



**COUNCIL OF
THE EUROPEAN UNION**

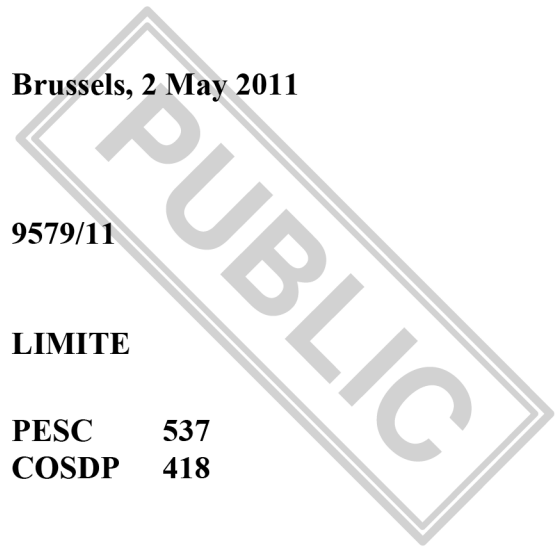
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COVER NOTE

From: Politico-Military Group
To: Political and Security Committee

Subject: Draft Master Messages - EU military operation in support of humanitarian assistance operations in response to the crisis situation in Libya ('EUFOR Libya')

Delegations will find attached initial master messages, intended for the spokespersons of the EU Member States and Institutions, on a possible EU military operation in support of humanitarian assistance operations in response to the crisis situation in Libya ("EUFOR Libya"), as agreed by PMG, with a view to approval by PSC on 3 May 2011.

DRAFT

Initial Public Master Messages

EU military operation in support of humanitarian assistance operations in response to the crisis situation in Libya ('EUFOR Libya')

I. Core Master Messages

On EUFOR Libya:

- The EU expresses its satisfaction after the adoption of UN Security Council (UNSC) Resolution 1973 (2011)¹ and underlines its determination to contribute to its implementation.
- In that regard, the EU has decided that it shall, if requested by UN OCHA², conduct a CSDP Operation "EUFOR Libya" to support humanitarian assistance in the region, in full respect of the principles governing humanitarian action, particularly impartiality and neutrality.
- EUFOR Libya will, if deployed:
 - contribute to the safe movement and evacuation of displaced persons
 - support, with specific capabilities, the humanitarian agencies in their activities
- EUFOR Libya will be an operation to support humanitarian assistance in the region. Any use of force will be for protection purposes only, and will be subject to the principles of necessity and proportionality. It will remain impartial and independent of any armed or political faction and will exclude any occupation of, or attempt to occupy the Libyan territory.

¹ Resolution 1973/2011 demands an immediate and complete ceasefire, authorises the taking of all necessary measures to protect civilians against attacks and establishes a no-fly zone over Libya.

² Office for the Coordination of Humanitarian Affairs (OCHA)

On the wider context:

- The EU welcomes the Paris Summit of 19 March 2011 and the London Conference of 29 March 2011 as decisive contributions to the implementation of UNSC Resolution 1973/2011 and the establishment of the Libya Contact Group, which held its first meeting in Doha on 13 April. While contributing in a differentiated way, the EU and its Member States are determined to act collectively and resolutely, with all international partners, particularly the Arab League, the African Union and other regional stakeholders, to give full effect to these decisions.
- The EU is taking its share of responsibility through its continuous involvement in the political process, its efforts to provide humanitarian assistance, and the military means to support the latter if requested.
- The EU respects Libya's sovereignty and territorial integrity.
- The EU condemns the gross and systematic violation of human rights, violence and brutal repression perpetrated by the regime against the Libyan people, and calls on all parties to the conflict to respect International Humanitarian Law and allow humanitarian organisations full unhindered access to the affected population.
- The EU decided to suspend the negotiations of the EU-Libya Framework Agreement which had started in November 2008. In addition, the EU decided to suspend all ongoing cooperation contracts with Libya as from 22nd February.
- In addition to the UN sanctions which EU Member States are bound to implement, the EU has adopted further restrictive measures affecting people¹ and entities closely associated with the regime.

1 The basic legal acts are: Council Decision 2011/137/CFSP and Council Regulation (EU) No 204/2011.

- In view of the next steps, the EU is prepared to facilitate dialogue towards a democratic transition in Libya and to support process of reform designed to assist the Libyan people in realising their ambitions for a stable, prosperous and democratic Libya.
- The EU is also ready to support the possibility for the Libyan people to realise their aspirations for a democratic society, to help Libya build a democratic constitutional state and to develop the rule of law.

II. Detailed Master Messages on the possible EU military operation

1. With a view to underpinning the mandates of UNSC Resolutions 1970 and 1973 (2011), EU has decided that it shall, if requested by UN OCHA¹, conduct a CSDP Operation "EUFOR Libya" to support humanitarian assistance in the region, in full respect of the principles governing humanitarian action, particularly impartiality and neutrality. Any decision to launch EUFOR Libya will be adopted by the Council of the EU, in the light of a current risk and threat assessment, following approval of the Operation Plan and the Rules of Engagement.
2. EUFOR Libya will be an operation to support humanitarian assistance in the region. Any use of force will be for protection purposes only, and will be subject to the principles of necessity and proportionality. It will remain impartial and independent of any armed or political faction and will exclude any occupation of, or attempt to occupy the Libyan territory.
3. EUFOR Libya will fully respect the UN Guidelines on the use of Military and Civil Defence Assets to support UN humanitarian activities in complex emergencies and Guidance on the Use of Foreign Military Assets to Support Humanitarian Operations in the Context of the Current Crisis in North Africa.
4. EUFOR Libya will, in full respect of the Guidelines referred to above:
 - contribute to the safe movement and evacuation of displaced persons,
 - support, with specific capabilities, the humanitarian agencies in their activities.
5. The EU Operational Headquarters (OHQ) of EUFOR Libya is located in Rome, Italy.

6. Rear Admiral Claudio Gaudiosi (Italy) has been appointed Operation Commander for EUFOR Libya.
7. Planning and conduct of the operation shall be carried out in close cooperation and complementarity with the UN, particularly OCHA which is coordinating the overall humanitarian response², NATO and other actors. As part of this process, the EU's High Representative will continue contacts with the UN and countries of the region, including Egypt and Tunisia. Close cooperation with the Arab League and consultations with the African Union will be carried out, as appropriate.
8. As part of preparations, the EU stands ready to consider offers of contributions from third states including countries in the region, following PSC invitation.
9. Under the responsibility of the Council of the EU and of the High Representative of the Union for Foreign Affairs and Security Policy, the EU's Political and Security Committee (PSC) will exercise the political control and strategic direction of EUFOR Libya. The EU Military Committee (EUMC) will monitor the proper execution of EUFOR Libya conducted under the responsibility of the EU Operation Commander.
10. EUFOR Libya will, unless the Council of the EU decides otherwise, terminate no later than four months after reaching Initial Operating Capability.

¹ Office for the Coordination of Humanitarian Affairs (OCHA)

² See Council Decision 2011/210/CFSP of 1 April 2011 on a European Union military operation in support of humanitarian assistance operations in response to the crisis situation in Libya (EUFOR Libya), article 8.

ANNEX - Detailed Master Messages on the wider context:

1. Humanitarian Assistance

- The EU and its Member States have mobilised humanitarian aid and are committed to further assist people in Libya and people crossing its borders, in close cooperation with the Office for the Coordination of Humanitarian Affairs, the UN High Commissioner for Refugees, the International Organisation for Migration (IOM), the International Committee of the Red Cross / International Federation of Red Cross and Red Crescent Societies and non governmental organisations.
- The EU calls on all parties concerned to allow the access of humanitarian agencies and operators to any zone where aid is needed and stands ready to support their work.
- The EU has been at the forefront of the international humanitarian response through the mobilisation of a comprehensive range of measures: humanitarian funding and in-kind assistance. The EU (Commission and Member States) allocated so far over 96 million euro.
- In addition to humanitarian assistance, EU Member States have also allocated significant resources, including through FRONTEX, to tackle the considerable challenge posed by continuous migratory movements .

2. Restrictive measures

- UN measures introduced by UNSCR 1970 include notably a visa ban and an assets freeze on Muammar Kadhafi and other persons responsible for the violent repression of civilians, as well as an arms embargo. UNSCR 1973 imposes a range of additional measures, including action to tighten the enforcement of the arms embargo, prohibition of Libyan commercial flights, additional criteria for the asset freeze allowing for further designations and additional listings, including the National Oil Corporation.

- The EU has swiftly implemented the restrictive measures provided for in UNSC Resolutions 1970 and 1973, together with EU autonomous additional measures such as an embargo on equipment which might be used for internal repression and autonomous designations of persons and entities, including in the oil and gas sector, in order to prevent any funding of the regime.

3. Transition to Democracy

- The objective is for Libya to rapidly embark on an orderly transition to democracy through a broad-based dialogue. The EU welcomes and encourages the interim Transitional National Council based in Benghazi which it considers a political interlocutor.
- The EU stands ready to help Libya build a democratic constitutional state and develop the rule of law. It is ready to respond to requests from the Libyan people to assist the restart of the Libyan economy.
- The European Council has underlined that work should be rapidly taken forward to develop a new partnership with the region, in line with the European Council's declaration of 11 March 2011. This partnership will be founded on deeper economic integration and closer political cooperation, and will follow a differentiated and performance-based approach. As first steps in the implementation of the 11 March package, and on the basis of the joint Commission/High Representative communication, the EU has called for rapid progress to be made *inter alia* along the following lines:
 - a) the EU and its Member States will step up their humanitarian assistance;
 - b) ongoing aid programmes in the Southern Mediterranean countries will be screened and refocused;
 - c) respond to the challenge of mobility and promote people-to-people contacts, using such instruments as mobility partnerships with all partners sufficiently advanced in their reform processes and cooperating in the fight against human trafficking and irregular immigration. A particular focus should be put on the young.

- d) develop a differentiated and incentive-based approach with the Southern Mediterranean where democracy and the rule of law are rewarded. Such a partnership should also be founded on deeper economic integration, broader market access and political cooperation.
 - e) Provide the countries with the means to rebuild and modernise their economies. Economic development and job prospects, especially for youth, are of paramount importance to stabilise democracy. Further means to enhance trade and foreign direct investment in the region in the short, medium and long term shall be identified. It is also urgent to revitalise the tourism sector in the region.
 - f) the ceiling for EIB operations for Mediterranean countries undertaking political reform should be increased by EUR 1 billion, without reducing operations in the EU's Eastern neighbours.
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