



The role of the European Union in the relations between Bulgaria and Libya

Final Project Report



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08060711

HEBO-3, ES3-3A

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27.06.2011

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Executive Summary

Libya and Bulgaria have been actively involved in mutually beneficial political and trade relations in the past. These were based on the numerous agreements established notably between the two leaders – Muammar Gaddafi and Todor Zhivkov and their totalitarian regimes. The two dictators took the bilateral relations beyond the level of partnership. Mutually lucrative trade agreements, high-level visits, complemented by political support in difficult and contradictory issues – all of these deeds speak for themselves for the strong commitment that the two statesmen had towards each other.

One has to wonder: how did such a strong political bond fall apart so miserably that it came to five Bulgarian nationals being tried for nine years and sentenced to death several times? Was there anything that could have been done to prevent this much undesirable situation? Finally, did the two countries seek an opportunity to improve, even revive their once excellent relations, after the trial was resolved successfully?

All of these issues will be scrutinized through a European perspective – while examining the various time periods with their respective issues, the role of the European Union will be sought in all of them. Has indeed the EU played any role whatsoever in the relationship between Bulgaria and Libya? Should it have been involved more and if so, how? What relationship did Europe maintain with the Jamahiriya over the years and what is the reasoning behind that?

Finally, is there any prospect for the revival of the relationship between Bulgaria and Libya? In the complicated circumstances currently surrounding Libya and given the many questions yet to be answered, it is difficult to know what the future of the country will look like, however one must wonder, what is the possibility of the Balkan state seeking political and economic relations with the Jamahiriya? In any case it is easy to assume that the European Union has in the past and will continue to seek a relationship with Libya and, as a consequence will always be an important factor in the Jamahiriya's relations with Bulgaria (particularly in the context of its membership), therefore it would be interesting to assess the exact role that the Union has played in the relations between the two states until the present moment and to draw some conclusions on what it might be in the foreseeable future.

1. Introduction

Libya has had a longstanding, complex relationship with Bulgaria, one that dates even before the stepping of the infamous leader of the Jamahiriya in power. To what extent has Europe, not only as the Union, but also in the face of the individual member states, played a role in these relations, both positively and negatively, is about to be examined in the current paper.

Firstly, it has to be pointed out that its foremost role in this complicated relationship, Europe has played in the period 2004-2007, in the infamous trial that the Arab Jamahiriya conducted over five Bulgarian nationals, medical workers in Benghazi. The exact impact that the European Union and its member states have had on the case and whether the reaction was timely and appropriate is about to be examined below.

In line with analysing the diplomatic acts of that period, we must also look at the bilateral relationship between the two countries in other periods. Because of Bulgaria's socialist past it must be assumed that the Balkan state and the Jamahiriya have had a different attitude towards each other before 1989, one that was influenced by the ongoing then communist regimes.

Furthermore, it will be curious to look into how the trial affected the relations between the two countries and to investigate whether there has been any progress in these in the past five years.

The relationship of Libya with the European Union must be examined separately. It has also been turbulent, experienced its accents and downfalls, and was characterised by terrorist attacks, tensions, adoption and lifting of sanctions, etc.

Finally, the current turmoil in Libya will be analysed, the role of Bulgaria and the European Union in the conflict will be scrutinized and the prospects for the future relations between Bulgaria and the Jamahiriya in this complicated context will be discussed, certainly through a European "lens".

The methodology of the current paper consists of numerous sources, ranging from participation at European Council Working Group meetings and European Parliament briefings (and access to working documents), to interviews with Bulgarian Foreign Ministry officials of different time periods. Despite the

many literary sources consulted and numerous news media coverages followed, it was still rather difficult to find sources reporting in English on the Libyan side. With the aim of establishing an objective and neutral tone of the current study, a knowledgeable source was consulted, one that could provide analyses on both sides of the relations – the Bulgarian and the Arab ones.

Kiriyak Tzonev, an Arabist and former Foreign Ministry official, is among the most experienced and respected specialists in Arab culture and relations in Bulgaria, in the time of this writing and for quite some time before that. Tzonev gave two interviews for the purposes of this paper and provided further relevant sources, many of which were nowhere else to be found, at least in the Bulgarian public space. The Arab scholar will be quoted thoroughly throughout the current paper as he is the only source found, who could present a competent analysis of the Libyan side's point of view and reasoning.

Because of the abovementioned difficulty in finding approachable Libyan sources, this study was carried out and completed as an overview of different timeframes in the relationship with Libya, seen firstly from Bulgarian and secondly from European viewpoints. As will be seen below, for a long time Bulgaria maintained a strong, independent bilateral bond with Libya, until the European Union became an important priority in the Balkan state's foreign policy. As it was to be expected, from that point on, Europe became a key factor in this relationship, at times even directly affecting it. When and in what way is about to be scrutinized below.

What caused the tensions between Libya and Europe? How did the deterioration of relations with Bulgaria come about? How did the North African state react in these situations and why did it seem like “the black sheep” in them? These issues, together with the two-sided reasoning behind them are about to be discussed in this paper.

2. Libya's relationship with Europe, and the European Union in particular, until February 2011

2.1. Libyan foreign policy and approach towards the West

As noted by Joffe and Paoletti in the paper *Libya's Foreign Policy: drivers and objectives* (2010), ever since the stepping of Muammar Gaddafi in power, Libya's foreign policy has been decided and acted upon almost exclusively by him, much like most other state issues. It could be admitted that the Great Socialist People's Libyan Arab Jamahiriya¹ is a one-of-a-kind state, de facto created and run by the leader. Until recently he decided on both the internal and external affairs of the country, while the latter implies that the leader negotiated political and trade agreements himself, mostly at high-level meetings with heads of state. As the former Bulgarian Ambassador in Libya Krastiu Ilov claims in his book *Libya of Gaddafi*:

Even though various governmental institutions in charge of foreign policy do exist in Libya, the final decisions on all important issues are taken by Muammar Gaddafi exclusively. The external relations of Libya are formulated in accordance with his ideology and his directives.

(Ilov, 2004, p. 51)

Gaddafi is believed to have a unique approach to foreign policy, one that is influenced indeed by his philosophy of running the state (described in his *Green book*), which mostly comes down to the respect of Islamic values. Nevertheless, time after time it became clear that the sacred for him ideology was not his foremost consideration – it has been claimed to have been repeatedly shifted by simple pragmatism. This could easily be proven by the fact that, years after proclaiming the colonial and imperialist intentions of the Western countries, which he had claimed detrimental and mischievous, Gaddafi aspired to re-establish political and trade relations with many of them, seeking to compensate the losses from the sanctions imposed in 1992.

The Libyan state's foreign policy often underwent change of focus and demonstrated the tendency to fall to the two extremes of external relations – overly friendly attitude and total antagonism. Furthermore, various timeframes have been characterized by different priorities of foreign policy, such as the ideology

¹ Jamahiriya = "Country of the Masses" (from Arabic: Vessela Dikova, Arabist and Bulgarian Foreign Ministry official)

of the Arab states working together, united by their common culture and interests, the idea of *United States of Africa* (or the need for unison between the African countries), or else by the absolute individualism of the leader and his reluctance to conform to any political or strategic unity. Gaddafi has proven time after time that he wants the international community to see Libya as a unique and powerful country that needs to have its own place on the international map, not simply be seen as a part of the Arab, African or Mediterranean region. However, he strives for his country to be the *Great Socialist People's Libyan Arab Jamahiriya* that is implied in its name² – and it cannot be strong (or wealthy for that matter) enough on its own, which is why the leader seeks to establish well-founded relationships with the strongest of partners that he could attract. He seeks respect, support and investments from them, and often his interlocutors listen to what he has to say – the interests at stake are significant.

As for Europe, both as the Union and the individual member states, these interests have three main angles. First and foremost, there is the need to protect the peace and stability in the region. Libya occupies a rather strategic location – as mentioned above it is part of the Arab world, the African continent and the Mediterranean region all at once; three very imperative areas, which, by themselves create many supplementary factors for the European countries to bear in mind. Furthermore, Libya is a Southern neighbour to the European Union, which brings us to the second interest at stake: any military action or instability in the Jamahiriya would by all means affect Europe and would generate substantial migration flows to the continent. Migration has indeed been one of the main reasons for commencing negotiations between Libya and the EU on a Framework Agreement, initiated in 2008, after the refusal on the part of the Arab state to become a member of the Union for the Mediterranean – a structure specifically designed to develop a dialogue and enhance cooperation between the EU and the region.

Finally, one must not forget that Libya is a leading producer of oil³, which is of vital interest to Europe, bearing in mind the scarce resources of the continent. The latter actually is the driver of the national interests of the member states in the Jamahiriya, which arguably has created tensions within the European Union on several occasions.

² According to Tzonev (1999), several factors can be seen as evidence to this statement: the establishment of Libya as one of the world leaders in oil export, the excessive arms purchase that the Jamahiriya carried out towards the end of the 20th century, the development of weapon for mass destruction, the financing and participation in terrorist acts, etc.

³ In 2007, Libya was ranked by Encyclopedia Britannica the 10th leading supplier of oil for the EU, with 7.42% of the total import (Joffe, Paoletti, 2010).

All of these considerations in mind, it seems impossible that the EU would not seek a relationship with Libya. However, Gaddafi was at the time strongly driven by his ideologies, which caused his hostile approach to the West and the subsequent tensions.

2.2. Tensions during the 1980s

Gaddafi's negative attitude towards the West and the failure of the West to understand the regime's considerations and apprehensive approach created tension between the two parties. Several incidents occurred on both ends in the course of the 1980s, which found their pinnacle in 1988.

According to Mr. Kiriya Tzonev (23.06.2011), an Arab specialist, author of multiple studies on the Middle East countries and an interpreter at the highest level during the Zhivkov regime, the complication of relations came in 1981 with the decay of the Libya-US relationship. The enhanced US military presence at the NATO base in Sicily, just on the opposite board of the Jamahiriya, was seen by Tripoli as a sign of aggression from the American "imperialist" forces, only to be supplemented by some minor military incidents. As a result the two embassies were closed, the diplomatic relations – terminated, and the American administration began to boycott the Libyan oil market in March 1982 (Tzonev, 23.06.2011). These sanctions would only be expanded further in the following years.

In the course of the same decade, these negative perceptions on Gaddafi's side towards the Western nations, found an outlet in the Jamahiriya's relationship with Europe. In 1984, a British policewoman was killed in London, with a gunshot, which was claimed by the BBC to have been fired from the Libyan Embassy (2008). This sole act, complemented by the pressure of the widespread claims that the Jamahiriya was financing and supporting terrorist organisations in the UK, led to the cessation of the diplomatic relationship between the two states.

In the spring of 1986, after a small-scale, yet hostile military exchange between Libya and the US, the line was crossed – several American bombers were deliberately launched from the British military base towards Benghazi and Tripoli. The leader's residence at Bab-al-Aziziah was also attacked, killing tens of civilians, supposedly including Gaddafi's 18-month old adopted daughter. The reasoning – the Libyan "trail" in the terrorist attack of a few days earlier at a disco club in West Berlin, allegedly aimed at American soldiers, who visited the facility regularly (Tzonev, 23.06.2011).

The conflict did not end there – in fact it made room for the most atrocious and shocking to the international community attack in this streak. On 21 December 1988, just above the Scottish village of Lockerbie, an aeroplane of Pan American World Airways was detonated, killing all 259 persons on board (mostly American and British citizens), together with 11 locals of the village (BBC, 2001). The attack was believed to have been organised by the Libyan secret services (in particular Abdelbaset Mohmed Ali al-Megrahi, the head of the organisation) and was claimed to have been ordered by Gaddafi himself. The international community was deeply disturbed and strongly condemned this act of violence.

Still, the violent exchange between Libya and the West was not over yet – less than a year later, on 19 September 1989, in the airspace of Niger, a French aeroplane was detonated with 170 civilians on board. This time, according to Tzonev (23.06.2011), the attack was believed to have been aimed at the state's political leadership, which provided military support to Chad in its conflict with the Jamahiriya in 1978-1987. According to the French investigation, the person responsible for organising the attack was Abdullah Senussi - another chief of external operations for the Libyan secret services, he is Gaddafi's brother-in-law and, according to *The Guardian*, his "right-hand man" (2011).

2.3. Sanctions adopted against Libya. The isolation of the Jamahiriya

The Lockerbie case and the two other adjacent to it, caused the already fragile trust between Libya and the West to decrease even more and subsequently Europe and the United States decided to impose strict sanctions on Gaddafi's regime in 1992-1993, complemented by a UN Security Council Resolution 748 (adopted on 31 March 1992) that called for Libya to cooperate on the trials against its nationals, believed to be guilty of the attacks, as well as to cease all terrorist activities, including the financial and otherwise support of such. Until then, the Resolution would: impose an arms and military equipment embargo, forbid all aerial transportation from and to the Jamahiriya, notably reduce the number of staff of the UN members' diplomatic representations on the ground, activate asset freezes etc.

It must be pointed out here that the UN adopted and enforced the sanctions *after* appeals were made on the US' and the UK's side to the Jamahiriya for its cooperation in the investigations and trials conducted on the terrorist attacks, assumed to have been organised by Libyan nationals. These requests were reaffirmed before introducing any sanctions, by UN Resolution 731 of 21 January 1992, and as the Libyan authorities assumed no responsibility over the incidents, the subsequent Resolution 748 was

adopted and thus began the political and economic isolation of the Arab state, which lasted for seven long, dreadful for the Jamahiriya years.

This period is said to have had very serious implications on the country's development. According to a Libyan analysis, the state suffered setbacks in more than a few sectors: oil retrieving and production, transport infrastructure, healthcare, agriculture, etc. The loss estimates made by Tripoli were said to be up to \$ 33 billion, while the World Bank made a different calculation - \$ 18 billion (Peterson Institute for International Economics, 2006). In any case the military power that Gaddafi had gained before 1992 through the excessive purchase of arms and equipment over the years (also much to Bulgaria's contribution), as a mean to establish the image of the Jamahiriya as a powerful country, was claimed by former Ambassador Ilov (2004, p.172) to have decreased significantly, including an annulment of the programmes for mass destruction.

Even though, as claimed by Tzonev (11.06.2011), Gaddafi's regime had preserved some minor trade agreements over the years (not least with several European Union member states), it had suffered gigantic financial losses. It became evident for Gaddafi that he needed to rehabilitate from the international isolation, and soon at that. The way to achieve this would be indeed through the Union, which had applied a more moderate political course in enforcing the sanctions compared to the US – one that was said to have played a beneficial role for the regime staying in power over the difficult period of isolation. The motives for this approach is to be found both in the will for preservation of the overall peace and stability in the ever-important for the EU Mediterranean region and in the oil import needs of some member states, on the other side. As a result, Gaddafi himself made a number of compromises in his methods of leadership, as well as in his political positions, undertaking himself a more moderate political course of governing his own people, as a way to seek a bridge between him and the Western European states (Tzonev, 1999).

2.4. The rehabilitation of Libya on the political map

On 16 December 1998, Libya made a considerable progress towards international rehabilitation – Gaddafi agreed for the suspects in the Lockerbie bombing to be tried by the Scottish judiciary on neutral ground – on the Dutch territory of Camp Zeist, located near the city of Utrecht. Abdelbaset Mohmed Ali al-Megrahi and Lamin Khalifah Fhimah were handed over by the Libyan authorities and the trial took place

from May 2000 until June 2001. Al-Megrahi was sentenced to life imprisonment, as a recommendation was made that he serve at least 20 years before being eligible for parole, and Fhimah, was found not guilty and was subsequently released (Asia One News, 2009).

The position of the Libyan state on the trial upon its nationals for the notorious Lockerbie bombing was twofold – on the one hand the authorities in Tripoli never assumed responsibility for the incident, however the Jamahiriya eventually agreed to hand the suspects over to international law and not only that – it also ultimately decided to pay rather high compensations to the families of the victims. For Gaddafi, such an equivocal approach was worth the political risks, as it would guarantee the much needed rehabilitation of his country on the political scene – the UN sanctions, already suspended after the handing in of the two suspects, were finally abolished (BBC, 2004)⁴.

In the meantime, in July 1999, Libya assumed responsibility for the death of the British policewoman in 1984. In December of the same year the two countries made peace and renewed their diplomatic representations. Gaddafi finally seemed to grasp the importance of finding resolutions for the contradictory attacks between Libya and the West during the 1980s as a mean to achieve his country's rehabilitation. He began to realise that it was important for him to reconcile with the American and European heads of state. This is why, after the 11 September 2001 attacks, Libya was among the first countries to extend condolences to the American people and to condemn the Al-Qaeda terrorist act (United States Naval Academy, *Libya Timeline*, 2002). When President Bush declared “war on terrorism” Gaddafi saw that it would be crucial for the US and the UK to see Libya as a partner in this initiative. In the following years, the Libyan leader even cooperated to the American authorities as a source of information as to the whereabouts of the Al-Qaeda structures (USNA, 2002).

On 19 December 2003, Muammar Gaddafi gave his formal consent to renounce his nuclear and chemical weapons and, consequently, three days later, the Jamahiriya declared its steadiness to sign the Agreement for non-proliferation of nuclear weapons (CNN, 2003). This act was seen by the international community as constructive and forward. For the first time since Gaddafi took the lead in Libya, the state was subject to a high-level political visit by the US (Tzonev, 1999). Subsequently, as reported by CNN (2004), the American sanctions were lifted in 2004 and diplomatic relations between the two states were re-established.

⁴ As a consequence of the compensations paid by Libya to the families of victims from the Lockerbie and Niger bombings.

The Jamahiriya's relations with the European Union underwent a similar positive development. At the beginning of February 2004, Italy's Prime Minister Silvio Berlusconi was the first European head of state to visit Libya since the confrontations from the 1980s (Camp Campaign, 2005). Thus, a new chapter in the bilateral relations between the Jamahiriya and Italy was opened. This relationship has always been of vital importance to the EU-Libya relations, as the Southern European country is not only to be found in close proximity to the Arab state – the two countries have also had a long-standing relationship, based on frequent political contact and trade relations (mostly regarding oil export). Hence Italy became a kind of a mediator between Europe and the Jamahiriya - the bilateral agreements on migration between the two states subsequently became a basis for the subsequent EU-Libya agreements on the subject.

As reported by the BBC (2004), on 11 October 2004, after a long round of consultations on European Union level, at the initiative of the Prodi Commission and allegedly the President himself (Pierini, 2008), a *Council Conclusions* document was adopted in the European Council by the member states, expressing support for Libya's constructive approach towards the normalisation of its relations with the West and Europe in particular. The text repealed the restrictive measures of the European Community against the Jamahiriya and declared that a technical mission will be mandated to Libya at the earliest convenience. The document also expressed the EU's hopefulness that Libya would consider joining the Barcelona process designed for cooperation in the Mediterranean region (European Council archive, 2004).

2.5. The Union for the Mediterranean and Libya's observer status

Gaddafi perceives Libya as a foremost actor in the Mediterranean region (Tzonev, 1999). This is why he strived to found strong partnerships with other countries in the region – Italy, Malta, Greece, Turkey. As Tzonev claims (23.06.2011), the Libyan leader sought to launch a common structure between the Mediterranean states, so that, supposedly, he could establish himself as a leader in the region (provided that he was the originator of the idea). Thus, *the Barcelona Conference of the representatives of the progressive socialist parties in the region* was initiated by the Jamahiriya in 1976, which was the basis for the launching of a unity, aimed at achieving enhanced cooperation in the area, called from there on *the Barcelona process* (Tzoneva, 2011).

In 1995, under French influence, a unity named *Euromed* was established, as a part of a European Union initiative for the region, involving also Egypt, Algeria, Palestine, Israel, Jordan, Lebanon, Morocco, Syria,

Tunisia and Turkey – basically all Mediterranean countries (with the only exception of Libya), together with the 27 (Euromed Website, 2011). According to Tzonev (23.06.2011), the reason behind Gaddafi's lack of involvement in the project was due to his resentment for the fact that "his" initiative for a united Mediterranean was overtaken by Europe, who took the lead of the structure's activities and exchanges. Other sources point out that the Libyan leader, who had recently gone through a fallback in his relations with the Arab League and as a result had shifted the focus of his foreign policy to the African Union and its member states in pursuit of leadership (Joffe, Paoletti, 2010), claimed that it would be detrimental for the African continent to be involved in a unity that engages two countries to be found in military conflict (namely Israel and Palestine). In any case, Gaddafi decided to stand back, assuming an observer status in the organisation, but not playing an active role in it.

As Ms Miroslava Tzoneva describes in her paper *Europe and the Mediterranean* (2011), the idea behind *Euromed* was to build peaceful relations between the EU and the countries of the Mediterranean, bearing in mind the common past and interests of those states. Hence three "baskets" were created to set out the competencies of the union: the first one was meant to deal with security issues: peace preservation and conflict resolution, human rights protection, mutual agreements on arms and military resources, territorial integrity, etc.; the second one was aimed at enhancing economic relations with the goal of establishing a common market between the countries of the region; and the third basket was designed to develop a socio-cultural cooperation, which would be funded by the EU budget and the European Investment Bank (Tzoneva, 2011).

In July 2008, once again under French initiative, *Euromed* was re-launched as *Union for the Mediterranean* (EEAS Website, 2008). Though the unity had assumed a new name, there were no significant alterations in the scope of the organisation, reportedly, the areas for cooperation were merely outlined more clearly, by means of projects. The Union was now an element of the European Neighbourhood Policy, which was designed to target enhanced cooperation with the various regions surrounding the Union (EEAS Website, 2008).

After the launching of the new structure, the EU once again reiterated its hopefulness that Libya would reconsider joining the organisation – intensifying the relations between Europe and the Jamahiriya was needed after the seven years of isolation. Nonetheless, as it became evident that Gaddafi had no intention of changing his mind, Libya was invited to bilateral talks with the aim of drawing up a Framework Agreement - the first official legal linkage between the two parties. This time, the Libyan leader agreed and negotiations were opened (RAPID Press Releases, 2008 and 2010).

The Framework Agreement focused on a number of priority areas: first and foremost the joint effort regarding the prevention of illegal immigration flows from Africa to Europe, passing through Libya. This was a growing concern for Europe and Italy in particular. Other areas, on which the EU committed to cooperate with the Arab state included:

assistance on institutional capacity building, as a means to strengthen civil society, support modernisation, encourage democratic reforms, independent media and an independent judiciary, and encourage other efforts to open up space for business, academia, NGOs and other Libyan stakeholders; (...), provision of actual support to enterprises, particularly small and medium-sized businesses, in order to maximise their export potential...

(EU-Libya Framework Agreement, 2008)

Even with a few differences in the positions of the two parties, the consultations and negotiations on the Framework Agreement were claimed to have been running smoothly up until they were ceased on 23 February 2011, as a restrictive measure against the Jamahiriya in regard to the violent crackdowns towards demonstrators, which eventually spiralled into a civil war.

2.6. Conclusions

As pointed out above, the Gaddafi regime's foreign policy, exclusively run by the leader himself, a mix between the leader's ideology and his pragmatic considerations, created an often perplexing and difficult to comprehend foreign policy, most evident in his approach toward the West. Gaddafi has had a turbulent relationship with Europe and the United States, characterised by important interests (such as oil export and peace preservation), significant tensions (which on several occasions led to confrontations) and subsequent sanctions. At the turn of the century, however, this uneasy relationship transformed into a mutual aspiration to improve and enhance relations. These developments can be explained on several levels.

In the antagonism between the West and the Soviet bloc that characterised the European political scene during the 1970s and 1980s, Gaddafi favoured being on the USSR's good side, notwithstanding his

disapproval of the communist regimes. The strongly proclaimed by the Libyan leader ideology of anti-imperialism and anti-colonialism, together with the pro-Israeli position in the Middle East Conflict⁵ can easily explain his initial reluctance to establish strong relations with the Western nations, as he associated these states particularly with subjecting weaker countries to colonialism and external influence. For Gaddafi, Libya seemed an easy target to such aspirations, being a relatively new country on the world map. Presumably, the dictator realised that this young nation needed to build a stronger economy, which could only be achieved by establishing lucrative trade agreements with the Western countries, mostly on the basis of oil export. After the 1992 sanctions imposed on Libya, it finally became clear to Gaddafi that, in order for the Jamahiriya to be a strong and wealthy state, it needed not to be in opposition to the Western world. Subsequently, the leader began to manifest his will to institute stronger political bonds with several European countries (notably paying high-level visits to Paris, Rome, Brussels and receiving as high-level visitors Nicolas Sarkozy, Tony Blair, Gerhard Schroeder), as well as with the EU, via the setting up of the first official bilateral agreement between the two parties – the Framework Agreement.

To conclude, the unpredictability of the Libyan leader, the close proximity of the Jamahiriya and the important interests at stake have caused the EU to pay close attention to the state and to be persistent in its encouragement of the Libyan membership to the Union for the Mediterranean. In the context of the currently ongoing civil war, it is to be expected that, once the country stabilizes, dialogue will once again be sought by the EU's part and most probably negotiations for the incorporation of Libya to the Union for the Mediterranean will be renewed.

3. Bulgaria's relations with Libya in the period 1963-2011

As already stated above the relationship between the two countries is a complex one, it has had its ascents and its downfalls and it has experienced occasional shifts in direction. Ergo, these changes could outline four important phases: the relations during the communist regime in Bulgaria (1963-1989), the decade characterised by the rise of democracy and decline in the relationship (1989-1999), the turmoil during the Benghazi case (1999-2007) and the aftermath of the trial (2007-2011). The current chapter will present an overview of these periods and will attempt to draw conclusions on what changed and why in the past 22 years (1989-2011).

⁵ The Israeli-Palestinian conflict is one of the main factors, influencing Gaddafi's viewpoint of foreign nations – as he felt strongly about the rightfulness of the Arab side in the conflict, true to his ideologically formulated foreign policy, he was unwilling to develop close political relationships with pro-Israeli disposed nations (Tzonev, 1999).

3.1. The bilateral relations during the communist regime in Bulgaria: Gaddafi's relationship with Zhivkov (1969-1989)

Up until 1956, the Bulgarian-Arab relationship, though existent, was pragmatic, driven by the well-being of the Bulgarian nationals in the Arab countries, most of whom were traders. However, the relationship was taken to a political level in the period 1956-1967 and later, between 1967 and 1989, the connections between the Balkan state and many Arab ones became so close that theorists, such as Kiriya Tzonev (*The Bulgarian-Arab relations*, 1999), call the period “the pinnacle of the Bulgarian-Arab relations”. According to the Arab scholar (1999), it was an era not only characterised by substantial trade on both sides, but also filled with high-level political contacts, most of which were initiated and personally led by the Bulgarian leader Todor Zhivkov and his communist regime (in power between 1944-1989). Zhivkov conducted a self-righteous and highly undemocratic regime, however he managed to “keep on the good side” of the Arab states, which were (and continue to be) a source of numerous trade possibilities for the Balkan state, but are also strong political partners and stood by Bulgaria in difficult times (such as the so called *Bulgarianisation* process, strongly opposed by Turkey). The Arab leaders also vested lively interest in Bulgaria and requested high-level visits. These were often with the purpose of signing trade agreements or (mostly from the Arab side) to draw nearer the positions of Moscow and the Middle East on different issues of political significance (Tzonev, 1999).

The diplomatic relationship between Libya and Bulgaria officially began in 1963, nevertheless strong partnerships were developed after the rising of Muammar Gaddafi on power (Tzonev, 1999). True to his principles, Gaddafi knew that it was in his best interest to establish close relations with the communist regimes, in order to keep in peace with Moscow. Bulgaria at the time was a perfect example of that – after assuming its sovereignty following the five-century long Ottoman invasion, which could not have been achieved without assistance on the part of the Russian Empire, Bulgaria started reconstructing its state system, beginning with the establishment of a communist regime led by Zhivkov (1944). This rebuilding required substantial assistance, which came from Russia, who was strongly determined to have its say in Bulgaria's internal affairs long after that.

Bulgaria's initial political contacts with Libya could be seen as mutually beneficial – Libya found a strong partner to guarantee the peaceful relations with Moscow, while the Russian rulers found a way to observe the development of the newly rising nation (Tzonev, 1999). The pro-Arab position of Bulgaria in the Middle East Conflict only facilitated the development of a close relationship with the Jamahiriya.

The Gaddafi and Zhivkov regimes exchanged more than 50 high-level political visits in the period 1976-1988 and were always quoted speaking fondly of one another (Bulgarian Ministry of Foreign Affairs, 2010). In that period numerous political and trade agreements were set up between the two nations, which became the basis for the development of the bilateral relations. Notably, Bulgaria used to be a major exporter of arms and military equipment, not only for Libya, but also for other Arab states, which was an important source of profit for the Balkan state and indispensable for the Arab world – in fact arms trade constituted up to 70% of Bulgaria's export to Libya. (Tzonev, 1999).

However, the most important driver of the bilateral relations with the Jamahiriya has always been, to this day, the human resource. Ever since the diplomatic relationship between the two states has been established, Bulgarian nationals have sought employment in the Jamahiriya, particularly in several professions – engineers and construction workers, doctors and nurses. As MEP Dr. Andrey Kovatchev points out (06.06.2011) “Libya provided more job opportunities and higher remuneration (for these professionals)”. The Jamahiriya, on the other side, profited from the cheap and experienced labour force that Bulgaria provides in these fields of expertise. During the communist regime, as registered by the Foreign Ministry (2010), the Bulgarian workers in Libya reached nearly 15 000, mostly employed by state enterprises, such as *Bulgargeomin*, *Technoeksportstroi*, *Technoimpex*, *Expomed*, etc. Vessela Dikova, an Arabist and Second Secretary at the Foreign Ministry, claims (31.05.2011) that those structures were releasing contracts with Libyan companies, which reportedly were content with the Bulgarians' skilfulness.

3.2. The democratic transition and the decline in the bilateral relations

The fall of the communist regime in Bulgaria, in November 1989, transformed gravely the nature of the bilateral relations between the two states. The struggle to establish democracy and market economy in Bulgaria, complemented by the financial crisis that took place after 1990, left external relations in second place as a national priority. The foreign policy was shifted towards the West, particularly Europe, in search of good practices for recuperation from socialism and successful transitions to democracy.

Consequently, the natural draw to the West and the desire to finally take its place on the European map made Bulgaria centre on its contacts with the EU and the US and the close relations with the Middle East seemed to be out of focus. This period also saw almost no official visits, formerly the main method of sustaining these relationships (Tzonev, 1999). Being a candidate member state for the EU (after 1996)

made it almost impossible for Bulgaria to keep contact with the heavily sanctioned at that time Jamahiriya. The shift in foreign policy left Bulgaria no other choice than to support steadily the hostile approach and adopted sanctions of the West toward the Jamahiriya. This position and the newly revived relationship with Israel only complicated further the bilateral relations and as Tzonev points out (1999), Libya began to imply that the partnership with Bulgaria is not a priority of its foreign policy anymore.

At the same time the barely surfacing Bulgarian economy was faced with a rather high foreign debt and with almost no prospects for its reimbursement⁶. According to Tzonev (23.06.2011), a large amount of that debt might have been paid off easily if the new governments attempting to establish democracy had invested effort in keeping the excellent relations with the Arab world. In 1989 and 1990, the relations with the Jamahiriya were still existent to some extent, however after the adoption of the UN sanctions (and Bulgaria's support to them) they were reduced to some minor trade and almost no political contact (Tzonev, 1999).

Finally, it must be pointed out that such decline in relations was undesirable in view of the Bulgarian nationals in Libya, who were still a great many at that point. They were now either self-employed or hired through private contracts – the formally state-owned enterprises, which acted as mediators between employees and the Libyan nation before, were either privatized or ceased to exist (a direct consequence of the fall of the communist regime).

3.3. The trial: Bulgaria's word against the Jamahiriya's. The role of the European Union and its member states in the conflict

On 9th February 1999, 23 Bulgarian medical workers were reportedly arrested in their homes in Benghazi. They were kept in custody for several days, while the Bulgarian authorities in Libya were not alerted. Apparently, the reason was the outbreak of an HIV epidemic among 453 children treated in Al-Fateh Children's Hospital, the medical facility that had employed the arrested. The group of people included many different nationalities, including European nationals, however most states managed to release their compatriots almost straight away. The last group of people left in custody consisted of five Bulgarian nurses: Kristiyana Vulcheva, Nasya Nenova, Valya Cherveniyashka, Snezhana Dimitrova, Valentina Siropulo. The Palestinian Dr. Ashraf Ahmed El-Hajouj was also in detention.

⁶ In the meantime the trade relations with the Jamahiriya had decreased significantly (Bulgarian Foreign Ministry, 2010).

When the Bulgarian authorities were finally alerted, 10 days later⁷, the Ministry of Foreign Affairs of the Cabinet of Prime Minister Ivan Kostov succeeded in releasing 17 of the 23 Bulgarian medics (Neynsky, 31.05.2011). The remaining six were kept in custody and subjected to a trial by the Libyan Judiciary that lasted for eight and a half years.

3.3.1. Initial bilateral talks between Bulgaria and Libya (1999-2004)

Negotiations began on the part of the Bulgarian government in cooperation with the Embassy in the Jamahiriya, in which, except for the case of the medical staff, the issue of improvement and enhancement of the bilateral relations between the two states was profusely discussed. The government expressed, in all of the numerous bilateral talks, the hopefulness that a fair, justified and unbiased trial would be conducted from the Libyan side (Bulgarian Foreign Ministry Website, 2000), since for a while the Bulgarian nationals were denied even representation from a Bulgarian lawyer, which led the Foreign Ministry to apprehend the objectiveness of the trial. In addition, the Bulgarian authorities claimed on several occasions the profound compassion of the state for the tragedy that the 453 Libyan children and their families were experiencing. High-level political visits were renewed (even though most of the commitment belonged to the Bulgarian side), with the purpose of negotiating a possible agreement on the case.

The Bulgarian diplomacy undertook a political approach to the issue as the initial accusations on the Libyan side were for conspiracy against the Jamahiriya (Tzonev, 11.06.2011). Unfortunately, the bilateral consultations did not achieve much progress, even after the odd accusations of conspiracy were lifted in February 2002 – the trial of the six medics was adjourned time after time, the process was prolonged for years. The Foreign Ministry often underwent accusations from the Bulgarian community and media about the rather cautious approach towards the Libyan authorities, which was associated with weakness, lack of commitment and inability to cope with the difficult situation. According to Kiriyak Tzonev (23.06.2011), the diplomatic authorities sought contact with different Arab countries, involved in partnerships the Jamahiriya, in order to gain their support on the case, however they did not seem to achieve any more progress than the Bulgarian state itself. As it became apparent that the Bulgarian authorities would not be able to go far without any international support, it seemed clear that the intervention of the European

⁷ Tzonev, (11.06.2011) at that time still a Foreign Ministry official, claimed to have personally read the telegram upon its arrival.

Union would be necessary. The Union and some individual member states became mediators in the discussions towards the end of 2004.

3.3.2. The multilateral consultations. The European Union's engagement (2005-2007)

On 11 October 2004, the day of the EU sanctions lifting, Mr. Marc Pierini, a European Commission official and one of the main negotiators in the Benghazi case from the EU side arrived on a visit in Muammar Gaddafi's residence of Bab al-Azizia (Pierini, *Le Prix de la Liberte. Libye, les coulisses d'une negociation*, 2008, p.18). The EU delegate handed over an official letter to Gaddafi, addressed to him by the President of the European Commission Romano Prodi, who had spent several years lobbying within the Union for the rehabilitation of Libya and was at that point stating his commitment to re-build the bilateral relations between the EU and the Jamahiriya. Among the EC's main concerns mentioned in the letter was the successful settlement of the Benghazi trial, including assistance to the infected Libyan children. The latter would, however, require the approximation of the positions of the EU, Libya and Bulgaria on the case. This was the first time that "the cards were laid on the table" as Pierini describes it (2008, p.19) – there would be no improvement of the Union's relations with the Jamahiriya, if a satisfactory settlement would not be reached in the trial.

As two of the main negotiators, respectively on Bulgarian and European side, Prof. Feim Chaushev (Deputy Foreign Minister at the time) and Marc Pierini account their observations on the multilateral consultations that took place in the period 2005-2007 in their books issued respectively in 2007 and 2008.

On 3 November 2004 in Brussels was convened the first meeting on what was to become the EU HIV Action Plan for Benghazi, a plan for providing medical support for the HIV-infected children (Pierini, 2008, p.19). As it became clear towards the end of the case, this initiative was crucial to the case's successful conclusion three years later. According to Pierini (2008, p.19), the initiative was carried out through 2005.

Upon the arrival in office of the Barroso Commission on 22nd November 2004, a new Commissioner for External Relations and European Neighbourhood Policy was appointed, Ms Benita Ferrero-Waldner. The Commissioner vested lively interest in the Benghazi case and carried out several visits to Libya, together with Pierini. During the first official visit it became clear that the only way to reach a favourable

conclusion of the trial was to consider substantial financial compensations to the families of the infected children (Pierini, 2008, p.34). At the same meeting Gaddafi stated, as he continued to claim until the end of the trial, that he could in no way influence the trial's progress and insisted on the Libyan Court's independence.

Thus formally began the political dialogue that would arrive at the Bulgarians' release in July 2007. The negotiations specifically aimed at the settlement would be difficult, complicated and protracted, however, the difference between the two timeframes – 1999-2004 and 2005-2007⁸ is significant - the second one (though nearly two times shorter) finally saw the long-awaited progress. In fact, much more was accomplished in those two and a half years than in the four and a half before them. This comes to show once again that no substantial progress would have been achieved if the European Union had not engaged in a dialogue with Libya.

As it finally became clear that the international community's assistance was much needed for the Benghazi case's successful conclusion, the Bulgarian state initiated trilateral consultations with two of the most significant "players" on the political world map – the United States and the European Union (Chaushev, Doykov, 2007, *The Benghazi case: The Bulgarian diplomacy in action*, p.35). This diplomatic manoeuvre seems well-thought, since the negotiations that would take place at a later stage, would include Libya too. The preliminary consultations were held on three rounds - one in Washington and two follow-up meetings in Brussels (Chaushev, Doykov, 2007). The aim of these, according to Chaushev (2007), who was present at all consultation rounds, was to discuss the coordination of efforts and common diplomatic acts that would be undertaken.

The first official quadrilateral meeting (this time with Libya present at the table of negotiations) was held on 7 November 2005 in London, under the initiative of the British Presidency of the European Union and with support from the Foreign Office and Anthony Layden, the Kingdom's Ambassador to the Jamahiriya (Chaushev, Doykov, 2007). According to Pierini (2008), the UK gave rise to this project with the intention to put pressure on the successful resolution of a long protracted political and judicial process that seemed to impede the development of the relations between Libya and the Western world. It was finally possible to begin such negotiations given the Jamahiriya's expressed commitment to cooperate on the trials regarding the Lockerbie bombings and the other attacks for which it was sanctioned.

⁸ In October 2004 the EU lifted the sanctions and expressed their readiness to begin bilateral talks with Libya, however the dialogue, regarding the Benghazi case started in November 2005

The first consultation included Bulgaria, the US, the UK (also as a Presidency to the EU) and Libya. The UK led all seven of the talks and prepared a document for the negotiators to agree upon before the first one that came to be known as “the British non-paper” (Chaushev, Doykov, 2007, p.39). The idea was, according to Chaushev (2007) to have reasonable and satisfactory grounds for the delegates to agree upon right from the beginning. It was designed to be agreeable for both the Bulgarian and Libyan side and served as a working document for the consultations. This first meeting had an important role in the quadrilateral dialogue as to “break the ice”, as Chaushev calls it (2007, p.40), i.e. to establish a positive and constructive atmosphere between the participants. Other than that, the most important outcome of this first round of negotiations was the agreement that a special fund should be fashioned, to serve as a financial instrument for the compensations of the victims and their families.

This proposal was taken further at the second round of the consultations – on 23 November in Vienna. To Chaushev’s accounts (2007) it seemed to be even more productive on the Libyan side – the priorities and scopes of the so-called *International Benghazi Fund* were discussed (modernization of the Al-Fateh hospital, treatment for the infected children and financial support for their families). The UK assumed responsibility for carrying out the modalities and the Fund was established on 19th January 2006.

As the name implies it was intended for the Fund to be financed not simply by the Bulgarian and Libyan side, but also by the international community, in fact, as it became clear towards the settlement of the case, it was expected that the EU would be making a substantial financial contribution to it. The Bulgarian authorities (namely Chaushev as a Deputy Foreign Minister) made it clear during a December 2005 visit to Benghazi that the state would not assume responsibility for paying compensations to the families of the HIV-infected, as this act would constitute an admission to the guilt of the medical workers, which was deemed by the Bulgarian state to have been unfounded throughout the entire trial. However, after the Libyan side pledged the acceleration of the judicial procedure at the following (third) round of consultations, as a gesture to in return, the Bulgarian delegation expressed the country’s willingness to contribute to the Benghazi Fund, by means of considering the condonation of the Libyan foreign debt to Bulgaria (Chaushev, Doykov, 2007).

The bilateral talks on this subject would turn out to be quite complicated. The calculation of the debt was particularly difficult. The preliminary amount stated by the Bulgarian side was \$ 54 million. The Libyan state, however, was not ready to accept that number. The Jamahiriya demanded that only 50% of this amount be recognized, in part because the estimate involved complex calculations of trade and business deals dating back to the 1970s and 80s, which were difficult to trace back as not much was documented

properly in that period.⁹ Finally, out of the \$ 54 million, the Libyan delegates claimed that they would only recognize \$ 10 million. The negotiations came to a dead-end and no agreement was reached (Chaushev, Doykov, 2007).

Later on, in the framework of the fifth round of consultations, a bilateral meeting between the Libyan and Bulgarian delegates was held and it was finally agreed after exhaustive talks that the amount of \$ 57 million be recognized as Libya's foreign debt to Bulgaria and, as such, was formally renounced by the Balkan state, in the interest of the Benghazi Fund, constituting its largest donation by that point in time (Chaushev, Doykov, 2007).

The fourth round and fifth of quadrilateral consultations (respectively on 26 January 2006 in Sofia and 26 April in London), apart from finally settling the issue of the foreign debt, constituted to a large extent an opportunity for Bulgaria and its international partners to receive information on the long-protracted trial's progression by the Libyan delegation and to hear the prognosis for its potential resolution. After the judicial procedure was once again prolonged, the Bulgarian diplomatic authorities called for a new, sixth round of consultations on 7 August in Tripoli. At the latter the Libyan side expressed its satisfaction with the EU's Action Plan, however communicated its concerns about the insufficiency of finances, contributed to the Benghazi Fund. It became clear that the Jamahiriya was expecting generous offerings from the part of the Union (Pierini, 2008). At the end of the consultations, surprisingly enough, the Libyan officials stated that they expected the same to be the last round of negotiations, as all that was left was the final verdict of the trial, which was expected to be positive (Chaushev, Doykov, 2007).

Regrettably, events would not transpire in this way. On 19 December 2006 the Libyan Court reiterated the death sentences of the five Bulgarians and the Palestinian (Chaushev, Doykov, 2007).

This development originated a number of reactions that might be considered the cause for the following seven-month protraction of the process. The death sentence fuelled a Bulgarian society and media frenzy and a wave of arduous discontent with the progression of the trial. This response, by itself, created tensions in the bilateral relations – Libyans were apparently offended by the negative reaction of the Bulgarian public, clearly directed toward the Jamahiriya. These tensions were only driven further by a statement made by Gaddafi that the International Benghazi fund, despite all promises, was “empty” (Pierini, 2008, p.66).

⁹ Most of these deals were to a certain degree concluded on a friend-to-friend basis, as a part of the strong partnership between the two dictators – Gaddafi and Zhivkov. Therefore not much was documented and often the one side had an agenda to gain particular financial benefits from the other (Tzonev, 23.06.2011).

In the bilateral talks in the aftermath of the verdict, the Libyan diplomacy insistently assured the Bulgarian delegates that the death sentences would not be executed and the reason behind the negative ruling was the still ongoing discontent on the part of the families of the infected children, demanding substantial financial support through the Benghazi fund, which by that point in time had only registered contributions on the Bulgarian and Libyan side (Pierini, 2008).

As a result of the deteriorating situation a seventh (and final) round of consultations was held in Sofia on 16 January 2007. The Libyan delegates declined participation (Pierini, 2008). Bulgaria and its partners drew some imperative conclusions about the approach that would be sought in the further development of the case. It was decided that the positions that had been held by that point should remain unchanged, as their potential strengthening was believed to be hazardous in the context of Libya's already unpredictable reactions. These balanced positions were to be reiterated before the Jamahiriya and at all relevant international forums, despite the pressure brought upon by the increasingly negative public opinion. Finally, the demand for acceleration of the appeals in the Libyan judiciary was to become an important element of these positions, even though the Jamahiriya's delegates contended at all multilateral consultations that the judicial procedure was running smoothly and as rapidly as possible (Pieirni, 2008).

3.3.3. The settlement (May-July 2007)

The concluding phase of the case, represented the culmination of the crisis. Firstly, two complementary rounds of consultations were organised by Commissioner Ferrero-Waldner in Brussels, in which the circle of participants expanded – the EC, Bulgaria, France, Germany, the UK, Italy, Malta, the US, Spain (only at the second round) and the International Benghazi Fund (Pierini, 2008).

These rounds had the aim of presenting to the Libyan side the EU comprehensive package of assistance for the HIV-infected children and to discuss any further means of financial assistance to that end. The package was completed by the second round and comprised of the continuation of the EU Action Plan, collaboration on the modernisation of Al-Fateh hospital and assistance on the setting up of the Libyan national strategy for combating HIV/AIDS (Pieirni, 2008). At the second round (held on 10 May), with representatives from the Association of families of the infected present, the European Commission declared that it would grant assistance of € 9 million, together with € 1.1 million provided by Germany (as Council Presidency at that point in time), and additional funding from Spain, Hungary, Italy, Malta

and Slovakia (Pierini, 2008). Thus, each of the 453 families would receive € 260 000 and treatment was of the infected children in leading hospitals in Spain, Italy and Slovakia.¹⁰

These generous European proposals seemed to be close to satisfactory for the Association of families of the infected (Pierini, 2008). By that time the issue seemed entirely political.

As the death sentences were confirmed on the next judiciary level on 11 July, Bulgaria and the EU (both together and individually) intensified even further their negotiations with the Jamahiriya – Bulgaria was consulting with the Libyan Deputy Foreign Minister on the speed of the judiciary procedure, while the Union was dealing with the actualization of the promised financial assistance. Nevertheless, the Libyan authorities continued to bring forth conditionalities for the deferral of the case – the Association of families of the infected children tightened their positions and requested € 1 million per family, instead of the earlier suggested € 260 000. After further consultation with the Jamahiriya, the Libyan authorities agreed that the Libyan Fund for Economic and Social Development would lend the remaining nearly € 450 million¹¹ to the International Benghazi fund, which would be paid back by deferred payments (Pierini, 2008).

The Libyan delegates also requested that the six defendants sign a written declaration, assuring that they would not initiate a trial against the Jamahiriya once released. This was the way to ensure that the accusations against the prison guards for alleged torture against the prisoners would be lifted. During the first official visit of European delegates to Benghazi (May 2005) Ms Ferrero-Waldner raised the issue before Muammar Gaddafi, who confirmed that these accusations would be taken into consideration, yet only two weeks later the believed-to-be tormentors were acquitted by the Libyan Court (Pierini, 2008). As outlined in Dareva's book (2010), the tortures were testified as being factual later on, by a Libyan forensic medical professional. The five nurses and the Palestinian, claimed that they were forced to confess to their guilt under physical torment (The Health Central Network, Inc., 2005). As a result of the tortures, Nasya Nenova attempted suicide and Valentina Siropulo maintained that her face muscles were permanently distorted (Dareva, 2010).

¹⁰ Higher qualifications for the medical personnel at Al-Fateh hospital were further offered by Hungary and Slovakia (Pierini, 2008).

¹¹ Pierini explains in his book that at the last moment the Libyan authorities claimed that the HIV-infected children had increased to 460 (Pierini, 2008).

Even after all of the aforementioned conditionalities were satisfied with the common efforts of the Bulgarian and European diplomacy, on 17 July, the Libyan Supreme Court commuted the death penalty for life imprisonment (BBC, 2007).

As Chaushev explains (2008), several days prior to the sentence, the Bulgarian authorities began working on one final diplomatic step – re-activating the 1984 bilateral *Agreement for Legal Cooperation* between Bulgaria and the Jamahiriya, which was called as a ground for the requested on 18 July extradition of the prisoners to Bulgaria. Fortunately, the Libyan authorities replied positively on the very next day.

By that time, the newly elected French President Nicolas Sarkozy, who had promised in his inauguration speech to assist Bulgaria and the European Commission in their efforts to successfully conclude the Benghazi case, had sent his wife Cecilia Sarkozy as an envoy to Tripoli to negotiate with the Libyan authorities, together with Benita Ferrero-Waldner (BBC, 2007). On 22 July the two high-level delegates arrived to the Libyan capital once again, this time expecting to be able to transport the five nurses and the Palestinian doctor to Bulgaria. After two days of difficult negotiations, on 24 July 2007, the French Presidential airplane arrived at Sofia Airport with the six Bulgarians¹² on board. The Bulgarian Foreign Minister at the time Ivaylo Kalfin welcomed the medical workers and read a decree by the President of the nation, by the power of which, the six were being pardoned, effective immediately (Pierini, 2008).

3.3.4. Conclusions on the Benghazi case. The roles of the Bulgarian diplomacy and the European Union

It must be pointed out that the trial was claimed on numerous occasions and by different parties (both Bulgarian and international) to have been used by Muammar Gaddafi as a mean to re-establish himself and his country as a factor on the political scene, after a decade of political and economic isolation. Gaddafi was desperately pursuing rehabilitation from the sanctions imposed on his regime and the Libyan state after the Lockerbie bombing, for which he was accused to have been responsible.¹³ These claims were confirmed by several sources interviewed on the case, including the Foreign Minister of the Kostov Cabinet Mrs. Neynsky (nee Michailova):

¹² By that time Dr. Ashraf Ahmed El-Hajouj had already acquired Bulgarian citizenship through the Bulgarian Foreign Ministry, as to ensure that he would not be treated differently during the trial (Pierini, 2008).

¹³ The trial against the Bulgarians has also often been linked to the trial against al-Megrahi, the main defendant for the incident in Scotland.

“The case with the Bulgarian medical workers was, in fact, exploited by Gaddafi’s regime for obtaining concrete political and economic dividends from the West and, in practice, it came to the Western world making a number of compromises for him. The Bulgarians were simply the ‘bargaining chip’ for the achievement of his goals. The numerous meetings that were organized with him by the Bulgarian diplomatic institutions and many European leaders were aimed at reaching a decision for the successful resolution of the situation, however they grew into a kind of dialogue that Gaddafi was seeking with Europe, in order to rehabilitate Libya on the international scene.

Pierini presents in his book “The price of freedom: Libya behind the curtains of negotiations” a more profound explanation of the reasoning behind the accusations against the Bulgarians.

It should be mentioned that the problem in Libya has a far more complicated social and religious context regarding the HIV outbreak, than in any other country. It is natural, bearing in mind that the epidemic appears in a conservative society, where every issue connected to sexual relations is taboo. HIV means AIDS, which means “DEATH” and the reason for the tragedy could only be sexual deviance or a criminal act (i.e. a deed of foreigners). All of this is enough to explain the fictitious political trial in Benghazi, while it covers for the bad organisation in the hospital and the lack of relevant equipment.

On 3 September 2003, two of the most notable scholars in the field of research of the HIV-virus, Prof. Luc Montagnier¹⁴ and Prof. Vittorio Colizzi, testified before the Libyan Court in support of the innocence of the medical workers. The reason – the Jamahiriya had requested of them to investigate the scientific grounds of the infection. Their conclusions claimed that it was a case of a nosocomial infection of a highly contagious HIV-strain, which was likely to have occurred due to insufficient hygiene conditions in the hospital wings, in which it spread (Montagnier, Colizzi, 2003). However, the most relevant to the trial

¹⁴ Credited with the first medical publication on discovering the HIV virus worldwide in 1983 (Advameg, Inc, 2004)

evidence was that the infection had originated before the month of April of 1997¹⁵ – long before the six medical workers even began working in the hospital.

This piece of scientific evidence could also lead to the assumption that the crisis of 453 HIV-infected children originated as an internal issue of the Jamahiriya, as a consequence of the poor hygiene and medical conditions of the Libyan hospitals. It seems likely that Gaddafi was seeking a way to avoid the foreseen pressure upon his regime by the opposition centre (Benghazi), by blaming the outbreak on foreign nationals, who were either way looked at with a level of suspicion (Tzonev, 22.06.2011).

Even with the successful conclusion of the case, one has to wonder how efficient and adequate were the actions of the Bulgarian diplomacy and the European Union's delegates during the Benghazi case. Why did the trial last so long and what might have helped resolve the case earlier?

As stated above, the Bulgarian authorities were accused numerous times of their negligence, incompetence, lack of an active and committed approach, etc. during the trial. Even Kiriya Tzonev (23.06.2011), a former official of the Foreign Ministry, when asked if the institution fulfilled its responsibilities adequately during those nine years, responds explicitly: "No!". Tzonev (23.06.2011) claims that, to this day, one of the most major mistakes of the contemporary Bulgarian governments is their lack of a proper and well-thought foreign policy regarding the Arab states – something that, in his view, also may well have led to Bulgarian nationals, specifically, being used as a mean for Gaddafi to achieve his political goals. The Arab scholar claims that it was important for the Bulgarian state to keep the excellent relations it had already established with the Middle East. Instead, those were, as pointed out above, neglected, in search of the high-priority relations with the West. As a result, the Jamahiriya ceased to see Bulgaria as a partner, as a "friend". The Arabist expressed (13.06.2011) resentment over the fact that his advice for high-level political contact with the Jamahiriya right after the arrest of the medical workers was ignored and claimed that he resigned from the Ministry as a sign of protest in 2001.

On the other side, the authority itself, namely one of the Foreign Ministers, who dealt with the Benghazi case, Mrs. Neynsky firmly states once again the high level of engagement of her Cabinet:

The mere fact that two thirds of the arrested Bulgarian nationals were released almost immediately speaks for itself for our commitment. The fact that the release of the medical workers was carried out after

¹⁵The infection was said to have originated from one child diagnosed with HIV, which reportedly spread the virus "horizontally" to the other contaminated patients, the first of which was diagnosed indeed in April 1997. (Montagnier, Colizzi, 2003)

Bulgaria became a member state to the European Union proves that the resolution was entirely political. The stakes were higher than simply a bilateral contact between Bulgaria and Libya.

The former Deputy Foreign Minister (from the Stanishev government) and main negotiator on the Bulgarian side of the consultations, Prof. Feim Chaushev also reaffirms the constant efforts on the Bulgarian side on numerous occasions throughout his book *The Benghazi case: The Bulgarian diplomacy in action*. He goes on in detail to describe (2007) how some of the acts of the delegates were misread by the Bulgarian media and society as signs of weakness and inability to cope with the situation at hand.

Still, for Bulgaria, the "lesson" to draw would be that the state authorities, both within the country and beyond its borders need to keep closer contact with the nationals living abroad and to defend their interests and protect their rights whenever necessary. As Arabist Vessela Dikova points out (02.06.2011) the opportunity to release the medical workers and transfer them back right in the beginning, before there was any trial initiated yet, was missed. Furthermore, the Ambassador and several officials from the Embassy were discharged¹⁶ and the timeframe that it took to appoint new ones was "lost" (Tzonev, 13.06.2011), instead of being used for bilateral contact with the Libyan authorities. Nadezhda Neynsky describes (31.05.2011) the lack of proper contact with the nationals as a common issue for the Bulgarian embassies in the aftermath of the communist regime. It seems like a new approach and perhaps a change in policy ought to be introduced, in order for such incidents to be avoided in the future.

As for the European Union, the analysis above clearly proves the high commitment and decisiveness of the international community and, above all, the Union to assist Bulgaria, even as a brand new member state, on its way of resolving the difficult situation. Would the Benghazi case have come to a satisfactory settlement if it were not for the European authorities' role? Mrs. Neynsky is once again clear and emphatic:

It would have been protracted for much longer if it were not for the European Union's commitment. In fact, as a member state to the Union, Bulgaria had the opportunity to feel the benefits of the European solidarity, without which this case might have had a different outcome.

¹⁶ For not being aware of the Bulgarians' arrest straight from the beginning (Tzonev, 13.06.2011).

To this day, Bulgaria is extremely grateful to the EU for the role it played in resolving the case, something, which is apparent every time that the dreadful nine-year trial is mentioned in the public space. There is no doubt among the society - and the three governments in power for those years – Europe’s role was undeniable and absolutely necessary for the happy ending of this extremely difficult case.

Still, one has to wonder: would the case have been closed more rapidly if the European Union’s support had arrived earlier? As a candidate member state, should Bulgaria have seen the Union’s solidarity in 1999 already? Or, should Bulgaria perhaps have sought international support right from the start of the trial? It seems like these four years of fruitless bilateral talks (2000-2004) might have been the factor that provided Muammar Gaddafi with the confidence that the trial may be protracted for as long as it was needed for him to accomplish the full rehabilitation of Libya on the political scene.

Pierini mentions (2008) Romano Prodi’s efforts to rehabilitate the Jamahiriya earlier and to renew the bilateral political contacts with the EU, so it comes to mind that it may have been that the bureaucracy existing in and between the European institutions may have led to such prolonging of the lifting of the embargo. It may also be explained with disagreement on the issue between the member states on EU and UN level. Or perhaps, as implied in Bulgarian journalist Velislava Dareva’s book *Ghaddafi Test. Human Rights. The Bulgarian Experience* (2010), the Union failed to realize the seriousness of the situation and believed that Bulgaria and Libya could resolve their disagreements in bilateral consultations. In addition, the EU still had ongoing sanctions on Libya, however, those were only terminated three years after the turning in of al-Megrahi and were suspended in 1999 already (BBC, 1999).

In any case, whatever the reasons may have been for this prolonging of action on the EU’s part, it may well have been the grounds for the case to be protracted for the following five years. Not to mention the respect he presumably gained from his compatriots – in the course of several years he achieved the full rehabilitation of Libya from political and economic isolation, including lifting of all sanctions and embargos, he established strong contacts with many European leaders, including launching lucrative trade agreements with them and on top of that, he managed to receive full financial support for the recovery of the infected children, together with the modernisation of the Libyan healthcare system, including the hospital that caused the HIV-outbreak. In this context, it seems easy to assume that, as Mrs. Dareva implies, “the winner” in this undesirable situation (even though it seems inappropriate to seek one) is Muammar Gaddafi’s regime.

3.4. The standstill of the bilateral relations after the conclusion of the trial (2007-2011)

After the Benghazi case was finally concluded, there was an attempt at revival of the relations between the two states (mostly at Bulgarian initiative), however nothing was accomplished at the highest political (or diplomatic) level. Some minor trade was still ongoing and Bulgarian nationals were still seeking employment in Libya (Ministry of Foreign Affairs, 2010). Still, there seemed to be a certain degree of reservation on both sides. As for the Bulgarian state this could easily be explained with cautiousness towards the regime after the long and “painful” trial against the medical workers.

It is estimated that there are still as many as several hundred Bulgarian nationals on Libyan territory (Bulgarian Foreign Ministry, 2011). A large part of the nationals were evacuated at the dawn of the civil war, however a great many of them refused to leave the country, claiming that they had ongoing labour agreements at the Jamahiriya.

4. The 2011 revolts and the subsequent civil war. The European and the Bulgarian reactions

In February 2011, following the events in Egypt and Tunisia, as a consequence of what has frequently been called “the domino effect” (BBC, 2011), Libya was subjected to extensive revolts on the part of Muammar Gaddafi’s opposition, which seemed to have gained confidence by the upheavals spreading throughout the region. As the situation aggravated, the revolts unfolded onto a civil war, as Gaddafi still had his supporters around Tripoli, who also joined the movements, opposing the protesters. As the peaceful demonstrations turned into rebellions, which faced aggressive oppression from the Libyan leader, the European Union and other international organisations expressed grave concerns about the deteriorating situation and the rising number of casualties on the ground. As a result, the international community called for Muammar Gaddafi to step down. Restrictive measures were introduced by the EU, two resolutions were adopted by the Security Council of the UN and a NATO military mission was launched.

4.1. The outbreak and progression to a civil war

According to the international news channel *France 24* (2011), on the evening of 15 February 2011, peaceful protests took place in the Libyan city of Benghazi. The reason pointed out was the arrest of human rights defender Fathi Terbil. News media *Al Jazeera* (2011) reports that the police forces violently broke the demonstrations down, however the protesters renewed their activities on the following day and came back on 17 February in even bigger groups.

For as long as Muammar Gaddafi has been in power, a strong opposition of his rule existed in the area of Cyrenaica, in Eastern Libya, formerly an Italian colonial territory. Ever since the dictator took the lead of the state by forcefully taking down King Idris in 1969 (BBC, 2011), Benghazi, as a capital of the region, has been widely known as the centre of the leader's opposition. This is why, it was only logical that the anti-Gaddafi demonstrations arose exactly there.

The initiators of the protests are believed to be mostly youngsters, who organised their efforts through social networks such as *Facebook* and *Twitter* (Neynsky, 31.05.2011). This is how the demonstrations of 17 February came to be – they were meant to be in memory of those led in Benghazi exactly five years before on the very same day (BBC, 2011). It came to be known as the “*Day of Rage*” – hundreds to thousands took the streets of the cities of Benghazi and Darnah. As a consequence of the aggressive approach of the police towards the demonstrators, this day was also marked as the first day of violent protests, as independent newspaper *Libya al-Youm* reported the first casualties (Al Jazeera, 2011).

In the days that followed the demonstrations took on even larger and more disturbing proportions –on 18 February alone, the number of activists was claimed to have amounted to several thousand. The Libyan government was claimed to have hired Chadian mercenaries (France 24, 2011) to be able to crackdown the persistent marches. Internet blackouts were initiated by the regime for the sake of disrupting the organisation of the rebel groups, together with media blockage (European Council Working Group briefings, March 2011). However, soon demonstrations were initiated in Misrata and even Tripoli and as a result the police troops (who were already known to have opened fire on protesters) were believed (Al Jazeera, 2011) to have begun using larger-scale military equipment, such as helicopters and warplanes in the concentrated effort against the crowds. According to an European Parliament briefing (2011), in the course of only a few days rebels took control over a number of cities – Darnah, Shahhat, Tobruk, Ajdabiya, Bayda and Misrata, (Benghazi was already under rebel forces) and demonstrations unravelled

in the Western parts of the country. Gaddafi's supporters also took part in the protests, which only made the situation graver.

The international community was not indifferent to the events unfolding in Libya. The upheavals were strongly condemned by the European Union (ceasing negotiations on the bilateral Framework Agreement on 22 February), the Arab League (suspending Libya's membership from the organisation as of 22 February), the Union for the Mediterranean, the African Union and the United Nations, the latter introducing Resolution 1970 on 26 February (European Parliament briefing documents, March 2011). The document called on the Libyan authorities to cease the acts of violence towards civilians, to protect the foreign nationals on the ground and to re-establish independent media. The Resolution gave notice that the situation was referred for prosecution to the International Criminal Court on 15 February, as the organisation's High Commissioner for Human Rights declared that the situation in Libya represents a "brazen and continuing breach of international law" (European Parliament Briefing, March 2011). The UN (through the aforementioned Resolution) and the EU (through Council and Parliament decisions) imposed arms embargo on Libya, in addition to asset freezes and travel bans on designated persons from the inner circle of the Gaddafi regime. Both structures stated their willingness to impose further restrictive measures, provided that the situation would not improve. In the meantime, the European Commission sought ways to deliver humanitarian relief at the Libyan borderlines. The European Council was informed that the evacuation of foreign nationals had begun (European Council Working Group briefings, 2011).

Meanwhile, the opposition organised their efforts to the point that a Libyan *National Transitional Council* was founded on 27 February (European Council briefing of 17 March 2011). The organisation was based in Benghazi and was claiming to seek the introduction of a new democratic rule in the Jamahiriya and established Mustafa Abdul Jalil (former Minister of Justice) as its Chairman and Head of International Affairs. According to a European Parliament briefing (2011), the Council declared itself as the "only legitimate body representing the people of Libya" and called upon the international community and organisations to recognize it as such, citing that it would acknowledge all of the agreements of the Gaddafi regime, notably those concerning foreign relations. The opposition decided not to form a government yet for the sake of avoiding a division of the country in two – the supporters of the regime on the East and the opposition on the West (European Parliament briefing document, March 2011).

On 23 February¹⁷ the EU Council, together with High Representative Catherine Ashton, activated the Civil Protection Mechanism of the European Union, which would be used to evacuate European nationals from the Jamahiriya. The European Council and the European Parliament both declared that Gaddafi's regime had "lost any remaining legitimacy" and urged the leader to step down. The Council of Ministers tightened the sanctions against the regime on 28 February and reiterated their will to continue adopting further restrictive measures. The option for imposing an embargo on oil products originating from Libya was rejected for the time being, as concerns had been raised from the member states about the humanitarian situation – as most of the oil assets were considered not to be in Gaddafi's control anymore, it was believed that this particular measure would have an effect on the mere civilians, instead on the regime itself. Nevertheless, on 23 March the Council imposed an embargo on designated Libyan oil companies (Bloomberg, 2011).

On 24 February *Reuters* (2011) published extracts of a statement made by Gaddafi, in which he refused to acknowledge the legitimacy of the protests, claiming that all Libyans "love" him and that those rising against him are minors using hallucinogenic drugs and ergo are not in their right frame of mind. Only two days earlier, on 22 February the dictator vowed that he will not leave Libya and will fight to crush the uprisings and "die here as a martyr" (Reuters, 22 February 2011).

In the meantime, respectively on 8 and 9 March, the Libyan National Council met with High Representative Catherine Ashton and President of the European Parliament to receive information from the ground (European Parliament briefing document, March 2011). The two meetings went smoothly and led to recommendations being made by the two European representatives that the Transitional Council is recognised by the international community as a legitimate interlocutor on Libya's part and a dialogue with it begins sooner, rather than later. The official recognition came only a few days later – on 11 March, after the European summit in Brussels, the EU declared that from that moment on the Transitional National Council would be the Union's political interlocutor for Libya.

According to EP briefings from 17 March (2011), after the progress achieved by the rebel forces until 14 March, slowly began to fade from that day on. Seeing the international community's active engagement in the disturbing situation in the Jamahiriya, Gaddafi's regime and supporters started fighting back more avidly and, as a result, some territories were claimed back by the leader's troops. By that time, reports on the opposition's limited military equipment began to surface.

¹⁷ As claimed at a European Council briefing of 23.02.2011, Working Group Mashraq/Maghreb

4.2. UNSC Resolution 1973

On 17 March 2011, after a proposal from France, Lebanon and the United Kingdom, a new United Nations Security Council Resolution was adopted (United Nations official website, 2011). The document provided the basis for military intervention in Libya¹⁸, which by that point had been rejected on several accounts by some member states, by mentioning that the UN member states should undertake “all measures necessary” (Reuters, 2011) for the protection of the civilian population. To that end, the Resolution imposed further a *no-fly zone* over Libya, forbidding all flights in the country’s airspace, except for those providing humanitarian assistance to the borderlines.

The idea of a no-fly zone had already been launched by British Prime Minister David Cameron (Telegraph, 2011) on 28 February and had received mixed reactions from the international community. The National Transitional Council and the Arab League had already called on the UN to impose such a sanction, even though there were growing concerns that this measure would not be sufficient to “stop” Gaddafi anymore (Telegraph, 2011).

The Resolution further tightened the arms embargo and demanded ceasefire and halt of violence from the Libyan authorities. *Reuters* reported (2011) that Colonel Gaddafi had stated that adopting an UN Resolution is an unjustified act and called it “blatant colonialism”. Still the Libyan leader reportedly declared a ceasefire on 20 March – a promise which was consequently not kept (Telegraph, 2011).

With the inability to reach a unanimous agreement between the 27¹⁹ and the unwillingness of NATO to initiate an operation on the ground, a decision was made to form a “Coalition of the willing” – a term used in political science to describe a military intervention that has not gained the wholesome support of all UN members - which would be joined by the countries, who were willing to be involved in a military operation. Backed up by UN Resolution 1973, these countries would be at power to act upon the compliance to the Resolution, which meant that they were at liberty to dispose their military forces around the country’s borders (interventions on the ground were denied for the time being).

On EU level, the ad-hoc Coalition was initiated by Britain and France. The two countries’ leaderships had long pushed for decisive and firm action towards the Jamahiriya and, while respecting the sceptical

¹⁸ As stated by the UN News Centre, the resolution was adopted as an action under “Chapter VII of the UN Charter, which provides for the use of force if needed” (UN News Centre, 2011).

¹⁹ The initiative for military intervention was addressed very ambivalently by the European leaders and several of them, namely German Councillor Angela Merkel declared themselves against it (European Council personal archive)

positions declared by several European leaders, were eager (together with the US) to initiate a military action, which was already granted permission for under Resolution 1973²⁰. On 18 March, *The Telegraph* (2011) reported that the French president called a meeting in Paris with the intention to discuss possible approaches in the crisis. As a result, the "Coalition of the willing" was established, which included 10 countries: Belgium, Canada, Denmark, France, Italy, Norway, Qatar, Spain, UK and US, only to be expanded by seven more in the course of its operations. On the very same day that the Coalition was established, 19 March, the first air strikes began, aiming at Gaddafi's forces heading for Benghazi. The Coalition led the international military intervention in Libya until 28 March.

4.3. NATO military intervention

Immediately after the adoption of Resolution 1973, NATO was reluctant to take over the control of the military operations discussed by the UN member states. The Alliance's troops had only initiated observation of the situation (the Libyan territory was at no time entered, including the waters), however it was declared on 22 March, in response to the UN's call to launch an operation in Libya, that for the time being NATO would only act as to safeguard the provisions set out in the Resolution, i.e. the arms embargo and the no-fly zone (NATO, 2011).

On 27 March, after several requests had been issued, NATO decided to take control over the military intervention in Libya, launching *Operation Unified Protector*. The announcement was highly welcomed by the Coalition members and, as a way to coordinate the efforts on the operation, a conference was called in London, which declared the establishment of a "contact group" for Libya. The contact group was comprised of 20 states, together with the EU, the UN, the Arab League and other international organisation (Reuters, 2011). Three meetings of the aforementioned establishment have been held so far – in Doha on 13 April, in Rome on 5 May and in Abu Dhabi on 9 June. The aim of those was to reiterate the common goals for development of the situation in Libya and to coordinate concrete efforts to that end.

²⁰ On 17 June, on a broadcast on *Al Jazeera*, Philip Stonor, a formal navy officer, claimed that the Declaration of Cooperation, signed on 2 November 2010 between the UK and France, has been used as a legal ground for the two leaderships' common desire to give rise on a military intervention, as it supposedly calls for "doing things not only inside Europe, but also outside Europe" (Al Jazeera, 2011).

4.4. Issues and criticism to the NATO mission

Discrepancies arose between the Coalition members on several occasions, concerning important issues and by June 2011, the Alliance's strikes, while reportedly appreciated by the National Transitional Council and the Libyan people, have underwent criticism on several accounts.

First and foremost, the strikes were claimed to have caused too many fatalities - reports from Libyan government officials allege up to 785 casualties and some more 220 wounded.²¹ On 30 April, it was reported that one of Muammar Gaddafi's sons, Saif al-Arab al-Gaddafi, and three of the leader's grandchildren were killed in an attack that was claimed by the Libyan Government spokesman, Moussa Ibrahim to have been "a direct operation to assassinate the leader of this country" (BBC, 2011). The head of NATO's military operations in Libya, Lieutenant General Charles Bouchard, denied such claims. Nonetheless, this act only increased further the pressure between the Gaddafi regime and even more so, as it happened only one day after the Libyan leader declared in a live speech that he was willing to cease the fire and negotiate with the Coalition, given that NATO halts its air strikes (Reuters, 2011). The initial goal of the operation was said on numerous occasions to have been the mere protection of the civilian population, while by that point in time, claims surfaced that the strikes were now aimed at Gaddafi.

On the other side, the National Transitional Council and the Libyan people have criticized the Alliance's troops for not being swift and efficient enough, although the latter claims have been softened by Guma el-Gamaty, the representative of the NTC for Britain, who, participating in an Al Jazeera broadcast on 17 June stated that the Libyans were grateful for the NATO intervention, which "saved thousands of lives". The representative clarified that the NTC did not urge the international community to take Gaddafi down as it was not "their job". Instead, he implied that change should come from *within* Libya, "from the people themselves" – the NTC was simply seeking the West's assistance to that end (Al Jazeera, 2011).

El-Gamaty, in the aforementioned broadcast, raised once again another issue that has not yet found a unified solution– the scarce and ever decreasing munitions and other military resources of the rebels. The issue of whether or not NATO should provide military equipment to the rebel troops remains, even though the United Kingdom, France and others have expressed their steadiness to do so.

²¹ Calculations made from the various reports on victims from NATO operation (Wikipedia, 2011).

4.5. Conclusions and Current situation

On 1 June NATO announced that the military interventions in the Jamahiriya would be extended for 90 more days. The Alliance's Secretary-General Anders Fogh Rasmussen stated that NATO "will sustain our efforts to fulfill the United Nations mandate" and "will keep up the pressure to see it through" (Bloomberg, 2011).

The Transitional National Council is, at the time of this writing, recognised by France, Qatar, Maldives, Italy, Spain, Kuwait, The Gambia, Jordan, Senegal, the United Kingdom, Australia, the United Arab Emirates, Germany, Canada, Panama, Austria, Latvia, and Denmark; whereas Russia, Malta, and the US have acknowledged it "only as a legitimate political entity" (Wikipedia, 2011). On 31 May Italy established a consulate in Benghazi, with the aim of having direct dialogue with the Council (Global Times, 2011).

At the aforementioned *Al Jazeera* broadcast, the representative for the National Transitional Council claimed that "Gaddafi is becoming much weaker" (2011). It was contended that no intervention on the ground was needed, as the progress made was estimated by the NTC as considerably good. On 13 May the Council claimed that it has designated officials to establish an efficient government, once the civil war concludes (Reuters, 2011).

On 16 May, the International Criminal Court Chief Prosecutor Luis Moreno-Ocampo declared that an arrest warrant has been ordered by the Court for Muammar al-Gaddafi, his son Saif al-Islam Muammar al-Gaddafi, Abdullah Senussi and one more person for the reasons of crimes against humanity (BBC, 2011). The warrant was ultimately issued on 27 June (ICC official website, 2011).

The Libyan leader, himself, appeared in two live broadcasts in June, the former being on 7th, after the NATO forces intensified their strikes on Tripoli and the latter being on 20th, following a strike of the Alliance forces, which presented casualties. The willingness to apply a ceasefire and negotiate with the Coalition seemed to be left behind, instead Gaddafi avidly vowed to "fight to the end" (Reuters, Telegraph, 2011).

The European Union adopted on 1 April a proposal for a common European mission under the name EUFOR Libya that would send troops from member states to Libya to provide humanitarian relief to the

civilian population. However, such an act would require formal approval by the United Nations, which is not yet received by the time of this writing (Hungarian Presidency to the EU official website, 2011).

To conclude, it seems like the European Union's action upon the riots and civil war in Libya was adequate and timely. The EU did not stand idly by while the riots and civil war were ongoing, while civilians were killed every day. It did take all the appropriate action in its power, in order to safeguard the UNSC Resolution and to ensure the NATO operation was running smoothly – it was claimed by the National Transitional Council that no interference on the ground is needed (or desired) . The divisions within the EU (most notably between Germany on the one side and France and the UK on the other) are to be expected in the context of such a sensitive issue, regarding a country that has barely renewed its dialogue with the Union. To issue a prognosis on how the events will transpire in the near future is close to impossible, however it is clear that close cooperation and active assistance on EU's side will be much needed and strongly appreciated by Libya.

4.6. Bulgaria's position and its reasoning

The year 2011 brought only more confusion and reasons for cautiousness in the relationship with Libya, even more so for Bulgaria. Under the difficult circumstances and the inability to come up with a common European position on the issue, Bulgaria, as every other European state, was faced with the arduous task of presenting a national position on the intentions of the state to act or not on the ever deteriorating situation on the ground. As time came for the world leaders to take stances on the ongoing critical situation in Libya, it was to be expected that Bulgaria would be one of the first countries to take a strong position against Gaddafi and his rule, given the circumstances around the Benghazi case, which severely deteriorated the bilateral relations. Nevertheless, the Balkan state was rather hesitant in its approach, initially presenting contradictory statements from the government.

The incongruent statements given by the heads of the different ministerial institutions, including the office of the Prime Minister demonstrated the difficulty in deciding on an official position. In the course of a few days the Prime Minister, the Foreign Minister and the Minister for Defence presented inconsistent positions, the reactions were different not only between the three Ministries, but also from within the institutions themselves. Clearly, given Bulgaria's ill-defined relationship with the Jamahiriya, it must have seemed impossible for the Cabinet to choose a "right" course of action. Furthermore, the

country was to be found suffering the grave consequences of the financial crisis and did not have major military equipment at its disposal (not after the intervention in Iraq anyway). Finally, on 21 March, The Prime Minister gave a statement, informing that Bulgaria will not be joining the Coalition and will not take part in a military intervention. Mr. Borissov claimed that the Coalition “does not have formulated objectives and ways to achieve them. I would not let our pilots into an adventure like this” (EU Business Ltd., 2011). The head of state claimed that the country would, however, be joining other European states in imposing an arms embargo and safeguarding the no-fly-zone, as stipulated by Resolution 1973, and expressed hopefulness that NATO would take charge of the operation. Bulgaria did engage in NATO’s mission, however only in the upholding of the Resolution – one frigate (“Drazki”) was sent to patrol around Libyan coasts to observe that the arms embargo is respected. The naval ship had one operation during that time and, by the time of this writing, has returned safely to Bulgaria (Dikova, 02.06.2011).

Vessela Dikova, an Arabist and an official from the Foreign Ministry qualifies Bulgaria’s reaction as “balanced and well-thought”:

We need to be very cautious towards Libya. For example, in recognising the National Transitional Council we had to take into account that the Chairman and one other official have been personally involved in the Benghazi case – as a Minister of Justice and his Deputy. As for the others, they are all believed to be former Gaddafi supporters. We needed to thoroughly examine the situation and not to rush into any engagement straight away.

(02.06.2011)

Still, was a firmer stance to be expected, given the consequences that Bulgaria has suffered from the Gaddafi regime during the Benghazi case? Mrs. Nadezhda Neynsky, currently an MEP and a former Foreign Minister seems to think so:

In regards to Libya, Bulgaria is one of the most affected by Gaddafi’s regime countries and I believe that it was important for our reputation on the international scene to be a part of the outcome in Libya. It was vital to have a firm and principled position in this case.

(31.05.2011)

One has to wonder what caused such wariness in the situation, given that “there was not much expected from us” (Neynsky, 31.05.2011). Perhaps it was the trepidation that the Libyan leader is so unpredictable

that it might be better to abstain from having a strong voice in such a sensitive situation? Mrs. Neynsky explained the inaction with “conformism, one of the worst features that were inherited from the communist regime in Bulgaria and the Ottoman occupation before that” (2011). Indeed, it seems that Bulgaria’s past has made it apprehensive to react and to take a stronger stand in such uneasy political situations, even with several European countries on its side.

Nevertheless, June of 2011 finally brought a positive development to the Bulgarian-Libyan relations, even in the context of the civil war – on 28 June Foreign Minister Nikolay Mladenov flew to Benghazi, in order to meet with the National Transitional Council’s representatives and announce that Bulgaria had officially recognized the Council as a legitimate political interlocutor on Libya’s part. The Foreign Minister announced that a new consulate is about to be opened in Benghazi and expressed, together with NTC’s Chairman Mustafa Mohammed Abdul Jalil, his hopefulness that the political and trade relations between the two states would finally mark a positive development (24 Chasa news media, 2011).

5. Conclusion and recommendations

As was claimed on several occasions throughout this paper, Libya’s relationships with both Bulgaria and the European Union have gone through various phases, including periods characterized by excessive tensions. Issues such as restrictive measures, sanctions, support of terrorist activities, international trials, claims of political conspiracy, etc. have been dealt with between the three parties in the past 30 years.

Nevertheless, in the context of the still ongoing civil war and the expected consequences from it, it seems like these horrific circumstances provide the positive opportunity for the European Union and Bulgaria (both as a member state and as an individual country) to turn a new page on the relations with the Jamahiriya.

For the past 42 years, Libya has been identified almost exclusively with Muammar Gaddafi – a dictator with his own ideology of “running” a country, his own unprecedented approach to institution building and foreign policy, his own way of negotiating trade agreements. The state has suffered not once from his odd decision-making when it comes to external relations, driven mostly by his general mistrust for foreign nations and their intentions. However, as it seems like the leader’s regime is on its way to the past, it is up to Europe to play a role in the building of the Jamahiriya’s *future*.

The European Union has demonstrated its solidarity time after time, not only to its members (or candidate-members as in Bulgaria's case), but also to the international community as a whole. Yes, it has played a significant role in Bulgaria's uneasy relationship with Libya; it is undeniable, however, that the opposite is also true – Bulgaria became quite an important element of the renewed political dialogue between the Union and the Jamahiriya. Now that Libya is presumably on its way of re-writing its history, it will be imperative for the EU to provide all the support and assistance necessary to the North African state, not only on its fight for change, but also once it actually occurs. The National Transitional Council has claimed (Al Jazeera, 2011) that once the country is stabilized, it will need extensive cooperation on institutional and capacity building, the establishment of a civil society, the crafting of a Constitution, societal changes, etc. Libya, for once, seems to be relying on the high political will of the Western world for its re-building.

The European Union and its member states have, fortunately, expressed steadiness to participate actively in such processes and, more importantly, to develop²² a “true democratic friendship” with the Jamahiriya. As for Bulgaria this is the time to put the past behind and start the bilateral relations with Libya anew, to revive the once excellent partnership that the two countries had achieved. As it was already implied above, such relations can easily be mutually beneficial – Bulgaria can deliver assistance and share good practices to the Jamahiriya as a country that has gone through the difficulties of a democratic transition; Libya, on the other hand, can provide opportunities for the development of trade relations, which could help Bulgaria breathe life into its stale at the current moment internal production. In any case, it is important for the two countries to develop their bilateral relationship, at least for the sake of the several hundred Bulgarian nationals that still seek employment in the Jamahiriya.

In conclusion, it is to be expected for the European Union to seek extensive dialogue with Libya once the situation on the ground is stabilized and, as a member state, it is up to Bulgaria to opt for starting anew and leaving the past behind. Otherwise, if no action is undertaken upon supporting Libya in these difficult for its people times, this would not be forgotten by the new leadership of the country and no further fruitful bilateral relations between the two countries are to be expected. As a Southern European country, it is in Bulgaria's best interest to revive and maintain the once excellent relations with Libya and the other Arab states, especially those currently undergoing political transformations. As stated above, it is to be presumed that, once the civil war and revolts in the region are settled, Europe will seek to develop a

²² As it was stated in the most recent contact group, concerning the situation on the ground (Australian Foreign Minister Website, 2011).

stronger relationship with the Middle East. In this context, Bulgaria (with its strategic geographic position) could, provided that it demonstrates the necessary political will, easily become a mediator, a bridge of its own, between the Arab and European cultures. The question stands: will the Bulgarian leadership finally realise the potential opportunities in the region and act upon them, or will this relationship remain at the standstill of the past 22 years?

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- Interviews.

APPENDIX I: Summary of the interviews with Kiriyaq Tzonev, an Arab specialist, former official at the Bulgarian Foreign Ministry, former Ambassador to Algeria, author of numerous publications, regarding the Middle East and the Bulgarian-Arab relations

Tzonev presented an overview of the relationship between Gaddafi's regime and the Western world, beginning with the deterioration of relations in 1981, up until the lifting of the UN sanctions in 2003. He maintained that, when it comes to the Mediterranean region, Gaddafi's main goal was to assume leadership in the region, which is why the Libyan state initiated the *Barcelona Conference of the representatives of the progressive socialist parties in the region* (1976), however his further lack of involvement in the initiatives for the region was driven by the fact that the project for Mediterranean unity that he perceived as his own was overtaken by Europe.

The Arabist suggested his views on the Benghazi case in full. Tzonev informed of the little known initial formulation of the formal accusation against the medical workers: *The medics were using a decayed medicine for AIDS; were purposefully performing several injections using the same needle and were trying to stir up discontent among the people, in order to destabilize the Libyan Jamahiriya*. When asked if the Bulgarian diplomacy reacted adequately during the Benghazi case, Tzonev replied negatively, saying that he resigned his position in the Foreign Ministry, because of the Bulgarian authorities' negligence, and stated that, in his point of view, the Bulgarian diplomacy needed to involve the European Union in the case right from the beginning. The Arabist informed of the Bulgarian attempts to attract several Arab countries and gain their support on the case, unfortunately they did not seem to achieve any more progress than the Bulgarian state itself.

Tzonev described in detail the long-lasting bilateral relations between Bulgaria and Libya: from their establishment in 1963, through the pinnacle of the relationship when, according to the Arabist, Bulgaria was one of Europe's main competitors when it came to the export to the Jamahiriya, up until recent times when the severely deteriorated in the past 12 years relations are further complicated by the ongoing civil war, which presents many questions in need of an answer before any dialogue is initiated. The Arabist expressed resent over the fact that several Bulgarian governments had neglected the relationships of the Balkan state, not only with Libya, but also with many other Arab countries that the Zhivkov regime maintained excellent relations with. To the question if he foresees that Bulgaria would establish relations

with the Transitional National Council Tzonev replied that the initiative should come from the Bulgarian state and only after the situation on the ground is settled. According to the Arabist, democracy will be established in the Arab World, however the need for a strong leader and the dependence on religion will influence the exact type of leadership to be founded in the region. He claimed further that democracy in the Middle East cannot be “copied” from the Western model, instead a new, customized type of leadership should be established.

APPENDIX II: Summary of the interview with Mrs. Nadezhda Neynsky, currently an MEP and formerly a Foreign Minister to the Kostov Government

Mrs. Neynsky presented answers in several areas of interest to the current paper.

The former Foreign Minister explained that the totalitarian regimes in the Middle East were tolerated for a long time, as it was believed that they presented an opportunity for stability in the region, in the context of the increasingly popular tendencies of Islamism. Gaddafi's regime, one of the more extreme cases in the region, kept close relations with many other similar regimes, including Zhivkov's one. To Neynsky's accounts, it is widely known that the two countries had developed strong trade relations that did not function to the principles of the market economy, which meant that new relationships needed to be developed in the aftermath of the Zhivkov regime's fall.

Mrs. Neynsky explained that the Benghazi case was, in fact, used by Gaddafi for the achievement of concrete political and economic dividends from Europe and the US and, in practice, the West ultimately came to make many compromises for the Libyan leader. The Foreign Minister clarified that, because of the lack of proper contact between the Bulgarians abroad and the relevant Embassies towards the end of the century, it was difficult to keep track of all the nationals on the Libyan territory and even though two thirds of the arrested in 1999 medical workers were successfully released right from the beginning, Gaddafi's regime refused to liberate the remaining five. According to Neynsky, Bulgaria, as a country with pro-Western and pro-Israeli foreign policy, was seen as an "enemy" of the Arabs and was used by Gaddafi for the achievement of the rehabilitation of Libya. To her accounts, it became clear after Bulgaria's accession as a member state to the EU that the case was political, rather than judicial. Neynsky claimed that the case would not have come to such a successful resolution after all, had it not been for the European solidarity that Bulgaria had the chance to experience; in fact she maintained that it would have been protracted for much longer if it was only negotiated at a bilateral political level. The former Foreign Minister suggested that Gaddafi managed to achieve his goals to a great extent, as in the negotiations for the trial's resolution he finally accomplished an extensive dialogue with the European Union and its member states. As for Bulgaria, according to Neynsky, before the EU membership its political power and resources were very limited and not much could have been achieved without Europe's assistance. Moreover, the national authorities had to be very cautious as the circumstances around the imprisoned Bulgarians were very sensitive and did not allow for a bold approach to the situation.

When it comes to the ongoing civil war in the Jamahiriya, Mrs. Neynsky was clear that in her view it was imperative that help is provided (for Libya and the remaining states from the “Arab spring”), not only in the path towards peaceful existence, but also in the institution and capacity building once democracy is actually established in those countries. The MEP also claimed that the potential chaos in those states lies in the possibility that once the dictators’ regimes do fall there would be no people capable of adeptly rebuilding the new state systems. Mrs. Neynsky expressed hopefulness that Libya will become a much different country after the civil war’s settlement, however, for that to be fully achieved, a few generations need to pass, so that a new mentality could be built. The important role for the EU in these processes would be, according to Neynsky, to engage these countries in an active dialogue and it must be made clear to them that the Western world sees opportunities for partnerships with them.

As for the current Bulgarian-Libyan relationship, Mrs. Neynsky qualified it as “complicated to this day”. According to the former Foreign Minister, there was an attempt at revival of the bilateral relations, however not much was achieved and to this day there is no positive development in this area. In conclusion, Mrs. Neynsky expressed her resentment over the fact that Bulgaria did not assume a stronger stand in the context of the Libyan civil war, and claimed that the inaction and lack of a principled position was detrimental to the Balkan state’s reputation on the international political scene (particularly in Europe).

APPENDIX III: Summary of the interview with Mrs. Vessela Dikova, an Arab specialist, Second Secretary to the Foreign Ministry and a diplomat at the Bulgarian Permanent Representation to the European Union

The Arab specialist presented a short overview of the Bulgarian-Libyan relationship and provided some inside details from the European Union's attitude to Gaddafi's regime in the context of the ongoing civil war.

To Mrs. Dikova's accounts, one of Bulgaria's main exports to the Jamahiriya has always been the human power – the Bulgarian specialists (engineers, medical staff, construction workers) were employed during the Zhivkov regime by state-owned enterprises (Technoeksportstroi, Bulgargeomin, Expomed, etc.). To the Arabist's knowledge the Bulgarian specialists are highly valued and even requested in Libya. According to her, the priority of the human factor in the bilateral relations is high, which is positive, as it is to be expected that these employees would invest their profits in the Bulgarian economy.

As to the Benghazi case, Mrs. Dikova expressed the view that the Bulgarian authorities, including the Embassy in the Jamahiriya missed the opportunity to release the medical workers straight from the beginning, similarly to how other nations reacted in the case (namely Poland). In her view, even with the frequent political contact between the two nations, the Benghazi case significantly deteriorated the bilateral relations. However, even with these tensions, many Bulgarians still kept seeking employment in the Jamahiriya, although with private contracts, which made it difficult for the Embassy and the Foreign Ministry to keep track of them. Dikova revealed that, even in the context of the current civil war, many Bulgarian nationals refused to evacuate.

As for the bilateral relations, the Arabist admitted that after the Benghazi case's resolution, the two Embassies were not represented at a high level – the Bulgarian consulate in Benghazi was even dismissed. Currently (up until February 2011), to her accounts, there is almost no trade ongoing between the two states and the political contact is not consistent. According to Mrs. Dikova, the future of the bilateral relations is to be found between the Bulgarian state and the Transitional National Council.

When it comes to the ongoing civil war, the Arabist expressed her approval of the balanced position and overall approach of the Bulgarian authorities. She claimed that it was important for the Balkan state to act cautiously and to investigate carefully the representatives of the National Transitional Council before

taking a strong stand. Mrs. Dikova informed of the decision made to dismiss the Embassy in Tripoli and open a new consulate in Benghazi, in order to establish a dialogue with the Transitional National Council.

APPENDIX IV: Summary of the interview with Dr Andrey Kovatchev, MEP, Head of the Bulgarian EPP Delegation

Andrey Kovatchev described the relations between Bulgaria and Libya before 1989 as a collaboration: many Bulgarian doctors, nurses and engineers were working there even after the fall of the regime, mutually beneficial trade relations were also ongoing, many of which were financed through a system of credits.

According to Mr. Kovatchev, the European Union acted in an ambivalent manner towards the Gaddafi regime: at first it was associated with terrorism, however only several years later a rapprochement was initiated with the Jamahiriya and after a while the economic interests prevailed and some member states formed political bonds with the regime. Gaddafi visited many European capitals and the EU itself started negotiations for association with Libya, which are currently completely terminated.

To Kovatchev's accounts, the regime, despite the attempts of the Bulgarian diplomacy, was using the Benghazi case for propaganda purposes and the medics were, in fact, released right after Bulgaria became a member of the European Union.

The MEP maintained that when it comes to the NATO mission and overall international interference in Libya, Bulgaria participated accordingly to its resources (with the "Drazki" frigate).

Kovatchev declared that Bulgaria and the other Central and Eastern European countries reforming their totalitarian regimes from the past century into democracies and market economies, could indeed be helpful to the countries from the Arab Spring in their attempts at building democratic governments and institutions, by means of sharing good practices with them. According to the MEP, the Arab countries do vest interest in such initiatives, which became clear namely at the conference organised in Sofia at the end of May 2011 (*Sofia Platform*) - one of the first initiatives, aimed at sharing good practices for capacity building with the Middle East countries undergoing (or about to undergo) democratic transitions. Kovatchev was a moderator of one of the panels at the aforementioned conference.