

## VOICE POSITION PAPER

### EU military operation in support of humanitarian assistance operations in Libya

Over recent weeks, the situation in Libya has deteriorated from one of initial civil protests to one of a complex conflict situation. As part of the response of the international community, the EU has allocated 40 million euros to meet the needs of people affected by the crisis.

On April 1 2011, the Council of the European Union agreed to the establishment of “an EU military operation in support of humanitarian assistance operations in Libya if requested by the UN Office for Coordination of Humanitarian Affairs (UNOCHA)”. Any such deployment would be named operation “EUFOR Libya”.

If this military operation is initiated, it will operate in accordance with the “Guidelines on the Use of Military and Civil Defense Assets to Support United Nations Humanitarian Activities in Complex Emergencies” (MCDA Guidelines). These Guidelines have been developed by member states of the European Union in collaboration with the humanitarian community. They clearly state that military and civil defense assets can be used to support humanitarian operations if they are requested by UNOCHA, and if all civilian alternatives have been explored and exhausted. Crucially, they also require that any military assets used under these criteria must remain under civilian coordination, and must respect the needs-based and neutral nature of humanitarian aid.

The VOICE network is pleased that EU member states have determined to ensure that any military intervention will respect these international guidelines as they support other key agreements that have been agreed to or supported by the European member states. Among others, the Lisbon Treaty clearly states that humanitarian aid is to be conducted in line with the principles of impartiality and neutrality. The Good Humanitarian Donorship initiative, the OECD/DAC criteria, and the European Consensus on Humanitarian Aid, all make it clear that EU member states and institutions are committed to upholding humanitarian assistance as impartial, neutral, and independent. This decision of the Council in relation to the possible deployment of EUFOR Libya reinforces these commitments.

While the situation on the ground remains difficult and unpredictable, the majority of known humanitarian needs are being addressed. At present humanitarian actors, including several VOICE members, are delivering aid inside Libya in a manner that is informed by humanitarian principles including the completion of needs assessments and the impartial delivery of aid. Humanitarian access, including to many conflict-affected areas, has been possible without military escorts or support due to an acceptance by all conflict parties of the neutral, independent and impartial nature of the humanitarian actors on the ground.

Consequently, we feel that there is no current need for EU military assets to be deployed in support of humanitarian aid. If this situation changes and a specific capacity gap were to be identified, it is the responsibility of UN OCHA to formally request these military assets if they consider that the humanitarian situation demands it. If such a deployment were to occur, it must be in a manner consistent with the MCDA guidelines, with clarity of roles and mandates for all parties.

The objective of humanitarian assistance is to save lives and to relieve suffering of people in need. Humanitarian agencies that are perceived as acting according to agendas other than their humanitarian mandate may lose their credibility in the eyes of other local actors as well as the trust of the population they are there to serve. This can severely restrict their access to the people in need and, ultimately, create security risks for their staff and for the aforementioned populations.

The Council Conclusions of April 1 stipulate clearly the conditions that need to be met for a potential EUFOR Libya deployment and these show welcome recognition of the European Consensus for Humanitarian Aid. VOICE, the network of European humanitarian NGOs, therefore finds it of crucial importance that these conditions are respected. The follow-up to the Council Conclusions needs to be well managed and monitored, while the EU continues to develop a common policy towards Libya. This would give a clear signal to the international community that the EU under Ms. Ashton is implementing the right separation between political and humanitarian support. It also demonstrates that the EU, as a major humanitarian donor, respects the core values of humanitarian aid and does not use it as a crisis management tool. For humanitarian NGOs acting independently of political considerations is an essential value. They will therefore continue to closely monitor the situation on the ground and remain open to increase their engagement in response to humanitarian needs.