to tackle undocumented migration. In these years it has started to talk about temporary de-territorialised camps, in which migrants, after being returned to Libya, temporary stay waiting for being identified and, possibly, to make asylum request. In 2004 there has been the inauguration of the Greenstream, the pipeline which supplies gas directly to Italy. When acts seemed to be respected and flows reduced, Qadhdhāfi raised again the colonial past and asked for the “big gesture” though several of them, one was the building of a hospital specialized in cardiac disease: this means it would never have been enough to forget.

In 2008 the “Day of Revenge” has been substituted by the “Day of Friendship” just after the sign on August 31<sup>st</sup> of the *Treaty of Friendship, Partnership and Cooperation*. It includes the Italian commitment to build infrastructure in Libya (Ras Jedir and Assoloum roads, valued \$5 billion) and 200 residential units and to create a care programme to the victims of mines left underground; Libya has to police by sea (with Italian patrol vessels) and by land with survey system (paid by Rome and Brussels) with the guarantee of the respect of UN Chart and Human Rights Universal Declaration and to guarantee the supply of energy: treaty summed up by our then Prime Minister, Berlusconi “Less migrants, more oil”.

The June 10<sup>th</sup>, 2009, has been the day of Qadhdhāfi’s first visit in Italy, occurred after apologizing from Italy. But surprises have not missed because the Colonel has presented himself wearing the national uniform on which had fixed the photo of Al-Muḥtar’s arrest by Fascists, a shaykh leader of the resistance, killed hanged by the Italian regime: the resentment has never ended.

After Qadhdhāfi’s chapter, the situation has not changed because Libya has never more had a stable and accomplished government. Moreover, the outbreak of different conflicts around the world have created a big wave of mass migration that has alerted Europe: the increase of disembarkation in

Italy has reached 170000 people in 2014<sup>4</sup>. Another point to put in evidence is the smuggling activities which take benefits from irregular migration, firstly economic (from the selling of the “opportunity to cross the sea and start a new life” to the slave market that is nowadays relevant). EU worried about this “migration crisis” has decided to plan naval military operations to prevent more people from dying at sea and human tragedy pinned directly on smuggling activities, intensifying its presence at sea. Italy, naturally, was on the first line. The coordination between Italy and Libya was facilitated on February 2<sup>nd</sup>, 2017, when Memorandum of Understanding (MOU) has been signed by Primer Gentiloni and Al Serraj, and it plans the collaboration of both countries with the aim to establish a Libyan authority able to carry out the control over the state, including sea and desert (where control is very difficult) thus to contrast human trafficking and smuggling activities; this through the training of thousands Coast Guard soldiers and the supply of every kind of equipment (vessels, satellite cell phones...), also medical needs for the temporary camps, naturally financed by Italy.

Analysing the case, all the tools and possible measures have been put on table, but on the one hand the temporary authority had/has not the full control of the country because of the fragmentation of the territory among different militias and their ties with criminal organisations. So, no one exercises substantive power in Libya and this makes the achievement of Italian (European) aim -reduction of illegal migrants and in general arrivals- very difficult. Moreover, reducing inflows along the central Mediterranean route does not seem to have been accompanied, also today, by the strengthening of Libyan institutions: the empowerment of criminal organizations is constant even because State institutions have links with them (e.g., Bija, major of Coastal Guard, set free from the Libyan authorities after six months of imprisonment, for “lack” of evidence).

The Memorandum has been renewed at the end of 2019, although UN report of 2018, notifications from NGO and different international investigations have denounced Libyan treatment over migrants at sea and in the temporary

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<sup>4</sup> Michela Ceccorulli, «Triangular migration diplomacy: the case of EU–Italian cooperation with Libya», *Italian Political Science Review/Rivista Italiana di Scienza Politica* (2020-2021)

“reception” camps when fundamental conditions of life and human rights do not exist.

The migration issue which links Italy and Libya has complex roots, it includes economic, political and historical factors that make the so called “North-South theory”, in some way, inadequate (supposedly Italy is the Northern -developed, powerful, strong- country and Libya the Southern - underdeveloped or developing and powerless- country). It is better to talk about interdependency between them, because, as I told, Libya has important resources that Italy needs and for its geographical position, that makes it the *carrefour* of different continents, Libya is a fundamental partner. It is a transit country, not only a departure one.

To conclude, I try to answer at the question included in the title, I cannot consider the bilateral relation as a trade-off neither for security because illegal migration has reduced, of course, but it is still present due to the corruption of the authorities that should hinder it; I also take in consideration the realism theory which advocates that States make all the necessary to achieve their goals and this has been happening since the beginning. It is neither a trade-off for rights because rights remained only on the paper, both Italy and Libya violated a several number of human rights, international law as different reports, sentences and investigations testify. People move to other states for different reasons and using them as bargaining chip is not right, ethically and in every sense.