

The Treaty of Friendship, Partnership and Cooperation between Libya and Italy: From an Awkward Past to a Promising Equal Partnership¹

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On August 30, 2008 in Benghazi, Libya and Italy signed the Treaty on Friendship, Partnership and Cooperation,² after a long negotiating process that began under previous Italian governments and was signed by the contemporary Italian prime minister Silvio Berlusconi. The treaty entered into force on March 2, 2009, when ratifications were exchanged during Prime Minister Berlusconi's visit to Libya.

The signing of the Benghazi Treaty by the Italian and Libyan leaders resulted in varied reactions from politicians, scholars, commentators, and prominent figures from international organizations.³ While some may have opposed or had reservations on certain provisions of the treaty, others supported it and considered it a first step towards the process of narrowing the gap of differences between the two sides.

As the Benghazi Treaty is a bilateral partnership agreement, it reflects political-security, economic-financial, and social-cultural dimensions simultaneously. But, the description and analysis of the Benghazi Treaty reflect the methodological aspects of this study; therefore, the next subsection will explore the dimension of data and methodology.

Data and methodology:

Countries frequently conclude bilateral and multilateral treaties, and these processes reflect the normal patterns of contemporary international relations. But one might argue that the importance of the Italian-Libyan treaty of 2009 is that it not only settles long historical disputes between the two countries, but it also reflects the existence of a new era regarding the relationship between North and South.⁴

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² This study will refer to the Treaty on Friendship, Partnership and Cooperation as the Benghazi Treaty, treaty or the Benghazi agreement interchangeably.

³ According to Carbone (2008a), Italian foreign policy is not limited any more to Atlanticism and Europeanism; but is extended to the Mediterranean region. The new focus of Italian foreign policy towards the Mediterranean region in general, and towards Libya in particular, aims to improve its position toward the United States and the European Union simultaneously. Conversely, some other scholars argue that Italian foreign policy toward the Middle East does not necessarily reflect its national interests and objectives, but rather its polarization within the framework of the EU-US axis. (Del Sartho and Tocci, 2008) Further study deemphasizes the Italian diplomatic global influence, due to the impact of EU-US axis. (Fois and Pagani, 2008: 75-88) But, the conclusion of the Benghazi Treaty by the current Italian government support, by and large, the thesis of Carbone rather than the assumption of Del Sartho and Tocci.

⁴ For further knowledge on the Libyan relationship with the West in general, and the United States in particular, you might review the al-Qadhafi's son article, which systematically describes in the nature of Libyan-American international relations since 1969. (al-Qadhafi, 2003: 35-40).

This study will attempt to answer the following question: *Does the Benghazi Treaty of 2009 represent a new model of international relations? And if that is the case, how and why have Italy and Libya concluded the partnership treaty?*⁵

In order to address these questions, this hypothesis might be examined: *“Both parties’ national interests as well as the impact of globalization have pushed Italy and Libya to conclude the Benghazi Agreement, which ends an ugly past and ushers in a promising future.”*

While this study will deal with the Benghazi Treaty as a dependent variable, national interests and globalization will be treated as independent variables. Furthermore, while national interests represent an internal factor, it is obvious that globalization reflects an external element.⁶ In this regard, *national interests* as an independent variable reflect three levels: *political*, *economic*, and *cultural* dimensions.⁷

The *political* common interests reflect the process of ending historical disputes, on the one hand, and the institutionalization process of the Italian-Libyan relationship, on the other hand; and thus, it establishes permanent mechanisms on the highest level available for both countries. The *economic* aspect describes how Italy will help Libya to narrow the gap of underdevelopment on the basis of equal partnership. Finally, *cultural* interests refer to the serious steps that will be taken to initiate dialogue between the two parties, which share common historical ties and geographic proximity.

Regarding the second independent variable, one might say that globalization⁸ also reflects three distinct dimensions: *economic*, *political*, and *cultural*. While the economic dimension of globalization refers to the expansion of the world economy to a degree that cannot be controlled by states; the political aspect is connected with the spread of democracy, respecting human rights, and countering terrorism, illicit drugs, AIDS, and illegal immigration; and the cultural component is associated with the spread of dialogue process between civilizations and cultures.⁹

⁵ Scholars failed to predict the dramatic changes in the Libyan foreign policy since the late twenty century; and thus, further research is required in this area. For more information on this regard, see Martinez (2008), for example.

⁶ As scientific studies always have limitations, the focus will be on two independent variables only; and therefore, other explanatory variables will not be included due to methodological objectives. But, the two independent variables that are emphasized by this study are expected to explain a large portion of the variance.

⁷ Although the concept of *national interest* is related to the realist school (Morgenthau, 1986; and Waltz, 1979), this study will not limit itself to the realist’s analysis; and thus, other approaches will be utilized, e. g., the legalist, the liberal, the functionalist, and the neo-functionalist. We can not assume that the Treaty of Benghazi is concluded for national interests only, because it includes provisions on ideal, functional, and global principles, such as international law, UN charter, integration, respect for human rights, and environmental protection. Consequently, this study deploys a multi-dimensional strategy that utilizes different approaches, methods, and techniques.

⁸ According to Isiksal (2007: 144), who represents a point of view from the South, “there is a risk that ‘globalization’ could turn to the superiority of Western institutions, conceptions and rationality through a historically unified, single and hegemonic cultural system. In other words, in the name of ‘totality’ and ‘universality’ the groups that defined ‘Other’ could be destructed, excluded, denied and marginalized by defining as irrational, underdeveloped or belong to the past. In the Mediterranean area, this ‘Other’ could be Southern Partners and Islamic culture.” See Isiksal, Huseyin, “Security, Globalisation, and Problems within the Euro-Mediterranean Partnership in the Post-Cold War Era,” *Journal of Economic and Social Research* 4:2 (2002): 139-52.

⁹ Since scientific hypothesis are derived from theories; review of the literature demonstrates that there are different points of view regarding the shift in Libyan foreign policy. While some assume that Libya’s position towards the West is merely a result of adoption mechanism (al-Qadhafi, 2003: 44); others stress the existence of internal and external factors. While Bahgat (2004: 273-394) refers to oil, terrorism, and weapons of mass destructions as the main factors that led to the changing patterns of Libyan foreign policy in the new

As far as the data of this study is concerned, the three following sources have been identified:

1. The Benghazi Treaty¹⁰ as well as press releases by high officials from both parties relating to the conclusion of the treaty;
2. Data regarding economic relations between Italy and Libya;
3. Other relevant secondary sources.

Accordingly, this study will be divided into the following subsections:

- The changing international context;
- Background of the Benghazi Treaty;
- Content analysis of the Benghazi Treaty;¹¹
- Conclusion: results and recommendations.

The changing international context

The international context has clearly witnessed substantial change, which has led Italy and Libya to accommodate their public policies with internal and external changes that reflect the transformation of the global system over the last decade of the twentieth century. Among the major elements marking the changes to this international system, are the following factors:¹²

1. The collapse of the Soviet Union, and the end of a bipolar balance of power system, resulting in the existence of a unipolar system. The concept of security after the collapse of the Eastern Bloc has shifted from involving solely military aspects¹³ into wider dimensions, including economic, social, and cultural elements.¹⁴
2. An increased level of interdependency among states in the age of globalization, and therefore, individual states can no longer ignore external environmental changes and remain isolated from the world. The global system has witnessed dramatic changes in the political, economic, social, and cultural milieus due to the continuous revolutions in the areas of manufacturing, communications, and information.¹⁵
3. The existence of the post Westphalian System, which deemphasizes the element of sovereignty at times in favor of the global community's interests and at other times in the name of preserving human rights, countering terrorism, and preventing illegal immigrations.

millennium; Martiniz (2006: 151-65) emphasized three other influential factors, namely: the international embargo (1992-2003), the Islamist challenge and violence (1995-1998), and the fear of invasion. This study will explore the impact of other factors, not emphasized by the literature, and thus, the focus will be on the national interest and globalization.

¹⁰ Since the text of the Treaty is written in Arabic and Italian; therefore, "...the text is equally authoritative in each language," (*Article 33/1 of the Vienna Convention on the Law of Treaties of 1969*).

¹¹ Content analysis, according to Babbie (2008: 350) is the "study of recorded human communications." In this regard, the Treaty of Benghazi reflects a document that stipulates and institutionalizes the present and future relationship between Italy and Libya, and therefore, describing and analyzing its content are among the main objectives of this study. Although Holsti (1968: 601) and Berelson (1966: 12) define content analysis with a focus on the quantitative dimension, this study will emphasize on the quantitative and qualitative aspects simultaneously.

¹² Christopher Hill, *The Changing Politics of Foreign Policy* (Macmillan: Palgrave, 2003), 11-14.

¹³ G. W. Rees, *International Politics of Europe: The New Agenda* (London: Routledge, 1993), 8.

¹⁴ C. McInnes, "The Military Security Agenda" in *The International Politics of Europe: The New Agenda*, ed. G. Rees (London: Routledge, 1993), 71.

¹⁵ Globalization does not necessarily imply homogenization or equity; and therefore, the gap between rich and poor is increasing. See in this regard: R. O. Keohane and J. S. Nye, "Globalization: What's New? What's Not? (And So What?)," *Foreign Policy* (Spring 2000): 106.

4. Contemporary Italian-Libyan relations have taken a new direction since the European Union (EU) adopted a decision on October 11, 2004 to lift the trade and arms embargo on Libya. Since that date, Euro-Libyan relations — and Italy is no exception — are developing dramatically in terms of mutual contact at higher levels and in terms of speeding the process of institutionalizing relationship. While the Italian-Libyan relationship after the embargo was lifted resulted in the signing of the Benghazi Treaty of 2008, the EU is still in the process of negotiating a Framework Agreement with Libya. Libya, after concluding of the treaty with Italy and initiating the negotiation process with the EU, has succeeded in commencing the process to institutionalize its relations with Italy and the rest of EU, opening the door for improved and institutionalized relations with the entire Western hemisphere, including the United States.

Thus, the global context of the Italian-Libyan public policies in general, and foreign policies in particular, have witnessed major change, leading each state to alter its foreign policy in order to accommodate the dramatic changes occurring on the global level.

The Treaty of Benghazi: Background

The main objective of the Benghazi Treaty is to end an era of dispute between the two signatory countries, namely Libya's claims concerning Italy's responsibilities during the colonial era.¹⁶ Indeed Berlusconi expressed his regret for the colonial period in straightforward terms during the ceremony of concluding the Friendship Treaty and in the same palace that was occupied by the Italian military governor during the colonial era.

The Benghazi agreement reflects a long historical background and process, and a review of the relationship between the two countries since 1952 reveals that there have been 26 bilateral agreements or arrangements that were assumed between the two parties, among which are:¹⁷

- Agreement on economic, scientific and technical cooperation, Rome, 1974.
- Verbal Agreement relating to the issue of Libyan citizens that were deported to Italy, Tripoli, 1988.
- Verbal Agreement relating to the archive research on the fate of Libyan citizens taken prisoner and deported by Italy during the period 1911-1943, Rome, 1989.
- Joint Declaration regarding ending historical disputes, Rome, 1998.
- Agreement on the war against terrorism, organized crime, drug trafficking, and illegal immigration, Rome, 2000.
- Agreement on cultural, scientific, and technological coordination and cooperation, Tripoli, 2003.
- Protocol on cooperation between both parties to deal effectively with the problem of illegal immigration, Rome, 2007.
- Treaty of Friendship, Partnership, and Cooperation between Libya and Italy, Benghazi, 2008.

¹⁶ Omer I. El Fathaly, Monte Palmer, and Richard Chackerian, *Political Development and Bureaucracy in Libya*, (Lexington, Mass.: Lexington Books, 1977), 1 and 12.

¹⁷ See in this regard: Natalino Ronzitti, "The Treaty on Friendship, Partnership and Cooperation between Italy and Libya: New Prospects for Cooperation in the Mediterranean?" 10.

The Treaty of Benghazi generally consists of a preamble and 23 articles, organized as follows:

- Preamble;
- Part one: General principles, which include seven articles concerning:
 - Respecting international legitimacy (Article 1)
 - Equal sovereignty (Article 2)
 - Non-threat and non-use of force (Article 3)
 - Non-intervention in internal affairs (Article 4)
 - Peaceful settlement of disputes (Article 5)
 - Respect for human rights and fundamental freedoms (Article 6)
 - Dialogue between cultures and civilizations (Article 7)
- Part two: Ending historical disputes (Articles: 8-13) through the following steps:
 - Building basic infrastructure (Article 8)
 - The establishment of a common committee (Article 9)
 - Special initiative (Article 10)
 - Visas for Italian citizens deported in the 1970s (Article 11)
 - Creation of a social fund (Article 12)¹⁸
 - The problem of Italian debts (Article 13)
- Part three: Establishing an equal and a new partnership (Articles: 14-22), which enhance and manage the bilateral relations through:
 - The establishment of two committees, one representing the highest level and the other reflecting the level of the ministries of foreign affairs (Article 14)
 - Cooperation in the scientific fields (Article 15)
 - Cultural cooperation (Article 16)
 - Industrial and economic cooperation (Article 17)
 - Energy (Article 18)
 - Terrorism, organized crimes, drugs, and illegal immigration (Article 19)
 - Defense (Article 20)
 - Non-proliferation of WMD (article 21)
 - Parliamentary and civil society cooperation (article 22)
- Part four: Final rules (article 23)

¹⁸ The aim of the social fund is to finance the de-mining projects as well as the treatment of those Libyan citizens who were injured and affected by the explosion of these mines. Furthermore, the social fund will cover scholarships for training and graduate studies.

Content analysis of Benghazi's treaty:

The use of the content analysis technique led to the development of Tables 1, 2, and 3. Table 1 represents the frequencies and the percentages of the words that are included in the preamble, while Tables 2 and 3 reflect the frequencies of words in the rest of the Benghazi Treaty that are incorporated within the 23 different articles.

The examination of Table 1 leads us to conclude the following points:

Table 1: Content Analysis of the Treaty of Benghazi: The Preamble

Word	Frequency	%	Word	Frequency	%
Cooperation	5	13.15789	Growth	1	2.631579
Partnership	3	7.89473	Environment Protection	1	2.631579
Friendship	2	5.263158	Sanction	1	2.631579
Willingness	2	5.263158	Bilateral Agreement	1	2.631579
Colonialism	2	5.263158	Italian Initiative	1	2.631579
Bilateral Relations	2	5.263158	Deported	1	2.631579
Common Heritages	1	2.631579	Past File	1	2.631579
Peace	1	2.631579	1998 Declaration	1	2.631579
Security	1	2.631579	Apology	1	2.631579
Stability	1	2.631579	Libyan People	1	2.631579
Mediterranean	1	2.631579	Bilateral Differences	1	2.631579
African Union	1	2.631579	Mutual Respect	1	2.631579
European Union	1	2.631579	Dignity	1	2.631579
Integration	1	2.631579		1	
			Total	38	%100.00

1. The word “*cooperation*” is the most frequently used term within the framework of the preamble; achieving 13.15% of the total frequencies. Bilateral cooperation depicts three distinct areas, and therefore, its frequencies reflect its political, economic, and cultural aspects. While words like peace (2.63%), security (2.63%), stability (2.63%), dignity (2.63%) and mutual respect (2.63%) represent political cooperation, it is obvious that growth (2.63%) and integration (2.63%) reflect the economic cooperation, and common heritages (2.63%) represents the cultural dimension. In sum, the total percentage of words that reflect the various aspects of cooperation between Italy and Libya within the preamble of the Benghazi Treaty reach over one third of the total frequency (35.20%). Thus, one might emphasize the importance of cooperation between Italy and Libya in the political, economic, and cultural arenas.

The word integration reflects, by and large, the actual trade relationship between Italy and Libya. Italy is considered to be the main trading partner of Libya;¹⁹ but that is not the case for Italy. While manufactured goods are the main items that Italy exports to Libya, crude oil and gas are the main items that Libya exports to Italy. Since the conclusion of the agreement goes back only to 2008, it is difficult to speculate what sort of trade partnership trajectory will be underway between both countries.

¹⁹ While the destination of 40.8% of the Libyan total exports during 2007 was directed towards Italy, the Libyan imports from Italy reached only 15.5% in the same year. But, the Italian total imports from Libya did not exceed 3.2% in 2007; therefore, Libya is considered a minor trading partner for Italy. For more details about that, visit the WTO website indicated in this study's bibliography.

2. The treaty pushed the bilateral relations between both sides into a new era, and consequently, the preamble included such words as partnership (7.90%), friendship (5.26%), willingness (5.26%), and closing the past file of hostilities (2.63%). The new partnership between the two countries is extended to deal also with contemporary global issues, such as environment protection (2.63%).²⁰
3. The long preamble demonstrates, by and large, the willingness (5.26%) of both parties to finish the “painful drama of the past”; and therefore, Berlusconi, in his capacity as the Italian prime minister, apologized (2.63%) for the suffering that the Italian colonization caused for the Libyan people (2.63%).
4. Furthermore, the preamble of the Benghazi agreement also stresses the significance of regional dimension within the framework of their bilateral relationship, as Libya and Italy are crucial members in the African Union (2.63%) and the European Union (2.63%), respectively.
5. Although the word “*apology*” is mentioned in the preamble and the whole text of the Benghazi Treaty only once, its effects extend beyond the quantitative dimension.²¹ It is the first time in history that an ex-colonial power has apologized directly for its colonial past and, therefore, may lead to more apologies from other Western powers, e. g., UK and France.
In this regard, the Italian prime minister Berlusconi said: “In the name of the Italian people, as head of the government, I feel it my duty to apologize and express my sorrow for what happened many years ago and left a scar on many of your families.”²²

²⁰ According to Novati (2008), Italian foreign policy in Africa is generally affected by its colonial history and experience, and Libya is not an exception to this rule.

²¹ In this regard, see for example: Jurgen Zimmerer and Dominik Schaller, “Settlers, Imperialism, Genocide, Introduction: Apologies and the Need to Right Historical Wrongs,” *Journal of Genocide Research* 10:4 (December 2008): 475-77.

²² Ronzitti, 2009, 2.

The data of Tables 2 and 3 refer to further analysis of the Benghazi agreement and lead to the following conclusions:

Table 2: Content Analysis of the Treaty of Benghazi: Frequencies and Percentages

Word	Frequency	%	Word	Frequency	%
Cooperation	20	10.92896	Non-use of force	02	1.092896
Italian Companies	13	7.103825	Follow up Committee	02	1.092896
Enterprises	09	4.918033	Non-intervention	02	1.092896
Joint Committee	07	3.825137	Aggression	02	1.092896
Social Fund	07	3.825137	Friendship	02	1.092896
Partnership	06	3.278689	Scholarship	02	1.092896
Special Initiatives	06	3.278689	Colonialism	02	1.092896
Illegal Immigration	05	2.732240	Joint Company	02	1.092896
Infrastructure	04	2.185792	Declaration of 1998	02	1.092896
Antiquities	04	2.185792	Debts	02	1.092896
Partnership Committee	04	2.185792	Political Dialogues	02	1.092896
International Legitimacy	03	1.639344	Bilateral Relations	02	1.092896
United Nations	03	1.639344	Historical Ties	02	1.092896
Non-proliferation of WMD	03	1.639344	Terrorism	02	1.092896
Sovereignty	03	1.639344	Organized Crimes	02	1.092896
Investments	03	1.639344	Drugs	02	1.092896
Mines	03	1.639344	Tolerance	02	1.092896
Treasures	03	1.639344	Entrance Visas	02	1.092896
Political independence	02	1.092896	Other Words	39	21.31148
			<i>Total</i>	183	%100.00

1. The Treaty of Benghazi emphasizes the importance of bilateral cooperation (10.92%) by both parties in the political, economic, and cultural fields, and therefore, one might notice that the first ten words that represent this case exceed 44% of the total percentage of frequencies. The Treaty of Benghazi is a partnership agreement; and thus, political, economic, and cultural aspects are emphasized, e. g., Joint Committee (3.82%), Partnership Committee (3.27%), Follow up Committee (1.10%), political dialogues (1.10%), Italian companies (7.10%), enterprises (4.91%), and social fund (3.82%).
2. The Benghazi Treaty also indicates the commitments of both parties to international law and norms, and in this regard, it is possible to refer to various general principles that emphasized by the treaty, including:²³
 - The principle of state responsibility
 - The right to self-defense according to the UN charter
 - The principle of sovereign equality
 - The principle of the non-threat and non-use of force
 - The principle of non-interference in internal affairs
 - The principle of respect for human rights and fundamental freedoms

²³ Ibid.

- The principle of non-use of both parties' territories for any potential hostilities or aggressions *vis-à-vis* each other.²⁴
 - The prevention of illegal immigration.²⁵
3. As noticed earlier, the frequency of words that reflect the economic cooperation between the countries is considerable (15.29%), consequently Italy is committed to compensate the Libyan people by engaging in the process of building basic infrastructure for a total cost of \$5 billion. The annual expenditure reaches around \$250 million annually and will be extend over a period of twenty years. Although the total compensation seems to be substantial from the Italian perspective, it is obviously not the same for Libyans. The \$5 billion do reflect, however, a symbolic new dimension in the Libyan-Italian relationship in the aftermath of signing the Benghazi Treaty.²⁶
- Libya is using illegal immigration as a means in its foreign policy *vis-à-vis* the EU in general and Italy in particular. The issue of illegal immigration and the increased level of competition among the major western countries regarding Libya, e. g., USA, UK, and France, threaten Italian national interests, and therefore, it is evident that the Italian compensation to Libya is not aimed on at building basic infrastructure but, among other things, to secure its boarder from illegal immigration,²⁷ to support its presence *vis-à-vis* other competing major Western powers, and to secure its supply of oil and gas.²⁸
4. Further examination of Table 2 indicates that political motivations to conclude the Treaty of Benghazi are very obvious. Thus, the new political partnership is organized and managed through the highest political levels, e.g., prime ministers and ministers of foreign affairs. Thus, words representing the political partnership, such as Joint

²⁴ According to Ronzitti, 4, the clause regarding the non-use of both parties' territories for any potential aggression *vis-à-vis* each other is not that "neutral," because that does not include the NATO bases in Italy, which might threat Libya's national security. For Ronzitti, this clause is incompatible with Italy's membership in NATO since it is not a "nonaggression" pact, and it is consequently incompatible with the NATO Treaty, should Libya act outside of "international legality" as laid down in the Treaty of Benghazi. Further complications might arise when the U.S. sixth fleet, based in Italy, navigates in the Gulf of Sidra, which is considered a historical gulf by Libya. Furthermore, the emphasis on international law in article one of the Benghazi Treaty, Ronzitti points out, is out "to protect operations in self-defense or under UN authorization that set out from Italian territory." But, since this clause means the non-use of both parties' territories for any potential hostilities *vis-à-vis* each other, so Ronzitti's conclusion is misleading since the NATO bases are located on Italian soil.

²⁵ Despite Italian public efforts to deal effectively with the issue of immigration, the number of legal immigrants has increased from 1.3 million in 2001 to 2.67 million in 2006. For more details, see Geddes, 349-537.

²⁶ Carbone argues that Italy is not very generous, compared to Nordic countries for example, regarding the issue of its foreign aid to developing states. But, the ratio of foreign aid to GDP has generally declined within the OECD countries from 0.31 into 0.28 during 2007. For more details in this regard, see: Maurizio Carbone, "Italy and the South of the World: Still a Laggard in International Development?" *Journal of Modern Italian Studies* 13:1 (2008b): 58-74; and *The Arab United Economic Report*, 2008.

²⁷ The Italian deal with Libya regarding the financial aspect of eliminating the influx of illegal immigration to its territory is not supported by the EU, however. The EU, according to article 19 of the Benghazi Treaty, will supposedly finance 50% of the deal. The EU is not, however, enthusiastic to that arrangement as well as the conclusion of the Benghazi Treaty, as the objective of the EU is to conclude multilateral arrangements involving its 27 member countries instead of the unilateral treaty between Italy and Libya.

²⁸ Review of the literature reveals that foreign aid is used by big powers as a reward some times and as a punishment other times. So the Italian compensation to Libya might be considered, according to Rai's thesis, as a reward for eliminating the influx of illegal immigration from Libya to Italy. See in this regard: K. B. Rai, "Foreign Aid and Voting in the UN General Assembly, 1967-1976," *Journal of Peace Research* 17 (August 1980): 269-77.

Committee (3.82%), Partnership Committee (2.18%), and Follow up Committee (1.1%) reach 7% of the total frequencies. Furthermore, the political partnership extends to cover different areas of common interests, such as: political dialogue (1.1%), international legitimacy (1.64%), UN (1.64%), sovereignty (1.64%), political independence (1.1%), non-use of force (1.1%), non-intervention (1.1%), and non-aggression (1.1%).

5. Furthermore, the treaty extends the Libyan-Italian partnership in functional sectors, such as: culture, science, economy, industry, and energy. Libya unilaterally dismantled its weapons of mass destruction facilities in the early millennium, and as such, the long-term aim of the treaty is to make the Mediterranean a zone free from weapons of mass destruction (WMD).
6. Illegal immigration is among the most frequently cited phrases in Table 2, whereby its percentage reaches 2.73%. Consequently, illegal immigration might be considered the most controversial political issue, emphasized by the third chapter of the treaty.²⁹ Furthermore, illegal immigration reflects a contemporary phenomenon of the North-South conflict in the new millennium. Italy and Libya are both parties to regional and universal instruments that protect human rights. But, Libya is not a party to the 1951 Convention on refugees, and thus, it is not obligated to treat illegal immigrants as refugees.³⁰
7. In order to enhance the coordination and cooperation efforts between the two parties, the Benghazi Treaty will create management bodies that should deal effectively with the process of partnership. The management of illegal immigration is not an exception, and its management bodies are:
 - A Partnership Committee (2.18%), which will meet annually in Italy and Libya respectively. This committee represents the highest political levels, and thus, it deals with the provisions that need to be carried out by the Treaty of Benghazi;

²⁹ Article 19 indicates in the first paragraph that both parties will intensify their cooperation efforts in order to face and deal effectively with the dilemma of illegal immigration. Previous arrangements in this regards will be executed, especially:

- Agreement on the war against terrorism, organized crime, drug trafficking, and illegal immigration, Rome, Dec. 13, 2000.
- Protocol on cooperation between both parties to deal effectively with the problem of illegal immigration, Rome, Dec. 29, 2007.

It is also stressed in paragraph two, that a system for monitoring the Libyan borders will be developed by Italian special companies, and this project will be financed equally (50% each) by the Italian government and the EU hopefully. Italy and Libya will intensify their bilateral and regional efforts in order to deal effectively with the issue of illegal immigration within the exporting countries of the phenomenon.

³⁰ The 1951 Refugee Convention, to which Libya is a non-member and Italy is a party, forbids returning people “in any manner whatsoever” to places where their lives or freedom would be threatened. It does not determine, however, where they are being returned from, but where they cannot legally be returned to. Preventing illegal immigrants from entry or returning them back by force to their homeland means the violation of the 1951 Convention, in a sense that such actions might threaten their lives. But, on the other hand, both Italy and Libya signed the Universal Declaration of Human Rights, which guarantees the right to seek and enjoy asylum from persecution. Frelick accused Italy of using Libya as a human dumping ground, and therefore, there is no guarantee that Libya in turn will not treat the illegal immigrants as refuse. For more details on the treatment of illegal immigrants as refugees, see: Bill Frelick, “Treating refugees as Refuge,” 14 June 2009, *The Guardian Online*; available from <http://www.hrw.org/en/html>.

- A Follow up Committee (1.10%) at the level of ministers of foreign affairs in both countries. According to the Benghazi agreement, this committee will also meet annually in Italy and Libya respectively, in order to discuss either ordinary agenda items during regular meetings or to settle any arising disputes regarding violation of the treaty's provisions during emergency meeting;
 - A regular meeting that creates a mechanism for coordination and consultation between the two parties.
8. Antiquities (2.18%) and treasures (1.63%) are another dilemma between the two parties, and accordingly, the Treaty of Benghazi emphasized in article 10/4 that all treasures and antique pieces should be returned to Libya, and in this regard, the common committee will determine what should be returned from Italy. In fact, Berlusconi brought the statue of the Venus of Cyrene with him as a sign of good faith. The statue was taken from Libya and brought to Italy during the colonial period, along with other historical treasures, and thus, Libya insists on reclaiming them.
9. The data of Table 2 show that some words reflect Italian concerns, such as debts (1.10%) and entrance visas (1.10%), while others reflect Libya interests, e. g., social fund (3.82%), infrastructure (2.18%), mines (1.64%), and scholarship (1.10%). Further analysis demonstrates that certain words reflect the common interests of both sides, such as: non-proliferation of WMD (1.63%), investments (1.63%), joint company (1.10%), and jointly facing the threat of terrorism (1.10%), organized crimes (1.10%), and illicit drugs (1.10%).
10. There are some words that do not appear more than one time each, but the total sum of their frequency percentage reach more than one fifth of the total of frequencies (21.31%). Table 3 indicates that the frequency of these words does not exceed one time.

The analysis of Table 3 leads us to a number of conclusions, including:

Table 3:
Content Analysis of the Treaty of Benghazi: Words that their Frequencies Equal One

Word	Frequency	%	Word	Frequency	%
The Friendship Day	1	2.564103	Common Heritage	1	2.564103
International Law	1	2.564103	Past File	1	2.564103
International System	1	2.564103	Environment	1	2.564103
International Commitment	1	2.564103	Foreign Affairs	1	2.564103
Liberty	1	2.564103	Libyan People	1	2.564103
Suitable Political System	1	2.564103	Treatment Program	1	2.564103
Non-use of Force	1	2.564103	Pensions	1	2.564103
Territorial Integrity	1	2.564103	Common Goals	1	2.564103
Good Neighboring	1	2.564103	Youth Exchanges	1	2.564103
Peaceful Settlement of Disputes	1	2.564103	Special Common Committees	1	2.560413
Peace and Security	1	2.564103	The Italian Cultural Institute	1	2.564103
Human Rights	1	2.564103	The Libyan Academy	1	2.564103
Freedoms	1	2.564103	Aggression and Violence	1	2.564103
Human Rights Declaration	1	2.564103	Common Initiatives	1	2.564103
Contact among Cities & Institutions	1	2.564103	Small & Medium Enterprises	1	2.564103
Common Culture	1	2.564103	Joint Companies	1	2.564103
Historical-Human Ties	1	2.564103	Defense	1	2.564103
Mutual Coexistence	1	2.564103	Mediterranean	1	2.564103
Mutual Respect	1	2.564103	Just settlements	1	2.564103
Dialogue	1	2.564103	Total	39	%100.00

- A friendship day will be celebrated every year in both countries on the anniversary of concluding the Treaty (August 30). This event will further enhance the process of partnership between the peoples of both countries.
- Every country is entitled to choose its Suitable Political System; thus, there will be no required duplication from one another.
- Good neighboring is the new spirit of partnership between the two countries in the new millennium.
- Human rights and respecting the Human Rights Declaration of 1948 also reflects the basis of this new partnership.
- The two countries share a common culture and heritage, and it is time to strengthen these for the interest of both parties.
- Dialogue is the best way to minimize existing and potential differences.
- Since the Italian-Libyan partnership addresses problems of the new millennium; accordingly, protection of the environment is emphasized.
- Libya will benefit from the Italian experience in the field of small and medium enterprises, through which Libya aims to narrow down the gap of underdevelopment.
- Cooperation in the field of defense is certainly a new direction within the framework of Italian-Libyan relationship, and thus, mutual visits and joint ventures in this sector will enhance their partnership.

- This partnership intends to usher a promising future, and therefore, it is appropriate that youth exchanges are emphasized by the Benghazi Treaty.

Conclusion: Results and recommendations:

The Benghazi Treaty is a landmark in the Libyan-Italian relationship, for it does not only eradicate the major differences between the two parties, but it is a step towards institutionalizing the Libyan-Italian relationship in the new millennium.

Furthermore, the fulfillment of its aims will depend on the political wills of both parties. Mutual formal contact at the highest level between both countries is one of the main indicators of the existence of the political will by the leaders of both countries. Both parties gain political, strategic, and economic benefits from the treaty; and therefore, the future relationship between Libya and Italy is very promising.

Regarding the *results* of this study, they are summarized in the following points:

1. Despite differing points of view between Italy and Libya, both countries have common ties, interests, and history that have led them lately to ratify the Benghazi Treaty in 2009.
2. Italy and Libya are potential trade partners, since there are many factors delineated by the Treaty of Benghazi that might help to establish an equal and effective trade partnership between both parties.
3. The Treaty of Benghazi reflects the individual interests of each country, plus the common interests of both parties.
4. The changing global context has lead Italy and Libya to conclude the Benghazi Treaty of 2009.
5. The Benghazi Treaty of 2009 is considered a first step to institutionalize the Italian-Libyan relationship in the political-security, economic-financial, and social-cultural fields, and therefore, the future relationship is very promising.

The findings of this study support, by and large, the underlying hypothesis emphasized earlier. But, the results of this study do not deny the potential effect of various other internal and external variables that might require further investigations and research.

Finally, as far as the *recommendations* of this study are concerned, one might emphasize the following points:

1. The Benghazi Treaty may be adopted to serve as a model that reflects the existing relationship between ex-colonial and ex-colonized nations.
2. Continued political will by both parties is paramount, so that the objectives of the Treaty will be executed efficiently.
3. Seminars, scientific workshops, and conferences are needed that include scholars from Italy, Libya, and elsewhere in order to explore the different aspects of the treaty.

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