

**EUROPEAN NEIGHBOURHOOD
AND PARTNERSHIP INSTRUMENT**

LIBYA

**STRATEGY PAPER &
NATIONAL INDICATIVE PROGRAMME
2011 - 2013**



LIST OF ACRONYMS

BAP:	Benghazi Action Plan
BPC:	Basic Popular Congress
CARIM:	Consortium for Applied Research on International Migration
CBC:	Cross-Border Cooperation
CEN-SAD:	Community of Sahel-Saharan states
CSP:	Country Strategy Paper
DCI:	Development Cooperation Instrument
EC:	European Commission
EIB:	European Investment Bank
EIDHR:	European Instrument for Democracy and Human Rights
ENP:	European Neighbourhood Policy
ENPI:	European Neighbourhood and Partnership Instrument
EU:	European Union
FEMIP:	Facility for Euro-Mediterranean Investment and Partnership
FTA:	Free Trade Agreement
GDP:	Gross Domestic Product
HIV:	Human Immunodeficiency Virus
ICT:	Information and Communication Technology
IMF:	International Monetary Fund
ICMPD:	International Centre for Migration Policy Development
ICR:	Italian Committee for Refugees
IOM:	International Organisation for Migration
IOPCR:	International Organisation for Peace, Care and Relief
MDGs:	Millennium Development Goals
NIF:	Neighbourhood Investment Facility
NIP:	National Indicative Programme
NGO:	Non-Governmental Organisation
NSA-LAD:	Non-State Actors — Local Actors in Development
OPEC:	Organisation of the Petroleum Exporting Countries
PAO:	Project Administration Office
PIP:	Public Investment Programme
SIA:	Sustainability Impact Assessment
SME:	Small and Medium-sized Enterprise
TAIEX:	Technical Assistance Information and Exchange instrument
UN:	United Nations
UNDP:	United Nations Development Programme
UNHCR:	United Nations High Commissioner for Refugees
UNODC:	United Nations Office on Drugs and Crime
US:	United States of America
WB:	World Bank
WTO:	World Trade Organisation

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1. FRAMEWORK FOR RELATIONS BETWEEN THE EU/EC AND LIBYA

1.1. Overall objectives of the EU's external, security and development policy

The aim of the **EU's external policy** is to preserve its common values, promote peace and security in accordance with the Charter of the United Nations and promote international cooperation. It also aims to develop and consolidate democracy and the rule of law, respect for human rights and fundamental freedoms. To implement its external policy the EU has a large array of instruments.

In December 2003, the EU adopted the **European Security Strategy**, which was subsequently reinforced in late 2008, with a view to making the EU a more capable, more coherent and more active global player. One of the priorities identified by the European Security Strategy is the need to promote 'a ring of well-governed countries to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations'. The strategy also clearly states the need to promote an order based on effective multilateralism and refers to the security of the EU's energy supplies.

The **European Neighbourhood Policy** (ENP) was launched in 2004. The premise of the ENP is that the EU has a vital interest in seeing greater economic development, stability and better governance in its neighbourhood. Spreading peace and prosperity beyond the borders of the EU prevents artificial divisions and creates benefits for the ENP partners and the EU alike. The ENP allows the EU to strengthen its relations with individual countries. It is a partnership for reform that offers 'more for more': the more deeply a partner engages with the Union, the more fully the Union can respond, politically, economically and through financial and technical cooperation.

Relations with Africa: in December 2005, the European Council adopted an EU strategy for Africa which provides a long-term strategic framework for interaction between Europe and Africa at all levels, with pan-African institutions such as the African Union, regional organisations and national authorities. In December 2007, this was followed by the adoption of the Joint EU-Africa Strategy by the 80 Heads of States and Governments, the purpose of which is to take the Africa-EU relationship to a new, strategic level with a strengthened political partnership and enhanced cooperation at all levels. The partnership will be based on a Euro-African consensus on values, common interests and common strategic objectives. This partnership should strive to bridge the development divide between Africa and Europe through the strengthening of economic cooperation and the promotion of sustainable development in both continents, living side by side in peace, security, prosperity, solidarity and human dignity. Libya currently chairs together with Spain the Africa-EU Migration, Mobility and Employment Partnership.

The EU attaches particular importance to building an area of peace, prosperity and security in the **Mediterranean region**. It pursues this objective through its regional policy (Union for the Mediterranean) and by developing its bilateral relations with all countries of the region.

The need to address more effectively **irregular migration** in the Mediterranean region, which largely come from Africa and transit through Libya, has been identified by the European Council of 19 June 2009 as a priority objective of the European Union.

The EU's **development policy** is driven by the overriding objective of poverty reduction in the context of sustainable development, including the achievement of the Millennium Development Goals (MDGs). It has the complementary aims of promoting good governance and respect for human rights. At the same time it emphasises the need for a differentiated approach depending on contexts and needs.¹

Climate change is a key internal and external policy priority for the EU. The EU is committed to ensuring that its development cooperation efforts support the fight against climate change.

1.2. Strategic objectives for cooperation with Libya

The EC strategy has one overarching objective: to consolidate Libya's integration in the rules-based international political and economic system. It aims to achieve this objective by ensuring the successful implementation of the Framework Agreement under negotiation, jointly tackling common challenges and supporting Libya's modernisation.

On 15 October 2007, the External Relations Council of the EU affirmed the need for a framework agreement with Libya, which will place relations with Libya within a clear and comprehensive legal framework. Negotiations on the EU-Libya framework agreement were officially launched on 12-13 November 2008. The parties to the future agreement have expressed their willingness to conclude negotiations as soon as possible.

It is envisaged that this agreement will establish mechanisms for political dialogue and cooperation in the field of foreign and security policy. It will contain provisions for a deep and comprehensive free trade area (FTA) to cover trade in goods and services, investment issues and other key trade rules (intellectual property rights, competition, public procurement, trade and sustainable development, sanitary and phyto-sanitary rules, statistics, customs, and trade facilitation). It will establish dialogue and cooperation on economic issues. The agreement will also provide for close cooperation on justice, freedom and security issues as well as on many sectoral issues, in particular energy, transport, environment, industrial and enterprise policy, tourism and cultural heritage, agriculture and rural development, fisheries and an integrated approach to maritime affairs, including maritime governance, science and technology, education and training, etc.

The agreement will establish a complete institutional structure, involving meetings at ministerial and high official levels, as well working groups and bodies in charge of monitoring cooperation among the parties and discussing all issues pertaining to the implementation of the agreement.

Due to its breadth and scope, in particular as regards the deep free trade area and sectoral cooperation, the implementation of the framework agreement will pose many challenges to Libya. Therefore, accompanying measures are necessary to strengthen the Libyan

¹ The key principles of the EU's development policy are set out in 'The European Consensus on Development' (see http://ec.europa.eu/development/icenter/repository/european_consensus_2005_en.pdf).

administrative bodies in charge of implementing the agreement as well as the economic agents and individuals that might be negatively affected by the agreement. This is particularly the case for enterprises that might face stronger competition from EU counterparts as a result of the free trade agreement.

Because of the international sanctions, Libya has been isolated from most of the rest of the world for almost two decades. This has resulted in underinvestment and a lack of know-how and modern skills. To accelerate its modernisation and establish a successful partnership with the EU in key areas of common interest (fighting illegal immigration in the Mediterranean or terrorism, developing Libya's energy resources in hydrocarbons and renewable energies, creating the bases for successful investment in new sectors, improving fundamental freedoms and human rights), Libya needs to adopt modern administrative and management techniques, strengthen its capacity to plan and implement complex strategies, build up institutions and administrative capacity and develop its legislative and regulatory framework. The European Union has developed a vast experience in assisting third countries through enlargement and the European Neighbourhood Policy. Therefore, this strategy aims to build on this experience and provide Libya with key expertise to support its modernisation and tackle common challenges.

2. COUNTRY DIAGNOSIS

2.1. Political, economic, social and environmental situation

Political situation

Since 1977, Libya has been a 'Jamahiriya', which is a form of direct democracy under which power is entrusted to the people through their participation in local basic popular congresses (BPCs). Each BPC elects a representative to the General People's Congress, which is the country's supreme legislative body and appoints the General People's Committee (the cabinet).

Civil society organisations and a few non-governmental organisations have developed over recent years, but on a modest scale. Press freedom has improved. However, freedom of association and freedom of expression remain restricted and there are still numerous reported abuses of human rights. Recently, many Islamic prisoners were freed and the government has taken steps to grant compensation to victims of the 1996 repression at the Abou Salim jail as well as to destroy this prison, a symbol of internal repression. The Leader of the Revolution, Muammar al-Gaddafi, still retains strong influence.

As regards Libya's foreign policy, the end of international sanctions in 2003 marked the beginning of a process leading towards the full reintegration of Libya into the international community. Libya is pursuing a very active foreign policy, which is characterised by normalisation with the Western World, activism in Africa and active courting of the other large powers, in particular the large emerging countries (Brazil, Russia, China, India in particular). Libya has taken important steps to improve relations with EU Member States. In March 2009, Italy formally apologised for the errors made in Libya during the colonial period. Both countries have now reached a long-awaited agreement closing outstanding colonial issues and providing for substantial investment by Italy in Libya. Full diplomatic relations were restored with the United States in 2008, with the appointment of the first US Ambassador to Libya, putting an end to 36 years of diplomatic absence. In 2009, Libya holds the Presidency of the African Union and the Arab Maghreb Union. It is also a member of the

UN Security Council in 2009, and since September 2009 holds the annual Chairmanship of the UN General Assembly.

Libya has become a very active regional power. It strongly supports the Community of Sahel-Saharan states (CEN-SAD), a Libyan-founded institution aiming to reinforce political cooperation in the Sahel region. It has launched mediation efforts in various national and regional conflicts in sub-Saharan countries such as Mali, Chad/Sudan, Mauritania and Sudan/Darfur. In parallel, Libya is developing ambitious investment projects in the African continent in such sectors as tourism, banking, the distribution of oil products, air transport and mining. This investment is mainly via the public *Libyan Africa Investment Portfolio*, a public fund endowed with US \$5 billion. With its most immediate neighbours (Sudan, Chad, Niger, Mali, Mauritania), Libya is keen to increase its political and economic cooperation to avoid further destabilisation, to tackle trafficking in illicit substances (arms, drugs) and the spread of terrorism, and to stem illegal immigration (including through employment-generating development projects).

In recent years, Libya has become a very important destination country for irregular migration, mostly originating from neighbouring countries and sub-Saharan countries (see migration profile in the annex). In 2007, however, irregular migration flows through Libya started to increase substantially in an unprecedented manner. The increase in migratory pressure on Libya's southern borders stems from the realisation by migrants originating from Western and Eastern African countries that Libya is the most suitable transit country on the way to the European Union. Many of these migrants previously used the Western African migratory route through Morocco. Many also originate from countries facing conflict.

The increased migratory pressure from irregular migration on Libya's southern borders was reflected in 2008 by the sharp increase in the number of irregular migrants brought across the Mediterranean to Italy and Malta by smugglers operating along the Libyan shores and in the number of irregular migrants intercepted by the Libyan border police in the south of the country. However, since the entry into force of joint naval patrols with Italy in May 2009, the number of illegal migrants arriving in Italy and Malta from Libya has fallen very sharply.

Economic situation

Libya's economy is largely dependent on the hydrocarbons sector, which in 2007 accounted for more than 71 % of nominal GDP, more than 97% of exports and 90% of government revenues. Libya is Africa's second largest crude oil producer and its proven reserves are the largest in Africa. It is also the third largest external supplier of oil to the EU (10% of EU's oil imports) and its fifth largest external supplier of gas. In view of a modest population estimated at about 6 million persons, hydrocarbon wealth has made Libya, on a per capita basis, one of richest countries in Africa.

Due to high oil prices, strong external demand and buoyant internal demand boosted by an expansionary fiscal policy, recent years have seen an acceleration in real GDP growth, to more than 7.2% on average between 2005 and 2007. It fell to 3.8% in 2008, mostly on account of a reduction in oil prices. Non-oil GDP grew by 8% in 2008, supported by an expansion in construction, transportation and trade, as well as by a significant increase in government spending (45%).

Due to unprecedented oil revenues, Libya has registered very important fiscal surpluses in recent years (almost 25% of GDP in 2008), even though the non-oil fiscal account is in deficit

(32% of GDP in 2008). However, as a result of the sharp fall in oil prices, the fiscal surplus is expected to narrow down to around 14% of GDP in 2009. Libya's external position is very favourable. Due to high oil prices and strong external demand, exports have grown very rapidly in nominal terms over recent years. Despite the concomitant strong increase in imports and the deficit in the services and current transfers balances, the current account surplus reached more than 40% of GDP in 2006-2008. According to the Central Bank, the balance of payments posted a \$37 billion surplus in 2008. Although Libya does not publish data on its external debt, it is understood that the country has very limited external debts. Its total foreign assets (foreign exchange reserves, the Oil Reserve Fund and the Libyan Investment Authority) are estimated to have reached \$136 billion at the end of 2008. In March 2009, Libya was awarded investment grade ratings.

Despite sound macroeconomic fundamentals, economic reforms remain slow. Privatisation of large companies is not advancing, except in the banking sector, where two of the five state banks have been merged and a further two sold to foreign investors. A new licence for mobile telecommunication services was offered to private investors in 2009, and foreign investors are being courted to take part in new infrastructure projects, in particular power plants. However, foreign investment is for the time being largely concentrated in the oil and gas industries.

The development of the non-oil private sector has been more difficult than expected, due to Libya's underdeveloped financial system, inadequate infrastructure, inefficient public administration and the lack of an educated workforce. One of the main problems faced by private companies is the uncertainty created by different and shifting interpretations of the law, in particular the legislation on taxation, and the absence of rapid and transparent mechanisms for resolving commercial disputes.

Libya's economy remains one of the least diversified in the region and depends heavily on its oil and gas sector. As a consequence, it has been directly affected by the fall in oil prices. The impact has been particularly severe on Libya's ambitious investment plans. In 2007, a 2008-2012 Public Investment Plan (PIP) was prepared with an estimated budget of about \$225 billion for various large-scale projects (power stations, harbours, railways, roads, airports, etc.). However, due to the fall in oil prices and budget revenues, the PIP has been scaled down.

The PIP remains the only document setting out the government's priorities over a multi-annual period. There is no overarching development plan or a single document summarising the main policy choices of the authorities for the next few years. The absence of a clear development strategy, including sector strategies with clear policy orientations, reduces the transparency of the policy process and hampers the implementation of result-oriented reforms.

In 2009, the fall in oil prices and the production cuts dictated by OPEC are expected to lead to a strong reduction in fiscal revenues. However, the fall in world prices for food and minerals should have a positive impact on Libya, as it will reduce import costs and hence the need for subsidies on food products from the state budget. As regards the external accounts, the current account surplus is expected to fall significantly, as imports will not fall as rapidly as exports.

Social situation

Libya enjoys favourable social indicators. Its Human Development Index was 0.840 in 2008, which gives the country a ranking of 52nd out of 179 countries. In the same year, its Human Poverty Index was 13.6%, giving Libya a ranking of 60th among 135 developing countries.

Over recent years, there has been steady progress in indicators such as life expectancy, health and reproductive care, water supply, sanitation, and educational attainment. Libya does not publish data on the Millennium Development Goals, although a national report is being prepared with the assistance of the UNDP.

In 2005, total health expenditure amounted to about 3.5% of GDP, and government expenditure amounted to 81% of this total. While all citizens have free access to a generous package of health care, there are concerns about the quality of services provided, which is prompting many citizens to go to neighbouring countries for specialised treatment, or to use the emerging private sector. The management of the public sector is hampered by the lack of a clear sector strategy, the absence of a proper information system, and a distribution of financial resources which is not based on health needs.

Enrolment rates in the education system are very high by international standards, in particular in the primary and secondary sectors. Enrolment has also increased rapidly in higher education. However, despite these achievements, the quality of education has been questioned. Investment in the education system does not follow clear policy choices, which has led to the multiplication of small schools. During the decentralisation period, there was a massive increase in teachers and administrative staff at schools; as a result, Libya has the lowest student-teacher ratio in the world (4.6). Almost one in four students are enrolled in health studies, a very high proportion by international standards. The education system does not seem to deliver the skills necessary for the rapidly growing new sectors of the economy. Indeed, private companies report a lack of specialised skills among Libyan-trained students, prompting them to hire foreign labour.

The labour force has been increasing rapidly in recent years due to the large quantity of young people entering the job market. While strong economic growth has led to a reduction in unemployment (from 17.3% in 2003 to 13.5% in 2006), creating sufficient jobs for all remains a major challenge, in particular in a context where the public sector will no longer hire as massively as in the recent past.

Environmental situation

Libya's coastal zone hosts 85% of the country's population (2003) and most of its industrial, agricultural and tourist activity. There are no natural rivers in the area, only wadis (temporary dry rivers), which transport sediment, litter and pollutants from inland to the sea during storms.

The major environmental concerns in Libya are water availability and the depletion of underground water as a result of overuse in agricultural developments, causing salinity and sea-water penetration into the coastal aquifers. Water resources are also likely to be affected by climate change.

Pollution resulting from human activities is mainly found in the vicinity of large coastal cities, and is concentrated in a limited number of urban/industrial centres along the coast. The main sources of pollution are urban and industrial sewage, in addition to improper solid waste management. Oil pollution is observed near terminal facilities. Away from the cities a significant part of the Libyan coastline is under no serious human stress because in many areas there is no paved access to the shoreline.

As a major oil producing country, Libya has built its economic development on access to very cheap oil. As a result, it has a very high energy consumption relative to other countries in the

region. In 2006, it consumed almost 19 million tonnes of oil equivalent, corresponding to a per capital consumption of 3.1 tonnes of oil equivalent, compared to 1 tonne in Algeria, 0.9 tonnes in Tunisia and 0.4 tonnes in Morocco. Libya's per capita consumption is close to the levels observed in European Mediterranean countries. Its CO₂ emissions are also comparatively large, with 8.96 tonnes of CO₂ per capita in 2003 (2.17 tonnes in Tunisia and 1.10 tonnes in Morocco, although the situation in these two countries is somewhat different as they are not energy-producing countries).

The use of renewable energies remains very limited in Libya: in 2006, its consumption amounted to only 0.17 million tonnes of oil equivalent (1 million tonnes in Tunisia and 0.47 million tonnes in Morocco). However, the potential for the development of renewable energy sources is very high, in particular solar but also wind energy. It is estimated that this potential amounts to 157 000 TWh per year.

In summary, the key environmental problems are:

- Limited water availability; insufficient wastewater treatment due to breakdowns in pumping stations and treatment plants; lack of sewage networks in some areas; sea pollution from oil spills as well as land-based sources;
- Insufficient municipal solid waste management and lack of sanitary landfills; waste is often disposed of in empty plots within town limits, creating health problems;
- Lack of appropriate control and legal environmental specifications for the industrial sector, especially for the large number of small industries located within urban areas;
- An economic model that depends heavily on the very low cost of non-renewable energy, thus encouraging its wasteful use.

Trade policy

Libya has applied to become member of the World Trade Organisation, and membership negotiations have been ongoing since 2004. In this context, Libya has taken important measures to improve the business environment and the investment climate. In 2003, it removed the need for import licences. In 2005, it removed direct import duties and replaced them with a uniform and general 10% port handling fee. In addition, a consumption tax on imports of some sensitive products that are produced locally is also levied (the rate of which can go up to 100%). A few imports are not allowed. Libya is trying to develop its non-oil exports, including in particular traditional Mediterranean agricultural products (olive oil and dates) and fisheries products. It has submitted an application to the Commission for the export of fisheries products. An on-the-spot inspection of the Libyan official control system by the EC Food and Veterinary Office is scheduled for the second half of 2009. If the outcome is satisfactory, imports of fisheries products will be allowed from Libya to the EU.

The EU is Libya's main trading partner, both for exports and imports. The EU's share of Libyan exports is close to 80% while its share of Libyan imports reached about 55% in 2007. In 2008, the EU had a substantial trade deficit with Libya, amounting to €28.4 billion.

2.2. Libya's policy agenda

Politically, Libya has embarked on a process of gradual liberalisation. In 2009, Libya agreed to allow foreign newspapers to be distributed in the country. The government has started work

on a draft constitution, with the help of foreign experts. It is not yet clear when this constitution will be discussed. It has also launched a programme for modernisation of the justice system, with the aim of improving the functioning of courts and access for citizens.

Economically, Libya has decided to change the balance between the private and public sectors. In an effort to develop private companies, it created in 2009 an SME development fund and opened a first incubator for start-up companies. It intends to open many more such incubators. It has established a cooperation partnership with Singapore with a view to acquiring information, knowledge and skills for developing a full-fledged SME policy in Libya.

Libya has also engaged in a radical programme for restructuring the public sector. Indeed, recent years have seen many radical reforms in the public sector, which have weakened its capacity to provide basic services. In 2000, a major decentralisation process was launched, which included the abolition of many ministries (including education, health, economy, agriculture, energy, and industry) and the transfer of significant powers (human resources management, financial independence, planning, etc.) to the regions ('Shabiyat'). The process was accompanied by a huge increase in the public service workforce, from about 400 000 people in 2000 to 930 000 in 2005, thus accounting for about 60% of total employment. At 18% of the total population, the public workforce is one of the highest in the world.

Overstaffing in the public sector was accompanied by an inefficient policy of human resources management, which froze nominal public sector wages between 1981 and 2007, and did not provide the right mix of skills. Falling real wages and unclear structures of responsibility led to widespread absenteeism and a deterioration in the quality of public services.

In 2006, the government decided to recentralise the public administration. Most of the ministries were re-created at central level, but they have remained relatively weak organisations, in particular due to ministerial reshuffles and indications that the central ministries might be dismantled again. The Government also embarked on a programme of downsizing the public sector; almost 300 000 people were retransferred from their administrations, and put under the payroll of a special retraining centre, which remains under the budget. A second phase in the retrenchment programme has been planned but not yet implemented.

The reduction in the public workforce is a component of the Wealth Distribution Programme. Under this programme, the authorities intend to transfer the ownership of many public companies to the population and to develop the private sector, in both the industrial and services sectors but also in the provision of basic services (education and health in particular). To complement the radical restructuring of the public sector, the population are to be granted a direct cash allocation which they would use to purchase basic services, as well as shares in projects.

In social sectors (health and education), Libya is still struggling to define clear sector strategies, following the recentralisation process decided in 2006. The general trend in both sectors has been to increase the share of the private sector in providing health care and education. The government aims to reduce overstaffing in both sectors, while increasing compensation for workers (in 2007, it already increased salaries substantially in the health sector). It also aims to improve the quality of service.

In the energy sector, Libya intends to increase production of oil from 1.8 million barrels per day in 2006 to 3 million bpd in 2012. The Libyan National Oil Company has estimated the investment needed to achieve these targets to be between US\$ 330 billion and US\$ 400 billion. Libya also has a large untapped potential in gas production, which is projected to be developed from the current 15.2 billion cubic metres to 57 billion by 2030. To reach these objectives, it has opened the country to foreign investment. The 2008-2012 Investment Programme envisages substantial investment in energy infrastructure. However, the sector lacks a clear, comprehensive policy framework, including for the rational use of energy, pricing and the development of renewable energy. There are indications that Libya wants to develop civilian nuclear energy, but there are no clear plans. Also, while Libya established a renewable energy authority in 2007 and has indicated that it aims to increase the share of renewable sources to 10% by 2020, this does not seem to be well integrated within a clear sector strategy.

In order to cope with the challenges posed by irregular migration into the country and the increased capacity of smugglers to organise the crossing of the Mediterranean to Italy and Malta for thousands of irregular migrants, the Libyan authorities have decided to strengthen their capabilities and their cooperation with some key countries and international organisations, in particular Italy. Following bilateral agreements signed in December 2007 and in August 2008, they have started joint naval patrols with Italy. Italy has given a number of naval vessels and trained Libyan forces to use these vessels. The two countries have also reached an agreement on putting in place a comprehensive surveillance system for the southern borders. Libya is also cooperating with UNODC in the fight against human trafficking, and with IOM on a voluntary return programme for stranded migrants. Many of these projects are funded partially by the EC. However, there is still no clear policy framework for refugees and asylum seekers, as well as for migration management in general. Furthermore, the capacity of Libya to patrol and monitor its long borders remains insufficient in the face of increasingly sophisticated and able smuggling networks. The various forces involved in the fight against illegal migration are often not properly trained and coordination among them could be strengthened.

3. OVERVIEW OF COOPERATION AND POLICY DIALOGUE, COMPLEMENTARITY AND CONSISTENCY

3.1. Overview of past and present EC cooperation

EC financial cooperation with Libya started with the launch, in November 2004, of the 'EU HIV Action Plan for Benghazi' (BAP). So far, the EU's support for the BAP has amounted to €8.5 million, with a further commitment of €2 million to follow in 2010. Existing evaluations of the BAP programme indicate that it has been highly successful and very well appreciated by Libya. In 2008, the Commission decided to provide €1 million to support development of a 2009-2013 National HIV Strategy.

In the area of migration, the EC has financed a few projects, mostly implemented by the Italian Ministry of the Interior, the International Organisation for Migration and the UN High Commissioner for Refugees, using the successive thematic instruments (AENEAS and 'Thematic Programme on Migration and Asylum'). All projects have been implemented to the satisfaction of Libyan beneficiaries. In 2009, the Commission announced its intention to allocate €20 million for migration, but discussions are continuing with Libya on the use of these funds.

Libya has become eligible for TAIEX short-term technical assistance. A seminar to present this instrument was organised in 2009, and the first operational actions are expected to be launched before the end of 2009. Libya is also eligible for the TEMPUS, ERASMUS MUNDUS II and NSA-LAD programmes, although it has not received direct support so far.

In all sectors of intervention, financial assistance has been provided through direct contracts with European or international service providers, for example Member State administrations, international organisations or non-profit organisations. No Libyan institution has so far been granted direct responsibility for managing EC financial assistance.

3.2. Information on programmes of other donors (complementarity)

Libya receives very little foreign public assistance, notably due to its strong fiscal position. A few EU Member States have provided assistance to support the Benghazi Action Plan (health) and grant scholarships for Libyan students attending European higher education institutions. There are well-established coordination mechanisms for implementation of the Benghazi Action Plan, including regular meetings in Tripoli and sharing of information among EU Member States. **Italy** is the main EU donor, with a project portfolio amounting to €28 million. The areas of cooperation were defined in the July 1999 Joint Statement and include: agriculture, health, training, demining and emergency interventions.

The **United Nations Development Programme** is the main donor active in Libya, although the funding is provided almost entirely by the Libyan authorities. Under its 2006-2009 programme, amounting to US\$16 million, the three main areas of intervention are: a) mainstreaming the MDGs and addressing socio-economic challenges, including achieving greater economic diversification, b) human resources for sustainable human development and the development of a knowledge society, and c) supporting the ongoing modernisation process for better economic performance and improved delivery of services and governance at central and local levels. In the environment field, the UNDP has established a strong partnership with Libya's Environment General Authority. Programmes have been launched in the following sectors: equipment of the EGA's laboratories, establishing an environment geographical information system, national capacity self-assessment, management of protected areas, establishing a national framework for solid waste management and an action plan for hazardous waste, strengthening the water management capacity of the General Water Authority. In the democratic governance area, the UNDP's main focus is on a programme for the modernisation of justice, for which it is financing feasibility studies for the introduction of a comprehensive ICT system and an electronic legal database, and the training of staff. It also has projects in the agricultural, industrial and tourism sectors.

In 2007, a technical cooperation agreement was signed between the **World Bank** and the Government of Libya, covering the 2007-2008 period with a budget of US\$1 million, funded jointly by the two partners. This budget has been used to finance a number of studies, including an investment climate assessment and a public expenditure review. A 2009-2011 programme of cooperation has been prepared and is under discussion. It will focus on actions in the field of private sector development, in particular support for non-oil export and trade facilitation. In 2009, the **African Development Bank** decided to provide some technical assistance (water, public-sector capacity building), as well as to finance analytical work, workshops and seminars. This is done on a reimbursable basis. The **European Investment Bank** does not yet have a mandate from the EU Council to operate in Libya.

The Libyan authorities have indicated that institutional development and strengthening as well as training and transfer of know-how are their main priorities in their cooperation with international donors. It should be noted that many private companies, in particular European oil companies, provide substantial funding for technical assistance projects in Libya.

3.3. Description of the state of political dialogue between donors and the partner country

At the initiative of the UNDP, a Donors Coordination Group has been set up. It meets regularly and brings together all UN agencies present in Tripoli, other international organisations, country donors, the main non-governmental organisations, and private companies that have granted funds for development (notably oil companies in support of the BAP). The Libyan government actively participates in these meetings.

3.4. Description of the state of the partnership with the partner country and progress towards harmonisation and alignment

Because financial assistance to Libya is relatively recent and limited in volume, given the very limited number of donors, and because Libya is not a signatory of, nor has endorsed, the Paris Declaration on Aid Effectiveness, the government has not put in place a specific agenda for harmonisation and alignment.

In its projects, the UNDP has recently moved from a system of direct or agency execution to one of national project execution, which entrusts primary responsibility for project management to Libyan beneficiaries, using UNDP standards and procedures. It should be noted that a few of the international organisations active in Libya (in particular the UNHCR and IOM) have already received EC funding and are therefore used to EC procedures.

Libya has developed an active policy as an investor in development projects in sub-Saharan Africa, essentially through the Libyan Arab-African Investment Company (endowed with US\$5 billion). In this context, there is scope for envisaging joint cooperation projects. In fact, discussions between Libya and the European Commission/European Investment Bank have started to identify projects for joint investment to support implementation of the joint EU-Africa Strategy.

3.5. Analysis of policy coherence for development

The twelve EU policies to be considered for analysis of policy coherence for development generally support the objectives of the EC as set out in this document. Currently, EU agricultural and sanitary policies limit the opportunities for Libya to develop its exports to the EU. The trade agenda with Libya envisages the establishment of a deep and comprehensive free trade area, including in the agricultural and fisheries sectors, which will provide new opportunities for Libyan companies. However, the development of Libya's commercial fisheries sector should be within the existing international legal framework, aiming for the conservation and sustainable utilisation of fishery resources as well as the protection and preservation of the marine environment. It is expected that the free trade provisions of the EU-Libya Framework Agreement will enter into force before or at the beginning of the period covered by this strategy.

Our environment and climate change policies will support the objective of improving the sustainability of Libya's development. Our transport and energy policies, in particular in their

external dimensions, also support the proposed strategy as they aim to progressively integrate neighbouring countries within the EU internal market.

In the energy sector, the EU Energy Security and Solidarity Action plan recognises that Europe must reduce its vulnerability to energy supply shocks, and in this respect improved cooperation with external partners and neighbours such as Libya has gained new importance. EU policies to diversify sources of supplies and give privileged access to energy imports produced from renewable sources provide strong opportunities for Libya.

The EU's research and innovation policy attaches special importance to establishing close relations with neighbouring countries, in particular through their participation in the European Research and Technological Development and Demonstration Framework Programme. As such, it is complementary to policies envisaged under this strategy, which aim to increase the quality of human resources, ensure the implementation of the Framework Agreement and develop relations between Libya and the EU.

Finally, in the migration area, the aim of the EU's Global Approach to Migration is to address migration in a balanced manner, by taking into account all aspects of this phenomenon on the basis of dialogue and cooperation between all destination, origin and transit countries. This approach underpins the cooperation with Libya envisaged under this strategy.

4. THE EU'S RESPONSE STRATEGY

4.1. General principles

While Libya is a high-income country, the EU has strong political interests in providing assistance to Libya, in particular in areas where there is a need for joint action (in particular migration and energy security), where the EU has already made commitments (notably in the 2007 Memorandum of Understanding signed by Commissioner Ferrero-Waldner) or in order to support the successful implementation of the Framework Agreement currently under negotiation.

In selecting focal areas for financial support, three important factors have been taken into consideration:

- The political dialogue and engagement of the EU with Libya is very recent and remains fragile. Mutual knowledge and trust need to be strengthened before an ambitious and far-reaching programme of cooperation, dealing with very sensitive issues, in particular in the governance area, can be envisaged. In the meantime, actions should be envisaged in sectors where there are clear and urgent joint priorities.
- The EC has very little experience of technical cooperation with Libya. This calls for maintaining projects in those sectors where the EC has already intervened and where it has built trust with the Libyan government. The choice of other new sectors reflects the EC's track record and expertise in similar sectors in neighbouring countries.
- Libya often lacks clear sector strategies on which to build successful technical and financial cooperation, and its administrative structure remains weak. Therefore, EC assistance should mostly focus on strategy development, capacity building for policy formulation, implementation and monitoring, human resources development, training, and institutional strengthening.

4.2. Priorities of EC cooperation

Taking into consideration these factors and the three main intermediate strategic objectives of the EC set out in section 1.2 (ensuring the successful implementation of the Framework Agreement under negotiation, jointly tackling common challenges and supporting Libya's modernisation), the following priorities for EC cooperation in the 2011-2013 period have been identified.

- (1) Improving the quality of human capital;
- (2) Increasing the sustainability of economic and social development;
- (3) Addressing jointly the challenge of managing migration.

The choice of these priority areas also takes into consideration the preferences of the Libyan government, in particular as expressed in the Memorandum of Understanding signed on 23 July 2007 with Commissioner Ferrero-Waldner.

As in other Maghreb countries, developing the **quality of human capital** remains a challenge in Libya. While there are unquestioned quantitative achievements (enrolment rates, prevalence rates of diseases, development of infrastructure), the quality of services in the education and health sectors is often not satisfactory. Also, neither sector responds sufficiently to the needs of the population. To a large extent, these problems are due to a combination of a poor understanding of the situation (lack of data on user needs and sector outputs), the absence of medium-term sector strategies and clear policy choices, institutional instability, and the lack of modern, performance-based information and management systems. Improving the quality of human capital will help Libya as it seeks to adapt its society and economy to the more open environment espoused by the authorities of Libya, and to be supported by implementation of the EU-Libya Framework Agreement over the coming years. It will also lay the foundations of an economy that is less reliant on the non-sustainable wealth provided by hydrocarbons, in particular through the development of new skills and competences required for an expanding private sector. Building on past experience, EC assistance will focus specifically on the health sector. The aim should be to improve strategic planning, quality assurance mechanisms, human resources development and training, as well as curriculum development in the health sector. The choice of intervention in the health sector is also justified by the trust and good results achieved in the project for implementation of the Benghazi Action Plan and preparation of a national HIV-AIDS strategy.

However, the need to improve the quality of human capital will be mainstreamed in all projects launched under the National Indicate Programme.

As an economy relying almost exclusively on the export of non-renewable natural resources (oil and gas) and on agricultural production largely reliant on non-renewable water resources pumped from the Sahara desert, Libya needs to lay the foundations for a more **sustainable model of economic and social development**. At the same time, the implementation of the free trade provisions of the EU-Libya Framework agreement will entail greater competition for those local companies faced with import competition. The challenge for Libya is therefore to modernise and diversify its economic structure so as to develop the non-oil sector and adopt an economic model less reliant on cheap and non-renewable resources, and more on products and services incorporating a higher share of local added value.

In this context, EC assistance should aim to develop the export potential of local companies involved in the non-oil sector and to improve the framework for sustainable development of the private sector. This will help Libya take advantage of the opportunities created by the Framework Agreement, notably in terms of access to the large European market. It should also support Libya's efforts to develop its services sector, including tourism. Cooperation on cultural heritage is a key instrument to develop bilateral understanding and dialogue. This will also promote sustainable cultural tourism, which will in turn contribute to the diversification and openness of the economy.

Also, EC assistance should target the development of renewable energies in Libya. Libya has indeed a very large potential in wind and solar energies. This is an area of mutual gain for Libya and the EC, as Libya could become a large exporter of renewable energies to Europe. EC assistance should therefore contribute to the energy security of Europe, be fully consistent with the EU's external energy policy, and contribute to addressing climate change considerations.

Finally, to ensure the successful transition towards a more sustainable, increasingly open and complex economy, Libya needs to strengthen its public administration and develop its legislative and regulatory framework. This should improve the often erratic strategic policy formulation of the past as well as develop Libya's capacity to prepare, develop, implement and monitor sector strategies.

In all these areas, the EC has no track record of cooperation with Libya. However, it has acquired strong expertise with countries of the region. In all three Maghreb countries, SME and industrial modernisation programmes have been put in place. In most MEDA countries, programmes for institutional strengthening and capacity building in the public sectors have operated for a number of years. These programmes, which support the implementation of EU-partner country agreements, have been very successful in transferring know-how and strengthening capacity for policy formulation and implementation in new technical fields.

Building an effective partnership between the EC and Libya will be judged by the ability to **tackle common challenges**. Illegal migration is a pressing challenge that affects both Libya and the EU. Libya is an important partner of the EU in the fight against illegal immigration in the central Mediterranean Sea as well as in efforts to adopt a balanced and global approach to migration. Libya organised the first EU-Africa conference on migration and development in November 2006. New cooperation projects were proposed in 2009, but because Libya requested a very substantial political, technical and financial commitment from the EU to tackle the migration phenomenon, it has so far not been possible to agree on an EC contribution. However, the complex and long-term challenges facing Libya in this domain require a sustained EC effort, and the EU Council, in its conclusions of June 2009, asked for an increase in cooperation with key countries of origin and transit in the Mediterranean Sea. Capitalising on past cooperation projects and on the mutual trust established in dealing with this sensitive and complex issue, EC assistance should aim to support Libyan authorities in establishing an institutional framework for migration, improving border management in Libya (including maritime borders), improving Libya's treatment of illegal and stranded migrants present on its territory, strengthening Libya's capacities in the area of asylum and respect for its international commitments on refugees as well as strengthening Libya's ability to manage the foreign workforce on its domestic job market. EC cooperation will only be mobilised when a political understanding is found with Libya on possible areas of intervention.

The EC's response strategy does not deliberately aim to deal directly with other important issues, such as for example those directly related to governance, human rights, education or the environment. Currently, the UNDP has established good cooperation with Libya on governance issues, in particular on justice and gender issues, as well as on the environment and has a clear comparative advantage due to this ongoing cooperation. However, opportunities will be sought to integrate climate change considerations, including both mitigation and adaptation, within relevant areas of EC assistance, such as energy and water. On human rights, given the importance that the EU attaches to this issue, the EC should aim to gradually establish cooperation with Libya. However, this will need to be built on trust and a clear political framework. In this context, it is proposed to launch initiatives under the European Instrument for Democracy and Human Rights.

4.3. Impact

The successful implementation of the strategy should have the following impacts:

- All projects under the 2011-2013 National Indicative Programme are decided and their implementation is under way. There is a common understanding on the rules and procedures for financial cooperation.
- More power is generated from renewable energy sources.
- Exports of non-oil products to the EU have increased, in particular in the fisheries² and agricultural sectors.
- The number of Libyan citizens seeking medical treatment outside Libya is stable and the number of patients with infectious diseases has fallen.
- The number of illegal migrants reaching Europe through Libya has fallen from 2008 levels. A new legal and institutional framework for managing illegal and legal migrants, including those in need of international protection, and improving the detention conditions of migrants has been put in place.³

4.4. Complementarity with other financial instruments and thematic programmes

In addition to the bilateral programme under the ENPI, the EC can mobilise **other financial instruments and thematic programmes** in support of cooperation with Libya.

ENPI multi-country programmes

The activities and initiatives described in this NIP 2011-13 will be complemented and reinforced by activities under the Regional and Inter-Regional Programmes 2011-13. The Regional Programme will address multilateral cooperation among Southern Neighbours, primarily linked to implementation of the Union for the Mediterranean. It should be noted,

² It has to be underlined that the expected increased exports of fisheries products to the EU should not lead to an increase in the fishing effort and in Libya's fleet capacity beyond what can be supported by available fishing opportunities. All measures and obligations concerning sustainable fisheries and conservation of fish stocks under the provisions of regional fisheries management organisations to which Libya is party should be duly implemented and enforced.

³ This is dependent on an agreement being reached between Libya and the EC on launching projects in this area.

however, that Libya has clearly indicated that it does not intend to participate in the initiatives launched under the Union for the Mediterranean. This will restrict its capacity to participate in regional projects funded by the ENPI.

The ENPI Inter-Regional Programme focuses on activities that are best implemented at inter-regional level for reasons of visibility, coherence or administrative efficiency, with the aim of gradually strengthening dialogue and cooperation between the EU and all ENPI countries as well as between eastern and southern neighbours themselves. Examples of activities include TAIEX, TEMPUS (higher education reform), ERASMUS MUNDUS (student and academic mobility), CIUDAD (cooperation between local and regional authorities) and SIGMA (public administration reform). In particular, it is expected that the TAIEX instrument will provide valuable assistance, in particular in responding flexibly to requests for short-term technical assistance in areas where there is a need to implement EU legislation, norms and standards. Libya could also benefit in the future from funding under the Neighbourhood Investment Facility, to support large investment projects partially financed by EU development banks. The NIF can finance studies, technical assistance, and investment costs for large projects in the transport, energy or environment fields.

CBC

Libya is also eligible for CBC programmes, so may receive additional funding for its participation in the relevant CBC programme during the period 2011-13.

DCI thematic programmes

Libya can also benefit from a number of thematic programmes under the DCI⁴. Of these, the 'Thematic Programme on Migration and Asylum' is particularly relevant for the ENPI region because of the importance of the issue and the scale of activities in the region. Projects in Libya under this programme have already been decided and will continue to support initiatives involving Libya in either bilateral or regional projects. Initiatives targeting Libya under the following three thematic programmes (Non-State Actors – Local Actors in Development, Invest in People and Environment, and Sustainable Use of Natural Resources, including energy) should be considered as complementing bilateral cooperation. The activities funded under thematic programmes should be coherent with the implementation of the present NIP.

Democracy and Human Rights Instrument

In addition to the thematic programmes, Libya could also benefit from the European Instrument for Democracy and Human Rights, which will provide support to promote freedom of expression and association, the protection of human rights defenders, anti-torture measures, the promotion of human rights, conflict protection and democratic reform, improving the international human rights framework, and election observation.

Instrument for Nuclear Safety Cooperation

⁴ ENPI partner countries are eligible for support from the following 5 thematic programmes: 1) Investing in people, 2) Protection of the environment and sustainable planning / cultivation of natural resources including energy, 3) Non-state actors and local authorities in development, 4) Food security and 5) Migration and asylum.

In order to improve the safety of nuclear plants, Libya is also eligible for support from the Instrument for Nuclear Safety Cooperation for nuclear regulators and for the emergency management and improvement of contaminated sites.

FEMIP

Libya is currently not eligible to receive loans from the European Investment Bank. A separate EU Council decision is required to change this situation. The Commission intends to pursue close contacts with the EIB.

4.5. Cross-cutting issues

A number of cross-cutting issues will be given special attention in the implementation of the EC strategy, in particular combating HIV/AIDS and environmental sustainability. The planned intervention in the health sector is expected to follow up on the current project preparing a national HIV/AIDS strategy. Social inclusion, gender equality and the rights of children will be given special attention in the priority dealing with the improvement of human capital. By strengthening the capacity to prepare, monitor and implement coherent and multi-annual sector strategies, EC intervention is expected to improve governance. On human rights and democracy, projects launched under the EIDHR should establish a basis for tackling this important issue. As indicated above, there is a need to build trust and a clear political understanding before launching more ambitious cooperation projects with Libya in this domain. Possible intervention in migration, in so far as it improves the conditions of illegal migrants in Libya, would also advance the cause of human rights. Depending on the evolution of bilateral relations and cooperation with Libya, projects under the NSA-LA programme could target indigenous peoples, although they only represent very small human communities.

4.6. Risks

The main **risks** linked to implementation of the strategy are the weak institutional capacity of the Libyan beneficiaries, the lack of clear sector strategies and the possibility of insufficient cooperation from the Libyan authorities. The latter risk seems more important in the area of migration, which is politically sensitive and where no agreement has been reached with Libya on the scope of a possible project during preparation of the NIP. However, the main risk is the weak administrative capacity and the lack of experience in directly implementing EC-funded projects. To mitigate this risk, the EU intends to establish close and regular dialogue with Libya at a high political level. Also, the Commission intends to promote information and contacts between Libya and neighbouring countries (in particular Morocco and Tunisia) that have a long experience of cooperation with the EC. In particular, expertise should be strengthened at the Ministry of Foreign Affairs and the Ministry of Finance and Planning, which have been the main institutional counterparts of the Commission in the dialogue on the preparation of the National Indicative Programme.

It is proposed to implement only one project in the first year (2011) so as to avoid overburdening the Libyan administration with the preparation of too many projects at the same time. Preparation of the annual action programme will have to take into consideration the progress made in strengthening the administrative capacity of the national coordinator. Also, it will have to take into consideration the progress made in the negotiation of the Framework Agreement. If these negotiations take longer than expected, it will be necessary to focus more precisely on sectors where there is a clear and urgent EU interest, for example energy (renewables, interconnection, etc.). Finally, project implementation could rely more

extensively on public sector actors and international organisations, as in the 2008-2009 projects financed by the thematic programme on asylum and migration, for which the Italian Ministry of Interior was selected as the main contractor.

5. THE NATIONAL INDICATIVE PROGRAMME

5.1. Main priorities and goals

Under this national indicative programme, it is proposed to launch three or four cooperation programmes. Taking into consideration the EC priority areas and Libya's proposals, the list of projects is as follows.

Priority 1 - Improving the quality of human capital

- (4) 1. Programme in support of the health sector.

Priority 2 - Increasing the sustainability of economic and social development

- (5) 2. Programme for integration in world trade and SME development.
3. Programme to support implementation of the framework agreement.

Priority 3 - Addressing jointly the challenge of managing migration

4. Programme for tackling the migration issue and strengthening border control (possibly).

5.2. Indicative budget

For the period 2011-2013, it is proposed to allocate a total budget of €60 million to the National Indicative Programme for Libya, to be divided as follows:

<i>Priority</i>	<i>€m</i>
<i>Priority 1 - Improving the quality of human capital</i>	30-36
<i>Priority 2 - Increasing the sustainability of economic and social development</i>	24-30

This proposed split is given for purely indicative purposes and might be reviewed during the preparation of each annual action programme.

Regarding the priority 'addressing jointly the challenge of managing migration', it is understood that if and when an agreement is reached between Libya and the EC on the scope of a possible project in this domain, resources could be mobilised under this NIP through a reallocation of the budget among the priorities (see below).

5.3. Priority areas

5.3.1. Priority 1 - Improving the quality of human capital

Context and justification

Improving the **quality of the human capital** remains a challenge in Libya. While there are unquestioned quantitative achievements (prevalence rates of diseases, development of infrastructure, enrolment rates), the quality of services in the education and health sectors is often not satisfactory. Also, these sectors do not respond sufficiently to the needs of the population, in particular the most vulnerable groups. To a large extent, these problems are due to a combination of a poor understanding of the situation (lack of data on user needs and sector outputs), the absence of medium-term sector strategies and clear policy choices, institutional instability, and the lack of modern, performance-based information and management systems. Improving the quality of human capital will help Libya as it seeks to adapt its society and economy to the more open environment espoused by the Libyan authorities, and to be supported by implementation of the EU-Libya Framework Agreement over the coming years. It will also lay the foundations for an economy that is less reliant on the non-sustainable wealth provided by hydrocarbons, in particular through the development of new skills and competences required for an expanding private sector. Building on past experience, EC assistance under this priority will focus specifically on the health sector. The aim should be to improve strategic planning, quality assurance mechanisms, human resources development and training, as well as curriculum development in health.

5.3.1.1. Programme in support of the health sector

a) Description of the programme

This programme would continue and expand the current EC involvement in the health sector in Libya, building on the trust, credibility and results achieved so far. EC support focused initially on the Benghazi Centre for Infectious Diseases and Immunology, then on the development of national guidelines for HIV and a 'safe blood' programme. In 2009, a new project was launched to prepare a national strategy on HIV/AIDS. The EC has established a very good relationship with the National Centre for Infectious Disease Control as well as with the General Committee for Health (Ministry of Health).

Libya is in the midst of important structural reforms in the field of health. Indeed, while overall health indicators are relatively satisfactory, the system has a number of shortcomings, in particular quality of care, motivation of medical personnel, quality of nursing and quality of nursing education, absence of guidelines for diagnosis and treatment of diseases, weakness of continuous professional training, and the absence of a clear sector strategy based on health indicators to be achieved. One of the clearest indicators of the problems facing the system is the high number of people seeking medical treatment abroad. A number of reforms have already started. Following the decentralisation episode between 1999 and 2006, the government recreated a central administration in 2006. It has allowed the development of private pharmacies and clinics. It has also started preparing a new five-year national health strategy, which is currently being reviewed by the competent national authorities.

In this context, the general objective of the programme is to improve the quality of the health services offered in Libya. This will help improve the general health of the population and contribute to the confidence of the population in the services provided by the public sector.

b) Specific objectives

The specific objectives of this programme are: a) to improve the capacity of the Libyan public health authorities for strategic and financial planning, policy and budget preparation, procurement, financial management, and implementation of services in the health sector; b) to improve education and continuous professional development programmes for health professionals; c) to support the development of quality improvement approaches in health-care organisations and d) to improve the control and surveillance of communicable as well as non-communicable diseases.

c) Expected results

The Ministry of Health should be the main beneficiary of the programme. The identification and formulation mission will identify more precisely the expected results. At this stage, the programme is expected to have the followed results:

- The General Committee for Health is strengthened, so as to improve its capacity in strategic planning, monitoring and implementation; this might include improvement of the health information system, the capacity to prepare for the possible introduction of social health insurance, regulating and setting the right incentives for quality of care, introducing evidence-based general medicine (family doctors), developing and implementing an essential drug policy including procurement, and user consultation and surveying.
- The human resources policy for public health and education of health professionals is improved; this may include a review of the curricula and training methodologies of a number of pilot training centres for health professionals (in particular nurses).
- Libya's capacity to address communicable as well as non-communicable diseases is strengthened, in line with international agreements in health (e.g. the Framework Convention on Tobacco Control or the International Health Regulations) of which Libya is a party.

d) Implementation and indicators of achievements

The EC has acquired good experience with the various technical assistance projects in the health sector of Libya. Building on this experience, it is proposed to implement the programme as a technical cooperation programme through the traditional project mode.

Indicators of achievement will be defined in detail during the identification and formulation phase, in line with the final set of expected results. They will essentially relate to the adoption of policy papers outlining the preparatory steps for the intended regulatory and management changes in the provision of health care, a reduction in drug procurement times, the adoption of policy papers outlining the new curricula and training methods for selected health personnel and the adoption of a strategy on communicable and non-communicable diseases.

e) Risks and assumptions

The main risks relate to the following issues:

- Decision by Libya to revert to a decentralised health system, which would reduce or eliminate the powers of the General Committee for Health.
- Absorption capacity of the Libyan public administration.

However, the following assumptions will mitigate the risks:

- Appointment of a strong Project Director, together with a solid structure for the project administration office, directly linked to the decision makers in the General Committee for Health.
- Implementation of a national health strategy guided by the need to improve health indicators and health service quality.

5.3.2. *Priority 2 - Increasing the sustainability of economic and social development*

Context and justification

As an economy relying almost exclusively on the export of non-renewable natural resources (oil and gas) and on agricultural production largely reliant on non-renewable water resources pumped from the Sahara desert, Libya needs to lay the foundations for a more **sustainable model of economic and social development**. At the same time, the implementation of the free trade provisions of the EU–Libya Framework agreement will entail greater competition for those local companies faced with import competition. The challenge for Libya is therefore to modernise and diversify its economic structure so as to develop the non-oil sector and adopt economic model that exploits the huge economic potential for renewable energy, and uses products and services that incorporate a higher share of local added value in an environmentally sustainable way.

5.3.2.1. Programme for integration in world trade and SME development;

a) Description of the programme

Implementation of the free trade provisions contained in the EU-Libya Framework Agreement will represent both an opportunity and a challenge for Libyan companies. While existing import tariffs in Libya are already fairly low, there are still a number of imported products that face discriminatory and relatively high taxes. There are other trade restrictions on imports. Competition by foreign suppliers for the provision of services is restricted in many sectors. Preliminary results of the sustainability impact assessment for the EU-Libya FTA show that some sectors are likely to be negatively affected by implementation of the FTA. This is particularly the case for the food processing industry, chemicals and other manufactured products. Imports are projected to increase by over 30% for manufacturing and up to 16% for processed food.

The trade aspects of the EU-Libya Framework Agreement, as well as the more long-term prospect of membership of the World Trade Organisation, require strengthening of the capacity of the Libyan authorities to design and monitor relevant trade and trade-related policy and legislation, and to mainstream trade policy matters in their development policy and strategies. Also, there is a need to bring Libyan norms and standards into line with European standards in order to ensure that Libyan products meet the requirements to access the EU market. Finally, as Libya has decided to increase the role of the private sector in the economy and to encourage entrepreneurship and SME development, there is a need to strengthen the regulatory and institutional framework for private sector development.

In this context, the general objective of the programme is to maximise the trade potential offered by the free trade agreement with the EU, to enable more effective participation in the multilateral and regional trading system, to contribute to diversification of the economy and to support the development of the private sector, in particular small and medium-sized companies.

b) Specific objectives

The specific objectives of this programme are to support the adaptation of Libya's small and medium-sized companies to a more open and competitive environment, and to strengthen the capacity of public and private organisations involved in trade, export promotion, industry and SME policies.

c) Expected results

The identification and formulation mission will help to build a common strategy for the programme and identify more precisely the expected results. At this stage, the programme is expected to have the following results:

- Groups of small and medium-sized companies, in priority sectors jointly identified with the Libyan authority, as well as national trainers have been trained in order to improve their management, production and export development methods and thus increase their export potential.
- The institutional quality framework in Libya, including notably the accreditation, certification and normalisation bodies, essential laboratories and metrology services, has been upgraded in accordance with international/EU standards. The professional organisations supposed to promote the new standards and the market surveillance authorities have been strengthened.
- The customs authorities, the Libyan Export Promotion Centre and the Libyan Privatisation and Investment Board are strengthened.
- A number of key laws, regulations and institutions in the trade and trade-related areas have been upgraded so as to facilitate implementation of the Framework Agreement and prepare for accession to the WTO.

d) Implementation and indicators of achievement

In many countries of the region, the EC has financed programmes to support the modernisation and upgrading of enterprises, in particular SMEs, so as to reduce the adjustment costs entailed by stronger competition from imports. These programmes have also provided support to public and private bodies involved in private sector development.

Building on the EC's guidelines and experience in trade-related technical assistance in the region, it is proposed to implement a similar type of programme in Libya. This programme could use the traditional project mode. The identification and formulation mission will have to identify the most suitable public administration to assume responsibility for management of this programme. A project management unit might be necessary, and might have to include international experts able to transfer their know-how to their local counterparts.

Indicators of achievement will be linked to the development of the non-oil sector, in particular the growth in the number of SMEs, increased exports by targeted enterprises, improvement in the business environment and investment climate (as measured by international surveys, for example the World Bank's Doing Business) and the number of technical norms and standards in line with those of the EU. These indicators will be defined in detail during the identification and formulation phase, in line with the final set of expected results.

e) Risks and assumptions

The main risks relate to the following issues:

- Policy reversal by Libya as regards its decision to open its economy, conclude an ambitious FTA with the EU and accede to the WTO.
- Insufficient willingness of targeted enterprises to request and make use of outside expertise.
- Weak coordination among the various beneficiaries of the project.
- Absorption capacity of the Libyan public administration.

5.3.2.2. Support for implementation of the framework agreement programme (SFAP).

a) Description of the programme

In all countries of the region, the EC has financed programmes to support implementation of the association agreements signed with our partner countries. Such programmes exist in Algeria, Egypt, Jordan, Lebanon, Morocco and Tunisia. They have proved effective in providing technical assistance, both from the private and public sectors, to support implementation of the agreements. One of their main advantages is their flexibility and their 'demand-driven' nature, which allows support to be geared to beneficiary country priorities, also in line with those of the EC. Moreover, the possibility of using the twinning instrument as an implementation tool has had a remarkable impact in improving legislative and regulatory frameworks and in transferring know-how from EU public administrations.

In Libya, implementation of the EU–Libya Framework Agreement will be a key anchor for internal reforms. The sheer scope and breadth of the Agreement, and the commitments it contains, will require a significant effort on the part of the Libyan public administration to upgrade the legislative and regulatory framework and to monitor implementation of the Agreement. However, the Libyan public administration, after many years of isolation, needs strengthening and its human resources need to be brought to a higher level of efficiency.

The general objective of the programme is to ensure the successful implementation of the EU–Libya Framework Agreement. Given the wide range of sectors covered by the Agreement and the development priorities expressed by Libya, it has been decided to focus this programme on support for issues linked to sustainable development (in particular energy, including renewable energy, food security and safety, and water management) and the promotion of cultural heritage. However, other issues may be considered such as public finance management, transport security and safety, as well as public administration strengthening and reform.

b) Specific objectives

The specific objective is to strengthen Libya's public administration and institutions in areas jointly agreed by both parties and which are directly related to implementation of the Framework Agreement. Sustainable development and cultural heritage have been identified as priorities of the Libyan government, but other areas might also be considered.

The programme will provide transfer of know-how and expertise, technical assistance, strategic skills development and capacity building, among other things.

c) Expected results

A number of Libyan public administration bodies and institutions have already been identified as potential beneficiaries of this programme. However, the identification and formulation

mission will help in building a common strategy for the programme and therefore might modify the list of sectors for intervention. It will identify more precisely the expected results. At this stage, for the two priorities already identified, the programme is expected to have the followed results:

- Adoption of a long-term energy strategy.
- Adoption of a national strategy for the development of renewable energies, energy efficiency and energy savings, together with a clear regulatory framework that promotes their development.
- Institutional strengthening of the national energy administration, including the Renewable Energy Authority of Libya and the Energy Regulator of Libya.
- Adoption of a National Integrated Water Resources Management (IWRM) strategy, including in particular the promotion of water-savings techniques.
- Strengthening of the water management authority.
- Strengthening of the institutions involved in food security and safety.
- Contribution to the preservation, restoration and valorisation of one major site of cultural heritage in Libya, and support to the development of a sustainable tourism respecting cultural diversity.

d) Implementation and indicators of achievement

The implementation of the programme will rest with a Project Administration Office (PAO). The PAO will be led by a Director appointed and funded by the Libyan government. The remaining personnel and the PAO's running costs will be funded by the programme. Both the Director and the staff will be assigned to the programme on a full-time basis.

A Steering Committee for the programme should be established and should include in particular the General Committee for Foreign Affairs and the European Commission. The secretariat will be provided by the PAO. Moreover, beneficiary institutions will participate in the Steering Committee on an *ad hoc* basis.

The experience with similar programmes in neighbouring countries has shown that an effective PAO with the necessary support from the political level is a key condition for success. Given the demand-driven nature of the programme, the PAO will receive requests from different potential beneficiaries and will make an appropriate selection of possible projects based on common priorities discussed and agreed between the Libyan administration and the EC. Details of individual projects will be developed jointly by the PAO and potential beneficiaries, with technical assistance input when needed.

Indicators of achievement will be defined in detail during the identification and formulation phase, in line with the final set of expected results. Should it be decided to focus on energy and water, the indicators of achievement would be the publication of a national strategy for the development of renewable energies, energy efficiency and energy savings, the publication of new legislative and regulatory texts for renewable energy, an increase in the share of renewable energies in total energy production, and the publication of a new national strategy for water resources management. The development of a defined logframe matrix is key for the proper implementation of the project.

e) Risks and assumptions

The main risks are linked to:

- Delayed entry into force of the Framework Agreement or a political willingness to delay or slow down its implementation.
- Absorption capacity of the Libyan public administration.
- Possible institutional instability due to administrative change.

These factors could reduce the willingness of Libyan beneficiaries to enter into cooperation with the EC and compromise the effectiveness of cooperation activities. However, given the current determination of the Libyan authorities to make rapid progress on negotiation of the Framework Agreement, the first risk is not considered to be serious. The other risks are more significant. However, the following assumptions will mitigate the risks:

- Appointment of a strong PAO Director, together with a solid PAO structure.
- Definition of a strategy based on 'non-controversial issues' and commonly agreed among all parties, prior to beginning actual implementation of activities.
- Integration of the management of all institution-strengthening tools within the PAO.

5.3.3. *Priority 3 - Addressing jointly the challenge of managing migration*

Context and justification

Building an effective partnership between the EC and Libya will be judged by the ability to **tackle common challenges**. Illegal migration is a pressing challenge that affects both Libya and the EU. Libya is an important partner of the EU in the fight against illegal immigration in the central Mediterranean Sea as well as in efforts to adopt a balanced and global approach to migration. Libya organised the first EU-Africa conference on migration and development in November 2006. It has been a destination country for unskilled and skilled labour for many years. Estimates of the number of foreign workers differ, but according to information provided by Libyan authorities, there are approximately 600 000 to 700 000 legal foreign workers and residents. Libya has signed a number of direct manpower agreements with a number of Asian countries. However, there is no proper system organising legal migration.

Capitalising on past cooperation projects and on the mutual trust established in dealing with this sensitive and complex issue, EC assistance should aim to support the establishment of an institutional framework for migration and asylum, to improve border management in Libya, to improve Libya's treatment of illegal and stranded migrants present on its territory, and to strengthen Libya's ability to manage the foreign workforce on its domestic job market.

The June and October 2009 European Councils called on the Commission to strengthen cooperation with countries of origin and transit in the Mediterranean region to tackle the challenge of migration in the Mediterranean. On this basis, the Commission has started a dialogue on possible cooperation in this area with Libya, but so far Libya has not accepted the offer proposed by the EU. It has requested financial assistance well above the level of financial resources available under this NIP. Once a political understanding is found with Libya on possible areas of intervention, a programme for tackling the migration issue and strengthening border control could be launched under the National Indicative Programme. The general objective of this programme would be to improve Libya's ability to manage migration, in its multi-faced dimensions.

The specific objectives would be: a) to strengthen the fight against illegal migration through Libya; b) to reinforce the capacity of the various forces in charge of border control; c) to improve the legislative, regulatory and institutional framework, as well as actual management,

for migrants and people in need of international protection; and d) to improve the capacity of the Libyan authorities involved in the management of legal migration.

5.4. Implementation

No Libyan institution has so far been granted direct responsibility for managing EC financial assistance. This absence of experience poses a challenge for the implementation of EC financial assistance under this NIP.

The experience of other countries in the region shows that the satisfactory management of EC financial assistance requires a well-developed administrative capacity and a group of trained administrators able to understand and implement EC financial procedures. Successful projects must fit closely with the partner countries' priorities and must be fully supported by their public administrations, which must commit human resources so as to ensure their satisfactory implementation.

In this context, the Commission and Libya have agreed to limit the number of projects to be financed by the EC, especially in the first years, so as to avoid overstretching Libya's limited administrative capacity.

In the identification and formulation phases of project preparation, due consideration should be given to using the centralised mode of management, in particular at the beginning of the period. In a subsequent step, provided that the EC is satisfied with the administrative capacity of beneficiaries, the decentralised mode of management could be envisaged. In this case, Libyan institutions would be entrusted with the responsibility for managing EC funds. In particular, this would require them to procure the services, equipment and works needed to achieve the results jointly defined in the financing agreements for individual projects. These managing institutions would of course have to respect EC procedures, in particular for financial management, audit, control, evaluation and procurement.

In all cases, it is advisable to consider long implementation phases. Also, all projects should lead to the signature of a financing agreement.

Given that EC cooperation with Libya is only in its infancy, the choice of the modes of project implementation should be considered with utmost care.

All projects under this NIP will be monitored regularly through the Commission's Result Oriented Monitoring (ROM) system. The development of an internal project monitoring system should also be considered. All projects will also be subject to regular external evaluations and audits.

5.5. Risks and assumptions

The implementation of the NIP is based on the following main assumptions:

- Continuing willingness of Libya and the EU to make rapid progress on negotiation of the Framework Agreement;
- Libya continues to pursue its policy of reintegration in the world political and economic system;
- Willingness of the EU to engage positively with Libya;
- Regular policy dialogue between the EU and Libya on all issues covered by the NIP;
- Sufficient human and financial resources are allocated to the implementation of the NIP.

The main risks are linked to:

- The delayed entry into force of the Framework Agreement or a political willingness to delay or slow down its implementation;
- Absorption capacity of the Libyan public administration;
- Possible institutional instability due to administrative change.

5.6. Alignment, harmonisation and consultation

The Country Strategy Paper and the National Indicative Programme have been prepared in full coordination with a large spectrum of stakeholders. A first explanatory note on the principles and functioning of EC cooperation was presented to the Libyan authorities, to local representatives of EU Member States and to the donor community (as represented in the Development Cooperation Group established under the leadership of the UNDP). In a subsequent step, the Commission prepared a concept note setting out preliminary ideas for the 2011-2013 cooperation programme. This concept note was circulated to the same group of stakeholders and was posted on the website of the Commission's Directorate-General for External Relations. Relevant international organisations (including the World Bank and the IMF) as well as the Brussels-based network of NGOs dealing with neighbouring countries were informed of the existence of this concept note and their comments and contributions were solicited. Finally, the draft of the CSP/NIP was circulated to the Libyan authorities and representatives of the EU Member States. A representative of the EIB participated in the first Commission mission.

While the Commission has sought opportunities for joint or coordinated programming with Member States, this has not proved possible given that most Member States have very small or no cooperation programmes with Libya.

Close contacts have been established with the World Bank, which intends to develop its cooperation programme in sectors also covered by the present NIP, in particular private sector development, trade facilitation and export promotion. Preparation and implementation of the EC programme envisaged in the trade sector should ensure a coherent approach. The same approach has been followed with UN organisations, in particular UNDP, UNHCR, UNODC, IOM, etc. There are synergies between their activities and those envisaged by the EC, in particular in the migration area.

During the implementation phase of the NIP, coordination with the activities of other donors should take place primarily through regular meetings with representatives of EU Member States, through ad-hoc contacts with other stakeholders, and in the context of the meetings of the DCG. If deemed necessary, thematic working groups could be established. The Libyan authorities intend to participate actively in donor coordination activities.

Libya is not a signatory of the Paris Declaration on Aid Effectiveness. However, the EC has proposed that these principles should be mentioned in the text of the Framework Agreement currently under negotiation.

ANNEXES

- Annex 1: Main economic indicators
- Annex 2: Indicators derived from the Millennium Development Goals
- Annex 3: Country environmental profile
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ANNEX 1

Main economic indicators

	2005	2006	2007	2008 ^e	2009 ^e	2010 ^f
Real sector						
Real GDP growth (% change)	9.9	5.9	6.0	3.8	2.1	5.4
GDP (EUR, billion)	35.4	45.0	53.2	61.1	45.4	55.0
GDP (USD, billion)	44.0	56.5	71.7	89.9	59.9	73.2
GDP per capita (EUR)	5971	7441	8479	9711	7068	8403
GDP per capita (USD)	7429	9343	11621	14283	9330	11176
GDP (Libyan dinars, billion)	59.5	72.3	87.6	114	78.2	95.6
Inflation (average, %)	2.9	1.4	6.2	10.4	5	4.5
Social indicators						
Unemployment (off. registered, average, %)			17.0	20.7		
Life expectancy at birth (years)	73.4	73.6				
Adult literacy (% aged 15 and older)	84.2	86.2				
Population (annual growth rate, %)	2.0	2.1	2.0	2.0	2.0	2.0
Human development index	0.818	0.840				
Population (in millions)	5923	6047	6170	6294	6420	6550
Fiscal sector						
General government revenues (% GDP)	62.9	62.5	60.8	63.9	66.5	64.9
- of which: oil revenues (% GDP)	58.4	57.6	54.5	57.3	53.2	53.0
General government expenditure (% GDP)	33.5	31.0	35.3	39.3	55.9	49.1
General government balance, excl. grants (% GDP)	29.4	31.4	25.5	24.6	10.6	15.8
General government non-oil balance (% GDP)	-29.0	-26.2	-29.0	-32.7	-42.6	-37.2
General government debt (% GDP)	1.0	0.9	0	0	0	
Monetary sector						
Broad Money (M2, % change)	10.6	15.9	40.1	47.8	14.0	18.0
Credit to the economy (% change)	7.7	11.6	14.5	12.5	13.7	15.6
Credit to the private sector economy (% change)	2.8	3.6	11.5	46.5	18.0	20.0
External sector						
Current account balance (% GDP)	38.9	44.6	40.6	40.7	16.8	23.5
Trade balance (% GDP)	45.9	46.2	40.8	44.8	24.2	30.8
Exports of hydrocarbons (% GDP)	69.2	67.6	63.9	67.5	60.4	62.8
FDI (net, % GDP)	3.3	2.6	1.1	-2.0	2.1	2.0
External vulnerability						
Total external debt (% GDP)	12.3	10.1	8.0	5.6	8.9	
Total foreign assets (USD, billion, including Libyan Investment Authority)	54.3	74.8	98.3	136.1	147.4	166.1
Financial sector						
Lending rate (average, %)	6.1	6.3	6.0	6.0	6.2	6.5
Exchange rate (annual average LD per 1 EUR)	1.68	1.61	1.67	1.87	1.73	
Exchange rate (annual average LD per 1 USD)	1.35	1.29	1.22	1.25	1.30	
Real effective exchange rate (% , + is apprec.)	-1.8	-0.6	-0.3	6.0	8.2	

Sources: IMF, UNDP, UN population division, EIU

ANNEX 2

Indicators derived from the Millennium Development Goals

Millennium Development Goals				
	1990	1995	2000	2007
Goal 1: Eradicate extreme poverty and hunger				
Employment to population ratio, 15+, total (%)	46	46	47	49
Employment to population ratio, ages 15-24, total (%)	28	28	27	28
GDP per person employed (annual % growth)	-6	-16	-3	3
Income share held by lowest 20 %	..	..	..	..
Malnutrition prevalence, weight for age (% of children under 5)	..	4.3	..	..
Poverty gap at \$1.25 a day (PPP) (%)	..	..	..	..
Poverty headcount ratio at \$1.25 a day (PPP) (% of population)	..	..	..	..
Prevalence of undernourishment (% of population)	5	5	..	5
Vulnerable employment, total (% of total employment)	..	..	..	..
Goal 2: Achieve universal primary education				
Literacy rate, youth female (% of females aged 15-24)	..	91	..	98
Literacy rate, youth male (% of males aged 15-24)	..	99	..	100
Persistence to last grade of primary, total (% of cohort)	..	..	..	..
Primary completion rate, total (% of relevant age group)	..	..	..	..
Total enrolment, primary (% net)	..	..	..	..
Goal 3: Promote gender equality and empower women				
Proportion of seats held by women in national parliaments (%)	..	..	..	8
Ratio of female to male enrolments in tertiary education	..	..	98	..
Ratio of female to male primary enrolment	..	..	98	95
Ratio of female to male secondary enrolment	..	..	106	117
Share of women employed in the non-agricultural sector (% of total non-agricultural employment)	..	..	15.8	..
Goal 4: Reduce child mortality				
Immunisation, measles (% of children aged 12-23 months)	89	92	92	98
Mortality rate, infant (per 1 000 live births)	35	25	20	17
Mortality rate, under-5 (per 1 000)	41	28	22	18
Goal 5: Improve maternal health				
Adolescent fertility rate (births per 1 000 women aged 15-19)	..	5	4	3
Births attended by skilled health staff (% of total)	..	94	99	..
Contraceptive prevalence (% of women aged 15-49)	..	45	..	..
Maternal mortality ratio (modelled estimate, per 100 000 live births)	..	..	..	97
Pregnant women receiving prenatal care (%)	..	81	..	..
Unmet need for contraception (% of married women aged 15-49)	..	..	..	..
Goal 6: Combat HIV/AIDS, malaria, and other diseases				
Children with fever receiving antimalarial drugs (% of children under age 5 with fever)	..	..	..	..
Condom use, population aged 15-24, female (% of females aged 15-24)	..	..	..	..
Condom use, population aged 15-24, male (% of	..	..	..	..

males aged 15-24)				
Incidence of tuberculosis (per 100 000 people)	30	28	22	17
Prevalence of HIV, female (% aged 15-24)	..	..	..	..
Prevalence of HIV, male (% aged 15-24)	..	..	..	..
Prevalence of HIV, total (% of population aged 15-49)	..	..	..	..
Tuberculosis cases detected under DOTS (%)	..	..	113	162
Goal 7: Ensure environmental sustainability				
CO2 emissions (kg per PPP \$ of GDP)	..	..	0.9	0.8
CO2 emissions (tonnes per capita)	8.7	9.0	9.2	9.5
Forest area (% of land area)	0	0	0	0
Improved sanitation facilities (% of population with access)	97	97	97	97
Improved water source (% of population with access)	71	71	71	..
Marine protected areas, (% of surface area)	..	..	..	..
Nationally protected areas (% of total land area)	..	..	..	0.1
Goal 8: Develop a global partnership for development				
Aid per capita (current US\$)	2	1	3	3
Debt service (PPG and IMF only, % of exports, excluding workers' remittances)	..	..	..	..
Internet users (per 100 people)	0.0	..	0.2	4.3
Mobile cellular subscriptions (per 100 people)	0	0	1	73
Telephone lines (per 100 people)	5	7	11	14
Other				
Fertility rate, total (births per woman)	4.7	3.7	3.2	2.7
GNI per capita, Atlas method (current US\$)	..	..	..	9.010
GNI, Atlas method (current US\$) (billions)	..	..	..	55.5
Gross capital formation (% of GDP)	18.6	12.2	13.1	..
Life expectancy at birth, total (years)	68	71	73	74
Literacy rate, adult total (% of people aged 15 and above)	..	76	..	87
Population, total (millions)	4.4	4.8	5.3	6.2
Trade (% of GDP)	70.8	51.6	50.2	..
Source: World Development Indicators database				

ANNEX 3

Country environmental profile

1. Country environmental situation

The Libyan Arab Jamahiriya forms part of the vast African northern plateau. 95 % of its total land surface of 1.76 million km² is desert area. Agricultural land accounts for only 0.4 % of the total. Annual precipitation is about 300-400 mm. The country has an extended coast, along which its small population (6 million inhabitants) is concentrated. More than half of the population is urban, concentrated primarily in the two largest cities, Tripoli and Benghazi. Libya does not have permanent rivers or estuaries.

Strong and growing aridity, combined with low precipitation, poses a threat to ecological systems and biodiversity. The development of intensive farming in regions with fragile ecosystems, the bad management of land resources and climate warming mean that Libya faces serious problems of soil deterioration and growing desertification.

Water is a major environmental concern in Libya. The main problem is water availability, since an increasing share of the water used comes from the non-renewable sources of the Saharan aquifers. The reduction in underground water reserves resulting from overexploitation by farms and agricultural companies causes salinity and sea water penetration in coastal aquifers. Moreover, waters from the coastal areas are often heavily polluted, as a result of the very limited treatment of wastewater, oil products and industrial wastes.

Wastewater treatment is insufficient due to frequent breakdowns and poor maintenance of the pumping and treatment plants, as well as due to the absence of treatment networks in some regions. Although there was considerable investment in urban wastewater treatment in the 1970s and 1980s, the low investment in maintenance has had a negative impact.

Given the importance of the hydrocarbons sector in Libya, and the low modernisation investment in past years, Libya has seen its CO₂ emissions constantly growing in recent years, at an annual rate of 4.2 % between 1990 and 2004. In 2004, Libya emitted 9.3 tonnes per capita, which is far higher than the average of 4.5 tonnes per capita in the Arab countries.

The management of urban solid waste remains limited, and collected waste is mostly dumped in uncontrolled deposits without sufficient attention to health and sanitary risks. There are even unauthorised dumping grounds directly on the sea front, which cause direct marine pollution. Libya suffers in particular from the uncontrolled accumulation of hazardous waste (pesticides, PCBs, chemicals, oil residues, medicines) because of the lack of a policy for the development of infrastructures dedicated to these specific types of wastes.

Municipalities do not have adequate financial resources to invest in the collection of waste, in particular because of the absence of specific taxes in this area. The lack of environmental awareness on the part of the population and the absence of any environmental education also present problems.

As a major oil producing country, Libya has built its economic development on access to very cheap oil. As a result, it has very high energy consumption compared with other countries of

the region. In 2006, it consumed almost 19 million tonnes of oil equivalent, corresponding to a per capita consumption of 3.1 tonnes of oil equivalent, compared to 1 tonne in Algeria, 0.9 tonnes in Tunisia and 0.4 tonnes in Morocco. Libya's per capita consumption is close to the levels observed in European Mediterranean countries. Its CO₂ emissions are also comparatively large, with 8.96 tonnes of CO₂ per capita in 2003, compared with 2.17 tonnes in Tunisia and 1.10 tonnes in Morocco (although the situation in the latter two countries is somewhat different as they are not energy-producing countries).

The use of renewable energies remains very limited in Libya: in 2006, its consumption amounted to only 0.17 million tonnes of oil equivalent (1 million tonnes in Tunisia and 0.47 million tonnes in Morocco). However, the potential for the development of renewable energy sources is very high, in particular solar but also wind energy. It is estimated that this potential amounts to 157 000 TWh per year.

Generally speaking, the large industries (refineries, petrochemicals, metallurgy, iron and steel, cement, textiles) are located far from the cities and are equipped with pollution control systems. The problem of industrial pollution arises mostly at the level of small-scale industries (food, milk products, clothing, metal painting, detergent and soap), which are often located in or near the main cities as well as in industrial areas that do not have proper facilities for the collection and treatment of industrial wastewater and solid waste. The absence of a proper control system as well as the lack of environmental regulations and norms specific for these small-scale industries further worsens the problem.

2. Institutional framework

The General Authority for the Environment (GAE) is the national body in charge of environmental issues in Libya: the protection of natural resources; the fight against pollution; the protection of biodiversity; and the design and implementation of sustainable development. In 2002, the GAE set up a special committee for the development of environmental standards. However, this committee suspended its activities a year after its constitution for administrative reasons.

The General Committee for Housing and Infrastructure is the national body in charge of preparing national and regional environment plans, in particular the planning of the various distribution networks (waters, waste water). It delegates to companies the responsibility for building these networks. Other General Committees have environmental responsibilities in their own fields, in particular the oil sector, the oil and chemical industries, tourism, and the large man-made river.

In 2000, Libya launched a general decentralisation process, establishing 32 Shabiyat (Governorships) with independent administrative and tax authority. As regards environmental protection, each Shabiyah is responsible for urban effluents, solid waste, quality of drinkable water, coastal protection, and the supervision of small factories, both public and private.

In recent years, however, Libya has faced major institutional instability and multiple reorganisations of the various administrative bodies and service providers. This has made it difficult to conduct a coherent policy. In particular, the regional governments, which have important responsibilities, fail to address environmental problems effectively for a number of reasons:

- The low level of environmental awareness among the local population;
- The lack of legal and environmental conscience among persons responsible for pollution;

- The lax rules for controlling and punishing environmental polluters,
- Lack of centres specialised in environmental monitoring and control, which could carry out continuous monitoring of environmental conditions;
- The lack of technical ability to maintain liquid, gaseous or solid pollutant treatment units, in addition to insufficient financial budgets;
- The fact that environmental projects are not considered as a priority by the authorities;
- The lack of environmental threat awareness as well as low pressure exerted on the Shabiyah local authorities to take effective environmental protection measures.

3. Legal framework

For several years, Libya has made efforts to strengthen the legal and legal framework for environmental protection.

The main framework legislation was law No 7/1982, replaced by law No 15/2003, which established the national environmental body in charge of formulating general policy and drawing up environmental protection plans. There are also previous laws and decisions dealing with specific environmental questions:

- a) Waste water. The framework law for the environment (law No 15/2003) prohibits the direct discharge of waste waters that have not undergone treatment, in accordance with its Article 34. Article 43 also specifies that waste waters can be considered as a secondary source of water provided they have been treated.
- b) Solid waste. In 1984, law No 13 established provisions for the management of industrial and urban solid waste.

4. Environmental policy and action programmes

Libya wrote a first report on the state of environment in 2002, formulating a national environmental action plan and preparing specific national environmental programmes such as:

- National programme for the wastewater sector;
- National programme on solid waste, with the support of the United Nations, as well as a national action plan for the management of hazardous waste;
- Programme for technical landfills;
- A national action plan was also drawn up in 2005 (in line with the national strategy) within the framework of the strategic Action Programme for the protection of the Mediterranean against pollution from land-based sources (UNEP/MAP).

5. Participation of Libya in regional and international environmental fora

The Libyan government has taken on many international commitments in the environmental field. Libya signed the convention on biological diversity in 1992 and ratified it in 2001. A national biodiversity committee was created. The government indicated that it intended to prepare a national strategy and an action plan on biodiversity with the support of the International Union for Conservation of Nature. The country has also ratified the convention on endangered species. As regards climate change, the government has signed and ratified the 1999 United Nations Framework Convention on Climate change. A national committee on climate change was established in 2000. A national report on climate change is in preparation with the support of the GEF-PNUE. Libya ratified the Kyoto Protocol in 2006.

In 1996, Libya ratified the United Nations Convention on the Fight against Desertification. A first national report was submitted in 1999 and a second in 2002. A national committee to combat desertification has been set up. There is no national action plan in this area.

Libya has ratified the Barcelona convention for the protection of the Mediterranean Sea against pollution (1976), but has not yet ratified the amended version of the Convention as well as some of its protocols. Libya is also a signatory of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and the Stockholm Agreement on permanent organic pollutants.

6. Conclusions and possible priority actions.

In summary, the key environmental problems are:

- Limited water availability; insufficient wastewater treatment due to breakdowns in pumping stations and treatment plants; lack of sewage networks in some areas; sea pollution from oil spills as well as land-based sources.
- Insufficient municipal solid waste management and lack of sanitary landfills. Waste is often disposed of in empty plots within town limits, creating health problems.
- Lack of appropriate control and legal environmental specifications for the industrial sector, especially for the large number of small industries located within urban areas.
- An economic model that depends heavily on the very low cost of non-renewable energy, thus encouraging its wasteful use.

In Libya, the capacity to manage integrated systems and technologies for environmental management is still rather low. Consequently, there is a clear need for capacity building and transfer of know-how in the field of environmental project management. Moreover, in view of the administrative decentralisation of the country, capacity building needs to be extended to local administrative bodies.

Other urgent priorities are the preparation of regulations to implement the law on environmental protection. The definition of environmental standards and the setting up of Environmental Impact Assessments are priorities as well.

ANNEX 4

Country migration profile

For many years, Libya has been an important country of destination for migrants attracted by the work opportunities in the local economy. Over recent years, Libya has also become a transit country for illegal immigration to Europe. As such, it has become a key country for the EU.

Precise and detailed data on the number of migrants and refugees in Libya are not available. According to information provided by Libyan authorities, there are approximately 600 000 to 700 000 legal foreign workers and residents, while the number of illegal migrants is estimated at 1.2 to 1.5 million. Compared to a local population of about 5.5 million, the number of migrants is very significant indeed.

Despite the importance of the phenomenon, Libya lacks an appropriate legal and institutional framework to deal with the migration issue. The local population is becoming increasingly ambivalent about the migrants, some of whom are accused of carrying diseases, endangering security and negatively impacting the economy.

Cooperation with the EU on migration issues is beginning, and is set to become a major issue in overall political relations and financial cooperation.

1. Legal framework

Libya is not a source country for migration. Libyans citizens can easily obtain passports and travel documents. Libyan citizens travelling abroad are mostly students, businessmen and people seeking medical treatment. There are no visa requirements for Libyan citizens in most Arab and African countries.

Law No 6 of 1987, as amended by Law No 2 of 2004, is the main piece of legislation regarding the entry, exit and stay of foreigners in Libya.

Under its policy of openness towards Africa and in order to attract workers, Libya had entered since the early eighties into numerous agreements with sub-Saharan countries providing for the free movement of persons. It had relatively liberal legislation on naturalisation. However, with the implementation of Law No 2 of 2004, Libya significantly toughened its internal legislation. Law No 2 introduced severe fines and prison sanctions for facilitating illegal migration.

In late 2007, in an effort to curb illegal immigration from sub-Saharan Africa, Libya strengthened its policy and imposed visa requirements for all non-Arab citizens. In addition, requirements for obtaining visas for European citizens were significantly strengthened in late 2008, allegedly to harmonise them with the requirements imposed by EU countries to obtain a Schengen visa.

Libya also requires an exit visa for all foreigners with valid work or residence permits in Libya before they can travel outside the country.

Libya is not a signatory to the 1951 Geneva Convention on the protection of refugees or its 1967 Protocol, but is party (since 1981) to the 1969 African Union Convention Governing the Specific Aspects of Refugee Problems in Africa, which incorporates and expands on the definition of refugees. Libya's protection legislation is fragmentary and no asylum procedure is currently in place. This, and the lack of distinction between economic migrants and refugees, makes it difficult to assess the number of refugees in Libya.

The United Nations High Commissioner for Refugees (UNHCR) has an office in Tripoli, but this presence does not have a clear legal framework. For many years, Libya and the UNHCR have been negotiating a Memorandum of Understanding that would provide a clear legal basis for UNHCR operations in Libya. The UNHCR carries out refugee status determination (RSD) and provides access to durable solutions, notably i) self-reliance through integration in Libya by providing vocational training and assistance in job placement, ii) voluntary return where the situation in the country of origin is safe, and iii) resettlement in a third country.

According to the UNHCR, close to 14 000 refugees and persons of concern are registered with the UNHCR in Libya. Of these, about 9 000 are Palestinians, 3 000 are Somalis and another 2 000 are of various nationalities, including Guinean, Chadian, Liberian and Sierra Leonean. Currently, 5 000 refugees from Sudan, Eritrea, Liberia and Sierra Leone receive support with basic living allowances, shelter, medical assistance, primary education and legal counselling in Libya.

In the last two years, there were no cases, known to UNHCR, of migrants that, after having been recognized by UNHCR as true persons deserving international protection, were subject to expulsion procedure by the Libyan authorities. However, the latter have only recently allowed UNHCR access to detention centres in order to identify migrants in need of international protection, and to accept releasing those having been recognized by UNHCR as true refugees.

There is no Libyan institution dealing with asylum and refugee issues. There are no procedures to ensure respect and protection of migrants' rights, including specific attention to vulnerable categories and persons in need of assistance or protection.

There are a multiplicity of institutions and bodies involved in the fields of illegal immigration and border control, and coordination among them seems to be on an ad-hoc basis. The main ministries involved are the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of Justice, the Ministry of Finance, the Ministry of Manpower, Employment and Training, and the Ministry of Defence. Illegal immigration operations are carried out by the police, supported by the army, which has the main responsibility for controlling the southern and maritime borders. Libya has recently created new institutions to deal more effectively with illegal migration issues, in particular the anti-infiltration and illegal immigration department under the Ministry of Interior, the Border Guard and the Coast Guard. All these bodies are in the development phase.

2. Legal and illegal migration

Libya is also an important country of destination for migration originating from Africa and, increasingly, from Asia. Both Libya's informal and formal economy provide ample opportunities for migrants to work and make savings for financing the next stages of their onward trip. As the oil sector and, increasingly, the construction, public works and services sectors expand, Libya is attracting foreign workers from both Africa and Asia. Following the

practice of some Gulf states, it imports workers from East Asia (Bangladesh, India, Sri Lanka) and offers them temporary work permits. While the presence of these communities is still very recent, it is unclear whether they will return to their countries of origin at the end of their work contract or will try to obtain passage to Europe.

Libya is a key transit country for strong irregular migration flows originating in Northern, Western, Central and East Africa and in Asia, and heading for the EU over the Mediterranean Sea.

In 2008, 36 900 illegal immigrants reached Italy by sea, mostly in the island of Lampedusa (32 000 arrivals) and in Sicily, up from 20 500 in 2007. In Malta, there were 2 335 arrivals in the first eight months of 2008, up from 1 379 in the same period of 2007 (latest data available). Most of these people came through Libya. However, since the introduction of joint naval patrols with Italy in May 2009, the number of illegal migrants arriving in Italy and Malta from Libya has fallen very sharply.

Its long coastline of about 1 770 km, its geographic proximity to Italy and Malta, the traditional links with African countries, which have made travel to Libya easy until recently, and the porous land borders (about 4 500 km), especially in the desert regions of the South, are among the main factors that have made Libya a key transit country. In addition, efforts by Morocco and Spain to control irregular migration on the Western African migration routes have diverted irregular migrant flows originating from Western Africa and Morocco to the Central African migration route leading to Libya. The strengthening of border control in Tunisia also explains why Tunisian citizens choose to depart from Libya, although it is further from Europe than most points of the Tunisian coast. Libya's proximity to conflict zones in Sudan (Darfur), Somalia and Eritrea also partly explains why it is a popular transit country.

Migrants entering Libya come mostly from five main areas: sub-Saharan Western Africa (mainly Ghana, Burkina Faso, Nigeria and Mali, most entering Libya via Niger or Algeria), from the Horn of Africa (Somalia, Eritrea and Ethiopia, entering Libya via Chad, Egypt or Sudan), from West and East Northern Africa (mainly Morocco, Tunisia and Egypt, entering across land borders and by plane directly to Libya), from the Middle East (Iraq, Syria, Palestine and Jordan, entering Libya mostly via Egypt), and, finally, from the Indian sub-continent (Bangladesh, Pakistan and India).

Many migrants die in their attempts to cross the desert or the Mediterranean. According to some estimates, the number of deaths at sea could be as high as 3 000 in recent years.

The relative accessibility of Libya as a transit or destination country is also strongly linked to the limited capacity of its law enforcement agencies, in particular the limited technical equipment, skills and organisational capacity of the services responsible for border surveillance and migration management. Libya's sea patrolling and sea rescue capacity is limited. In addition to limited capacity, Libya will need to sustain efforts made to prevent irregular migration at sea and in the southern borders and to cope with the new tasks of joint patrolling at sea induced by the bilateral agreement with Italy.

The increase in illegal migration flows has been accompanied and encouraged by well organised and increasingly powerful criminal smuggling and trafficking networks operating in Libya. Organised gangs make huge profits from illegal migration given the high numbers of people trying to get to Europe and the reported amounts asked per person (2 000-2 500 USD). It is likely that these gangs benefit from active or passive collaboration by corrupted officials.

Agents and officers working in the various forces dealing with migration issues receive relatively poor salaries and can easily fall prey to smuggling gangs.

In recent years, Libyan society has become less and less receptive to and tolerant of illegal migration, as its impact is being felt more strongly on such issues as security, health and social cohesion. This has prompted the toughening of visa requirements for sub-Saharan Africans and the policy of direct repatriation to countries of origin.

According to the Libyan authorities, there were 47 991 returnees in 2005, 86 006 in 2006 and 30 940 in 2007. Of the latter figure, 43.4% originated from West Africa, 31.4% from Northern Africa (including Egypt), 11.6% from Central Africa, 11.5% from Eastern Africa and 2.1% from the Middle East/Asia.

There are reportedly sixteen detention centres for illegal migrants, managed by the General People's Committee for Public Security. According to the Libyan authorities themselves, these centres are inadequate to cope with the pressure of illegal migration. They are also poorly equipped and their staff need training. Libya faces difficulties in cooperation with some of the countries of origin, in particular in the area of readmission. In some instances, this has prompted Libya to send illegal migrants to their countries of origin without prior notification. Cooperation is better with North African states (Tunisia, Egypt, and Morocco).

With EC financing, the International Organisation for Migration has put in place a programme to assist with voluntary return to countries of origin.

3. Cooperation with the EC

Since 2005, the EC has implemented limited technical assistance projects in the field of migration, mainly through the thematic programmes (AENEAS until 2007 and the 'asylum and migration' programme thereafter).

The main projects so far are:

- Two subsequent 'Across Sahara' projects, financed under AENEAS and implemented and co-financed by the Italian Ministry of the Interior, which have contributed to strengthening border cooperation between Libya and Niger;
- The TRIM project (Enhancement of Transit and Irregular Migration Management in Libya), funded by AENEAS, which was implemented by the International Organisation for Migration (IOM) with Italian and UK Border Agency's co-funding to assist with the voluntary return and reintegration within their home countries of migrants stranded in Libya (mostly nationals of sub-Saharan African countries), and which is now continued under the funding of the Thematic Programme through the "LI-MO" project.
- A project implemented by UNHCR under the AENEAS programme, continued now under the Thematic Programme, includes also the participation of the International Organisation for Peace, Care and Relief (IOPCR), of the International Centre for Migration Policy Development (ICMPD), and of the Italian Committee for Refugees (ICR), which supports the development of an asylum system in Libya, contributes to the activity of UNHCR in identifying and providing assistance and offering "durable solutions" to migrants in need of international protection within the country and to enhance the reception conditions for irregular migrants in the detention centres.

Libya has also benefited from several AENEAS regional projects covering a number of issues such as: strengthening the judicial system in the fight against smuggling in North Africa (with UNODC); a migration management project to promote legal migration and prevent further irregular migration in Ghana, Nigeria, Senegal and Libya; data collection and analysis on migration in the Maghreb/Mashreq region; and, finally, support for civil society work with migrants in North Africa, such as the Réseau Afrique/Migration and the Euro-Mediterranean Human Rights Network. Libya is also involved, though indirectly, in the East Africa Migration Route project implemented by the UK Home Office (with the support of its counterparts in Italy, the Netherlands and Malta). It benefits from three regional projects: one on the protection of stranded and vulnerable migrants in North Africa (implemented by the International Federation of Red Cross and Red Crescent) and two projects following up on data collection (implemented respectively by the CARIM consortium and by the ICMPD).

Under the 2008 Annual Action Programme for the thematic programme on migration and asylum, two financing decisions targeting Libya have been decided. The objective of these actions is to support border management specifically at Libya's southern borders:

- 'Prevention of irregular migration at Libya's southern borders' (€2 000 000) aims to improve the overall capacity of the Libyan authorities, in particular by assisting them to reform their system for preventing irregular migration.
- 'Management of irregular migration pressures in Libya', (€3 500 000) aims to assist the Libyan law enforcement authorities to ensure the appropriate registration, reception and treatment, in line with international standards, of irregular migrants apprehended at the southern borders of the country, and to promote the establishment of a system of assisted voluntary return for stranded migrants willing to return, and resettlement for asylum seekers and migrants in need of international protection.

Both projects will be managed by the Italian Ministry of the Interior, and are currently being finalised with the Libyan authorities. Other EU member States are involved as partners

Under the 2009 budget for the thematic programme on migration and asylum, a direct action with a budget of €4 500 000 was approved to complement the 2008 special measures. This will specifically address the need to set up a more efficient system of surveillance along the southern borders and along the roads and tracks leading from the southern regions towards the Mediterranean coast, in particular by assisting the Libyan border guard and police in identifying the most suitable surveillance equipment, acquiring such equipment, training their staff in its use, and putting in place the operational and organisational procedures to enable the best possible use of this equipment.

Following a mandate to enter into an agreement with Libya, the EU agency Frontex has proposed to Libya to develop technical cooperation and enable it to participate in the naval operations that Frontex regularly launches in southern Mediterranean waters. However, Libya has so far refused to enter into such negotiations with Frontex.

ANNEX 5 - Donor matrix

Donor Coordination Matrix Libya 2009*		
	EC	EU Member States
Education		
Health		
Population policies		
Water and sanitation		
Government and civil society		
Legal and judicial development		
Conflict prevention and resolution, peace and security		
Other social infrastructure and services		
Transport		
Communications		
Energy		
Banking and financial services		
Business and other services		
Agriculture, forestry and fishing		
Industry		
Mineral resources and mining		
Construction		
Trade-related issues, market and regulatory reform		
Tourism		
General environment protection		
Other multisector		
General budget support		
Development food aid/food security assistance		
Action related to debt		
Humanitarian aid		
Administrative cost of donors		
Support for NGOs		
Refugees in donor countries		
Unallocated		
Other		

**) The Donor Matrix is based on the inputs received from a number of Member States in the first half of 2009. Not all member States have provided inputs. The matrix is however a 'living document' and will be routinely updated by the EC Delegation so as to ensure effective coordination on the ground.*

ANNEX 6

Description of the CSP drafting process

In line with its international commitments, the Commission has taken care to consult stakeholders in the process of preparing the Country Strategy Paper, in particular the Libyan authorities, EU Member States, international donors and non-state actors. Because the Country Strategy Paper was the first one ever to be prepared for Libya, the Commission took a progressive and pedagogical approach, on the basis of successive and ever more detailed documents.

The process of consultation with the Libyan authorities started in February 2009, when the Commission submitted an explanatory note on the Country Strategy Paper 2011-2013. This note explained the key principles of the functioning of EC financial cooperation, presented the concepts of the CSP and NIP, and highlighted the consultation process that the Commission intended to follow both with the Libyan authorities and with other stakeholders. Finally, it explained the calendar for the exercise. The explanatory note was discussed with the Libyan authorities, in particular the under-secretary of the General People's Committee (ministry) responsible for planning and representatives of the Ministry of Foreign Affairs and the Ministry of Finance. On the occasion of these first contacts, the Libyan authorities indicated a first list of priority intervention sectors for EC financial cooperation. The European Investment Bank also participated in this first mission and had an opportunity to present its functions and activities.

On the occasion of this mission, the Commission presented the explanatory note to the Development Consultative Group, which represents the main external donors, in particular all main UN agencies (UNDP, UNHCR, WFP, IOM, UNODC, WHO, UNIO), the USA, Canada, large oil companies (ENI, Petro-Canada, Exxon, Stat Oil Hydro), a private university and NGOs. Representatives of the Libyan government were also present. The note was also circulated to all EU Member States represented in Libya.

Subsequently, the Commission drafted a concept note to present the main elements of the country's situation as well as proposals regarding the main priorities for EC support. The concept note was discussed with the Libyan authorities on the occasion of a mission in early May 2009, during which the Commission had the opportunity to meet numerous technical ministries. A coordination group was set up under the authority of the under-secretary for planning, which also included representatives of the Ministry of Finance and Foreign Affairs. The concept note was also circulated to EU Member States represented in Libya, the members of the DCG and various international financial institutions (in particular the World Bank), and was posted on the website of the Commission (in the section dealing with the mid-term review of the Country Strategy Papers for the European Neighbourhood region). The Commission also informed the Brussels-based civil society organisations with an interest in the European Neighbourhood Policy (ENP) region that they could provide comments on the concept note.

Comments on the concept note were included in the draft of the CSP (including the NIP) that was prepared by the Commission. This document was sent to the Libyan government in June 2009. It was also reviewed by EU Member States, the European Investment Bank, other international financial institutions and members of the DCG.

The Commission held discussions with key ministries on the scope of proposed projects, including expected outcomes and performance indicators.

ANNEX 7

Ratification of key international conventions

<i>Name of convention</i>	<i>Date of ratification</i>
Convention on the Prevention and Punishment of the Crime of Genocide	16 May 1989 a
International Convention on the Elimination of All Forms of Racial Discrimination	3 July 1968 a
International Covenant on Economic, Social and Cultural Rights	15 May 1970 a
International Covenant on Civil and Political Rights	15 May 1970 a.
Optional Protocol to the International Covenant on Civil and Political Rights	16 May 1989 a
Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity	16 May 1989 a
International Convention on the Suppression and Punishment of the Crime of Apartheid	8 July 1976 a
Convention on the Elimination of All Forms of Discrimination against Women	16 May 1989 a
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women	18 June 2004 a
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	16 May 1989 a.
International Convention against Apartheid in Sports	29 June 1988
Convention on the Rights of the Child	15 April 1993 a
Amendment to Article 43(2) of the Convention on the Rights of the Child	24 September 2004 A
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	29 October 2004 a
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	18 June 2004 a.
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	18 June 2004

Convention on the Rights of Persons with Disabilities	1 May 2008
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others	3 December 1956
International Convention for the Suppression of the Traffic in Women and Children	17 February 1959
Comprehensive Nuclear Test Ban Treaty	6 January 2004 a
Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction	6 January 2004 a
International Convention for the Suppression of Terrorist Bombings	22 September 2000
International Convention for the Suppression of the Financing of Terrorism	9 July 2002
United Nations Convention against Transnational Organised Crime	18 June 2004
Convention relating to the Status of Stateless Persons	16 May 1989 a
United Nations Convention against Corruption	7 June 2005
International Convention for the Suppression of Acts of Nuclear Terrorism	22 December 2008
United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances	22 July 1996 a
Convention on Psychotropic Substances	24 April 1979 a
United Nations Framework Convention on Climate Change	14 June 1999
Vienna Convention for the Protection of the Ozone Layer	11 July 1990 a
Montreal Protocol on Substances that Deplete the Ozone Layer	11 July 1990 a
Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal	12 July 2001 a

Kyoto Protocol to the United Nations Framework Convention on Climate Change	24 August 2006 a
Convention on Biological Diversity	12 July 2001
Cartagena Protocol on Biosafety to the Convention on Biological Diversity	14 June 2005 a
Stockholm Convention on Persistent Organic Pollutants	14 June 2005 a

Legend:

A: acceptance

a: accession

ANNEX 8

Country map



Map No. 3787 Rev. 4 United Nations
June 2004

Department of Peacekeeping Operations
Cartographic Section

