Defying Human Security
– The Commodification of Migrants in
Contemporary Libya

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New wars are not only difficult to contain in time; they are also difficult to contain in space. They spread through refugees and displaced persons; through transnational criminal activities; and through polarizing activities.

Beebee & Kaldor 2010, p.37
ABSTRACT

The world-system today promotes inequalities between and within states through the maintenance and strengthening of uneven and hierarchical global relations established by colonialism. The reinforcement of colonial structures has unfolded into neocolonial relations in the post-colonial world, explaining the underdevelopment and marginalization of former colonies in the world-system today, and why many African countries largely experience internal instability on several fronts, revealing how individuals from these states tend to experience some sort of human insecurity. This scenario is permissive to the development of the new wars – representing a different perspective on the patterns of violence and war of contemporaneity – and the new global war economy and its parallel economy. It is from this context that the commodification of migrants happens, challenging and often defying migrants’ access to human rights and human security. The present study is therefore primarily a theoretical research and an empirical investigation on the commodification of migrants in contemporary Libya, sustained by four main theoretical frameworks and the analysis of selected secondary materials from international organizations and NGOs. This study aims at addressing the different forms of commodification of migrants in Libya today and who are the actors that control these markets and benefit from the commodification of human life. This analysis evidences the contradiction between the bleak reality of migrants in contemporary Libya and the applicability of the normative concepts of human security and migrants’ rights.

**Keywords:** Migrants; Migration; Libya; Africa; New Wars; World-System; Human Security; Commodification; Migrants’ Rights; Parallel Economy.
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ACRONYMS, ABBREVIATIONS & FIGURES

AI – Amnesty International
CIA – Central Intelligence Agency
CMR – Central Mediterranean Route
CNN – Cable News Network
DCIM – Department of Combatting Illegal Migration
ECOWAS – Economic Community of West African States
EMR – Eastern Mediterranean Route
EU – European Union
GCM – Global Compact for Safe, Orderly and Regular Migration
GDP – Global Detention Project
GNA – Government of National Accord
HRW – Human Rights Watch
ICISS – International Commission on Intervention and State Sovereignty
IOM – International Organization for Migration
LCG – Libyan Coast Guard
NATO – North Atlantic Treaty Organization
NFIs – Non-Food Items
NTC – National Transitional Council
OCHA – Office for the Coordination of Humanitarian Affairs
OHCHR – Office of the High Commissioner for Human Rights
OSAA – Office of the Special Adviser on Africa
OUP – Operation Unified Protector
UAE – United Arab Emirates
UDHR – Universal Declaration of Human Rights
UK – United Kingdom
UN – United Nations
UNDP – United Nations Development Program
UNHCR – United Nations High Commissioner for Refugees
UNSC – United Nations Security Council
UNSMIL – United Nations Support Mission in Libya
UNTFHS – United Nations Trust Fund for Human Security
US – United States of America
USSR – Union of Soviet Socialist Republics
R2P – Responsibility to Protect
RCC – Revolutionary Command Council
SC – Security Council
WER – Western Mediterranean Route

Figure 1: Main Mediterranean Routes to Europe.
Source: Darme & Benattia for UNHCR 2017.
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1. Introduction

The world-system as it is known today promotes inequalities between and within states through the maintenance and strengthening of the uneven and hierarchical global relations that were established under colonialism and imperialism and their systems of exploitation. The reinforcement of the colonial structures has unfolded into neocolonial relations in the post-colonial world, resulting in the underdevelopment and marginalization of former colonies in the contemporary capitalist-world system, especially of countries in Africa and Latin America (Wallerstein 2007).

This setting helps explain why many African states never enjoyed state sovereignty in the modern sense (Kaldor 2012, p.138), and why African states largely experience diverse social, political and economic issues. As several post-colonial African states struggle with legitimation and present high internal instability, they nurture new forms of identity politics and create a permissive space to the development of the ‘new wars’ (Kaldor 2007; 2012; 2017). In addition, individuals from these states tend to experience some sort of human insecurity – a factor that also influences the outbreak and the maintenance of conflicts.

Human insecurity, caused by diverse factors such as poverty, war and conflicts and natural disasters, serves as a push factor for human displacement. Displacement, human insecurity and the ‘new wars’ are therefore closely connected. The ‘new wars’ enable the development of a new global war economy – a parallel economy that sustains itself through the perpetuation of violence. This parallel economy is a growing market for criminal networks and illegal activities, and it is from this context that the commodification of migrants happens, challenging and often denying migrants’ access to human rights and human security.

This argument will be further developed through an empirical investigation of Libya. The analysis of the phenomenon of the migrant as a commodity as essentially defying the normative concepts of human security and migrants’ rights, evidences the contradiction between the bleak reality of migrants in contemporary Libya and applicability of the normative policies developed in this study.
1.1. Hypothesis & Research Questions

The hypothesis of this study is that the perpetuation of the conflict in contemporary Libya, and the reinforcement of the ‘new wars’ structures, including the new global war economy, defy the human security and human rights of migrants through their commodification, manifested through various forms and actors controlling and benefitting from migrants’ vulnerabilities.

In addition, this means that the failure of taking into account the logic of the ‘new wars’ when dealing with the conflict in Libya brought deep consequences not only to the state, that is now a weak and failed state, but most importantly to the individuals, both Libyan nationals and foreign nationals in the country and the region. This hypothesis aspires to evidence and prove the commodification of migrants in Libya as a systemic crisis of the world-system.

The research aim is to prove the hypothesis above by employing Immanuel Wallerstein’s economic theory of the ‘world-system analysis’ and Mary Kaldor’s political theory of the ‘new wars’ to discuss, examine and assess the fulfillment of and compliance to the normative concepts of human security and of migrants’ rights. For this, this study will portray an empirical investigation on the case of Libya and it will make use of historical, document and critical policy analyses in order to understand the situation in Libya.

The research questions that will be answered throughout this study are:

- What are the root causes for human insecurity in contemporary Libya?
- How is the conflict in Libya being perpetuated through the ‘new wars’ theory?
- What are the human costs of the maintenance of the Libyan conflict and emerging criminal networks?
- How is human security being challenged in Libya in relation to migrants?
- How is human life being commodified in contemporary Libya?
- Who controls and/or benefits from the commodification of migrants in contemporary Libya?
1.2. Research Methodology & Methods Approach

The present research is primarily a theoretical study, supported by an empirical investigation on the commodification of migrants in contemporary Libya. The study is sustained by four main theoretical frames and the analysis of selected secondary materials from accredited authors, international organizations, non-governmental organizations and United Nations’ agencies that form this study’s body.

The theoretical framework embodies Immanuel Wallerstein’s economic theory of the ‘world-system’ and Mary Kaldor’s political theory of the ‘new wars’, and the normative concepts of ‘human security’ and ‘migrants’ rights.’ This theoretical framework treads new ground with the conjunct of the chosen theories and concepts in addition to the chosen documents, laying the groundwork for the understanding and further analysis of this study’s hypothesis and research questions.

The empirical investigation on the commodification of migrants in contemporary Libya is divided in two parts. The first part is the historical background of the country and it relies on diverse secondary sources in order to advance the history of Libya from its pre-colonial times until the post-Gaddafi era, being contemporary Libya. The second part is the analysis of the research problem, being the commodification of migrants in contemporary Libya. Here, the analysis relies on documents and reports from accredited organizations and UN agencies, in addition to the developed theoretical framework.

The four theoretical frames are therefore applied to the empirical investigation of the case of Libya, using the methods of historical, document and critical policy analyses, from a selection of relevant secondary material that address the issues approached in this study, from the theories and normative concepts to the historical background of Libya and the analysis of the different forms of commodification of migrants in the country.

1.3. Structure of the Research

This study will develop in five chapters. The first chapter is the present one, where the study is introduced with its hypothesis, research aim, research methodology and the structure of the study. This chapter will end with ‘setting the scene’ of a wider context that is the core of this study, outlining the arguments that will be developed throughout this research.

The second chapter contains the theoretical framework, setting a clear structure and line of thinking of how the world-system directly affects individuals. The chapter
presents four theoretical frames, including two theoretical concepts, Immanuel Wallerstein’s economic theory of the ‘World-System’ and Mary Kaldor’s political theory of the ‘New Wars’; and the normative concepts of ‘human security’ and of ‘migrants’ rights.’ In this study, the theories will be employed to examine the fulfillment of and compliance to the concepts of human security and migrants’ rights, as mentioned above.

The analysis will be divided in two parts, being chapters three and four, and will regard the empirical investigation of the case of Libya. In chapter three, the historical background of Libya will be developed from pre-colonial Libya to the post-revolutionary situation, with the fall of Muammar Gaddafi and contemporary Libya as a failed state. This part of the analysis is at the world-system and state level, where it will be possible to understand how the country has developed into what it is today, preparing the grounds to the analysis in the fourth chapter.

The second part of the analysis, in chapter four, focuses on the commodification of migrants in contemporary Libya, understanding this condition as a consequence of what was developed in chapters two and three. This will be done through an analysis of central authoritative documents concerning the human security and migrant situation in Libya. To sustain this analysis, four particular forms of commodification of migrants in Libya will be presented, trying to identify who controls and benefits from this market.

The final chapter is the conclusion, where the main arguments of this study will be summarized, evaluating the findings of the analysis in an attempt to prove this study’s hypothesis and answer the research questions presented here.

1.4. Setting the Scene

Post-colonial Africa is now formed by 54 states, being the third largest continent in extension and the second most populated in the world. The continent is highly plural and rich in natural resources, and its history is extensive, diverse and complex. To talk about contemporary Africa, it is necessary to understand Africa’s colonial history – when the continent became a direct object of dispute and exploitation by European nations in the nineteenth century, marked by the division of the continent at the Berlin Conference in 1884-5.

The advance and establishment of colonialism shaped Africa to the interests of the European metropolis, that exposed African territories and communities to several
processes of transformation through European dominance, governance and different forms of exploitation. The colonial history, therefore, remodeled the continent’s structures, established asymmetric relations on different levels, and drew the framework of an underdeveloped Africa in the contemporary world-system, with deep structural problems, internal instability and international marginalization (Rodney & Babu 1981).

According to Immanuel Wallerstein (2007) in *World-Systems Analysis*, the capitalist world-system has instigated, contributed to and perpetuated the growth of the gap between ‘core’ and ‘periphery’ – a gap that grows continually with the process of globalization. The increase of this gap and the hierarchical relations between core and periphery established by colonialism, have direct influence on the processes of migration in the contemporary world, and on the systems of exploitation.

The world-system as we know today is in structural crisis, promoting inequalities between and within the states (Wallerstein 2000; 2007). The maintenance and strengthening of colonial and imperial relations in the course of the post-colonial world have unfolded in neocolonial relations, in which colonial asymmetric relations and structures are reinforced, resulting in the underdevelopment and marginalization of former colonies in the contemporary world – especially in Africa and Latin America.

The various processes of transformation imposed by colonialism and later by the processes of independence varied across countries and amid communities, so they have developed heterogeneously in modernity too. Nonetheless, colonial processes were homogeneous in the sense that they were based on the exploitation of the colonies by their respective metropoles. As a result of the colonial rule and the establishment of permeable and artificial borders in the continent, African countries largely experience social, political, ethnic and economic issues in contemporaneity.

So, even though many African countries have been developing and in speedy growth in the past decades, and even though the continent is extremally rich in natural resources, the peripheral position that they had in the world-system during colonial times remains in the post-colonial world, or rather, the neocolonial world, due to the deep scars left by colonialism. Many African states never enjoyed state sovereignty in the modern sense (Kaldor 2012, p.138) and this can be understood as a consequence of Africa’s colonial history and inherited mandates in the post-colonial states. These states struggle with legitimation and present high instability, nurturing new forms of identity politics and creating a permissive space for the ‘new wars.’
When it comes to contemporary African migration, there exists much misrepresentation, sensationalism and stereotyping in relation to push-pull factors and patterns of migration. Africa is widely portrayed as a continent of mass displacement caused by poverty, conflicts and violence, and irregular emigration driven by these factors from Africa to Europe is many times mistakenly portrayed as the norm, when in fact, most of African migration is intra-continental, and economic migration is increasing (Flahaux & De Haas 2016).

Migration is a defining feature of the globalized world and one of the biggest matters of contemporaneity, ‘connecting societies within and across all regions, making us all countries of origin, transit and destination’ (GCM 2018, p.3). It is one of the biggest consequences of the different spheres of human insecurity, as there is an increasing number of people being forcefully displaced by factors that affect their security and rights. Poverty, violence, war and conflicts, famine, natural disasters and geopolitical crises are some of the main push factors for people fleeing the lack of social, political and economic stability, for example.

These issues are increasingly becoming global, so they need to be tackled from a regional and/or global perspective in order to gather international and national efforts and reinforce and promote human security and human rights for all individuals. International migration raises challenges to human rights protection on national and international levels, and accordingly, it has become of great importance in the international agenda, encompassing the need for a comprehensive approach to human mobility and cooperation among states at the global level. The course of this argument will follow with an attempt to take this wider context and questions and apply to the specific case of Libya through the implementation of a theoretical framework, supported by empirical materials.
2. Theoretical Framework

For the theoretical framework, I will develop four main theoretical frames by employing Immanuel Wallerstein’s economic theory of the ‘world-system’ and Mary Kaldor’s political theory of the ‘new wars’ in order to examine and assess the fulfillment of and compliance to the concepts of ‘human security’ and ‘migrants’ rights’. These theoretical frames will set a clear structure and line of thinking of how the world-system directly affects the individuals, and to prove the hypothesis and answer the research questions presented in the first chapter, I will use Libya as my empirical focus.

2.1. Immanuel Wallerstein’s World System Analysis

In “World-Systems Analysis: An Introduction” (2007), Wallerstein analyses the current world system as capitalist world economy, filled with instability and systemic crises. To Wallerstein (2000), the modern world system is in structural crisis, and we are in an ‘age of transition’. This system has instigated, contributed to and perpetuated the growth of the gap between core and periphery. In fact, this gap has been, and constantly is, expanded by the process of globalization.

The increase of this gap and the hierarchical relations between ‘core’ and ‘periphery’ have direct influence on the systems of exploitation and processes of migration – and both can be interconnected. The capitalist world economy perpetuates uneven relations and a system of exploitation of the south-periphery by the north-core, promoting inequalities on systemic and state levels. This system leads therefore to other issues, such as violence, social conflicts and exploitation of individuals.

Wallerstein explains that the asymmetric structure sustained by the capitalist world system between national states is built from hierarchical relations, constituted by core, semi-periphery and periphery (and their modes of production). Core-like processes are dominated by a few states, that are considered to be [historically] strong states because of their early industrialization, in addition to generally being geographically located in the global north. This part of the global economy is capital-intensive, characterized by high productivity, and driven by technology and innovation.

Meanwhile, ‘peripheral processes tend to be scattered among a large number of states and to constitute the bulk of the production activity in these states’ (2007, p.28). The peripheral states are considered to be weak ones and are generally located in the
global south; they tend to be characterized by economies relying on agriculture and extraction of natural resources. In between, are the semi-peripheral states, that are a mix of both production processes and are striving to be a part of the core while fighting not to go back to the periphery.

This structure of inequality and exploitation reflects directly the inheritances left by the colonial system. Even though the colonial systems were heterogeneous, depending on the relations between different metropoles and their colonies, they were at the same time homogeneous, as they were based on the exploitation of the colonies by their respective metropoles. The capitalist world-economy relies on the perpetuation of this asymmetrical colonial relationship, resulting in the underdevelopment and marginalization of former colonies in the contemporary world. This relationship can be seen especially in Latin American and African countries.

Through the maintenance of colonial relations, the ‘core’ seeks to preserve the access to cheap labor, raw materials and consumer markets of industrialized products at any cost – sustaining and deepening the unequal exchange and relations with the periphery, in addition to creating new scenarios in the periphery countries. As the contemporary world-system evolves, their interests in the weaker states also grow towards different directions and extents – considering that the world-system is interconnected in different ways and dimensions, such as economic, political and social. That happens because they try to preserve their position of power, wealth and superiority by taking advantage of these states.

The process of globalization can be understood in different ways, for example as an enabler to the propagation of capitalism. In a globalized world-system, the states are more interdependent and internationalized, and it is possible to see a growth in international trade, in consequence of more liberal politics regarding barriers and capital control. The position of a state in the world-system, whether stable and strong or unstable and weak, influences and reflects mutually with their internal affairs.

As mentioned before, most of the weak and peripheral states are former colonies that carry on the colonial relations and structures in the ‘post-colonial world’. In these relations is, most times, the maintenance of economic, political and social unequal relations with core states. According to Wallerstein (2007), even though ‘all states are theoretically sovereign, strong states find it far easier to “intervene” in the internal affairs of weaker states than vice versa, and everyone is aware of that’ (p.55). Strong states, then,
pressure weaker states in different ways, aiming to maintain their privileged position in the hierarchical world-system, by taking advantage of ‘weaker’ actors.

### 2.2. Mary Kaldor’s theory of New Wars

The concept of ‘new wars’ was developed by Mary Kaldor in order to describe a new type of organized violence that emerged in the twentieth century and that is now prevalent in Africa, Eastern Europe, Asia and the Middle East. She started using the term in the middle of the 1990’s, when she was co-chair of the Helsinki Citizens Assembly, and with it she brings a different perspective on the patterns of violence and war of contemporaneity. She argues that the new wars are a global phenomenon that involve the fragmentation and the decentralization of the state, and they need to be understood as globalized wars, since globalization has intensified the political, economic, military and cultural relations both on global and local scales.

Kaldor (2012) uses the term ‘new’ to differentiate from the ‘old’ wars, and she argues that delineating the differences between them is a way of changing the perceptions of ‘war’. Therefore, she explains the new wars in contrast to the old wars in terms of their **goals**, the **methods of warfare** and **forms of finance**. She describes the new wars as a mixture of war, crime and human rights violations (p.24), and new patterns of violence lead to the rise of new social structures, along with a predatory social condition caused by the new modes of warfare.

She explains that the **goals** of the new wars are about identity politics¹, meaning ‘the claim to power on the basis of a particular identity – be it national, clan, religious or linguistic’ (2012, p.7), and that ‘the goals are to be achieved through the political control of the territory’ (ibid, p.14). Identity politics find space with the ‘disintegration or erosion of modern state structures, especially centralized, authoritarian states’ (ibid, p.81), and it is inherently exclusive, tending towards fragmentation and continual reinvention.

The inherited mandates of post-colonial African states and weak political-social-economic structures make way for the development of identity politics, explaining why African countries are subjected to this new type of organized violence. The new wars don’t have a defined final goal, rather the gains obtained by the continued violence become the ends – and this is why the new wars often are difficult to resolve and end.

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¹ The ‘old’ wars were about geopolitics and/or ideological goals (Kaldor 2012, p.7).
Typically, in new wars, armed groups take over areas where the state presence is weak and then use further violence as a form of intimidation. They often engage in highly visible atrocities – executions, torture, sexual violence, suicide bombings, planting landmines, looting, arson – as a way to generate fear and cause survivors to flee. Such violence spreads terror and is also targeted against those who disagree and those of a different identity. (Chinkin & Kaldor 2017, p.14).

The incitement of fear and hatred are used as methods of warfare by ‘counter-insurgency techniques of destabilization’ and the use of ‘spectacular, often gruesome, violence’ (Kaldor 2012, p.9). In the new wars battles are rare and tend to be avoided, while most of the violence is directed towards civilians and forced displacement rates are high due to the political control imposed on the population and the territory. Besides, they tend to be highly decentralized, being fought by different types of groups, that in confrontation and cooperation manage to sustain their system of power. Compared to the old wars, this new type of organized violence is more pervasive and long-lasting, but less extreme (ibid, p.7).

In relation to the forms of finance, the new wars economies are decentralized and open to the global economy, meaning that they are ‘heavily dependent on external resources’ (ibid, p.10) and have created a new class of war profiteers (Chinkin & Kaldor 2017, p.17). The new globalized war economy is largely constituted by the profitable transnational criminalized network characteristic of the new wars and the perpetuation of violence appears as a profitable element for the different groups involved in the conflict. So, war is here a method of capital extraction in its own right.

The continued violence that sustains this new globalized war economy is financed through external assistance or by illicit activities such as plunder, hostage-taking and black market. The parallel economy predominant and characteristic of the new wars ‘constitutes a way of legitimizing new shadowy forms of activity’ (Kaldor 2012, p.118), opening new ways for networks of illegal activities and growing criminalization. These illicit activities can unfold into ‘illegal trade of arms, drugs or valuable commodities such as oil or diamonds or human trafficking’ or the funding can come from ‘remittances from the diaspora, ‘taxation’ of humanitarian assistance and support from neighboring governments’ (ibid, p.10), for example.

Mary Kaldor argues that the new wars need to be understood in the context of globalization, the intensification of global interconnectedness and the changing character of political authority. For instance, the intensifying interconnectedness is a contradictory process that involves both ‘integration and fragmentation, homogenization and diversification, globalization and localization’ (2012, p.4). The complexity of
globalization and its ramifications reflect in the complexity of the new wars, that are not in a defined spectrum, being often in blurred scopes of definitions:

The new wars involve a blurring of the distinctions between war (usually defined as violence between states or organized political groups for political motives), organized crime (violence undertaken by privately organized groups for private purposes, usually financial gain) and large-scale violations of human rights (violence undertaken by states or politically organized groups against individuals). (Kaldor 2012, p.2).

The new wars need to be addressed in a regional context, since all of them spill over borders and involve a blurred distinction between internal and external, public and private (Kaldor 2007, p.5). They involve elements of both premodernity and modernity and are heavily determined by the process of globalization. The new patterns of violence introduce new contemporary characteristics, create new social structures and develop a new predatory social condition – and globalization is intrinsic to these processes.

Globalization involves the transnationalization and regionalization of governance (Kaldor 2012, p.75) and because globalization sustains a system of inequalities and increases insecurity especially in the ‘periphery’ and ‘semi-periphery’ (referring to Wallerstein), it is directly linked to the development of the new wars and their new identity politics. According to Mary Kaldor, the new identity politics emerge out of this insecurity, along with the characteristic parallel economy, in which new forms of legal and illegal practices arise and new shadowy forms of activity are legitimized.

The influence and the effects of globalization in this new type of organized violence are evident on many layers, however, the transformation of information, technology and the means of communication and recruitment are the most notable. This transformation is part of the new wave of identity politics – that is local and global, national and transnational at the same time. This form of politics makes use of technology such as the internet and social media in order to build political networks with particular cultural identities (Kaldor 2012, p.8).

In its complex political, social and economic relationships, the new wars violate international human rights law and international humanitarian law in several fronts:

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2 The new social predatory conditions are an effect of the global war economy (Kaldor 2012, P.113;116).
3 The Arab Spring is an example of this transformation as social media is believed to be the driving force for communication, recruitment and spread of the globally-linked protests in 2011, some of which evolved into revolutions and civil wars. The political mobilization was motivated by people’s dissatisfaction towards authoritarian and oppressive governments that neglected the populations’ needs, as will be developed in the third chapter.
In contemporary wars, only a minority of deaths are battle deaths. Most people die in wars either because of the indirect effects of war as a result of lack of access to health care and the spread of disease, hunger and homelessness. Perhaps the indicator that comes closest to a measure of human security is displaced persons. Displaced persons are a typical feature of contemporary crises, both natural and wars. (…) Displaced persons are the victims of both physical and material insecurity.” (Kaldor, 2007, p.183)

In the new wars, ‘humanitarian space no longer exists’ and ‘insecurity can no longer be contained’, because violence is now crossing borders through terrorism, organized crime and/or extreme ideologies (2007, p.196). The new wars may too be considered as a reversion to primitivism (Kaldor 2012, p.106), and through the lenses of a fatalistic response, the most that can be done is ‘to ameliorate the symptoms’ (2012, p.121).

2.3. Human Security Approach

The concept of Human Security was introduced by the UN Development Program (UNDP) with the *Human Development Report* of 1994, highlighting the need for a transition in thinking in order to correspond to the expanding frontiers the globalized world brings to human security. Human security is pertinent for people all around the world, and the threats to human security need to increasingly be understood as global issues, not only personal or local or national (1994, p.2) – in fact, some threats to human security are common to all nations, rich or poor. The interconnectedness of the world today has the events transcend national borders and travel the globe, along with their consequences.

The World Summit for Social Development recommends that ‘all countries cooperate in this endeavor – regionally and globally’ and build a new framework of international cooperation for development where the indivisibility of global human security is acknowledged, that is, ‘that no one is secure as long as someone is insecure anywhere’ (UNDP 1994, p.39). They assert the need for ‘humanity to restore its perspective and redesign its agenda’ (ibid, p.1) by building new foundations of human security and ensuring people’s security through people-centered development, cooperation and peace.

The report was presented to the international community with the intent to influence global policy dialogue and future operations of UNDP and defending that the
concept of security stops being interpreted narrowly and starts emphasizing people instead of the nation states. It presents seven elements of human security that are all linked and overlapping: economic security, food security, health security, environmental security, personal security, community security and political security. With the expanding frontiers of human security, a threat to one of the elements can affect all forms of human security (1994, p.33).

The human security approach has five fundamental principles that are mutually reinforcing and that cannot be implemented as separate objectives: people-centered, comprehensive, context-specific, prevention-oriented, and protection and empowerment (UNTFHS 2016). Human security places people at the center of analysis and action, it addresses the full range of human insecurities and their interdependencies in a comprehensive manner, helping ensure policy coherence across different fields in an integrated manner, it contextualizes the insecurities of different countries and communities in order to address the threats appropriately and it focuses on early prevention by addressing root causes of crises and their impact on human insecurities. By applying these principles, human security approach envisions the protection and empowerment of all people and communities (ibid).

The concept of ‘security’ is a complex one – it can come from different narratives as well as it can produce distinct narratives: ‘It is argued that the lack of specificity in the concept allows it to be all things to all people making operational content elusive’ (Chinkin & Kaldor 2017, p.487). Mary Kaldor (2007) claims that security is about confronting extreme vulnerabilities, whether these vulnerabilities are natural or man-made disasters (p.183). Christine Chinkin and Mary Kaldor (2017) use the concept of ‘security models’, differentiating five types of security: geo-politics, war on terror, humanitarian intervention or responsibility to protect, liberal peace and second-generation human security. According to them, human security is a universally broad and flexible approach, so the interpretations on the concept can vary according to one’s aim and focus.

Initially, the concept of human security developed in two directions: the first one being disarmament and development, and the second one being related to human rights. On the one hand, the development approach perceives development as an urgent matter, a security strategy – considering the interrelation of all types of security and the need to

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4 From all seven types of security, physical safety of the individuals from violence was only mentioned in ‘personal security’. (Chinkin & Kaldor, 2017, p.482)
reverse disparities within and between States (UNDP 1994, p.6; Kaldor 2007, p.183). On the other hand, the human rights approach was taken by the Canadian government along with supporting states in which it emphasizes the security of the individual in the face of political violence (Kaldor 2007, p.183), with the growing influence of human rights in international affairs (Chinkin & Kaldor 2017, p.483).

Chinkin and Kaldor (2017) refer to this debate as ‘first generation human security’, of which the broad version was associated with human and material developments and the narrow version was associated with human rights and the need to protect people from human rights violations. From this narrow version the International Commission on Intervention and Sovereignty (ICISS), established by the Canadian government, developed the term ‘Responsibility to Protect’ as a response to such violence central to new war tactics and ‘as a way of recasting humanitarian intervention in terms of states’ responsibility for their own citizens and the international community’s responsibility to all people facing extreme human rights violations’ (2017 p.29-30; p.484-5).

Human rights and human security are two complementary and mutually reinforcing concepts, even though their relationship and applicability are still not very clear. With the interconnectedness of the globalized world and the advance of global governance, security cannot be considered as an exclusive domain and responsibility of the state. The international community must take action in order to preserve the humanitarian space and protect human beings from extreme human rights violations when the government fails to do so. That is, the concern to secure the protection of individuals and access to human rights and human security should come above states’ concerns. However, as we shall see in the case of Libya and migration, this is seldom what happens in practice.

Chinkin and Kaldor appoint humanitarian intervention or Responsibility to Protect as one type of security. Even though the Responsibility to Protect claims that the objective for the intervention is to restore ‘safety of individuals and communities in the case of genocide, crimes against humanity, war crimes and ethnic cleansing’ (2017, p.30),

5 “The broad version evolved from the development community and the idea that resources freed up from the end of the Cold War could be used for economic and social development. Threats to the safety of individuals and communities included the threat of material deprivation, and the emphasis was on prevention of new wars by strengthening state institutions and enhancing development.” (Chinkin & Kaldor, 2017, p.32)
6 The principle of the Responsibility to Protect will be developed on chapter three with the exemplification of the NATO intervention in Libya – the first legitimate operation.
in practice the intervention may aggravate violence and human rights violations on civilians, besides intensifying polarization and creating a favorable space for the emergence and growth of armed groups and militias.

This was the case of Kosovo and Libya, for example, where the failure of the Responsibility to Protect responses reflect the disregard of the importance of context-specific approach in addition to taking the logic of the new wars in consideration (ibid, p.526). Considering that there are different phases and degrees of violence in the new wars, the principles of human security need to be applicable coherently according to the contexts, considering elements of prevention and reconstruction (Kaldor 2007):

A distinction is often drawn between the ‘prevention’ of crises and post-conflict reconstruction. But it is often difficult to distinguish between different phases of conflict precisely because there are no clear beginnings or endings and because the conditions that cause conflict – fear and hatred, a criminalized economy that profits from violent methods of controlling assets, weak illegitimate states, or the existence of warlords and paramilitary groups – are often exacerbated during and after periods of violence. (Kaldor 2007, p.185).

The idea of ‘second generation human security’ is presented by Christine Chinkin and Mary Kaldor under the argument that human security is the only practical solution. Therefore, the second-generation debate emphasizes implementation; it is about extending individuals’ security on a global scale by the implementation of their rights to human security. According to the authors, ‘human security is about the right to be protected and focuses on bottom-up efforts to provide security to individuals and how this might be assisted from outside’ (2017, p.32).

Human insecurity has crossed borders and is continuing to do so as exemplified by the increase in human migration and the tragic difficulties that migrants confront, the spread of corruption, ethnic, religious and racial polarizations and reversals of women’s advancement contributes to human insecurity both ‘inside’ and ‘outside’ – a ‘global new war’. The ideas and practical implementation of second-generation human security, will we believe be all the more important everywhere. (Chinkin & Kaldor 2017, p.526).

All in all, human security is indeed interrelated with human development and human rights. The concept of human security needs to be understood and put in practice within structures that are largely conditioned by and characteristic of the contemporary wars, which we have here discussed as the ‘new wars’. There are millions of people living in
situations of extreme insecurity, and the zones in which they live are located mainly in Africa and the Middle East. In these zones, the sources of human security are both structural and a consequence of this newly organized form of violence. One conclusion of the above is that security is a multidimensional challenge, and that there is a need to shift the thinking and understanding of security: the logic of the new wars needs to be taken into account in order to address human insecurity appropriately and to actually provide security to the individuals.

2.4. Migrants’ Rights to Human Rights

According to the Universal Declaration of Human Rights (UDHR) from 1948, all human beings are born free and equal in dignity and rights (art.1), everyone has the right to life, liberty and security of person (art.3), and everyone has the right to freedom of movement and residence within the borders of each State (art.13). Human rights are intrinsic to all human beings; they are universal, inalienable and indivisible. All rights are interdependent and of equal importance, forming a common ground between all states (OHCHR 2013, p.11).

Even though migration appears as a human right in the UDHR, the rights of migrants are not composed by a single treaty or mechanism. Instead, migrant rights are implicitly or explicitly expressed through a rich set of instruments and related principles and standards of international human rights law and international public law (OHCHR 2013, p.14), like the Refugee Law, Transnational Criminal Law, Humanitarian Law and Labor Law (Migration Data Portal 2018). Migration needs to be understood in terms of human rights in order to not only reach its potential in relation to development (OHCHR 2013, p.8), but to guarantee all migrants’ protection throughout their migratory journey.

In this section, the normative concept of migrants’ rights is the theoretical frame that will be developed through the analysis of three main documents: International Human Rights Law with the Universal Declaration of Human Rights (UN 1948), the Global Compact for Safe, Orderly and Regular Migration (UN 2018) and the report Migration and Human Rights: Improving Human Rights-Based Governance of International Migration (OHCHR 2013). From these documents, we will see that issues such as threats to human security and to human rights are becoming global and therefore need to be tackled from a regional and/or global perspective so that national and
international efforts can be reinforced in order to promote human security and human rights for all – considering both as interdependent.

The present study understands the International Organization for Migration’s (IOM) definition of migrant as:

Any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of the person’s legal status; whether the movement is voluntary or involuntary; what the causes for the movement are; or what the length of the stay is. (IOM 2011).

International migration raises challenges to human rights protection on national and international levels, as displacement is one of the consequences of the different spheres of human insecurity. Accordingly, migration and refuge matters have increasingly become issues of great importance in the international agenda, encompassing the need for a comprehensive approach to human mobility and cooperation amongst states at the global level (IOM 2011) with the New York Declaration for Refugees and Migrants.

The Declaration is committed to the protection of the human rights of all refugees and migrants, regardless of status; the support of countries rescuing, receiving and hosting large numbers of refugees and migrants; the integration of migrants in humanitarian and development assistances; the combating of xenophobia, racism and discrimination towards all migrants; the strengthening of global governance of migration; and the development of principles and guidelines on the treatment of migrants in vulnerable situations (ibid).

From this initiative came the Global Compact for Safe, Orderly and Regular Migration (GCM), a non-binding inter-governmental agreement supported by the United Nations that commits to international cooperation on migration whilst respecting states’ sovereignty and working towards the 2030 Agenda for Sustainable Development. In analyzing the GCM in this research, we tread a new ground, since it is a very recent and important document. GCM is supposed to be an open, transparent and inclusive process, and addresses all dimensions of international migration in a holistic and comprehensive manner, including the humanitarian and human rights-related aspects and presents a framework for international cooperation on migrants and human mobility.

The resolution was adopted by the General Assembly on December 2018 and brings along with its cooperative framework 23 objectives for safe, orderly and regular
migration along the migration cycle. Among the objectives is the aim to minimize adverse drivers and structural factors that serve as push factors for migration; the will to address and reduce vulnerabilities in migration; the desire to strengthen the transnational response to the smuggling of migrants; the aim to prevent, combat and eradicate trafficking in persons in the context of international migration; the intent to use migration detention only as a measure of last resort, working towards alternatives; and the purpose to provide access to basic services for migrants. In referring to migrants and to migration in all its dimensions, GCM recognizes that:

Refugees and migrants are entitled to the same universal human rights and fundamental freedoms, which must be respected, protected and fulfilled at all times. However, migrants and refugees are distinct groups governed by separate legal frameworks. Only refugees are entitled to the specific international protection defined by international refugee law. This Global Compact refers to migrants and presents a cooperative framework addressing migration in all its dimensions. (GCM 2018, p.3).

The Global Compact acknowledges that no State can address migration alone because of its transnational dimension and it respects States’ sovereign right to determine their national migration policies in accordance with international law, but GCM urges for international, regional and bilateral cooperation and dialogue (2018, p.5), bringing the idea of shared responsibility and of a common purpose.

The report *Migration and Human Rights: Improving Human Rights-Based Governance of International Migration* (OHCHR 2013) recognizes States’ sovereign right to determine their migration policies, but States also need to follow the obligations they voluntarily assumed under international human rights law in addition to customary laws that include the obligation of non-refoulment – meaning the removal or return of anyone to a country where they would be at risk of persecution, torture or other human rights violations (p.16).

Altogether, States have the duty to respect, protect and fulfill human rights according to international human rights law. This includes States’ obligation to protect individuals and groups against human rights violations, generally by taking positive actions. States undertake treaties on regional and international spheres, integrating obligations and responsibilities into their national legal systems. However, developing countries may require international support in order to fulfill their obligation to prevent, reduce and respond to crises (OCHA 2014, p.38).
Thus, when Governments fail to address human rights violations, or when they are the perpetrators of these violations, there are mechanisms and procedures available at regional and international levels to help ensure the implementation and enforcement of human rights at the local level. For instance, the United Nations is an organization that can look into big human rights problems in the world.

Despite all of the aspirations, advocacy and international cooperation on issues related to human rights, violations to human rights still exist all around the world, especially in relation to marginalized and vulnerable groups, like in the context of migration. Although there has been some progress in relation to the rights of migrants with initiatives regarding the refugee regime, labor migration and counter-trafficking, migrants still embody one of the most vulnerable groups exposed to human rights violations, throughout the whole migratory process.

Even though there exists an entire body of international human rights law and national constitutions are usually largely based on the principles of the Universal Declaration of Human Rights, these mechanisms are, at last, insufficient to provide human rights protection for all human beings. This insufficiency is demonstrated by the existence, propagation and perpetuation of violation of human rights in the contemporary world – a system that is permissive to these violations due to its structures and to States’ capitalist interests.

There are several forms in which human rights can be violated, such as enslavement, torture, human trafficking, exploitation in different forms, detention centers, exposure to indignity and discrimination, denied access to basic rights and the obstruction of freedom of movement. In point of fact, human rights are being violated in appalling ways in contemporaneity, in the most exposed and gruesome forms. With the increase of interconnectedness in the world, criminal networks are created and reproduced between different actors, and beyond national borders. These networks are maintained unconstitutionally by the constant violation of people’s rights, especially of vulnerable groups.

While in theory migrants should have their rights fully protected as demonstrated with the *Universal Declaration of Human Rights*, the report *Migration and Human Rights: Improving Human Rights-Based Governance of International Migration* and the *Global Compact for Safe, Orderly and Regular Migration*, in reality they often find a different scenario. Migrants are one of the most vulnerable groups to having their rights
violated on different grounds. During the migratory process, they can be subjected to physical, emotional and financial risk factors.

For many, the journey is uncertain and risky, and may implicate in strenuous travel, refugee camps, detention centers and life-threatening situations, as they may also be at risk of being trafficked or smuggled. Those who choose alternative ways of crossing borders are at a higher risk and are usually put through situations of immense distress, being subjected to harsh conditions and different forms of exploitation and indignity.
3. Libya

Located in Northern Africa, Libya is the fourth largest territory in the continent, bordering the Mediterranean Sea and six countries: Algeria, Chad, Egypt, Niger, Sudan and Tunisia. 60 percent of its territory is covered by the Sahara Desert, and 90 percent of the country has a desert or semi-desert climate, which explains why over 90 percent of the Libyan population lives along the country’s 1,770km coastline.

Based on the latest United Nations estimates, Libya’s current population is 6,559,888, and migrants make up for 12.1 percent of the total population (UN DESA 2019). The official religion is Islam, with predominant adherence to Sunni branch, and the official language is Arabic. Rich in petroleum, natural gas and gypsum, Libya’s state expenditures and development have been largely financed by revenues from such natural resources in the last decades.

Over its history, Libya has been under control of different powers, has been invaded, has had its internal structures interfered with and has been subjected to the interests of different actors, such as the Romans, Ottomans, Italians, British, French, Americans, Turks, Egyptians, Gulf Arabs (Genuget 2016, p.3). The complex and extensive history marked by external interventions and the direct and indirect interests of foreign actors have therefore shaped Libya’s internal state structures, as well as periods when it has had to do without internal state structures, throughout history.

Meanwhile, Libyan society have shown human agency by confronting several challenges throughout its precolonial, colonial and postcolonial stages in order to defend its culture and society against challenges that came with these stages, such as modernity, genocide, the nation-state and alienation (Ahmida 2005, p.xv).

The country has a strategic geographic position that has been determinant to Libya’s influence and importance in the international world-system. Such importance has also led Libya into the conditions that it suffers from today. The country has been under continuous violence since 2011, affecting individuals directly, as they have their human rights and human security rights violated in diverse forms.

In order to understand human insecurity today in Libya, especially in relation to migrants in the country, it is crucial to understand the construction of Libya as a modern nation-state, its structures and what led the country into what many observers would call
a failed state. Through its history, it becomes clearer that the country has always been somewhat internally divided, besides being an object of dispute of external forces as well.

Therefore, in this chapter, the history of Libya will be developed and situated from its precolonial and colonial times, to its independence under King Idris of the Sanusi Order and Colonel Muammar Gaddafi, to the uprisings of the Arab Spring and the subsequent NATO intervention. The evolution of Libya’s history, especially as an independent state, helps us understand the current situation of the country: a failed state consumed by a long-lasting civil war that challenges the rights of migrants in various forms, as will be developed in chapter four.

3.1. Precolonial and Colonial Libya

Under the Ottoman rule, Libya – then known as Tarabulus al-Gharb – was composed by three geographical regions: Tripolitania in the west, Fezzan in the south, and Cyrenaica in the east. This division of the land was influenced by the desert topography, that also led to feeble communication amongst the regions and thus to the development of distinct political economies in each of them (Ahmida 2005, p.2). Consequently, the possibility for a central state to control the three regions was hindered, despite the Ottoman’s efforts.

Even though Taabulus al-Gharb was the last Ottoman province in North Africa, it had a ‘weak to nonexistent central state structure’ (ibid, p.5), showing Ottoman’s inability to implement a central state or keep the regions together. In practice, the Ottoman’s rule was ineffective and incomplete, as the authority was often exercised by other parties, such as military leaders and pirate captains. In addition, since the beginning, the Ottomans faced direct resistance from a hostile, disobedient, rebellious and uncooperative population.

Throughout the nineteenth century, the empire became increasingly impotent (Simons 1996, p.104-5). Meanwhile, the Ottoman state promoted the development of capitalism in the province, representing the direct interests of Europeans in the region and impairing Libya’s political and economic means of subsistence with the decline of the
trans-Saharan trade. The province was part of three out of five routes of the trans-Saharan trade because of its strategic geographic location.

While the trade routes in Tripolitania and Fezzan began to decline with the French and British advancing into western and central Africa in the 1880s, Cyrenaica became an autonomous region and a de facto state with the rise of the Sanusi order (Ahmida 2005, p.4). The Ottoman administration in Cyrenaica was then replaced by the Sanusiyya, that implemented education, security and justice in the region and was successful in blocking Ottoman control (ibid, p.9-10).

The Sanusi Order were Sunni Muslims and part of Sufism, being one of the central orders of Islam since its ideology encompassed many ethnic and racial groups. As the French were expanding their colonial enterprise, conflicts with the Sanusi Order were common. In fact, ‘at the beginning of the twentieth century, the Sanusi, in alliance with other African groups, were fighting a jihad against the invading French armies’ (Simons, 1996, p.107). Beyond the advances of the French and the British, Libya would still suffer a devastating colonial occupation by the Italians.

Libya was of strategic importance for the Italian interests, that justified the occupation as a way of preventing French colonial expansion in the Mediterranean. Italy began a policy of ‘peaceful penetration’ in the 1880’s, but it was only in 1911 that the colonial power succeeded in occupying the coasts of Cyrenaica and Tripolitania (Uzoigwe 1985/2000, p.38). Under Italian rule, the different provinces from the Ottoman Empire, Tripolitania, Fezzan and Cyrenaica, were unified and later formed a single nation-state, as we know today.

The most serious danger, of course, came from the north, beginning with the Italian invasion of Libya in 1911. When the Ottoman Empire signed a peace treaty with Italy in 1912 and left Libya, it granted independence to the Libyans, giving the Sanusiyya the opportunity to declare an independent state in 1913 with jihad (holy war) as its ideology. (...) Sanusi forces also offered the

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7 Despite the absent state structure and the self-sufficient mode of economy, tribes in the country were not completely separate or isolated, there was an economic relationship of trade and taxation. The tribe segments, however, were unequal and presented a complex stratified structure (Ahmida 2005, p.6).
8 “Sanusiyya lodges provided settlement, education, and economic networks for trade, linking Cyrenaica especially with Egyptian markets. The Sanusiyya also integrated tribal and intertribal alliances within the religious ideology of Islam, thereby avoiding the rivalries and fights among Tripolitanian notables over land and bureaucratic positions”. (Ahmida 2005, p.10).
9 Italy’s development, in particular economic development, was heavily dependent on external capital. (Simons 1996, p.112).
largest base of resistance against the Italians, and for twenty years Cyrenaica remained the center of Libyan opposition to colonial rule. (Ahmida 2005, p.26).

There were different and complex reactions from Libyans in relation to Italian colonialism, varying in accordance to people’s interests, instigated especially by class formation. Even though the Italians found an unconsolidated territory with ‘diverse regions, tribal allegiances, and social forces’ (Ahmida 2005, p.10), they also found extensive resistance from Libyan Arabs. For instance, the Sanusiyya was a socio-religious movement that expanded by the early 1900’s, tied to anti-colonial resistance with the objective of educating its followers morally and socially in order to resist European colonialism (ibid, p.25).

By the time the Sanusi, under the leadership of Muhammed al-Mahdi, declared an official state in 1913 in response to the Italian occupation of Libya, the order had developed its own class structure, infrastructure, and ideology, and its lodges had effectively replaced the weak coastal towns of Cyrenaica as centers of economic, political, and civic life. (Ahmida 2005, p.25).

Sayyid Amir Mohammed Idris, grandson of the Grand Sanusi, became leader of the order in 1916, and later, King of Libya. The colonial period goes from 1911 to 1943, of which the Sanusiyya and its anticolonial and pan-Islamic ideology resisted until 1932. By the end of the First World War, Italian colonial power was weakened, but the decades of internal conflicts left Libyans still divided (Simons 1996, p.117). Italy saw the need to further Libyan conquest and Italian fascism forcibly subjugated Libyans and killed North African Muslims, following ‘colonial racist and modernist ideologies about the dehumanized, backward natives and the price of modernity’ (Ahmida 2005 p.37).

In 1937, Mussolini proclaimed himself ‘Protector of Islam’, and in 1939 Libya was officially integrated into metropolitan Italy (Simons 1996 p.122). The outbreak and development of the Second World War led to the end of colonialism in Libya, with the country being put under UN administration. Libya was still under colonial occupation with the British, French, and Americans splitting power and control over the country. Libya’s history shows that ‘for most of the first half of the twentieth century the Libyan people had been forced to wage war against successive colonial invaders (…) with all the consequences for human lives and communities that this implies’ (ibid, p.141).
3.2. Independent Libya: Idris and Gaddafi

It was only on 24 December 1951 that Libya was declared an independent state, supported by the United Nations, and with Idris as head of state. The Kingdom of Libya was declared a federal constitutional monarchy with a representative government system and the unification of Cyrenaica, Tripolitania and Fezzan, declared provinces of the kingdom. Libya was admitted to the UN in December 1955, and the Sanusi monarchy lasted from 1951 until 1969, when a military coup overthrew the monarch Idris and established a republic in Libya.

Since Idris came to power, he suppressed independent political parties, showing hostility towards a democratic development, and later on, he also suppressed emerging trade unions. The Sanusi monarchy was heavily influenced by Western interests, with the United States, Britain and France exercising some sort of control over the country, mainly through financial and military aid. The US and the UK, for example, established military bases in the country in exchange for economic support. During the Cold War, Libya played an ingenious role, obtaining aid from both the USSR and the US, which allowed for an increase in investments and development.

The discovery of oil in the early 1960’s brought a great impact to the Libyan economy and it transformed the character of the government and the shape of Libya as a state and society. Libya became an important player on the international scene, since foreign powers had great interest in the oil discovery. After its independence, Libya was one of the poorest countries in the world, but this was soon to be changed. The oil revenues impacted the process of urbanization and social change, seeing that new forms of class inequality emerged and migration to the cities increased as a result of industrial development.

The centralization of wealth and power by the state apparatus and the merchant/capitalist class, and the growing social stratification in the country engendered a political and social discontent by the population. The expansion of social investments and economic development were therefore ultimately inadequate in attending the population’s needs. The government turned out to be corrupt and to sustain the

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10 "One problem was the growing stratification in the country: there had always been a class hierarchy in Libyan society, as in all other cultures, but now this was being exacerbated by a number of economic developments, not least the rapid growth in oil wealth that was encouraging urbanization”. (Simons 1996, p.167).
polarization of power, and the strong commitment to the West became a fundamental reason for Libyans’ discontent with the monarchy.

The social and political tensions in Libya are characteristic to many countries, especially those who are ex-colonies and are not in the ‘center’, and they appear and reappear in different historical moments due to their internal inconsistency. The population’s discontent regarding Idris’ monarchy exposed the weaknesses and insecurities of the traditional power structure. The growth of nationalist and pan-Arabism ideals was central to the manifestations against king Idris and consequent military coup of September 1st, 1969 led by a group of young officers from the Libyan military that overthrew King Idris.

The Revolutionary Command Council (RCC) established the Libyan Arab Republic and Muammar Gaddafi became head of state. The RCC and Gaddafi were primarily inspired by the Egyptian leader Nasser and the revolution’s ideology revolved around ideals such as Arab nationalism, pan-Arabism, self-determination, anticolonialism, anti-American and anti-communist politics, social justice and anti-corruption. Gaddafi’s aim was to distance Libya from Western dominance over the country and its resources.

Gaddafi established the Great Socialist People’s Libyan Arab Jamahiriya, the state of the masses in English, and applied his own philosophy of governance, the ‘Third Universal Theory’ (Fraihat 2016, p.21). This theory was a part of his Green Book that presented a third approach merging capitalism and Marxism, paradoxically calling for direct democracy but at the same time undermining social and political organizations working independently (Ahmida 2005, p.81). His philosophy was a way of ensuring that the state institutions were built to serve his regime.

The Theory (‘or ideology’) was conceived as a political doctrine but also as a religious exhortation: it was essential that people be called to return to the 'Kingdom of God', to be rearmed with faith to confront the evils of the world. Gaddafi took pains to emphasize the humanitarian aspects of the ideology, its interest in combating the racial theories that were ‘designed to bring destruction to the world’. The Third Universal Theory was not a philosophy invented by man but truth, ‘firm and unchangeable’. (Simons 1996, p.219)

Gaddafi nationalized the oil industry and gained national support with the retreat of US and Britain military bases. The population enjoyed the benefits of the welfare state as an effect of the oil economy, and he implemented social, political and economic programs
for the population, providing housing, health and education, especially for the lower classes.11 The development of the oil industry, however, disregarded development in other important areas for national development and self-sufficiency, such as agriculture.12

In 1975, Gaddafi started investing in a ‘pre-capitalist socialist society’ by benefiting from the advantages of oil revenues and importing labor force integrating into the world capitalist economy (Ahmida 2005, p.78). In the 1980’s, Libya pursued an independent foreign policy, in opposition to foreign Western forces and in support of liberation movements in Africa and the Middle East, for example (ibid, p.81). On the economic front, Libya started suffering from sanctions by the US, that not only cut back imports from Libya but also withheld exporting technology and equipment to Gaddafi.

Libya soon felt the consequences and saw its situation deteriorate in the long term with the continuation of the sanctions over the years and the country’s isolation in the world system. The sanctions added to the external political difficulties, degraded the oil industry and made space for dispute between the Libyan National Oil Corporation and foreign producers and hindered development efforts in other areas (Simmons 1996) – leading Gaddafi to irresponsibly continue to blindly commit to the oil industry.

It would be highly irresponsible to continue to export oil in return for food, if an oil blockade by the foreign powers could be used to starve the nation. If any lesson were needed, the experience of Iraq in 1991/92 carried a grim message. Here a formerly rich hydrocarbon society, dependent upon exporting oil for food and high-technology equipment, was being progressively starved by comprehensive sanctions. The revolutionary Libyan government had always been aware of such possibilities, though to take steps to hedge against them was a difficult matter. The key requirement of a developing agricultural sector had been tackled with mixed success. (Simmons 1996, p.224-5).

The end of the Cold War and the rise of the United States as hegemonic power made the United Nations Security Council ‘another instrument of American foreign policy’ (Ahmida 2005, p.82), increasing Libya’s vulnerability in the world system. Seen through Wallerstein’s world system theory, Libya participated in unequal exchanges and relations with core (Western) countries by exporting oil as a raw material and becoming dependent on imports. Even though Libya became an oil-driven power, its position in the post-colonial world relates to and is a consequence of colonial times.

11 This was also used as a strategy to gain popular participation and support.
12 In the modern world, oil-producing countries have an immense potential power in hands, but to build a whole structure dependent on only one sector leaves the nation vulnerable, especially when the internal driving force is a natural resource like oil.
The misuse of Libya’s capital for the acquisition of weapons and the sponsorship of terrorist groups, for example, while internal infrastructure deteriorated, raised suspicion and demonstrated Gaddafi’s neglect towards internal interests. When he took power, he claimed that his revolutionary government and measures were an internal affair, therefore not directed against any state nor international agreements or recognized international law (Simons 1996, p.179), but practice showed otherwise, especially with the US as an opponent.

The Libyan revolution exerted great influence in the culture and history of Libya as a nation and the Libyan society. However, despite Gaddafi’s reputation as a popular leader because of his commitment to the national cause and the growth of the welfare state with the expansion of social areas such as health, housing and education, the population soon started to suffer the consequences of the political and economic struggles caused by his politics.

Even though the revolution claimed for radical change, it gave continuity to some policies from King Idris’ government: Gaddafi’s discourses on socioeconomic egalitarianism and direct democracy were not reproduced in practice as he ruled with authoritarianism, and over time corruption and the concentration of power and wealth amongst few became an evident part of his government. The feeling of distrust towards the government had basis on the political, social and economic domains, both internally and internationally.

The Libyan population endured decades of injustice from Muammar Gaddafi’s authoritarian government, and the Arab Spring finally gave opportunity to social forces to rise with strength from this context of dissatisfaction and resentment, demanding the fall of the 42-year-old regime. Colonel Gaddafi died on 20 October 2011, having fought and died for Libya against the West (Boyle 2013, p.14).

3.3. The Arab Spring in Libya

The Arab Spring is known as a series of anti-government protests, uprisings and rebellions that first started in Tunisia in 2011 and quickly spread over other Middle Eastern and North African countries. Through mostly non-violent protests, the populations demanded the resignation of the longstanding authoritarian regimes, and they claimed for democracy and better living conditions.
The Arab Spring serves as a representation of the effects of globalization and the transformation of information, technology and means of communication, because social media is believed by many to have been a driving force for communication, recruitment and spread of these globally-linked protests. However, the political mobilization was motivated by people’s dissatisfaction towards authoritarian and oppressive governments that neglected the populations’ needs, and in some countries, it evolved into revolutions and civil wars – as was the case of Libya.

According to Mary Kaldor (2012), many African and Middle Eastern states never enjoyed state sovereignty in the modern sense. This means that many of the post-colonial Arab societies have experienced only authoritarian regimes, formed by family lineage, military and/or tribal segments. These states often struggle with legitimation and present high instability, nurturing new forms of identity politics and forming polarized societies, creating a permissive space for the organized conflicts in the globalized era, also known as the ‘new wars.’

Moreover, these regimes are usually permissive to the formation of polarized societies, a fact that explains various social conflicts that followed the Arab Spring in some countries, mainly carried out by those who benefited from the former regimes against those who suffered under them (Fraihat 2016, p.3). Libya is an example of a country where there was a quick progression from peaceful protests to civil war and organized violence due to the internal polarized forces and the support of foreign actors.

Influenced by the protests in neighboring countries Tunisia and Egypt, the revolution in Libya started on February 15, 2011 with demonstrations in the city of Benghazi and on February 17 the movement spread throughout the country (Engelbrekt & Wagnsson 2014, p.5). Benghazi is Libya’s second largest city and located in the region of Cyrenaica on the east side of the country. The east never fully accepted Gaddafi, and throughout the years opposition to the regime grew exponentially, and on 17 February 2011 the population joined the Arab Spring by seizing the opportunity to rebel and overthrow Muammar Gaddafi.

Gaddafi was the founder of the Libyan ‘republic of the masses.’ For this reason, the revolution in Libya was necessarily directed against both the head of state as well as the state itself (Roberts

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13 The new wars present new patterns of violence and are a global phenomenon that involve the fragmentation and the decentralization of the state.
Gaddafi as the leader of his totalitarian system personally embodied the system the revolution was directed against. (Schnelzer 2016, p.38).

Unlike Tunisia and Egypt where the protests remained mostly peaceful, in Libya they quickly escalated into violent confrontations with pro and anti-Gaddafi forces clashing throughout the country, the government being a party to the civil war (Schnelzer 2016, p.39). Anti-Gaddafi forces were armed with the help of countries like Britain and France that formed a Western coalition, that also gathered support for an UN mandated intervention under the principle of the Responsibility to Protect (Genugten 2016, p.149), which was discussed previously, and to which we will return. The anti-Gaddafi forces were, thus, formed not only by ‘different cities, tribes, and groups within Libya’ (ibid, p.148), but also by many international actors.

Both King Idris’ monarchy and Colonel Gaddafi’s republic were regimes that came from social forces, showing Libyans’ strength and power rise in revolutionary action. Revolutions lead to the collapse of the political order, requiring the establishment of a new one. In the Arab Spring, the Libyan population joined forces again with the common interest to depose Gaddafi. Having achieved this common goal and with all that unfolded in the aftermath, the movement in Libya is considered to have had ‘the most profound revolutionary transformations of all the Arab states since 2011’ (Schnelzer 2016, p.11-13).

The National Transitional Council (NTC) was established ten days after the start of the protests, on February 27, by opposition groups that had substantial support of international actors. One month after the start of the uprisings, on March 17, the UN Security Council authorized a ‘no-fly zone and all necessary means except occupation forces to protect Libya’s civilians from Gaddafi’s troops and air forces’ (Kuperman 2013, p.192). NATO’s seven-month long intervention ended with the killing of Gaddafi on October 20, 2011.

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14 The movement was different in Libya, since the lacked internal hegemony. There are also some important distinctions about the Arab Spring uprisings in Tunisia and Egypt in relation to Libya that explain why the movement escalated into a civil war and a revolution in Libya. See Natasha Schnelzer 2016.

15 Much of the literature attributes this scenario to Gaddafi’s forces’ violent response to the uprisings, but Hehir & Murray (2013) argue that large-scale violence was initiated by the protesters, not by the government, as Western discourses tend to address (p.193). According to the authors, both sides were involved in violent actions.

16 The NTC was formed by political representatives in Benghazi.

17 Rebels captured and killed Gaddafi on October 20, 2011 as he was attempting to flee his hometown. (Fraihat 2016, p.23).
The formal end of the hostilities came three days later, on October 23rd (Schnelzer 2016, p.14), and the NTC established itself as a transitional government, backed by the United Nations. In July 2012, NTC held democratic elections to a General National Congress in Libya, seen as a positive development for the post-war scenario. In August, the National Transitional Council handed the power to ‘a moderate, secular coalition government’ (Kuperman 2013, p.208).

3.4. The NATO intervention based on the Responsibility to Protect

The United Nations Security Council (UNSC) adopted the Resolution 1973 on 17 March 2011 in which the SC recalls the resolution 1970 of 26 February 2011, referring to it throughout, and presenting decisions regarding the protection of civilians, the establishment of a no fly zone (ban on all flights), the enforcement of the arms embargo and freezing of Libyan assets (all funds, financial assets or economic resources).

The Resolution 1973 set a new precedent by providing the legal framework authorizing a military intervention in Libya and the use of ‘all necessary measures’ to protect civilians, based on the principle of ‘the Responsibility to Protect’. The seven-month long intervention was led by the North Atlantic Treaty Organization (NATO), with the French and the British at the front and with ‘significant support from the United States’ (HRW 2012, p.600), and eventually had the support of other fifteen states.

As mentioned above in chapter 2, the principle of ‘the Responsibility to Protect’ was established in December 2001 with a report from the International Commission on Intervention and State Sovereignty (ICISS) in Canada, ‘providing precise guidance for states with human protection claims in other states’ (p.viii). The principle of intervention for human protection purposes is materialized in a context where the state is either unable or unwilling to address ‘major harm to civilians’ – or when the state itself is the perpetrator (ibid, p.16).

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18 Resolution 1970 (2011) was adopted by the UNSC unanimously, expressing concern at the situation in Libya and condemning the violence and use of force against civilians; this resolution preceded Resolution 1973.

19 With the exception of a foreign occupation force of any form, as stated on paragraph 4 of the 1973 Resolution.

20 Qatar, Jordan and the United Arab Emirates are three Arab countries that made military contributions (Adams 2012, p.9).
The idea that sovereign states have a responsibility to protect their own citizens from avoidable catastrophe – from mass murder and rape, from starvation – but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states. The nature and dimensions of that responsibility are argued out, as are all the questions that must be answered about who should exercise it, under whose authority, and when, where and how. (ICISS 2001, p.viii).

Responsibility to Protect differs from the concept of ‘humanitarian intervention’ and should not be confused with it. Responsibility to Protect is built on the principles of sovereignty, human rights and human security (ICISS 2001, p.12), and it talks about a form of intervention made ‘against a state or its leaders, without its or their consent, for purposes which are claimed to be humanitarian or protective’ (ibid, p.8). In the interconnected contemporary world and with the advance of international laws, it is understood that ‘members of the broad community of states do have a responsibility to protect both their own citizens and those of other states as well’ (ibid, p.16)

The measures taken may then be coercive like sanctions and international prosecution, or military intervention in extreme cases (ibid, p.xi), such as the case of Libya, according to the UNSC. Even though the report supports the use of military action, it explicitly declares that it should be implemented in ‘extreme and exceptional cases’ only (ICISS 2001, p.31). In the report, the Commission established six criteria for military intervention, being: right authority, just cause, right intention, last resort, proportional means and reasonable prospects (p.32).

The authorization of the NATO campaign portrays the Responsibility to Protect as sanctioning ‘the responsibility to react’, meaning the response to ‘situations of compelling human need with appropriate measures’ (2001, p.xi). The Security Council determined the situation in Libya to ‘constitute a threat to international peace and security’ (2011, p.2), and called for the international community support. With Resolution 1973, they expressed ‘grave concern at the deteriorating situation, the escalation of violence, and the heavy civilian casualties’ and condemned the ‘gross and systematic violation of human rights’ (2011, p.1).

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21 The resolution adopted by the Security Council considers that ‘the widespread and systematic attacks currently taking place in the Libyan Arab Jamahiriya against the civilian population may amount to crimes against humanity’ (2011, p.1).
22 Libya’s geographic position appears here as an important element as well.
23 They showed concern not only with Libyan nationals, but also with foreign nationals, such as refugees and foreign workers, either still in the country or that were forced to flee due to violence in Libya.
NATO’s operation in Libya in 2011 was denominated ‘Operation Unified Protector’ (OUP), with the enforcement and implementation of resolutions 1970 and 1973 and ‘a mandate to protect civilians’ (HRW 2012, p.600). The military intervention started on 19 March with ‘a massive bombardment of Libyan air defenses and military hardware, with a focus on Gaddafi’s forces outside Benghazi’ (Adams 2012, p.8), and Operation Unified Protector started on 23 March, gradually expanding its actions throughout the country.

The Responsibility to Protect indeed justifies external military intervention on extreme and exceptional cases in order to protect civilians from human rights abuses, but NATO took unnecessary and inconsistent actions with protecting civilians from human rights abuses during the conflict (Kuperman 2013, p.196-7). As the campaign continued with the air strikes strategy, the possibility of civilian casualties only grew – that is, the ‘possibility of accidentally killing the very population the mission is intended to protect’ (Adams 2012, p.9).

In fact, the mission deviated from the official initial goals and was expanded beyond its mandate in order to continue giving support to anti-Gaddafi forces (HRW 2012, p.600). The operation only came to an end on 31 October 2011, generating a lot of valid criticism and concern in relation its means and true goals. Now, not only the government and rebel forces (both pro and anti-Gaddafi) had committed human rights and humanitarian law violations during the armed conflict, but so did NATO forces (HRW 2012, p.598).

The International Commission on Intervention and State Sovereignty (ICISS) recognizes that issues of sovereignty and intervention ‘deeply affect and involve individual human beings in fundamental ways’ (2001, p.15), and not only the states. They consider that the focus of Responsibility to Protect is on ‘the human needs of those seeking protection or assistance’ (ibid), but they also understand that the emphasis of a (human) security approach shifts according to different discourses and interests, since there are diverse components and levels to it.

According to Christine Chinkin and Mary Kaldor (2017), however, ‘a problem with the Responsibility to Protect (...) is that the focus is on the much narrower conception of protection linked to the use of force, understood as war’ (p.225). They go on to argue that ‘wars always involve human tragedies and have long-term consequences for the way power and resources are allocated and exercised in the aftermath’ (ibid). This
argument is in accordance with the case of Libya and the aftermath of the intervention – a matter that will be developed in the next section of this chapter.

NATO’s actions not only went against the principles of the Responsibility to Protect, but they had internal and regional effects. The deviation from the primary goal of protecting the civilians evidence NATO’s aim to overthrow Gaddafi’s regime, ‘even at the expense of increasing harm’ to civilians in Libya (Kuperman 2013, p.197).

The risk of spillover effects from Libya were judged to be minimal and civil war scenarios were dismissed on the basis that Libya was perceived as a relatively homogeneous state, with no significant Sunni-Shi’a divide or any other societal cleavages that could be manipulated for political gains. Unfortunately, that general analysis was based on many misconceptions about what the rebels stood for and failed to take into account the distrust that permeated Libyan society and the large number of subtle societal cleavages and localized, historical conflicts that had lingered underneath Gaddafi’s dictatorial state. (Genugten 2016, p.159-60).

In addition, the promptness with which the military intervention was accepted and initiated in the core countries of the world system, and the way that it was conducted demonstrate how political and economic interests from stronger states delineate international community’s response and action when it conveys them24 – in this case, it was mostly Britain, France and the US, three countries that have a history of imposition and subjugation with Libya, until Gaddafi. The intervention exacerbated internal issues in the Arab country, consequent of its colonial and post-colonial scars, and only intensified the new issues created by the Arab Spring.

Ultimately, NATO’s intervention and the killing of Gaddafi left a power vacuum in the country that allowed other actors, such as violent extremist groups, to grow and gain power and space, and it also allowed the internal polarization to escalate to new levels. This is directly related to the intervention, since countries such as France, Qatar and the United Arab Emirates provided weapons and training (HRW 2012, p.600) to anti-Gaddafi rebel groups, for example.

24 “On a military level, it took two days between the adoption of Resolution 1973 and the imposition of the no-fly zone. By comparison, it had taken NATO twelve days to initiate operations over Bosnia two decades earlier. In this sense, Libya represents an important demonstration of what can happen when political will and operational capacity align.” (Adams 2012, p.17).
3.5. Libya post-Gaddafi

On 16 September 2011, at the request of Libyan authorities, the UN Security Council, through Resolution 2009, established the United Nations Support Mission for Libya (UNSMIL) in the country. The mission comes as an integrated special political mission in order to support the country’s transitional authorities in their post-conflict efforts. The mandate has been modified and extended eight times now, and has been monitoring and reporting on matters such as human rights and arms control.

As a young, modern and independent state, Libya is a creation of the United Nations (Adams 2012, p.7). Until 2011, the country had only had two long-term mandates, with King Idris (1951-1969) and Colonel Gaddafi (1969-2011). Both mandates left a weak political-social-economic structure in Libya, characteristic of many other African post-colonial states too, a result of their colonial histories that left deep structural problems that are continually reinforced by the capitalist world system.

Its history shows that the country has been and continue to be directly and indirectly influenced by external forces, that have helped shape Libya’s internal structures and its position in the world-system structure. The Arab Spring, the NATO intervention and the ongoing conflict (2011 to present) show that what Simons (1996) said about the history of Libya being ‘in part a bloody chronicle of slaughter and destruction at the hand of the foreigner’ (p.109) is still appropriate and reproduced by post-colonial and neocolonial relations.

As was the case around 1911, by 2011, “Libya” was considered a country at a crossroads; a place of importance because of its location and its natural resources, but also a place that can be easily manipulated and one where emerging powers can throw around their weight and experiment with their foreign policy objectives without too many repercussions. Libya, as a unified state remains a place that belongs neither here nor there. (Genugten 2016, p.163)

As we will continue to see in the following chapter, looking from the perspective of the ‘new wars’ allow us to understand how the Arab Spring in Libya escalated from pacific protests to violent conflicts, why the military intervention failed; why the following civil

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25 UNSMIL is an integrated mission, which means that all UN Agencies, Funds and Programs work in cooperation so that political, humanitarian and development fronts are complementary.
27 “There have been many explanations for the failures – the short-termism of politicians, the role of the media, which raises public consciousness at particular times and particular places, the lack of coordination
war broke out, how it is being perpetuated until this day, and what it generates. The humanitarian space, for instance, no longer exists in the new wars, and insecurity can no longer be contained as ‘violence has a tendency to cross borders not in the form of attacks by foreign enemies, but through terrorism’ (an activity that Gaddafi himself sponsored), ‘organized crime or extreme ideologies’ (Kaldor 2007, p.196).

Kaldor argues that in the new wars, a more political response is required, and ‘a new form of cosmopolitan political mobilization’ is needed, where both the international community and the local populations will be involved (2012, p.121). As long as the actors refuse to adapt the responses to this new form of organized violence predominant in the twenty-first century, there will, Kaldor argues, not be any success nor positive results from the response operations – on the contrary, the situation may deteriorate, as in the case of Libya after the NATO intervention.

The NATO intervention based on the Responsibility to Protect did not bring any structural change to Libya, on the contrary, it stimulated the advance of the conflicts in the country, that escalated to a civil war. In the aftermath of the intervention, the situation in Libya quickly deteriorated as polarization increased and a large number of militias arose in the middle of two governments. In addition, the humanitarian impact of the campaign exacerbated internal issues already existent.

Chinkin and Kaldor (2017) argue that the concept of the Responsibility to Protect does not ‘address the structural causes of genocide, crimes against humanity and ethnic cleansing’ but instead ‘accept their occurrence and is reactive’ (p.214). That is, the intervention in Libya did not install structural changes, which also explains why the intervention did not work and its effects did not last. At the root of the problem there appears to be an unwillingness on the part of powerful actors to address such structural socio-economic matters that are the cause for violence (ibid), because it goes against their own interests. Such was the case of Libya.

Chinkin and Kaldor identify the problem that the NATO intervention, based on the Responsibility to Protect, had legitimate humanitarian goals to protect civilians with
all measures necessary, and these goals were combined with the *means* and *methods* of war (2017, p.175). Therefore, they question whether it is right to use methods of war, that violate humanitarian norms, in the name of humanitarianism. They follow their argument saying that:

War in the name of humanitarianism tends to be conducted and authorized by the dominant powers giving rise to concerns that their interests matter more than the rights of those for whose protection they purportedly act. The challenge for the Human Security model (...) is how to develop ways to protect people from gross violations of human rights while at the same time conforming to human rights. (Chinkin & Kaldor 2017, p.176).

Even though Muammar Gaddafi implemented economic and social reforms, the political structure of the country was shaped around his person and the problem of human freedom persisted (Simons 1996, p.234; Adams 2012, p.7). The Libyan state eroded with the fragmentation and decentralization of the state apparatus, as a consequence of the disintegration of Gaddafi’s authoritarian and centralized mandate. The lack of a political structure was a challenge for the country after the killing of the 42-year-long leader and served as an open door to different armed groups in the country to gain power and to fight for power. This context invited the development of identity politics with new patterns of violence, that led to the rise of new social structures and a predatory social condition caused by the new modes of warfare.

The country’s crumbling structures, with the lack of government and judicial systems, help pinpoint Libya as a *failed state*. A failed state is a weak state that constitutes an environment of uncertainty and insecurity, especially for civilians, and is permissive to the growth of various non-state actors and to the reproduction of their illicit activities. The drastic change of the security architecture of the state and the emergence of new actors comes with the continually changing power-relations between them (Faber & Dekker 2014).

According to Fraihat (2016), ‘polarization in post-revolution states can stem from a variety of sources’, and in the case of Libya, it has ‘escalated to new levels, with various groups even justifying the use of violence’ (p.2). This served as a way of perpetuating the ongoing conflict and for violence to thrive, along with new markets and networks of this kind of organized violence – also known as the ‘new wars’ (Mary Kaldor 2012). In fact, Kaldor presents two possible responses for the new wars, one of them being *fatalistic*: ‘because the wars cannot be understood in traditional terms, they are thought to represent
With so many different armed groups around the country and so little governance or nationally respected institutions, violence kept flaring up all over Libya. The steep increase in the supply of weapons added another dangerous dimension to the situation, as militias initially fighting for liberation partnered up with illegal trafficking networks in illicit arms, migrants, drugs, and other contraband, as well as with jihadi and terrorist organizations. The desert hinterlands, porous borders, and the vast Mediterranean coastline provided a favorable environment for criminal and terrorist activities. (Genugten 2016, p.161).

Since 2011 and with the rise of the war in 2014, Libya has been one of the countries in which human rights have been and continue to be deeply violated both by state and non-state actors. Due to the close-to-non-existent judicial system, perpetrators of atrocities are allowed to act with impunity. In fact, state actors are also involved in human rights violations against civilians, and this scenario helps explain the increase of human insecurity for individuals – not only Libyans, but also foreigner workers and migrants in the country.
4. The Commodification of Migrants in Contemporary Libya

As we have seen in the literature referred to in the previous chapter, the humanitarian and security consequences of the NATO intervention are problematic, to say the least. Not long after the fall of Gaddafi, the revolutionaries turned against each other (Fraihat 2016, p.21), and in 2014 the conflict had been renewed throughout Libya, with the outbreak of a brutal civil war. The scenario of a civil war turned the country into disarray, and from this disorder emerged new networks and markets of illegal activities. Such networks and markets are involved in the turning of human beings into commodities, via smuggling, trafficking and irregular detention centers, for example.

The power vacuum consequent of recent events and lack of political and judicial internal structures serve as an incentive for migrants to use Libya as a transition country. However, because of this power vacuum and consequent emergence of illegal markets and networks, migrants – who are already a group exposed to vulnerabilities – find themselves trapped in and subjected to what is left of the governmental body and the various militia groups throughout the country. ‘The chaos allowed smuggling networks to thrive, suddenly opening up a lucrative market designed to profit off trading humans like other goods and commodities’ (Sakuma 2017).

Libya is one of the countries in which human rights of civilians have been and continue to be deeply violated both by State and non-State actors, especially with the fall of Gaddafi in 2011 and the outbreak of the war in 2014. A state that fails to protect and empower their own citizens, also fails to protect the rights of migrants, and the international community must take action in order to preserve the humanitarian space and protect human beings from extreme human rights violations when the government fails to do so.

As mentioned in chapter two, human security concerns people all around the world, and the threats to human security need to be increasingly understood as global issues (UNPD 1994, p.2). With the interconnectedness of the world today, events of any kind, besides transcending national borders and becoming regional and/or global, they bring significant consequences that affect several actors on different levels, such as the international community, the states and the individuals.

The historical framework presented in chapter three establishes a basis for understanding why and how migrants are using Libya as their transition or destination country. It also contextualizes the emergence of a setting that enables criminal groups to
thrive and turn migrants into commodities of the global war economy through the perpetuation of violence.

The present chapter is dedicated to analyzing how the failure of taking into account the logic of the new wars in the case of Libya brought deep consequences not only to the state, but most importantly to the individuals. The persistence of old war thinking ‘has undermined the potential of other models to achieve their security objectives’ (Kaldor 2012, p.33), and now people are faced with all types of insecurity: economic insecurity, food insecurity, health insecurity, environmental insecurity, community insecurity, political insecurity and personal insecurity (UNFTHS 2016). The core of this study is therefore to analyze the commodification of human life as a consequence of these wider issues.

During their migratory journeys, migrants are subject to different forms of danger and human rights violations, so the present chapter will focus on the issue of violation of the rights of migrants in contemporary Libya, referring to the security of individuals in the face of political violence and human rights violations (Kaldor 20017, p.183). This issue will be demonstrated by the description and analysis of the commodification of migrants in the country by practical examples.

The analysis of this chapter will start with an overview of the condition of migrants in contemporary Libya, followed by the introduction of the idea of commodification of migrants and the core argument that migrants have become commodities in Libya today. This commodification will be demonstrated and argued in the subsequent sections, with evidence on different forms of commodification of migrants, being the smuggling networks, extralegal or illegal seaway passages across the Mediterranean, detention centers, and human trafficking, exploitation and the slave auctions.

These four sectors of activity are part of an interlinked transnational migration system that structures human mobility in Northern Africa as well as between Africa and Europe. A focus on these particular areas is justified by the fact that they all demonstrate how this migration system is today connected to and in part governed by the dynamic of the new-war economy. This implies that all four sectors have a particular ‘migration infrastructure’ (Lin, W. et al. 2017) dominated by non-state actors and illicit or illegal economic transactions. In other words, they reveal how this economy is dependent on an extreme degree of commodification of migration, and human life itself, as we shall see below.
4.1. Migrants in Contemporary Libya

According to the Universal Declaration of Human Rights (UN 1948), all human beings have the right to life, liberty and security of person (art.3), and everyone has the right to freedom of movement and residence within the borders of each State (art.13). Migration is, therefore, a human right, and the rights of migrants are explicitly and implicitly expressed through international principles and standards, as mentioned in chapter two.

In the globalized world system of contemporaneity, migration is an issue of increasing importance on the national and international levels, and it is closely interrelated with human security. Migration needs to be tackled from regional and global perspectives in order to provide human rights and human security to all individuals, indiscriminately.

In relation to Africa, displacement appears as a major feature of the region, where migrants are moving within and out of the continent (IOM 2017a, p.45; 48). Among the push factors are wars and conflicts, violence, poverty, hunger, environmental and geopolitical crises – representing forms of human insecurity. The Commission on Human Security (2003) reported that ‘the importance of migration for protecting human security should be recognized, in particular for people fleeing serious human rights violations, persecution and violent conflict’ (p.7).

The New York Declaration for Refugees and Migrants (2016) is committed to the protection of human rights of all refugees and migrants, regardless of their status, and recognizes that migrants in vulnerable situations that do not qualify for international protection as refugees must have their needs met according to international law, especially international human rights law (paragraph 52, p.10), principally those migrants caught in situations of conflict, like in contemporary Libya.

Migrants in a country other than their own, which is itself affected by conflict, disaster, or other humanitarian crisis, may need particular assistance both to meet their security and humanitarian needs, and to return home or, in certain cases, to relocate or evacuate to transit or other States, especially if they do not enjoy effective consular protection. (UNHCR 2017b, p.3).

30 Economic factors are also increasingly on the agenda as a cause of migration. (OSAA 2005, p.12). But for those who are hopeful of employment opportunities in Libya, they also find discrimination, labor abuses and different forms of exploitation.
There are significant migration corridors within and from Africa that reflect post-colonial connections, considering geographic position, historical ties and displacement factors (IOM 2017a, p.46). North Africa, and most specifically Libya, serves as a migration corridor because of its strategic geographical position. For instance, the Mediterranean provides three main routes to reach Europe that are largely used by refugees and migrants: The Western Mediterranean Route (WER), the Central Mediterranean Route (CMR) and the Eastern Mediterranean Route (EMR).

These routes are mainly between Morocco-Spain, Libya-Italy and Turkey-Greece, respectively. There were other trajectories of these routes through the Mediterranean, but they were closed off over the last few years. Because of the ongoing conflict and violence in Libya and the surrounding subregions, migration flows in North Africa and through Libya have intensified in the last years, with Libya being the preferred transit country out of Africa (IOM 2017a, p.49). The region, however, ‘is confronted with protection challenges associated with irregular migration to Europe’ (ibid, p.50).

North Africa is primarily a migrant transit area, but ‘it also hosts notable populations of international migrants, including refugees’ (ibid). Libya, besides being historically a transit country for migrants, has the largest number of international migrants in the region. According to the UN’s International Organization for Migration (IOM), today there is an estimate of 700 000 to 1 000 000 migrants in Libya (2017b), coming from different regions of Africa and from beyond the continent, although the overwhelming majority are nationals from Sub-Saharan and North African countries. Today, 12 percent of the country’s total population is constituted by migrants.

The safety and welfare of migrants are compromised in many ways, and migrants can face several problems throughout their migratory processes (OSAA 2005, p.11). Due to their vulnerability, they become easy targets to criminal markets and may engage in precarious and illegal activities. Transit migrants are among the most vulnerable, because of their limited resources, like money and contacts. Sub-Saharan African migrants often face racism and xenophobia in Libya, placing them in a more vulnerable position (UNSMIL & OHCHR 2018, p.11). Racial discrimination turns black migrants into targets

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31 “Migration of North Africans to Europe and Gulf States continues to be a defining feature of the migration dynamics of the region, and one that has developed over several decades. Migration of North Africans to countries outside of Africa has been, and continues to be, much higher than migration to other countries within the subregion and within Africa. (…) Although the North African subregion is primarily a migrant transit area, it also hosts notable populations of international migrants, including refugees. Libya had the largest number of international migrants in the subregion, at over 770,000 in 2015.” (IOM World Migration Report 2018, p.49)
to insults, threats and physical attacks simply because of their skin color (Darme & Benattia 2017, p.122).

When traveling to and through Libya, the challenges that migrants may face can be related to the geography of the country as well as to the different actors they encounter along their journey. The crossing of the desert and the sea often include precarious means of transportation and harsh conditions that generally affect them physically with dehydration, exhaustion and injuries.33 Actors such as smugglers and armed groups may take advantage of migrants by means of extortion, mistreatment, kidnapping for ransom, robbery, beating and insulting (Darme & Benattia 2017, p.121).

According to the Migrant Vulnerability to Human Trafficking and Exploitation: Evidence from the Central and Eastern Mediterranean Migration Routes report (2017), from the regions of North Africa and the Middle East, Libya is appointed to be the country where migrants, that either use Libya as a transit country or their final destination, are the most vulnerable to be trafficked or exploited in different forms. Not only they go through arduous journeys to get to Libya, but once they get to the country, they find themselves trapped in inhumane conditions.

One of the reasons for this is that the deterioration of security in Libya enables the presence of criminal networks along the migration routes used by smugglers, making migrants vulnerable to attacks from diverse criminal groups (Darme & Benattia 2017, p.123). So, even though migrants count on the instability of the country as their gateway out of Africa, the lack of governmental and judicial structures actually work in favor of the militias and the criminal/illicit networks.

Militias and armed groups, often with links to competing governments, carry out arbitrary arrests and detention, torture and other ill-treatment, extrajudicial executions and other unlawful killings.

32 The presence of Sub-Saharan Africans in Libya increased during Gaddafi’s mandate, because of his expanding labor policies and opportunities, but black migrant workers were always subjected to racism and discrimination. From 2011 on, Sub-Saharan African migrants in Libya were accused of being mercenaries to parties of the conflict – an accusation that increased discriminatory practices and violent attacks against them (UNSMIL & OHCHR 2018, p.11).
33 Among the health complications migrants experience from the long journeys and prolonged exposure to the heat and the sun are sunburns, sunstroke, fatigue, malnutrition, and injuries from beatings. Most of them cannot access health services in transit countries, especially not the broken health system in Libya. (Darme & Berattia 2017, p.122; Zarocostas 2018).
34 “Extortion is also commonly practiced with victims being robbed, asked for more money than originally agreed on, southwestern farms, or abducted for ransoms of several thousands of dollars. Traffickers reportedly hold them captive in isolated locations until they pay the requested sum. Refugees and migrants are told to call relatives to ask them to transfer the money through hawala or smuggling intermediaries and they are often mistreated while on the phone. Those who cannot pay may be shot, sold or enslaved” (Darme & Benattia 2017, p.122).
indiscriminate attacks, enforced disappearances, pillage and appropriation of property, and attacks on medical facilities and personnel. (OCHA 2018, p.13)

According to OCHA (2018, p.23), there is now an estimate of 823,000 people in need of humanitarian assistance in Libya, of which 50 percent are refugees and migrants. The estimative considers the sectors of education, food security, health, protection, shelter and non-food items (NFIs), and water, sanitation and hygiene. Health and protection appear as the sectors that migrants need most support with. IOM urges for the development of a comprehensive response that addresses the lack of rule of law, the proliferation of smuggling, trafficking in persons and human rights abuses against migrants.

In countries that are already affected by conflicts and are internally fragile, large flows of immigrants compromise the already deficient security and stability in the country and the region (OSAA 2005, p.11). But despite the high insecurity that migrants may encounter in Libya, the country continues to receive large flows of refugees, asylum seekers and migrants. The next section of this chapter will develop the argument of the commodification of migrants as a consequence of this high insecurity. The subsequent sections will analyze existing evidence of forms of commodification of migrants in Libya, with the smuggling networks, the Central Mediterranean Route, the detention centers and the human trafficking networks that englobe exploitation and the slave trade.

4.2. The Commodification of Migrants

A commodity is a useful and/or valuable material that can be bought and sold. The commodification of human beings is a dehumanizing action through the take of advantage of a person’s insecurities and the turning of them into disposable tools of this system for means of financial gain (Bales 1990). The level of vulnerability of a person indicates the prospects of them being commodified (ibid), which is the case of migrants in Libya.

The present research argues that commodification of human life is part of this new global war economy, and this hypothesis will be sustained throughout this chapter with the analysis of the different forms in which migrant life is being commodified in contemporary Libya. One of the aspects that sustain the ongoing conflict in Libya, according to the logic of the new wars, is the new global war economy. The parallel economy that finances the war further spreads criminality and weakens the rule of law,
creating a vortex of violence, strengthened by political and economic interests (Beebee & Kaldor 2010, p.37), helping explain why contemporary conflicts are so difficult to end.

As Wallerstein points out, and as many economists before him have stressed, capitalism cannot function without markets (2007, p.25), so it is understandable that the global war economy comes from instability and violence and creates new illegal and criminal markets with people trying to make their way through an unstable situation. The presence of such markets can therefore be considered as a sign of systemic crisis of the capitalist world-system, meaning that it is a problem that has taken such proportion, that the system can no longer resolve (ibid).

Among the criminal activities reproduced by this spiral of violence from the global war economy are looting, pillaging, smuggling, trading in drugs, people, or valuables (ibid). Hostage-taking, black market and external assistance are other forms of finance, that can come from ‘remittances from the diaspora, taxation of humanitarian assistance, support from other governments or illegal trade in arms, drugs or valuable commodities such as oil or diamonds or human trafficking’ (Kaldor 2012, p.10).

Since the state’s formal economy has crumbled (along with the political and legal structures), the armed groups in Libya finance themselves through the activities mentioned above, characteristic of the new wars’ parallel economy. The logic of this economy relies on the continued violence and has a tendency to spread across borders through migrants or organized crime or ethnic minorities.

The issue of commodification of migrants in Libya as a result of the structure of the new global war economy and the deteriorated internal political and judicial structures is explicitly recognized in various reports and literature about the current situation in Libya, for example:

This climate of lawlessness provides fertile ground for thriving illicit activities, such as trafficking in human beings and criminal smuggling, and leaves migrant and refugee men, women and children at the mercy of countless predators who view them as commodities to be exploited and extorted for maximum financial gain. (UNSMIL & OHCHR 2018, p.5).

Migrants have become a commodity to be captured, sold, traded, and leveraged. Regardless of their immigration status, they are hunted down by militias loyal to Libya’s U.N.-backed government, caged in overcrowded prisons, and sold on open markets that human rights advocates have likened to slave auctions. (Tinti 2017).
In this study, the different patterns of commodification of migrants in Libya are represented by the smuggling industry, the Central Mediterranean Route, the detention centers and the human trafficking networks, that also include exploitation and slave auctions. These networks represent the systematic human rights violations and abuses suffered by migrants at the hands of state officials, smugglers, traffickers and armed groups (Amnesty International 2018).

There are, therefore, actors that control and benefit from the commodification of migrants, and this analysis will follow at the end of each of the following sections of this chapter. These groups have found in migrants a form of finance, and they continue to control much of the flow of migrants with impunity due to the lawlessness in Libya (GDP 2018, p.6) – and this context continues to defy human security and the human rights of migrants in contemporary Libya.

4.3. The Smuggling Networks

The smuggling of migrants is a perfect example of the commodification of human life. The smuggling networks are in constant evolution and can take many forms. In Libya, these networks continue to increase, turning it into an ‘industry’ of the global war economy. According to UNHCR (2018), almost all migrants going to Libya irregularly seek the help of smugglers or criminal networks, that see them as commodities to exchange, sell and buy (Darme & Benattia 2017, p.122). This way, migrants find themselves at the mercy of their smugglers and drivers throughout their migratory journeys.

The subject of smuggling of migrants, an axis in the case of contemporary migration in Libya, is specifically established by the Protocol Against the Smuggling of Migrants by Land, Sea and Air (2000a), supplementing the United Nations Convention Against Transnational Organized Crime, meaning that the Protocol needs to be interpreted together with the Convention. The Protocol is ratified by Libya, and it shows concern at the ‘significant increase in the activities of organized criminal groups in smuggling of migrants’ and at the fact that ‘the smuggling of migrants can endanger the lives or security of the migrants involved’ (p.1).

The purpose of the protocol is to ‘prevent and combat the smuggling of migrants (…) while protecting the rights of smuggled migrants’ (art.2, p.2). They signify the meaning of ‘smuggling of migrants’ on article 3:
“Smuggling of migrants” shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident (art.3) (UN 2000a, p.2).

The word “smuggler”5 refers to someone who assists people in an irregular situation to move from a country to another without the required documentation in exchange for money. People usually pay smugglers because they know the routes and have the connections to help them transit. (Darme & Benattia 2017, p.73).

The smuggling networks in Libya continue to increase, undergo rapid expansion and become a more professional industry due to the constant migrant flow striking Libya. It has then become a booming ‘industry’ of the global war economy controlled by several armed groups and seeing in migrants simply commodities to be exploited for financial gain (Tinti 2017).

Smuggling is a multifaceted dynamic phenomenon in constant evolution, and smuggling networks can take many forms and involve several stakeholders and intermediaries, varying in types and numbers (Darme & Benattia 2017). The smuggling and trafficking businesses are often dominated by armed groups, and their profiles vary according to their tribal backgrounds, the region they are from and the part of the journey that they participate in (ibid, p.81). Smuggling and trafficking, however, are two different things, as smuggling does not necessarily involve deception, coercion, exploitation or any violation of human rights.

Even though smugglers can also be involved in such actions, they often attribute violence against migrants to other actors present along the routes, such as armed groups and bandits (ibid, p.76). Along the Center Mediterranean Route in Libya, however, UNHCR registered that smugglers ‘often take advantage of people’s vulnerability by imposing high prices, restricting their freedom of movement and knowingly using unsafe modes of transportation to maximize profits’ (Darme & Benattia 2017, p.74), and they may also engage in violent treatment. In such cases, smuggling can become trafficking (ibid).

5 Informants for this study have suggested that the term “smuggler” is a “Western” concept, and they often consider themselves as “facilitators” and/or “saviors”, but not criminals. In Libya, smugglers usually self-identity as “transporters” or “service providers”, emphasizing the utility of the services they provide. (Darme & Benattia 2017, p.76).
The increasing violence by smugglers and the prices of the journey are associated with ‘the intense competition in the sector and the search for higher profits’ (ibid, p.77). In essence, the costs vary according to the migrant’s nationality, economic status, level of service required, and the smuggling network used. With the professionalization of the industry, several payment mechanisms are used. In the past years, the prices of the routes to and inside Libya have increased by at least 30 percent, according to UNHCR (Darme & Bennattia 2017, p.84).

The smuggling networks can be highly-structured and hierarchic transnational organizations as well as informal networks that are loosely-connected and horizontal (ibid 2017). Because of its multifaceted form, it is difficult to make generalizations regarding the smuggling business, though it is possible to understand that the smugglers are the main beneficiaries of this business and the ones in control. This control, however, seems to be more volatile, in accordance with the “market” and its supply-demand. They see themselves as “service providers” (ibid, p.76), but they may also take advantage of migrants’ vulnerability for their own profitability – ignoring migrants’ needs and security and envisioning the profits that come with their commodification.

4.4. Across the Mediterranean

The Mediterranean provides three main routes to reach Europe that are largely used by refugees and migrants: The Western Mediterranean Route (WER), the Central Mediterranean Route (CMR) and the Eastern Mediterranean Route (EMR). The Central Mediterranean Route is the main route for migrants coming from Africa. It is the preferred gateway for irregular movement from Libya to Europe, even though it is also known to be the deadliest (Darme & Benattia for UNHCR 2017, p.46).

36 “Population flows from West Africa are generally less structured than flows from East Africa. Movements from East Africa to Europe started several decades ago and diaspora networks are well developed, making the trip better organized and quicker. People smuggling from West Africa to Europe through Libya, on the other hand, emerged with the fall of Gaddafi in 2011 and usually involves a much longer and more improvised journey, including several extended stopovers in transit along the way.” (Darme & Benattia 2017).

37 The Western Mediterranean Route connects Morocco to Spain, the Central Mediterranean Route connects Libya (it also left from Egypt, Tunisia or Algeria) to Italy, and the Eastern Mediterranean Route connects Turkey to Greece. Most of the routes have been closed off in the past years. (Darme & Benattia 2017, p.46-8)
According to UNHCR data, the profile of migrants on the CMR are of young men (80%), on average aged 22, travelling alone (72%) (Darme & Benattia 2017). This route presents the most diverse migration flow, with people coming from dozens of different countries, with different backgrounds and motivations. The individuals can be refugees, asylum seekers, economic migrants, unaccompanied minors, environmental migrants, victims of trafficking, stranded migrants and so on. Nonetheless, the main push factors for these migrants were reported to be war, conflict, politics, joblessness and poverty in their home countries (OCHA 2018, p.32).

IOM (Galos et al 2017) has detected that migrants who go through the CMR are more vulnerable to exploitation and human trafficking, and that West African migrants are the most likely to be vulnerable in their migratory journey due to racism and discrimination (OCHA 2018, p.14). In addition, migrants that leave their countries of origin due to conflict, war or national disasters are predicted to be more vulnerable to being exploited and trafficked than migrants who left due to other push factors.

According to the UNHCR report *Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges* (Darme & Benattia 2017), smuggling operations at sea are organized differently than those on land, mostly because of the higher capital costs.
of operation that include accommodation, the purchase of supplies and equipment for the trip (p.79). Prices may also vary based on the needs to fill up the boats, with discounts being offered for the last spots (p.84), and in some cases, migrants ‘exchange their work for discounted or free transportation to Europe’ (p.80). The crossing is so unsafe that smugglers do not lead the trip – they ‘usually show one of the intended passengers how to drive the boat and hand over basic equipment’ (ibid).

A sea trip will begin when a group of 80 to 100 people is assembled. They are charged approximately LYD 1,200 – 1,500 (USD 200 – 250) for both accommodation and the sea crossing itself. Rubber dinghies bought at the local market are the standard form of transportation but if these are not available or have become more expensive then smugglers might increase ticket prices. Smugglers buy new rubber boats for each departure, and report paying between LYD 26,000 – 28,000 (USD 4,333 – 4,666) for one. As an ISS study pointed out: “For smugglers, both the migrants and the rubber boats they are loaded onto are disposable and their fate inconsequential.” (Darre & Benattia 2017, p.80).

The Central Mediterranean Route was used to reach Italy by approximately 630,000 people between 2011 and 2016. In 2016, CMR was the deadliest route for irregular migrants in the world, with an estimate of over 4,500 fatalities and missing migrants (IOM 2017, p.72). Those who attempt to cross this route ‘are likely to be beaten, robbed, assaulted and detained if they are intercepted (inland or at sea) by either non-State armed groups or State authorities’ (OCHA 2018, p.14).

A downward trend in fatalities and arrivals in Italy was registered in 2017 and 2018. Despite the decrease in arrivals in 2018, the journey has become more dangerous: in 2017, one in 43 people died crossing the Mediterranean Sea, while in 2018 one in 18 people died in the crossing (UNSMIL & OHCHR 2018, p.12). The decrease in arrivals is a result of the European Union and its Member States’ efforts to control and contain mixed migration flows to the continent.

In cooperation with the Libyan Coast Guard (LCG), the European Union managed to transfer search and rescue operations in international waters to the LCG, and to restrict the work of humanitarian rescue vessels (ibid, p.13). With this, the individuals

38 The Libyan Coast Guard (LCG) is part of the Libyan Navy and operates under the Minister of Defense (UNSMIL & OHCHR 2018, p.13).
39 “The European Union’s migration strategy in Libya includes close cooperation and support to countries of origin and transit; capacity building of Libyan institutions; and support to United Nations agencies and NGOs operating in Libya and in migrants’ countries of origin” (UNSMIL & OHCHR 2018, p.19).
rescued by the LCG ‘in Libyan and, increasingly, in international waters’ (OHCHR p.17) are taken to Libya. The increase of control along the Libyan coast and from the EU and most specifically Italy resulted in a diversification of migration trends and in more dangerous journeys. Besides, the measures taken contributed to the increased death rate of migrants at sea and ‘impacted the life-saving work of defenders of the human rights of migrants and refugees’ (ibid).

On 22 June 2015, the European Union launched the naval operation ‘Operation Sophia’ with the aim to disrupt the business model of human smuggling and trafficking networks and to prevent further loss of life (UNSMIL & OHCHR 2018, p.14). The operation should also monitor the effectiveness of training provided to the LCG (ibid). Its mandate was extended in 2016 and 2017 (until 31 December 2018). In March 2019, the mandate was extended again until 30 September 2019 (Council of the EU 2019).

While Operation Sophia has rescued 44,916 people since 2015, neutralized 551 boats and apprehended 151 people from international waters, LCG intercepted over 14,000 people only in 2018 (UNSMIL & OHCHR 2018, p.14). The consequences of the EU operation to individuals is very high and contradictory to Operation Sophia’s initial aims. Since those rescued by the LCG are taken to Libya, migrants are at a higher risk of being subjected to human rights violations and abuses when returned to Libya.

This shows that in reality, the European Union interventions have failed to improve the conditions and the security of migrants. Returning to Africa, the violations and abuses that they may suffer include ‘prolonged arbitrary detention in inhumane conditions, torture and other ill-treatment, unlawful killings, rape and other forms of sexual violence, forced labor, extortion and exploitation’ (ibid, p.17).

The analysis of the commodification of migrants via the Central Mediterranean Route can be made considering direct and indirect actors and their interests. In essence, both ways want to preserve their interests and take their own benefits from the migrants’ situations, without taking into account – or rather not caring about – what happens to the individuals. This demonstrates how these migrants’ lives are disposable for various actors that are looking for financial and political gains.

An evaluation of the documents and policies here presented, show that the smuggling industries, however they are organized, formal or informal, are the ones regulating the market for the CMR. Thus, they are the ones who directly control and

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40 Those who are and were rescued by European Union and foreign vessels in international waters were taken to Italy and other European ports (UNSMIL & OHCHR 2018, p.17).
benefit from the commodification of migrants in the CMR by taking advantage of the migrants’ vulnerabilities and profiting as much as they can from the migrants’ desire to leave Africa. The ways in which the smugglers dispatch migrants, in overcrowded and improper boats, without a professionally instructed person to conduct it, demonstrates how disposable the migrants’ lives are.

Indirectly, there is a breadth of actors that benefit from the migrants’ vulnerabilities in the Central Mediterranean Route, such as the EU, Italy, the GNA, LCG, armed groups and smugglers. The European Union and most specifically Italy benefit and control the CMR indirectly, through various actions such as the naval operations like Operation Sophia, the partnership with the Libyan Coast Guard and the bilateral and multilateral agreements of Italy and the EU with the GNA, besides funding projects.

Some of these actions were shortly developed in this chapter to provide a better and more coherent understanding of the different actors somehow involved in the CMR. Once migrants are rescued in international waters and taken back to Libya, they are sent to detention centers, meaning that armed groups, smugglers and Libya’s government actors also end up benefiting from the CMR. How these actors have control over migrants and benefit of the detention centers business will be developed in the next section.

4.5. The Detention Centers

Immigration detention centers already existed during Muammar Gaddafi’s government, and they were managed by the Passport Investigation Department. In 2012 they became responsibility of the Department of Combatting Illegal Migration (DCIM), with a mandate by the Ministry of Interior of the Government of National Accord (GNA)41 to manage the ‘sheltering centers’42 (UNSMIL & OHCHR 2018, p.38).

With the increasing flow of migrants, the lack of judicial structure in Libya and the rise of numerous armed groups, detention centers have turned into a growing market for criminal networks in the country making use of the commodification of migrants and other vulnerable groups to obtain financial gain. The commodification of migrants is a way that the different groups in contemporary Libya found to sustain the war economy

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41 The Government of National Accord (GNA) is an internationally recognized, UN-backed government that began operating from Tripoli in April 2016. (UNSMIL & OHCHR 2018, p.10).
42 ‘Sheltering centers’ is how immigration detention centers are officially called.
and the vicious cycle of violence – thus, migration-related detention centers have become a source of finance of this economy and its market has only grown since 2011.

In October 2011, Amnesty International (AI) released the report *Detention Abuses Staining the New Libya*, with findings from the organization’s visits to 11 different detention facilities between August and September of that year. Armed militias opposed to Colonel Gaddafi captured and detained thousands of people without legal orders and subjected them to extreme human rights abuses, violating national and international laws, but still got away with impunity.43

Sub-Saharan African and black Libyans appeared as the most vulnerable groups to being arbitrarily detained as a result of racism and discrimination.44 They were called ‘slaves’ and largely reported as being mercenaries for Gaddafi forces, when in reality many of them were migrant workers. According to AI, between a third and a half of the detainees were foreign nationals, mostly from Sub-Saharan Africa, and most of them were captured at home or at checkpoints, not in battle (2011, p.8). In these facilities, detainees were largely vulnerable to torture and other ill-treatment.45 Even though threats and insults were said to be frequent, the risk of abuses tended to decrease after the initial days (ibid, p.14).

Seven years later, in 2018, UNSMIL and OHCHR released the report *Desperate and Dangerous: Report on the human rights situation of migrants and refugees in Libya*, revealing that the patterns of violence and human rights violations in migration-related detention centers not only are the same from 2011, but have become worse. The actions include arbitrary and indefinite detention (without legal grounds), torture and other ill-treatments, inhumane detention conditions46 (that can also amount to torture), sexual

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43 Amnesty International registered that in the visited detention facilities, prison administrators ‘had little legal knowledge or expertise in running detention facilities and were unfamiliar with international human rights and humanitarian law’. AI also found that the treatment of detainees depended largely on the guards on duty, as some detainees said that some guards treat them with dignity while others abuse them. (2011, p.14).

44 Discrimination against Sub-Saharan African detainees was also noticed inside the facilities in comparison with Libyan nationals.

45 “The most frequently reported methods of torture and other ill-treatment included beatings all over the body with belts, sticks, rifle butts and rubber hoses; punching; kicking; and death threats” (Amnesty International 2011, p.15).

46 “While conditions across DCIM detention centers vary, they are generally inhuman, falling far short of international human rights standards. In several centers, migrants and refugees are crammed into hangars or other structures unfit for habitation, characterized by overcrowding, poor hygiene, inadequate lighting and ventilation, and insufficient access to washing and sanitation facilities” (UNSMIL & OHCHR 2018, p.42).

It is difficult to be assertive of the number of existing detention centers, since the situation is constantly evolving, with facilities being closed and new ones being opened all the time (Darme & Banattia 2017, p.129), but UNSMIL and OHCHR reported the existence of 26 formally functioning detention centers. Some of them had been controlled by armed groups before being formally integrated into the DCIM, but in practice, several of them continue to be controlled by armed groups as DCIM has less and less control over the functioning facilities. The control exerted by the armed groups over formal and informal detention centers illustrates the ‘lucrative people-smuggling business’ (AI 2018, p.243) developed in Libya.

The problem of governance in contemporary Libya reflects directly in the insecurity of individuals. The political situation and high instability in the country has heavily affected DCIM’s jurisdiction and the department is facing both structural and budgetary issues (Darme & Benattia 2017, p.129). Militias, on the other hand, find strength in the political turmoil, especially in the UN backed government and the European Union efforts to prevent migrants from arriving in the continent (Tinti 2017).

As a consequence of the EU efforts, the number of detainees has drastically increased from 2017 on, leading to severe overcrowding and exacerbating already dire conditions (OHCHR 2018, p.39). In 2017, it was estimated that up to 20,000 people were held in detention centers in Libya run by the DCIM – this number also includes those detained by the Libyan Coast Guard (Amnesty International 2018, p.243). Since the militias exert more control over both legal and illegal detention centers, migrants are also more prone to encounter worst conditions in the detention centers and to being at the mercy of criminal groups such as smugglers and traffickers – migrants are also being sold from one group to another (HRW 2018, p.364).

Not only the government does not have the resources to actually implement law and order and safeguard individuals’ security and rights, but it seems like it is not in their interest, nor in the interests of international actors such as the European Union. Human rights organizations continue to heavily criticize the situation in Libya, and international

47 “Detention conditions exacerbate detainees’ pre-existing medical concerns and lead to the spread of skin infections, including scabies, as well as respiratory tract infections, gastro-intestinal problems and urinary tract infections” (UNSMIL & OHCHR 2018, p.42).

48 Each of the detention centers belong to different armed groups (Darme & Benattia 2017, p.129).
organizations such as the International Organization for Migration and the UN Refugee Agency have taken some sort of actions in their hands.

For instance, the IOM is assisting in the ‘voluntary return’ program, especially from detention centers, having returned thousands of nationals to their home countries in the past years (AI 2018, p.243). The UNHCR continues to advocate with Libyan authorities to find alternatives to detention and to ensure that the basic needs are met inside the detention centers (2017a, p.15).

In this section it is possible to identify, through the analysis of existing documents on the migration-related detention centers and their conditions, that the main beneficiaries of this business are the various armed groups in the country. They are mainly the ones exerting control over formal and informal facilities, and they have turned this into a lucrative people-smuggling business, as mentioned before. They profit off migrants not only by extortion and robbery, but also by engaging with other actors, such as smugglers and traffickers, in the selling of migrants from one group to another. Here, migrants are literally sold as commodities between the criminal groups of the parallel economy (UNSMIL & OHCHR 2018, p.26).

These actions can implicate in the trafficking and exploitation of migrants, besides providing for the slave auctions being held in Libya – matters that will be further developed in the next section. In addition, the GNA and the EU efforts to hinder migrants from arriving in Europe endorse and worsen the already inhumane conditions in the detention centers and strengthen the armed groups’ influence in the country. The armed groups find in the EU’s political interests a way of safeguarding their migrant-commodifying lucrative business.

4.6. Human Trafficking, Exploitation and the Slave Auctions

The subject of trafficking in persons is accounted by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime (UN, 2000b). Ratified by Libya the protocol acknowledges the lack of a universal instrument that addresses all aspects of trafficking in persons (p.1) and the need for a comprehensive international approach in origin, transit and destination countries in order to take effective action in the prevention and combat of trafficking in persons.
The protocol shows explicit concern with the protection of the internationally recognized human rights of victims of trafficking in persons. According to article 2, the purposes of the protocol are: ‘to prevent and combat trafficking in persons, paying particular attention to women and children’, ‘to protect and assist the victims of such trafficking, with full respect for their human rights’ and ‘to promote cooperation among States Parties in order to meet those objectives’ (p.2). In article 3, it defines “trafficking in persons” and “exploitation”:

“Trafficking in persons” shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

Like the smuggling networks mentioned in section 4.3., trafficking networks are constantly increasing due to the structural human insecurity in Africa and most specifically the political-socio-economic scenario in contemporary Libya. They are more and more becoming transnational and acquiring a hierarchical character, and migrants in the region are increasingly vulnerable to different forms of exploitation and trafficking by criminal networks. The high cost of the “packages” offered by them results in large debts, consequently increasing the risks of coercion and exploitation (Darme & Benattia 2017, p.74).

Research and operational experience have shown that migrants transiting through crisis areas, as well as stranded migrants and displaced population, are at a particular risk of trafficking and resort to unsafe migration (IOM, 2015). During a crisis, there is an increase in the number of people whose protective factors are diminished, leaving them more vulnerable to risks such as exploitation and abuse. A demand for these vulnerable populations, combined with a breakdown of State institutions, provides criminal groups with the opportunity for exploitation. Situations of crisis can transform individuals who would not normally be seen as at risk of being targeted into vulnerable ones. The problem of trafficking, however, is often overlooked in crisis situations. (Galos et al for IOM 2017, p.5).
Establishing that there are many forms that vulnerability can arise in the migration context, in the report *Migrant Vulnerability to Human Trafficking and Exploitation: Evidence from Central and Eastern Mediterranean Migration Routes* (2017), IOM’s primary and specific concern is with the vulnerability of migrants in relation to human trafficking, exploitation and abuse. This vulnerability is greater in some post-colonial African and Middle Eastern countries and more specifically crisis-affected communities such as Libya.

As mentioned in section 4.4., migrants who go through the CMR are more vulnerable to exploitation and human trafficking, and migrants that leave their countries of origin due to conflict, war or national disasters are predicted to be more vulnerable to being exploited and trafficked than migrants who left due to other push factors (OCHA 2018, p.14). The lack of documents, of social and economic networks and of inclusion in crisis preparedness plans are factors that increase vulnerability throughout the migration journey (Galos et al 2017, p.6).

The vulnerability of Sub-Saharan Africans to being trafficked and exploited along their journey is high due to factors such as racism and discrimination, lack of documentation and the fact that they largely come from crisis-affected countries. Beyond being called ‘*abidat*’, that means ‘slaves’ in English, black migrants are being sold in slave markets in Libya (UNSMIL & OHCHR 2018, p.11-12). On 14 November 2017 a slave auction in Libya was broadcasted worldwide by CNN with captured Sub-Saharan migrants being sold as slaves, displaying a new form of slavery.

CNN was informed of other nine auctions, mainly in the northeast of the country, but not much is known about these slave actions other than the fact that they are run by militias and smugglers, and that the authorities seem to be conniving to them (Collins 2018, p.17). The new slave trade in Libya has been widely condemned by the international community, like the United Nations Secretary-General, individual governments all around the world and international organizations (Asongu & Kodila-Tedika 2018; UNSMIL & OHCHR 2018), but not much has been done to change the circumstances in which migrants are found in Libya.

According to Bales (1990), modern slavery is a booming business that focuses on ‘big profits and cheap lives’; it is about controlling people completely and turning them into slaves by the ‘final authority of violence’, meaning that when someone buy slaves today (an action that is illegal everywhere), they gain control over these slaves, and they use of violence to maintain this control (p.5) for purposes of exploitation (p.20). The
criterion for enslavement today is the vulnerability of the person (p.10) – explaining why migrants are easy targets to this business. Regrettably, the capitalist world system facilitates this business since the morality of money appears to override other concerns, and the biggest motive is economic gain.

Human trafficking often leads to exploitation of the trafficked persons, and in the case of Libya, it has also opened doors for the outrageous business of slave auctions, with migrants being openly sold as slaves in the twenty-first century. As mentioned before, not much is known about these auctions other than the fact that they are run by militias and smugglers. From the analysis of the empirical data on the subject, it appears that these are the actors who seem to generally benefit from the trafficking networks as well.

4.7. Evaluation of Analysis

The four sectors of activity presented in this chapter from sections 4.3. to 4.6., illustrate the reality of migrants in Libya, and they are part of an interlinked transnational migration system that structures human mobility in Northern Africa as well as between Africa and Europe. The focus on these particular areas is justified by the fact that they all demonstrate how the migration system in Libya is today connected to and in part governed by the dynamic of the new-war economy, revealing how this economy is dependent on an extreme degree of commodification of migration, and human life itself.

We see that in Libya, where the state presence is weak, armed groups have taken control over territories and markets across the country – a characteristic of the new wars. They have done so by the use of further violence, the spread of terror and engagement on crime and human rights violations (Kaldor 2012). The decentralization of the new globalized war economy has created a new class of war profiteers, largely constituted by profitable transnational criminalized networks (Chinkin & Kaldor 2017), as mentioned in chapter two and demonstrated in the present chapter.

This new class of profiteers take advantage of the high insecurity predominant of countries like Libya, that are already internally fragile and affected by conflicts and constitute ways of legitimizing shadowy forms of activity in the emergent parallel economy. The different forms of commodification of migrants in Libya illustrated in this chapter prove that the goal of these networks is the financial gain through the continued violence, explaining the continual innovation and renovation of the sectors presented here.
Kaldor says that displaced persons are a typical feature of contemporary crises and that they are victims of both physical and material insecurity (2007, p.183). What we see in the commodification of migrants through smuggling networks, across the Mediterranean, in the detention centers and with trafficking and exploitation networks is that migrants’ insecurity can no longer be contained, as violence against them is crossing borders in the most grotesque ways.

This analysis also needs to be understood in the context of globalization and the system of inequalities sustained on different levels by the capitalist world-system. Globalization involves the trans-nationalization and regionalization of governance and of the parallel economy of the new wars (Kaldor 2012), and with the interconnectedness of the world, issues such as migration and the violation of migrants’ rights to human rights and threats to human security spill over borders and must be tackled from a regional/global perspective.

All in all, the present analysis takes into consideration the new-war economy in relation to the individuals through the study of the different forms of commodification of migrants in Libya. Through this analysis, we are able to partly or fully answer some of the research questions, understanding how the conflict in Libya is being perpetuated by the parallel economy that finances the continued violence and spreads criminality; they find strength in the weak internal structures of the failed state and the lawlessness present in the country.

The characteristic criminal networks and the illegal activities of the new wars have a human cost, here seen as the commodification of migrants in Libya, where migrants are many times dehumanized and turned into disposable tools of the system of exploitation, for financial gain (Bales 1990). We have also tried to answer who controls and benefits from the commodification of migrants, finding that the control and benefits can take national, regional and global grounds.

Human security and the rights of migrants are therefore being challenged by the different forms of commodification of migrants developed in this chapter. Through the analysis of the phenomenon of the migrant as a commodity as essentially defying the normative concepts of human security and migrants’ rights, we observe evidences of the gross contrast between normative policies and the reality of these migrants in Libya. This will be further developed in the next chapter, with the concluding remarks.
5. Conclusion: The Bleak Reality vs. The Normative Concepts

As mentioned in chapter one, the present study is a theoretical research and an empirical investigation that aims at analyzing how human security is being defied in contemporary Libya through the commodification of migrants in the country. The study was divided in five chapters following a clear structure, developing a theoretical study and an empirical investigation in order to prove the hypothesis and answer the research questions introduced in chapter one.

While chapter one introduced this research, chapter two established the theoretical framework of the study, trading new ground and combining the theoretical concepts of ‘world-system’ and ‘new wars’ with the normative concepts of ‘human security’ and ‘migrants’ rights.’ Chapter three presented a historical framework of Libya, from its pre-colonial times until the post-Gaddafi era, being contemporary Libya. This analysis enabled an understanding of how and why Libya, as a post-colonial African state, present high internal instability and nourishes shadowy forms of activity that challenge the rights of migrants on several fronts.

Chapter four uncovered four forms of commodification of migrants that represent the threats to human security and human rights that migrants encounter in contemporary Libya. In this analysis, the bleak reality that migrants face in the country reveals that they are part of an interlinked transnational migration system with the purpose to profit off their physical and material insecurity. Chapter five is the present and last one, where the concluding remarks will be made in relation to the research as a whole and in an attempt to successfully prove the hypothesis of this study and answer the research questions.

As we have seen, the contemporary world-system promotes and strengthens uneven relations and systems of exploitation on global, regional and national levels. The inequalities between and within states are perpetuated through the maintenance of hierarchical relations established by colonialism and reinforced by imperialism and neocolonialism. This asymmetric global structure strengthened by the process of globalization indicates how the contemporary world-system is filled with instability and systemic crises (Wallerstein 2007). The maintenance of this structure creates new predatory scenarios, especially in the periphery states, that can be unraveled by violence, conflicts and the exploitation of individuals.

Stronger states tend to pressure weaker states in different ways in order to maintain this structure and continue benefitting from unequal relations, taking advantage
of weaker states for their own gain. These strong states are also the ones controlling the world-system, making it even easier for them to intervene in the internal affairs of weaker states (Wallerstein 2007). Through the analysis and development of the Libyan history in chapter three, we can identify the pattern of imposition and intervention of stronger states in the internal affairs of Libya throughout its history. This analysis allows us to perceive how the world-system structure and the patterns of hierarchical international politics were and continue to be imposed and reproduced in the country.

Taking into consideration contemporary Libya, the fall of Gaddafi was sponsored both indirectly and directly by international actors, most precisely by Western states. It was done so directly by the NATO intervention and its ambiguous goals under the Responsibility to Protect, and indirectly by the sponsorship of armed groups by some countries, such as France, that provided them with weaponry, as seen in chapter three. Therefore, the current situation of high polarization, violence, instability and the emergence of criminal networks and new forms of shadowy activities, is a direct consequence of unaccountable foreign intervention in the country.

While the NATO operation had a mandate to protect civilians, not only it ended up committing humanitarian law and human rights violations, but it also left the country in a deplorable and extremely insecure situation for civilians in the post-Gaddafi era (HRW 2012; Kuperman 2013; Adams 2012). Thus, in practice, the intervention aggravated violence against civilians, intensified regional and national polarization and created a favorable space for the emergence and strengthening of various armed groups.

Libya’s history shows that the country has always been a central subject of dispute to external actors, having suffered direct and indirect influences by them that designated the shape of the country’s internal structures, or lack of. In understanding this framework, we are able to situate the context of contemporary Libya and understand the root causes for its internal conflicts and instability and their consequences, such as the new global war economy, approached in this study. The root causes for human insecurity in contemporary Libya can therefore be understood in a historical context of foreign interventions and in the context of the dominant capitalist world-system controlled by stronger states.

The history of intervention in internal affairs of Libya shows that the country has internal structural problems in relation to governance too – problems that were only deepened by the NATO intervention and the consequent outbreak and perpetuation of war. Since governance is very important to the establishment of human security, Libya’s
struggle in this affair appears as a root cause for human insecurity as well. These elements are also permissive for certain groups to prosper and disarray to thrive in weaker states. What is important to notice in these root causes for human insecurity in contemporary Libya is that they generally happen in the international framework, but as they affect the national state, they also affect the individuals of and in said weaker state.

In addition, the fact that stronger states and actors will do anything to maintain their power and sustain the hierarchies, disregarding the consequences for the weaker states and their communities, automatically means that the human security approach is being undermined. This is because human security calls for a people-centered, comprehensive and context-specific approach, meaning that the protection of individuals and the access to human rights and human security should be secured and come above states’ concerns. This matter evidences, in a wider context of international relations, the bleak reality vs. the normative concepts that entangle international law and international humanitarian law, for example.

Throughout this study, we have understood the ongoing conflicts in contemporary Libya through a historical lens and through Mary Kaldor’s ‘new wars’ theory, presenting a cohesive and different perspective on the new patterns of organized violence and war of contemporaneity. According to Kaldor (2012), and as seen in chapter two, the ‘new wars’ are a mixture of war, crime and human rights violations, and the new patterns of violence lead to the rise of new social structures.

Identity politics propagate with the fragmentation of modern state structures, particularly authoritarian states (ibid), which was the case of Libya and the fall of Gaddafi. The weak internal structures of post-colonial African states help explain why African states, such as Libya, are subjected to this new type of organized violence. It is in this fragmentation and disarray that the conflict is continually reinvented, so its continuance is one way in which the conflict in Libya is being perpetuated as understood by the ‘new wars’ theory.

The ‘new wars’ methods of warfare, widely used in Libya, are another way in which the conflict is perpetuated through this theory, being translated in the use of techniques of destabilization and of gruesome violence directed towards civilians (Kaldor 2012). As for the forms of finance, the conflict in Libya has created a new class of war profiteers, another characteristic of the ‘new wars’ (Chinkin & Kaldor 2017). Since the new globalized war economy is largely constituted by the profitable transnational criminalized network and the perpetuation of violence is a profitable element for the
different groups involved in the conflict, war is a method of capital extraction in its own right.

The new globalized war economy is sustained by the continued violence and it is financed by external assistance and illicit activities characteristic of the parallel economy predominant in the ‘new wars’ (Kaldor 2012). The commodification of human life represents a new form of shadowy activity characteristic of this war economy, illustrated in chapter four with the analysis of the different forms of which migrant life is being commodified in contemporary Libya. This parallel economy essentially helps finance the war and is one of the aspects that preserve the ongoing conflict in Libya.

The human costs of the maintenance of the Libyan conflict and emerging criminal networks are, therefore, embodied in the commodification of human life. The analysis of four different forms in which human life is being commodified in relation to migrants in contemporary Libya in chapter four exposes the contradiction between the bleak reality migrants are subjected to in the country, and the normative concepts applied in this study, such as ‘migrants’ rights to human rights’ and ‘human security.’

In the ‘new wars’, the violence is mostly directed towards civilians and forced displacement rates are high, as mentioned in chapter two, and the new-war economy spurs the market of commodification of migration. As a consequence, migrants face both physical and material insecurity (Kaldor 2007) – a form of insecurity that can no longer be contained, as violence against migrants is swiftly crossing borders in grotesque forms. This form of insecurity was shown here by the exemplification of the commodification of migrants in contemporary Libya through the smuggling networks, the seaway passages across the Mediterranean, the detention centers and the trafficking and exploitation networks.

The commodification of human life happens as a consequence of wider issues on international, regional and state levels. In contemporary Libya, the commodification of human life happens through migrants. Considering this study’s empirical investigation, we understand the commodification of migrants as a dehumanizing action in which certain actors take advantage of the migrants’ insecurities and turn them into disposable tools of the system to be bought and sold, with the goal to provide financial gain to the actors benefitting from this market (Bales 1990).

The smuggling networks are increasingly turning into an ‘industry’ of the new global war economy, being the most popular way that migrants pursue in order to go to Libya and out of Africa. However, at an already vulnerable position and with limited
resources, they find themselves at the mercy of smugglers throughout their journeys, further threatening their lives and security and being exposed to violence not only from smugglers but most significantly from other actors, such as armed groups. The actors controlling this market increasingly see migrants as commodities to be exploited for financial gain (Tinti 2017), ignoring migrants’ security and rights.

The Central Mediterranean Route is the main route for migrants leaving Africa, being the preferred gateway for irregular movement to Europe, but also the deadliest (Darme & Benattia 2017). Migrants that choose this route are even more vulnerable to exploitation, human trafficking, racism, discrimination and other violations (Galos et al 2017; OCHA 2018). The already unsafe crossing has been made more dangerous due to Italy’s and the European Union’s operations in cooperation with the Libyan Coast Guard, that not only has ignited a diversification of migration trends in more dangerous journeys but also subjects migrants to human rights violations and abuses when returned to Libya.

When rescued in international waters, migrants are mostly sent to detention centers in Libya, being exposed to non-state and state actors’ commands. Due to the circumstances in the country, the detention centers have turned into a market for criminal networks that, among other things, use of the commodification of migrants and other vulnerable groups as a way to obtain financial gain, sustaining the new-war economy and the cycle of violence. In the detention centers, migrants are subjected to dire and inhumane conditions that violate their rights to human rights and human security.

Another form in which human life is being commodified in Libya is via human trafficking and exploitation networks, and slave auctions. These networks are increasing as a result of Africa’s structural human insecurity and the conjuncture in contemporary Libya, and they are also becoming transnational. Those who migrate due to conflict, war or national disasters are more vulnerable to being exploited and trafficked, and Sub-Saharan African migrants’ vulnerability is even higher due to racism, discrimination and lack of documentation (OCHA 2018; UNSMIL & OHCHR 2018).

Correspondingly, due to their extreme vulnerability, Sub-Saharan African migrants are also being sold as slaves in auctions run by smugglers and militias, representing the booming business of modern slavery and showing how human trafficking often leads to exploitation of the trafficked persons. All in all, through the analysis of the commodification of migrants in contemporary Libya, we can see how these four sectors of activity illustrate the reality of migrants in the country and demonstrate how human life is being commodified in Libya.
Through an empirical investigation, we saw that not only migrants suffer systematic human rights violations and abuses at the hand of different actors, but that there are different actors who control and benefit from the commodification of migrants in Libya. We have thus found that the new class of profiteers controlling and benefitting from the commodification of migration can be found in national, regional and global spheres – taking into consideration that the issue of commodification of migrants in contemporary Libya is a result of the structure of the new global war economy and the deteriorated internal political and judicial structures, recognized in various reports and literature used in this study.

The deterioration of security in Libya enables the presence of criminal networks along the migration routes used by smugglers, making migrants vulnerable to attacks from diverse criminal groups (Darme & Benattia 2017). Even though migrants count on the instability of the country as their gateway out of Africa, the lack of governmental and judicial structures actually work in favor of the militias and the criminal/illicit networks. The bleak reality that migrants encounter in the country therefore reveals that they are part of an interlinked transnational migration system which purpose is to profit off their physical and material insecurity.

We have seen that the new global war economy emerges from a scenario of instability and violence that is present in Libya, and that it creates new illegal and criminal markets with people trying to make their way through an unstable situation. With the analysis of the rise of this economy and the strengthening of criminal markets, with the lack of internal judicial system and the increasing migrant flow to and through the country, we identified forms in which human security is being defied in Libya in relation to migrants through their commodification, as mentioned previously.

The sources of human insecurity in Africa as a whole and in Libya as the empirical focus of this study are both structural and a consequence of the ‘new’ form of organized violence. Human migration and the deplorable difficulties that migrants encounter throughout their journeys serve as an example of how human insecurity crosses borders and thereupon contribute to human insecurity ‘inside’ and ‘outside’ the global ‘new war’ scenario (Chinkin & Kaldor 2017, p.546).

In chapter two we saw that human security contains seven linked and overlapping elements, meaning that a threat to one of the elements can affect all forms of human security. Security is about confronting extreme vulnerabilities (Kaldor 2007), and the security and interests of the people should come before the capitalist interests of nation
states (UNDP 1994). States have the duty to respect, protect and conform human rights of individuals according to international human rights law, and this includes migrants’ rights to human rights. However, even though there exists an entire body of international human rights law, the existent mechanisms are insufficient to provide human rights protection for all human beings.

The issues presented in this study need to be understood in the context of the ‘new wars’ and the threats to human security need to be seen as global issues, building a framework of international cooperation for development where the indivisibility of global human security is acknowledged through people-centered development, cooperation and peace (UNDP 1994). The international community must take action in order to preserve the humanitarian space and protect human beings, and the logic of the ‘new wars’ need to be taken into account in order to address human insecurity appropriately and to thoroughly provide security, in all its elements, to all individuals.

The commodification of migrants in contemporary Libya is therefore a consequence of the high insecurity individuals encounter in their origin, transit and destination countries, and their migratory journeys. The defiance of human security in relation to the commodification of migrants in contemporary Libya evidences the gross contrast between the normative concepts approached in this study, such as ‘human security’ and ‘migrants’ rights’, and the bleak reality that migrants confront in Libya.

Finally, this analysis proves that the perpetuation of the conflict in contemporary Libya, the thrive of different actors that benefit from the new global war economy and the reinforcement of the ‘new wars’ structures create and endure a scenario where the human security of migrants and their access to human rights are constantly defied through the take of advantage of their vulnerabilities, grotesque violations of their rights and the commodification of migrants in contemporary Libya.
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