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Regime change, international stability, and gradual sanction termination: a case study of Libya

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Abstract

This thesis examines why the European Union (EU) gradually terminates sanctions, using the case of Libya as a focal point. The analysis applies rational choice theory to the EU's objectives in Libya and the gradual termination of sanctions. The findings reveal that the EU's long-term objectives of regional stability, economic cooperation, and migration management, along with its short-term objectives of supporting a rapid transition to democracy, align with the gradual sanction termination process. The EU strategically supported the transitional government while minimising risks and retaining the coercive effects of the still-imposed sanctions. A comprehensive expected utility analysis demonstrated that gradual sanction termination maximised the EU's utility by achieving its objectives.

Introduction

From the Megarian Decree in 432 BC (Morgan et al., 2023) to Napoleon's Continental Blockade in 1806 (Mulder, 2022), sanctions have been employed as a foreign policy tool by states seeking to influence the behaviour of other states throughout European history. Sanctions are defined as "restrictive policy measures that one or more countries take to limit their relations with a target country in order to persuade that country to change its policies or to address potential violations of international norms and conventions" (Morgan et al., 2009; Morgan et al., 2023).

The EU imposes sanctions on countries, parts of countries, governments, entities, or individuals to encourage change in policy or activity (Council of the European Union, 2018). The EU can either impose sanctions autonomously or transpose United Nations (UN) sanctions into EU law (European Union External Action, 2021). In the latter case, the EU can decide to reinforce UN sanctions by imposing additional measures.

While a significant amount of research exists on the implementation and impact of EU sanctions, EU sanction termination has received less scholarly attention. Sanction termination represents a crucial phase in the life cycle of these measures, as it sheds light on the effectiveness, motivations, and consequences of employing sanctions as a policy instrument.

Understanding why the EU chooses to terminate sanctions and the factors that drive these decisions is essential for policy evaluation and EU behavioural analysis. EU sanctions can only be terminated if the objectives of the sanctions have been met or if the Council unanimously decides to terminate them (Council of the European Union, 2018; Luengo-Carbrera & Portela, 2015).

Research has shown that sanction termination due to target compliance only occurred in 26% of the cases where the EU terminated sanctions (Attia & Grauvogel, 2022). The reasons for sanction termination differ for the remaining 74% of EU-terminated cases. On the one hand, the EU has terminated sanctions to reward future norm-conforming behaviour, despite lacking target compliance (Attia & Grauvogel, 2020). On the other hand, the EU has terminated sanctions to reward partial compliance (Luengo-Carbrera & Portela, 2015). The latter was accompanied by partial or gradual sanction termination. The EU gradually terminated sanctions in these cases to support further progress (Luengo-Carbrera & Portela, 2015). Gradual sanction termination by the EU occurred in 42% of the cases and should not be considered unique within the act of terminating sanctions (Attia & Grauvogel, 2022).

This thesis focuses explicitly on gradual sanction termination and explores why the EU decides to terminate sanctions gradually. This thesis seeks to contribute to the overall academic literature on sanction termination by examining the factors that influence gradual sanction termination.

My research question is: Why does the European Union gradually terminate sanctions?

I explore the process of regime change, partial international stability, and gradual sanction termination by the EU in the case of Libya in 2011. Libya experienced a civil war fuelled by aspirations for political reform, eventually leading to regime change. I hypothesise that partial regime change leads to gradual sanction termination by the EU if partial international stability is present. In this causal chain, partial international stability functions as an intervening variable (IV2), as the independent variable (IV) causes it and leads to the dependent variable (DV). I use process-tracing to explore the case of gradual sanction termination. Process-tracing is used to determine the causes of a specific puzzling outcome in a single case. The ambition is not to craft a generalisable explanation that can be detached from a single case but to craft a minimally sufficient explanation of an outcome in a particular case.

The thesis is structured as follows. Firstly, I present scholarly work on sanction termination and highlight a gap in the literature. Secondly, I present my theoretical framework, which provides a conceptual foundation for my analysis. Thirdly, I explore the case of Libya and justify my case selection. I also explain what method I use to collect my data. Fourthly, I conduct the analysis and present my data. Fifthly, I discuss the implications and limitations of my findings with regard to my research question. Lastly, I conclude and suggest what further research can be done.

Literature review

In this literature review, I examine the literature on sanction termination. I explore research on the impact of leadership change and regime change on sanction duration, the gradual nature of terminating sanctions and the signalling dynamics involved in sanction termination. Through a comprehensive analysis of the existing literature, I illustrate the complexities surrounding the

process of sanction termination. Furthermore, I highlight a gap in the existing literature. I first, however, briefly discuss literature on EU sanctions.

EU sanction literature has established that the EU sanctions to promote strategic concerns and the promotion of norms (Portela, 2005). The EU is considered as a regionally-conscious sanctioner, as the imposition of sanctions centres around its eastern neighbourhood. The Southern Mediterranean receives less attention from the EU, despite questionable human rights records (Portela, 2005). Three effects of EU sanctions have been determined (Giumelli, 2013). Sanctions can function as a coercive tool that influences the behaviour of the target. They can also have constraining effects as they can limit the target's ability to govern effectively. Lastly, they can have signalling effects as they can communicate discontent with the target.

Leadership change significantly impacts the duration of imposed sanctions in autocracies. If an autocratic sender or target country experiences leadership change, the imposed sanctions' duration is reduced (McGillivray & Stam, 2004). Attia, Grauvogel and von Soest (2020) consider the factor of target compliance and argue that leadership change and an increase in democracy significantly increase the likelihood of sanction termination by target compliance. It was also found that the opening of the target's political process during a sanctioning period shortened the duration of the sanctions by 182.9 months (Banks & Al-Sowayel, 2000). In other words, if a country transitions from an autocracy to a democracy, the sanction period shortens. This is because more people are involved in the decision-making process in an open political system, and the leaders in these systems are accountable to more people.

McGillivray and Stam (2004) argue that leadership change is the main reason for sanction imposition. Sanctions will therefore be terminated if leadership change occurs, even if the actual stated objectives of the sanctions have not been achieved. They also argue that the

sender might terminate sanctions to strengthen the position of the new target leader if they are friendlier towards the sender. This was also found by Attia, Grauvogel and von Soest (2020), who state that increases in the political alignment between the sanction target and sender increase the probability of the sender terminating sanctions.

As stated in the introduction, sanctions were gradually terminated in 42% of the sanction termination cases (Attia & Grauvogel, 2022). Luengo-Carbrera and Portela (2015) argue that the EU is a responsive sanctioner, as they incentivise progressive compliance. In numerous cases, visible progression made by targeted countries has triggered the EU to terminate sanctions, despite the absence of full compliance. While Myanmar's reform process did not comply with the EU's demands, sanctions were still partially lifted to reward Myanmar for releasing political prisoners and recognising the freedom of assembly. In Uzbekistan, sanction termination was also gradual, following compliance with EU demands. Rewarding compliance can encourage a state to abide by the stipulations of their agreement and lessen the stigmatisation as a pariah state, as is illustrated by the EU gradually lifting Iran's sanctions (Luengo-Carbrera & Portela, 2015). What can be concluded is that the EU has numerous times awarded partial compliance with gradual sanction termination.

Lessening the stigmatisation of a pariah state with regard to sanction termination has also been studied. The normalisation of relations is one aspect of this. The illustration of the normalisation of relations between the target and sender is viewed as the signalling dimension of sanction termination. Terminating sanctions not only restores the economic ties between the sender and the target but also illustrates the ending of international isolation (Grauvogel & Attia, 2020). Terminating sanctions can thus illustrate or signal that the target and sender are on good terms again. The EU terminated nuclear-related sanctions following Iran's compliance with EU demands in 2015. It is argued that the EU lifted the sanctions against Iran as a symbol of reintegration into the global community. The EU's decision to terminate sanctions against

Zimbabwe was highly contested among member states (Attia & Grauvogel, 2020). While the United Kingdom (UK) lobbied for keeping the sanctions in place to illustrate the disapproval of Mugabe's human rights abuses, the Netherlands favoured a process where political reforms were rewarded. Quite selfishly, Belgium argued for removing Belgium diamond companies from the sanction list. The main disagreement was whether Zimbabwe should change from a pariah state to a partner state. In other words, whether the relations should be normalised in the first place. The normalisation of relations is one aspect of international stability that has been studied in relation to sanction termination. The relationship between regime change, international stability and gradual sanction termination has not been studied yet.

From the existing literature, the following can be concluded. Firstly, leadership change and increased democracy decrease the duration of sanction imposition. Secondly, the opening of the political process has a significantly negative impact on the duration of imposed sanctions. Thirdly, political alignment between the target and sender increases the likelihood of sanction termination by the sender. Fourthly, in numerous cases, the EU has gradually terminated sanctions to reward the targeted country and illustrate a normalisation of relations. While the above-presented literature does examine the relationship between mostly leadership change and partial regime change and the duration of sanctions, it does not consider the effect of international stability on regime change that has not been completed yet, i.e. partial regime change.

Theory

This section establishes the theoretical framework that will guide my research. I first conceptualise the key variables and introduce my hypothesis. Secondly, I introduce the guiding theory of the thesis.

Before conceptualising regime change, I first conceptualise regimes. Understanding what a regime is and the different types of regimes is essential to determine when regime change is occurring. A political regime determines the access to and exercise of political power (Fishman, 1990). It comprises the number and type of actors allowed to attain principal government positions, the mechanisms for accessing these positions, and the rules governing the formulation of publicly binding decisions (Munck, 1996). Regimes involve power configurations, leadership styles, political participation, and underlying values and ideologies, which shape governance dynamics, policy-making, and the exercise of authority (Share, 1987; Fishman, 1990; Linz, 2000).

Now that I have conceptualised a regime, I conceptualise regime change. Regime change challenges the continuity of an existing regime as it changes the political organisation of a state (Munck, 1996; Zinecker, 2009). This, in other words, is characterised as a transition from one type of regime to another (Munck, 1996). The transition is an interval between two political regimes (Mainwaring, 1989). The transition is characterised by actors, elites and masses breaking from old rules and adopting new institutional rules (Munck, 1996). It is thus not just a change in leadership but a change in the entire government structure.

A transition from any type of regime to another is considered regime change. However, since I discuss a case in which a transition away from authoritarianism occurred, I only conceptualise this type of regime change. Another type of regime change is, for example, a transition away from democracy. A transition away from authoritarianism can occur via transaction or rupture (Share, 1986). In the former case, the leader consents to and tolerates the transition. The latter case is characterised by a non-consensual transition. In both cases, regime change occurs at the expense of the legitimacy and political power of the incumbent ruler (Share, 1986).

Now that I have conceptualised a regime and the process of regime change, I focus on the conceptualisation of international stability. I conceptualise international stability as the state in which a country is when it is not characterised as a pariah state. A pariah state is a country isolated from the international community for exceedingly violating international norms (Niblock, 2011). A pariah state faces problems with legitimacy by often not being recognised as the legitimate authority in a country (Harkavy, 1981). An example of a pariah state is North Korea, as they continuously threaten the stability of the international community and violate international norms. International stability is thus characterised by the relationship between an individual country and the international community.

Sanctions, or restrictive measures, are policy instruments that states or international bodies implement to exert pressure, enforce compliance, or express disapproval towards a targeted state, entity, or individual (Giumelli, 2013; Eyler, 2007). Sanctions can either be characterised as comprehensive or targeted. Measures in the former case affect a large part of a population, while the targeted measures in the latter case only affect specific targets (Drezner, 2011; Peksen, 2022). Sanctions are imposed as a response to perceived violations of international norms, human rights abuses, threats to peace and security, or other behaviour that is deemed undesirable by the imposing actor (Peksen, 2022).

The EU imposes sanctions to encourage change in policy or activity (Council of the European Union, 2018). This is done in three ways (Giumelli, 2013). Sanctions can function as a coercive tool that influences the behaviour of the target. They can also have constraining effects as they can limit the target's ability to govern effectively. Lastly, they can have signalling effects as they can communicate discontent with the target.

The EU can either impose sanctions autonomously or transpose United Nations (UN) sanctions into EU law (European Union External Action, 2021). In either case, the sanctions are adopted via Council decisions and implemented via Council regulations (Giumelli et al.,

2020). The EU has adopted a targeted sanctioning approach, which means it imposes sanctions designed to minimise the impact on civilians (Giumelli et al., 2020). Sanctions are reviewed regularly, and the Council decides whether sanctions should be renewed, amended or terminated (European Union External Action, 2021).

Sanction termination is the act of terminating or lifting imposed sanctions. In the EU, sanctions are terminated if the objectives of the sanctions have been met or if the Council unanimously decides to terminate them (Council of the European Union, 2018; Luengo-Carbera & Portela, 2015). The process of terminating sanctions can occur gradually or abruptly. Gradual sanction termination occurs when the measures of a sanction are terminated in steps over a period of time. In the EU, sanctions are regularly terminated gradually, following partial compliance with EU demands (Luengo-Carbera & Portela, 2015).

Now that I have conceptualised the main variables in this thesis, I focus on the argumentation and hypothesis. In this thesis, I hypothesise that partial regime change leads to gradual sanction termination by the EU if the targeted country is partially internationally stable. My hypothesis is illustrated below in H1.

H1: Partial regime change leads to gradual sanction termination by the EU if partial international stability is present.

In H1, partial regime change is the IV, partial international stability is the IV2, and gradual sanction termination is the DV. Partial international stability functions as an IV2, as the IV causes it and leads to the DV. The partiality of the IV and IV2 refers to the state in which both variables are when gradual sanction termination by the EU occurred. The specifics of the

partiality are dealt with in the operationalisation section later in this thesis. A representation of the causal chain is illustrated in Figure 1.

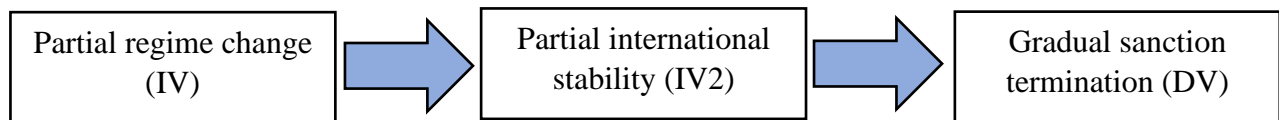


Figure 1

Representation of causal chain

Rational choice theory provides an analytical framework for understanding the causal chain. It explains an actor's actions by examining their objectives and the calculation process they undertook when choosing a particular course of action (Allison, 1971). According to this theory, actors are assumed to be self-interested and rational (Allison, 1971; Riker, 1995). Rationality refers to consistency among goals and objectives. When faced with a decision or action in a specific situation, actors weigh the expected costs and benefits of different alternatives before making a choice. The selection of a specific action is determined by a combination of an actor's values and objectives, perceived alternatives, estimated consequences of each alternative, and the overall net value of these consequences (Allison, 1971).

Rational choice theory employs the concept of expected utility to assess the potential costs and benefits of each decision (Briggs, 2019). Expected utility analysis involves evaluating the potential short- and long-term outcomes of each decision and assigning a value to the expected utility or satisfaction derived from those outcomes (Briggs, 2019). As a result, if the value of the consequences of an alternative decreases, the likelihood of selecting that action decreases as well. Conversely, if the value of the consequences increases, the likelihood of

choosing that action increases (Allison, 1971). By selecting the action with the highest value, actors aim to maximise the utility of the situation. Utility maximisation refers to the pursuit of the highest level of satisfaction or desired outcome from a decision. This notion is derived from purposive behaviour, which suggests that actions are driven by specific goals or objectives (Riker, 1995). In other words, actors make decisions with the intention of maximising utility in order to achieve a desired outcome.

So how can partial regime change lead to partial international stability? Suppose the governmental entity transitioning to power at the expense of the sitting authority is aligned with EU norms and values, or it can help the EU achieve its goals and objectives in that country or region. In that case, the EU might increase relations with the transitioner at the expense of the incumbent. The increase in relations can occur by legitimising the transitioning government. This can occur by the EU, UN, and individually by states. Partially reintegrating the transitioning government can also be a way of illustrating support. Initiating relations with the transitioner would lead to partial international stability.

If the process of regime change has not yet been completed, i.e. the transitioner has not yet gained full military or political power, other indicators of international stability might not be present. For example, individual countries and organisations might hesitate to initiate their relations with the transitioning government while regime change is still ongoing. Since regime change has only partially been completed, i.e. it is still ongoing, international stability remains partial too. Actors weigh the costs and benefits of these decisions. Therefore, fully reintegrating a transitioning country by for example, reinstating trade relations might be too risky since regime change has not yet been completed.

The next causal link deals with the step from partial international stability to gradual sanction termination. Gradual sanction termination by the EU occurs because the transitioning government is, albeit partially, internationally stable. In other words, it is aligned with the EU

and the broader international community. The partial international stability is a stepping stone for the EU's short- and long-term objectives. The EU gradually terminates sanctions to support the transitioning government. However, since the regime change has not been completed yet, and transitioning government has not yet obtained full international stability, certain risks are associated with fully terminating sanctions. I argue that gradual sanction termination by the EU maximises the action's utility.

Method

Case selection

The case I explore to analyse the causality between partial regime change, partial international stability and gradual sanction termination is Libya in 2011. In 2011, Libya experienced a civil war that eventually led to the end of Gaddafi's 42-year rule of Libya.

The UN imposed sanctions against Libya on February 26th 2011 for the mistreatment of civilians during protests, freezing Gaddafi's, his family and his inner circle's assets (United Nations, 2011a). The EU added additional measures such as arms embargo, travel bans, and asset freezes (Decision 2011/137/CFSP). Around the same time of the sanctions' imposition, Benghazi demonstrators set up an interim government known as the Transitional National Government (TNC) (Oyeniya, 2019). A new round of sanctions ensued in the middle of March. Citing the escalation of violence and the heavy civilian casualties, the UN imposed a no-flight zone over Libya to protect civilians (United Nations, 2011b). The EU gradually lifted Sanctions in September (Regulation 872/2011, Regulation 1360/2011 & Decision 2011/625/CFSP).

The overall international intervention in Libya has been labelled a major failure (Daragahi, 2021, February 16; Van Heek, 2020; Zenko, 2016, March 22). The intervention led to the emergence of rival militias and a power vacuum, which has led to prolonged instability

and a humanitarian crisis in Libya (CFR, 2023, April 25). Libya today remains one of the leading countries through which immigrants reach the EU border (Council of the European Union, 2023). Libya was chosen as it is a case where gradual sanction termination occurred despite regime change not being complete.

Operationalisation

Operationalisation involves measuring concepts in terms of their observable and measurable indicators. I operationalise the IV, IV2 and DV in this section.

Regime change can be measured by determining whether 1) the transition is occurring, 2) which type of regime is replacing the incumbent, and whether 3) the transition has been completed.

The first indicator can be measured via internal and external mechanisms (Fishman, 1990). Internally, a revolution, coup d'état or military insurgency can lead to regime change. Externally, regime change can occur via a military invasion or through foreign intervention. Regime change can also occur in a confluence of both mechanisms.

The second indicator can be measured by determining the incumbent's and the transitioner's regime types. A democracy is a regime that allows for the formulation of political preferences, freedom of association, information and communication, and free competition between leaders, which allows for a change in government (Karl, 1990; Linz, 2000).

A totalitarian system can be characterised by a monistic central power, with any existing pluralism deriving legitimacy from and primarily controlled by that centre (Linz, 2000). The ruling group or leader, along with their party, identifies with an exclusive and elaborate ideology that serves as a basis for policies and is used to legitimise them. The ideology sets

boundaries of orthodoxy and provides ultimate meaning and interpretation of social reality. Citizen participation and mobilisation are actively encouraged.

An authoritarian system can be characterised by limited pluralism, lack of accountability, and legitimacy based on coercion, where political power is concentrated in the hands of a few, the opposition is restricted, and rulers maintain control through repression and force (Linz, 2000).

A hybrid regime can be characterised as a regime that exists in the grey area between democracy and authoritarianism (Zinecker, 2009). It refers to a political system that emerges when there is an incomplete transition from authoritarianism to democracy or vice versa. These regimes exhibit a mix of autocratic and democratic characteristics, where elements of political repression coexist with periodic elections.

The third indicator is whether a transition away from authoritarianism has been completed. The first step is to measure whether (1) the transitioner has gained control over the military and whether (2) authoritarianism has been replaced by a hybrid regime.

Determining whether regime change is partial, i.e. whether it is complete or incomplete, only involves the last measurable. However, to arrive at the last measurable, the first and second measurable need to be considered.

Next, I operationalise international stability. International stability was conceptualised as an internationally stable country, and thus not a pariah state. In order to measure the degree of international stability, I measure the degree of “pariahness” in the country. This measurement comprises (1) the number of formal diplomatic relations of a state, (2) the outcome of UN votes regarding the state's legitimacy, (3) the number of memberships in intergovernmental organisations and (4) trade relations. The degree of international stability depends on the number of observations of the first, third and fourth phenomena. To measure the second indicator, I

establish whether or not the UN has recognised the transitional government. The partiality of international stability depends on the number of observations and, thus, the degree to which “pariahness” is present. If “pariahness” is lower, international stability is higher.

I now operationalise gradual sanction termination. Gradual sanction termination was conceptualised as the gradual removal of sanctions. Indicators of gradual sanction termination are 1) the removal of specific measures while others are still kept in place. This can be measured by first determining the initially imposed sanctions. I can then compare policy documents to determine whether sanction termination occurred gradually.

Research method

I employ process-tracing to explore the relationship between partial regime change, partial international stability and gradual sanction termination. Process-tracing aims to determine the causes of a specific puzzling outcome in a single case. The ambition is not to craft a generalisable explanation that can be detached from a single case but to craft a minimally sufficient explanation of an outcome in a particular case. An explanation can be considered minimally sufficient when the relevant aspects of the outcome have been accounted for (Beach & Pedersen, 2013). This is done along an inductive path, working backwards from the outcome by filtering through empirical case-specific evidence. The case-specific evidence is the foundation of causal mechanisms that link the independent variable to the dependent variable. These mechanisms can be seen as a system of interacting parts that work together or on each other to produce an outcome.

Process-tracing allows me to thoroughly trace the causal process between the variables, to ultimately answer my research question. A quantitative method was not chosen as it better

fits larger scale analysis. A quantitative study could determine the scale of which the EU gradually terminates sanctions during the process of regime change.

Data

Data is collected from various sources, depending on the IV, IV2 and DV. For the IV, I collect data from studies and official policy documents from the transitional government to determine the types of regimes of the transitioner and the incumbent. I hereafter collect data from reports regarding the civil war to determine the degree of regime change when sanctions were gradually terminated in September 2011.

For the IV2, I collect data from statements of international organisations and individual countries. Data is collected between February 2011 and September 2011. The data consists of EU documentation and news articles illustrating the international stability of the transitioner.

For the DV, I collect data from EU policy documents regarding sanctions. I first collect data on sanction imposition from February 2011 to July 2011. I then collect data on gradual sanction termination, which occurred in September 2011. Both data are collected from EU websites.

Analysis

Partial regime change

I now illustrate how and when regime change occurred during the Libyan conflict. As discussed in the theory section, regime change constitutes a transition from one regime type to another. I will first determine the regime type of the incumbent and the transitioner. I will hereafter determine the degree to which regime change occurred, i.e. whether the transition was complete

or whether regime change had only partially occurred when the EU gradually terminated sanctions.

The incumbent regime of Gaddafi can be considered as an authoritarian regime. Gaddafi held significant personal power, ruling through a centralised system that suppressed dissent and restricted political freedoms (Oyeniya, 2019; BTI, 2009; Human Rights Watch, 2009). The regime also exhibited some characteristics of totalitarianism, such as promoting Gaddafi's ideology Jamahiriya through the Green Book and a personality cult (Oyeniya, 2019; BTI, 2009). However, the level of control and of state intrusion into private life observed in traditional totalitarian regimes, such as Nazi Germany or Stalinist Soviet Union, were not fully realised under Gaddafi.

The TNC can be considered a transitional government due to its role in facilitating the transition from Gaddafi's authoritarian rule to a more democratic system (Oyeniya, 2019). It represented a broad coalition of political and tribal groups with diverse ideologies and interests (Oyeniya, 2019). Acting as a temporary governing body, the TNC was crucial in calling for and eventually facilitating democratic elections in 2012 through the General National Congress (National Transitional Council, 2011c; BBC, 2012, July 7). Thus, the TNC can be seen as an interim government within the transition away from authoritarianism and cannot be pinned to a specific regime type. However, it was facilitating the transition away from authoritarianism.

I now illustrate the extent to which regime change was occurring. Regime change occurred both through internal and external mechanisms. Regime change occurred internally via two mechanisms, in confluence with each other. First, the formation of the TNC on the 27th of February in Benghazi can be considered the starting point of political regime change (National Transitional Council, n.d.). The TNC expressed its ultimate objective on the 2nd of March as the expulsion of Gaddafi and the establishment of a democratic and constitutional state (National Transitional Council, 2011a). Following this, in their founding statement, the

TNC declared itself the sole representative of Libya on the 5th of March (National Transitional Council, 2011b). In the constitutional declaration of August, the TNC declared Libya a democratic state and issued an election for a general national council (National Transitional Council, 2011c).

The second mechanism through which internal regime change occurred was the military effort by the rebels. Following the uprising in Benghazi and protests in other cities, Gaddafi's forces opened fire on protesters. By February 23rd anti-government protesters had gained control of some eastern Libyan cities such as Benghazi and Bayda (Global Security, 2011). Fighting ensued over numerous cities, including Brega, Ajdabiya, and Zawiya. In March, heavy fighting was reported between the rebels and Gaddafi's forces, with Gaddafi carrying out airstrikes on rebel positions. The city of Brega became a focal point of the conflict. Were it to fall, government forces could focus on Benghazi, the epicentre of the opposition (Global Security, 2011). It would also disrupt fuel and water supply.

The TNC and the rebels appealed for a No-Fly zone. Following the imposition of Resolution 1973 and the No-Fly zone, Gaddafi declared a cease-fire and opened channels for dialogue. The TNC declined, stating they would only accept a cease-fire if Gaddafi were expelled. The No-Fly zone signalled a change in the conflict. From late March to September, the rebels and TNC would slowly gain more territory, with Tripoli ultimately falling into rebel control on the 21st of August (New York Times, 2011, August 22). Gaddafi and his loyalists would remain uncaptured until October 20th, when he and 66 fighters were executed in Sirte (Human Rights Watch, 2012a; Human Rights Watch, 2012b).

Externally, the TNC and rebels enjoyed military support from NATO. A coalition of Belgium, Canada, Denmark, France, Italy, Norway, Qatar, Spain, the United Arab Emirates, the UK and the US contributed to Resolution 1973 and, thus, NATO's mission (House of Commons, 2016). The coalition targeted Libyan military targets and air defence systems with

aircraft and missiles. From March to August, the TNC and aligned militias enjoyed NATO airpower, which diminished Gaddafi's forces to fight. Qatar went one step further by deploying troops to support Libyan rebels (Reuters, 2011, March 20; The Guardian, 2011, October 26). France and the UK also supported the rebels directly by supplying weapons, ammunition and food (Reuters, 2011, June 29; Time, 2011, June 29; New York Times, 2011, June 30).

What can be concluded from this section is that regime change, from authoritarianism to democracy, through the TNC, which acted as a transitional government, was occurring when the sanctions were gradually terminated in September 2011. However, if we look at Zinecker's (2009) indicators of a successful transition away from authoritarianism, we can conclude that regime change had not yet been completed. While the TNC had military support, the entire military was not yet under their control, as some parts of the military remained loyal to Gaddafi. Furthermore, while the TNC had gained control over large parts of Libya, including the capital Tripoli, fighting was still ongoing. NATO also extended its mission to protect civilians in Libya on the 21st of September, indicating that Gaddafi had not yet been defeated militarily (NATO, 2011).

Further indicators of regime change not being completed is that a hybrid regime had not yet replaced the authoritarian regime. The TNC can be considered a transitional government but not a hybrid regime at the time of gradual sanction termination. If regime change had occurred at the time of gradual sanction termination, the TNC would have had to have had complete military control and some indicators of a hybrid regime or democracy, such as elections. Therefore, regime change had only partially occurred when the EU gradually terminated sanctions in September 2011.

Partial international stability

I now measure the degree of international stability at the time of the EU's gradual sanction termination. The following can be observed in 2011. Gaddafi's government lost its diplomatic ties with the EU in March 2011 when the EU stated that it no longer viewed Gaddafi's government as an interlocutor of Libya (European Commission, 2011c). In the same meeting, the EU welcomed the Benghazi-based oppositional government, the TNC, as the new political interlocutor. One day before this meeting, France announced it recognised the TNC as the legitimate representatives of Libya, subsequently becoming the first country to do so (France24, 2011, March 10). The TNC gained further recognition in July when the US recognised it as the legitimate governing authority (Reuters, 2011, July 15). Three significant recognitions would follow in September. Russia recognised the TNC on the 1st of September (Reuters, 2011, September 1), while China recognised them on the 12th of September (Reuters, 2011, September 13). On the 16th of September, the UN recognised the TNC as the representative of Libya (United Nations, 2011d).

From March 2011 to September 2011, another process took place. The Libya Contact Group, also known as the International Contact Group on Libya, consisted of representatives from various countries, international organisations, and regional bodies. The specific composition of the group varied over time as member participation evolved throughout the civil war in Libya. The group grew to include over 60 countries and notable organisations such as NATO, the EU and the Arab League (DW, 2011, September 1; The Guardian, 2011, July 15). The evolution of participation and the group itself indicates international stability. The group was replaced by the Friends of Libya group on the 1st of September. At the summit, 60 world leaders gathered and agreed to release billions of euros to support the TNC rebuild Libya (DW, 2011, September 1).

Determining partial international stability is possible when considering Harkavy's (1981) observable indicators of a pariah state. The TNC gained notable recognition in the period

from March to September 2011. They were recognised by multiple countries, by the EU and by the UN as the legitimate authority of Libya. However, restoring trade relations and memberships in intergovernmental organisations was behind. In the former case, the Libyan economy contracted by 41.8% in 2011, which illustrates the severing of trade relations (AFDB, 2012). In the latter case, the most notable intergovernmental organisation struggling with the conflict in Libya was the African Union and its member states, as they refrained from recognising the TNC (Al Jazeera, 2011, August 26). When considering Harkavy's (1981) indicators, it can be argued that Libya was only partially internationally stable at the time of the gradual sanction termination.

Sanction imposition and gradual termination

In this section, I analyse the imposed and gradually terminated sanctions. On the 26th of February, the United Nations (UN) adopted Resolution 1970. The resolution imposed an arms embargo, prohibiting its member states from selling or providing arms to Libya, and travel bans and asset freezes for Gaddafi and his family and high-ranking officials. On the 2nd of March, the EU implemented the UN resolution through Regulation 204/2011. In addition to the UN list, the EU included a separate list of people subject to the travel ban and asset freeze.

Throughout the conflict, the EU regularly amended Regulation 204/2011 to add to the list of entities whose assets were to be frozen. From March 10th to August 10th, development funds, investment companies, foundations, banks, corporations, and oil and gas companies were added to the list, totalling over 50 entities (Regulation 233/2011; Regulation 272/2011; Regulation 288/2011; Regulation 360/2011; Regulation 502/2011; Regulation 573/2011; Regulation 804/2011). The main reason for the entities being added to the list was that they

served as a potential source of funding for Gaddafi's regime. These sanctions are considered as constraining, as they limited Gaddafi's ability to govern.

On the 17th of March, citing the continuing situation in Libya, the UN introduced Resolution 1973 (United Nations, 2011b). The resolution authorised member states to take all necessary measures to protect civilians and civilian populated areas under threat of attack, including Benghazi. The resolution did not authorise a foreign occupation force on Libyan territory. However, a ban on all flights in the Libyan airspace was established. This is also known as a no-fly zone, and it authorised UN member states to take all necessary measures to enforce compliance with the flight ban. The resolution also froze the assets of the Central Bank of Libya, the Libyan Investment Authority, the Libyan Foreign Bank, the Libyan Africa Investment Portfolio and the Libyan National Oil Corporation. The justification for freezing these entities' funding was that they were a potential funding source for Gaddafi's regime, as they were under his control. The EU adopted the UN resolution through Regulation 288/2011 on March 23rd.

Gradual sanction termination occurred on the 1st of September when the EU amended Regulation 204/2011 to remove 28 entities from the sanction list (Regulation 872/2011). Notable entities removed from the list were port authorities of major cities, companies concerning oil fields and oil operations, banks and investment companies (Regulation 872/2011). The gradual termination of sanctions occurred in confluence with the release of Libyan frozen assets worth \$15 billion (Reuters, 2011, September 2). The EU thus lifted financially constraining measures.

The President of the European Commission stated that the termination would provide a significant boost to the re-launch of Libya's economy and that the EU would furthermore support Libyan state-building efforts, policing and security operations, the judiciary and budget management (Barroso, 2011a; Barroso, 2011b). The Council's president stated that the EU

terminated sanctions to help Libya's reconstruction and democratic transition and that further termination through the UN would be highly encouraged (Council of the European Union, 2011b).

The European Parliament welcomed the gradual termination of sanctions to support the Libyan transition process towards a unified, democratic and pluralist country with respect for human rights and fundamental freedoms in Resolution 2011/2811 (European Parliament, 2011a). The parliament furthermore calls for the EU member states to UN Security Council authorisation to release still frozen assets to aid the TNC in the transitional period. The parliament notably encouraged the African Union and its member states to recognise the TNC as the legitimate authority in Libya (European Parliament, 2011a).

In a debate leading up to Resolution 2011/2811, European Parliament members expressed their views on the termination of sanctions. Representing the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission Catherine Ashton, Mikołaj Dowgielewicz expressed that the focus should be on the progressive lifting of sanctions to allow the TNC to meet urgent needs on the ground, such as stability, democratic transition and economic recovery (European Parliament, 2011b). Kristiina Ojuland, on behalf of the ALDE Group, expressed that releasing assets through gradual sanction termination was pivotal in securing the transition towards democracy (European Parliament, 2011b).

In the same debate, worries regarding the implementation of Sharia law and the appointment of a former Gaddafi minister were expressed (European Parliament, 2011b). Statements made by the TNC's chairman, Abdul Jalil, were specifically questioned, as he stated that a soft version of Sharia would be enshrined in the constitution.

Considering that the EU only cleared 28 entities from the imposed sanctions and that the UN sanctions were still in place, I demonstrated that the EU employed a process of gradual sanction termination when it terminated sanctions on the 1st of September 2011. I discuss the findings of the analysis in relation to the theory of rational choice in the following section.

Discussion

In this section, I discuss the findings in light of rational choice theory to answer the research question. To reiterate, my research question is: Why does the European Union gradually terminate sanctions? The first step in this discussion is determining the EU's objectives in Libya. When the objectives have been determined, I compare them to the findings in the analysis. I then provide an expected utility analysis to determine which decision lead to maximum utility. This will help explain why the EU gradually terminated sanctions in Libya.

EU objectives

The EU's objectives in Libya can be divided into long- and short-term objectives. I classify long-term objectives as objectives that the EU had for Libya before the start of the civil war, while short-term objectives are classified as objectives that emerged during the civil war.

Throughout the end of the 1990s and the 2000s, the EU communicated its policy goals for Libya and the wider Southern Mediterranean area. I classify these goals as the EU's long-term objectives. The overarching objective for the Southern-Mediterranean area was regional stability (Council of the European Union, 2003). The EU was to achieve this by promoting economic, security and cultural cooperation. To facilitate cooperation, the EU wished to promote and reinforce stability by promoting energy cooperation, regional integration and by

reinforcing the EU security strategy (European Commission, 2004). The biggest threats to the objective of regional stability were state failure, regional conflicts, economic stagnation and social unrest (Council of the European Union, 2003).

Besides the overall objective of regional stability in the Southern Mediterranean, the EU had two additional policy objectives for Libya. The first was full accession to the Barcelona Process and full integration into the international community (European Commission, 2005). The Barcelona Process was a framework set up by the EU to promote democracy, human rights, cooperation and cultural exchange with countries in the Euro-Mediterranean region (European Union, 1995). The framework proposed a free-trade area, economic and financial cooperation, and the development of the rule of law and democracy.

The second policy objective was understanding migratory routes via Libya and curbing the migratory flows to Europe. The EU characterised Libya as a transit and destination country. As a transit country, Libya was used to get to either Lampedusa in Italy or Malta. As a destination country, infrastructural projects attracted foreign labour. From 2003 to 2006, illegal migrants apprehended in Lampedusa alone rose from 14,000 to 19,000 (Frontex, 2007). The EU attributed this to Libya's geographical location and the Libyan authorities' difficulties in controlling the migration flows. The EU has sought to improve Libyan border management since 2004 (European Commission, 2005). In 2006, the EU, Libya and other African countries shared a joint declaration on migration (African Union, 2006). The EU's main worry was the emergence of a transit route that would increase pressure on EU borders (European Commission, 2005). Leading up to the civil war and revolution, Libya and the EU signed an agreement on a migration cooperation agenda, which concerned the management of migratory flows and border protection (European Commission, 2010). Additionally, a framework agreement with Libya was being prepared, with migration management being one of the main topics (European Parliament, 2012).

The above analysis has established the following long-term objectives. For the Southern-Mediterranean region, stability was the main objective. This was to be achieved through cooperation and integration. For Libya specifically, the goals were developing the rule of law and democracy and economic and cultural cooperation and increasing knowledge on migratory flows and routes.

The EU voiced its short-term objectives for the Southern Mediterranean region, and indirectly Libya, in March 2011. The Partnership for Democracy and Shared Prosperity proposes democratic transformation, a strong partnership and economic development (European Commission, 2011a; European Commission, 2011b). The EU stated that it needs to support those in their neighbourhood who wish to enjoy the same European freedoms. Specifically for Libya, the EU stated that the objective was a rapid transition to democracy (European Commission, 2011c). On the 21st of March, the EU stated that its primary objectives were to protect civilians and to support the Libyan people in establishing a democratic society (Council of the European Union, 2011a). The EU argued that Gaddafi had to relinquish power to realise this.

When discussing the adoption of Resolution 1973 on the 17th of March, several EU member states voiced their opinion on the situation in Libya (United Nations, 2011c). France stressed the urgency of the resolution, arguing that Gaddafi's forces were edging closer to Benghazi and other liberated cities and territories and that the UN had to act to ensure that democracy prevailed over dictatorship. The UK stated that the purpose of the resolution was to protect Libyan civilians and their right to determine their future by freeing them from the tyranny of Gaddafi's regime. Germany stated that their goal was to promote political transformation and end the rule of Gaddafi.

In an opinion piece in April, Barack Obama (US president), David Cameron (UK prime minister), and Nikolaj Sarkozy (French president) stated that the goal of international

intervention, through Resolution 1973, was not to remove Gaddafi by force (2011, April 14). However, imagining a future with Gaddafi in power in Libya was impossible for them. They argue that “there is a pathway to peace that promises new hope for the people of Libya — a future without Qaddafi that preserves Libya’s integrity and sovereignty and restores her economy and the prosperity and security of her people” (Obama et al., 2011). To ensure this, NATO had to maintain its mission to increase the pressure on Gaddafi’s regime (Obama et al., 2011).

Besides what is mentioned in the sanctions, the principal, short-term goal for Libya was regime change. European leaders and member states did not shy away from stating that regime change was the only way forward. In other words, a transition from Gaddafi’s authoritarian regime to a democracy. This objective is, furthermore, evidenced by the NATO mission, which mandate was to protect civilians. The mission ended after Gaddafi’s death, but if the objective was to protect civilians, then it could have ended in March (House of Commons, 2016).

Discussion

In light of the EU’s objectives and the analysis in the previous section, I now turn to the hypothesis to answer the research question. I hypothesised that partial regime change leads to gradual sanction termination by the EU if partial international stability is present.

Regime change was occurring in Libya, and an oppositional government with democratic aspirations had formed and gained military support at the end of February and beginning of March in 2011. This occurrence is characterised as a policy window for the EU, considering that their long-term objective was regional stability, which a democratic transition could facilitate. Therefore, the EU decided to recognise the TNC as the legitimate authority, which, combined with other recognitions of legitimacy, led to partial international stability in

Libya. However, since regime change had not been completed yet, full international stability was not reached, as the African Union and its members had not recognised the TNC yet.

The partial international stability of the TNC allowed the EU to gradually terminate sanctions, despite regime change not being complete yet. The TNC’s proposed roadmap to democracy was aligned with the democratic objectives of the EU. Gradually terminating sanctions would allow the TNC to cement its position as the legitimate authority and start rebuilding the Libyan economy. It also allowed the EU to signal that the TNC was an authority to cooperate with. However, concerns raised in the European Parliament highlight a certain hesitation towards the TNC, as one of the leaders was a former minister under Gaddafi and they proposed a “soft” version of Sharia. Gradual sanction termination could ensure the coercive effects of the still-imposed sanctions.

Figure 2 together with the analysis and discussion of the EU’s objectives, illustrates a carefully considered EU short- and long-term cost-benefit analysis. The expected utility is demonstrated which illustrates why gradual sanction termination was the action with the greatest value and highest utility when regime change had not been completed yet.

		Situation	
		Regime change succeeds	Regime change fails
Action	Gradual sanction termination	Value: Supports transitional government while retaining coercive effect of still imposed sanctions	Cost: EU only partially released funds and thus only Value: EU still holds majority .

	Non-gradual sanction termination	Cost: EU loses the coercive effect of the sanctions. Value: transitional government receives significant support.	Cost: Incumbent can claim the assets released to the transitional government.
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Figure 2 – Expected utility

The short- and long-term benefits of the decision were that the EU could simultaneously support the TNC and minimise its risk in the short-term while ensuring Libya’s democratic future in the long-term. In other words, gradual sanction termination minimised the risk of losing the assets to Gadaffi if regime change failed while affect supporting the TNC and retaining the coercive effects of the still-imposed sanctions. The EU gradually terminated sanctions to support its short- and long-term goals of regime change, democracy and regional stability while minimising the risks associated with non-gradual sanction termination. The utility of the sanctions was hereby maximised.

A potential confounding variable, a variable that affects both the IV and DV, could be the economic interests paired with Libya’s oil reserves. It could be argued that partial regime change leads to gradual sanction termination because gradual sanction termination would allow for the legal extraction and sale of Libyan oil. I do, however, not subscribe to this argument, and argue against it affecting the validity of my thesis. This is because contracts regarding the extraction and sale of Libyan oil were already signed and oil had already been illegally extracted and sold during the early stages of the conflict by European companies (Donati, 2011, May 12; Curtis & Macalister, 2011, September 1; Blas, 2011, September 5; European Parliament, 2011b; Farge, et al., 2011, September 23).

My findings implicate that the EU gradually terminates sanctions to both support and coerce a partially internationally stable transitioner, even when the transition away from the incumbent regime has not been completed yet. This contributes to the broader field of EU sanction termination literature, and specifically to the topic of regime change, as existing literature only considered the effect of completed regime change on gradual sanction termination. The analysis can be applied to other cases where the EU terminated sanctions gradually while regime change had only partially been completed. However, it should be taken into consideration that the EU's objectives might differ from case to case. Further quantitative research could point out the extent to which the EU has gradually terminated sanctions in similar cases. This would further expand the literature on gradual sanction termination in the case of partial regime change and partial international stability.

Conclusion

The research question that led this thesis was: Why does the European Union gradually terminate sanctions? I hypothesised that partial regime change leads to gradual sanction termination by the EU if partial international stability is present. Through process-tracing, I highlighted the causal relationship between the variables. I explained the causal relationship using rational choice theory.

My analysis determined the EU's action of gradually terminating sanctions aligned with its short- and long-term objectives of regime change, democracy and regional stability and that terminating sanctions gradually both supported the transitioner while retaining the coercive effects of the still-imposed sanctions. The EU, hereby, maximised the utility of the situation. This implies that the EU gradually terminates sanctions to both support and coerce a partially internationally stable transitioner, even when the transition away from the incumbent regime

has not been completed yet. Further quantitative research could establish the scale at which the EU employs gradual sanction termination while regime change has not yet been completed.

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