

DSG/CDC/AG (2.2)

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EXECUTIVE OFFICE
OF THE SECRETARY-GENERAL

Note to Mr. Ladsous

LIBYA: PROPOSED UNITED NATIONS GUARD UNIT

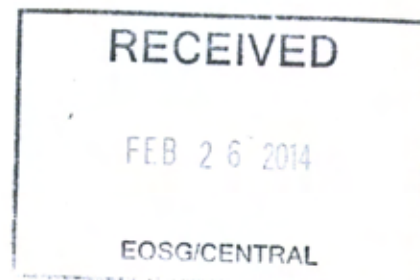
1. I have received the attached report of the Joint United Nations- Jordan reconnaissance mission deployed from 15-17 February to UNSMIL, Libya to elaborate further on the deployment of a UN Guard Unit to protect staff and property in UNSMIL.
2. Together with UNSMIL and the representatives of the Hashemite Kingdom of Jordan, the reconnaissance team recommended a total force of 144 personnel for the UNGU for UNSMIL. The Team also advised that based on the discussions with both the Gendarmerie and Military representatives from Jordan, the Jordanian military has the capability to perform the tasks identified by the mission.
3. I concur with the findings of the Joint Mission and I would appreciate your assistance in finalizing the Concept of Operations, the Statement of Unit of Requirements and the Rules of Engagement.
4. As the political and security situation continues to deteriorate thus increasing the security threats against UN staff, I would suggest that in parallel to the process of preparing the documents mentioned above, steps are made to formally present an offer to the Permanent Mission of Jordan to deploy a United Nations Guard Unit in UNSMIL.
5. I hope that since Jordan has fully participated in this latest reconnaissance mission, there will be no protracted negotiations that would move us from the timelines set out by the Joint Mission.



Jeffrey Feltman
19 February 2014

cc: Ms. Malcorra
Ms. Haq
Mr. Kennedy
Mr. Mitri
Mr. Serpa Soares

POL/03/009, POL/04/007



Libya
Terms of Reference – Reconnaissance Mission to UNSMIL

Background

1. On 21 November 2013, the Secretary-General wrote a letter to the President of the Security Council recommending the deployment of a UN Guard Unit to ensure static security for UN staff and premises in Tripoli, Libya, in light of the deteriorating security situation in the country. This Guard Unit would act as security force for the OEA compound where UNSMIL staff live and work.
2. From 15 to 17 November 2013, the Office of Military Affairs conducted a preliminary reconnaissance mission and produced a draft Statement of Unit Requirement (attached).
3. The publication of the Secretary-General's letter, which recommended the deployment of up to 235 military personnel for a Guard Unit, provoked a public controversy in Libya. Misinterpretations persisted, until the SRSG announced that the proposal would have to be revisited. The Security Council has been informed about these developments and indicated its support for a revision of the proposal. On 7 January, the SRSG visited Jordan, the proposed troop/police contributor. The Jordanian Foreign Minister, in consultation with other government officials, offered a variety of options that Jordan is prepared to implement without delay. One of the options that seemed most responsive to UNSMIL and Libyan specific realities was to send a force, numbers to be determined later, of gendarmerie, experienced in the protection of public buildings, installations and personalities.
4. With reference to code cable 170 of 22 January, and the subsequent Principal-level meeting between DPKO, DPA and DFS on 24 January 2013, it has been decided to immediately deploy a reconnaissance mission, coordinated by DPA and with the participation of DPKO, DSS, DFS and a representative from the troop/police contributing country, Jordan, to Tripoli. The mission will discuss with the SRSG and other relevant interlocutors, the requirements for the deployment of a Guard Unit. Given the unique set of security and political challenges surrounding the deployment of a Guard Unit in Libya, the reconnaissance mission is required to approach this task with maximum flexibility in terms of the numbers, profile and type of forces that will be deployed.

Objectives of the Reconnaissance Mission

5. The main objective of the reconnaissance will be to build on the findings of the initial reconnaissance mission deployed in November 2013. The reconnaissance mission will determine the suitable type of unit (Police or Military) and finalize plans for the deployment of the Guard Unit, together with a representative/s from the troop/police contributing country and in light of the political parameters concerning foreign armed personnel in Libya. The reconnaissance mission will also:

- a) Update the draft Statement of Unit Requirement (SUR) together with UNSMIL and agree on a detailed list of equipment;
- b) Commence the development of all aspects of the requisite legal frameworks for the UNGU, including ROE;
- c) Define the Command and Control arrangements for the UNGU.

Conduct and Time Lines

6. The tentative timeline for the visit is as below:
The mission will take place from 15 to 17 February 2014 in Tripoli, Libya.

Troop/police contribution country Representative/s from Jordan, DPA, DPKO, DFS and DSS will arrive in Tripoli on Monday 3 February.

Composition

7. Roselyn Akombe, DPA
Paepae Wiki, DSS (UNSMIL)
Paula Souverijn-Eisenberg, DFS
Carlos Peralta, DPKO Police Division
Commander Abdullah Al Maksus, DPKO OMA
Brigadier General Mohamed Khawaldeh, Jordan Armed Forces
Brigadier General Nayel Altamimi, Jordan Gendarmerie

Funding and Submission of Report

8. Travel costs for UN staff will be covered by UNSMIL. The team is to present a comprehensive report with specific recommendations and options to UN leadership by 14 February 2014, coordinated with DPA, DFS, DSS, the TCC/PCC and UNSMIL. The findings and recommendations of the report will be subsequently reflected in drafting the CONOPS and finalising the SUR.

**REPORT OF THE JOINT UN-JORDAN RECONNAISSANCE VISIT ON
THE ESTABLISHMENT OF A UNITED NATIONS GUARD UNIT FOR THE
UNITED NATIONS SUPPORT MISSION IN LIBYA (UNSMIL)**

15-17 FEBRUARY, 2014

INTRODUCTION

1. Due to the deteriorating security and political situation in Libya and the resultant security risks UNSMIL staff is exposed to, DPA requested DPKO's Office of Military Affairs to conduct a preliminary reconnaissance mission on the deployment of a United Nations Guard Unit (UNGU) in UNSMIL, Libya from 15 to 17 November 2013 (the report thereon is attached as Annex 4). Subsequently, on 21 November 2013, the Secretary-General wrote a letter to the President of the Security Council (S/2013/704) recommending the deployment of a UN Guard Unit to ensure static security for UN staff and premises in Libya, in light of the deteriorating security situation in the country. This Guard Unit would also act as a deterrent and security force for the OEA compound where UNSMIL staff currently live and work.

2. The Security Council responded to the Secretary-General's letter on 27 November 2013 (S/2013/705). The publication of the Secretary-General's letter and the approval by the Security Council of up to 235 military personnel for a Guard Unit provoked public controversy in Libya. On 7 January, SRSG Tarek Mitri visited Jordan, the proposed troop/police contributor. The Jordanian Foreign Minister, in consultation with other government officials, offered a variety of options that Jordan could be prepared to implement in a very short timeframe. One of the options that seemed most responsive to UNSMIL and Libyan specific realities was to send a gendarmerie force experienced in the protection of public buildings, installations and personalities in national environment.

3. Following consultations with SRSG Mitri, senior managers of DPKO, DSS, DPA and DFS on 24 January 2013 decided to immediately deploy a reconnaissance mission, coordinated by DPA and with the participation of DPKO, DSS, DFS and representatives from the troop/police contributing country, Jordan, to Tripoli. The mission was tasked to discuss with the SRSG and other relevant interlocutors, the requirements for the deployment of a Guard Unit. Given the unique set of security and political challenges surrounding the deployment of a Guard Unit in Libya, the reconnaissance mission was asked to approach this task with maximum flexibility in terms of the numbers, profile and type of forces that will be deployed (see attached TOR, Annex 1)

4. The joint reconnaissance team composed of representatives from DPA, DPKO (Office of Military Affairs and the Police Division), DSS, DFS and Jordan, under the guidance of the SRSG Mitri, conducted the mission from 15-17 February 2014. The findings of the mission and the proposed action points with specific timelines, as approved by the SRSG are included in this report and its annexes.

MAIN FINDINGS

5. The joint recce team had three working sessions with SRSG Mitri to ensure that UNSMIL's views were taken into consideration at all stages of the discussions and to receive his guidance. UNSMIL's Chief of Mission Support (CMS) and the Chief Security Adviser (CSA) were consulted closely during the entire period of this reconnaissance mission.

6. The main areas covered in the discussions include: the type and total number of guards, weaponry and tactical armoured vehicles, guard towers, the type of uniforms for the guards, its legal framework, and mission support aspects for the security requirements. Resultant conclusions and agreements are included in the draft Statement of Unit Requirements (SUR), attached as Annex 2. These were subsequently translated into actions points with specified timelines (Annex 3).

I) Type and Total Number of Guards

7. The joint recce team reviewed the threats, assumptions, the security framework and the mission tasks and then conducted a troop to task analysis. The team considered both the deployment of military troops and the gendarmerie; however in the course of the discussions, the mission was informed that the Jordanian gendarmerie does not use or possess some of the critical armaments and sensors required to counter the threats identified by the mission. The gendarmerie, furthermore, expects payment well above the established scale of UN troop/police reimbursement, on the basis that this is a new role, different from the current engagements of the Jordanian Gendarmerie with UN peacekeeping operations. The Jordanian Military has the experience on guard units for other field missions. The UN participants of the Joint Mission therefore recommend the deployment of military forces instead of the gendarmerie. No final decision on this has yet been taken by Jordan. UNSMIL and the UNHQ members of the team impressed upon the Jordanian representatives the importance of including female troops.

8. Together with CSA and CMS, the joint recce team recommended a total force of 144 members (significantly smaller than the 190/235 proposed by the reconnaissance mission deployed in November). This is the result of a small reduction in the number of guard posts, as well as UNSMIL taking on a greater number of logistic support functions. It is however important to note that this number was determined based on the current security assessment, however should the situation change the mission should be able to request additional number of guards.

II) Weaponry and tactical vehicles

9. Based on advice of the CSA, it was decided that non-lethal weaponry such as tear gas and rubber or kinetic bullets – which are not part of the standard list of weaponry used by military – are to be included in the TCC's deployed arsenal, as part of

UNSMIL's overall security strategy to deter with non-lethal force prior to using lethal force.

10. The joint recce team dedicated time to discuss the use of Armored Personnel Carriers (APCs). The team agreed that to have effective Quick Response Force (QRF) within the UNGU elements, it would require support of APC/armoured tactical vehicles. However, to avoid misperceptions, the joint mission, with the concurrence of the SRSG, agreed on the use of low postured armoured vehicles (currently used by the Jordan forces) that would serve the purpose of APCs in a limited environment but without the sensitivities that APCs may evoke. It was also agreed that they would be kept in a hangar and used only in case of emergencies.

III) Guard towers

11. The joint recce team also discussed the issue of construction of observation towers for the UNGU. It emphasized the need for these towers given that the UNSMIL facility is located at a lower ground thus the need for the guards to be able to monitor surroundings from a higher ground. The SRSG agreed to the construction of guard towers that minimally crest the wall and are non conspicuous, but would allow the guard to have a clear all-round view across the compound perimeters.

IV) Uniforms

12. The Jordanian representatives agreed to work in uniform or any other gear specified by the UN.

V) Legal Framework

13. The joint recce team agreed with the SRSG that given the political developments in Libya, it would not be prudent to re-open the Status of Mission Agreement (SOMA) for negotiations. It was the view of both UNSMIL and the joint recce team that the provisions in the SOMA for UN armed personnel were broad enough. However, DPA would consult with OLA, immediately, on a draft letter to the Libyan Prime Minister to be personally delivered by the SRSG. Given the political turmoil in the country, the mission observed that the UN may not get an immediate or formal response from the Libyans but that the deployment of the UNGU would proceed even in the absence thereof.

14. The joint recce team also noted that since the Security Council had already approved a Guard Unit with a ceiling of 235 troops (S/2013/705), there would be no need to seek another approval from the Council as the proposed numbers (144) would be well below the already approved numbers. In addition, new discussions by the Security Council at a period of heightened political tensions in the country would again inflame suspicion in Libya and possible additional security risks to UNSMIL staff. However, the Joint Mission agreed that once the UNGU is ready to deploy, the Secretary-General

would write to the President of the Security Council and that DPA would work with the Council Presidency to ensure that there is no public response to the letter.

15. The Joint Mission recalled that the Security Council has not lifted the arms embargo against Libya and therefore DPA has to draft a notification letter to the Security Council. The SRSG would also share the list of arms and ammunition with the Libyan authorities at the same time of presentation of the letter informing the Libyans on the deployment of the UNGU.

16. The SRSG expressed the desire to be consulted during the drafting of the Rules of Engagement for the UNGU. This was agreed.

VI) Mission Support

17. The joint recce team discussed, in close coordination with the Chief of Mission Support, the logistical requirements for the Guard Unit and delineated the equipment, material and services to be provided by the mission and those to be brought in or provided by the Jordanians. The attached draft SUR provides the complete list thereof. Given that UNSMIL was in the process of finalizing its supplementary budget submission for the second resumed session of the General Assembly, the team worked with the Chief Budget Officer to ensure that the UN provided equipment and services, as well as all other costs related to the deployment of the UNGU are included in the draft budget submission.

18. Deployment of the guard unit will require significant mission support efforts to prepare accommodation sites and construct working and living accommodation, procure relevant equipment, materiel and assets, and put in place required service contracts. The fact that UNSMIL does not have managerial control of the compound complicates and could potentially delay these efforts.

19. DFS is requested to support UNSMIL during the next two to four months in particular with regard to site preparation, supporting procurement cases requiring submission through the Headquarter Committee on Contracts (HCC), and defense of the supplementary budget.

V) Timeline for the Deployment

20. The joint recce team recognized the need to move swiftly with the deployment of the UNGU given the rapidly deteriorating security situation in the country. It developed the attached timeline to ensure that all efforts are made to get the UNGU in UNSMIL by early May. This timeframe is based on the assumption that all deadlines would be met by both the UN and Jordan. DPA would follow up with relevant Departments and UNSMIL to ensure strict compliance with the established timelines and deal with any potential bottlenecks.

CONCLUSION

21. Given that all the outstanding issues raised by UNSMIL have been addressed by this joint recce team, we recommend that immediate steps are taken to urgently undertake the tasks outlined in the timeline.

22. The formula of this reconnaissance visit, whereby the Lead Department, OMA (or PD), DFS and the troop (or police) contributing country jointly visit the mission to discuss, negotiate and agree on the details of the SUR, has proven to be very effective. It is anticipated that the efforts made during this visit will reduce the time required to negotiate the MOU with the TCC, and provide clarity for all parties involved early on in the troop generation and deployment process. DPKO, DFS, and where relevant DPA, may wish to consider this model for future deployments of Guards Units.

23. The joint recce team would like to express its gratitude to the Jordanian Government and SRSG Tarek Mitri and his team, especially the CMS and the CSA. The mission also wishes to express its appreciation to the senior managers and colleagues from DSS, DFS, OLA, DPKO (OMA and Police Division) and DPA that assisted during the deployment of the mission. We pay tribute to our UNSMIL colleagues who continue working daily under serious security threats as they implement UNSMIL's mandate.

Annexes

1. TORs
2. Draft Statement of Unit Requirements (SUR) as agreed upon by the recce team members, including the Jordanian representatives, and UNSMIL leadership (SRSG, CMS and CSA).
3. Deployment timeline
4. Trip report of the initial recce visit, 15-17 November 2013