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Plenary sitting

12.1.2015

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MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 123(2) of the Rules of Procedure

on the situation in Libya
(2014/3018(RSP))

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on behalf of the S&D Group

**European Parliament resolution on the situation in Libya
(2014/3018(RSP))**

The European Parliament,

- having regard to its previous resolutions on Libya, in particular those of 15 September 2011¹, 22 November 2012² and 18 September 2014³,
- having regard to Council Decision 2013/233/CFSP of 22 May 2013 creating the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya),
- having regard to the appointment on 14 August 2014 of Bernardino León as the United Nations Secretary-General's Special Representative for Libya,
- having regard to the ENP Package on Libya of September 2014,
- having regard to its resolution of 14 June 2012 on human rights and the security situation in the Sahel region⁴,
- having regard to its resolution of 12 September 2012 on the Annual Report from the Council to the European Parliament on the Common Foreign and Security Policy⁵, and its resolution of 23 October 2013 on the European Neighbourhood Policy: towards a strengthening of the partnership⁶,
- having regard to the Geneva Conventions of 1949 and their Additional Protocols of 1977, and to the obligation of parties to armed conflict to respect and ensure respect for international humanitarian law in all circumstances,
- having regard to the Convention on the Safety of United Nations and Associated Personnel, and its Optional Protocol,
- having regard to the joint statement on Libya by the United States, Canada, France, Germany, Italy, Malta, Spain and the United Kingdom of 7 November 2014,
- having regard to the Foreign Affairs Council Conclusions of 15 August, 30 August 2014, 20 October 2014, 17 and 18 November 2014, and 15 December 2014,
- having regard to the statements by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) of 26 August 2014, 16 December and 30 December 2014,

¹ OJ C 51E, 22.2.2013, p. 114.

² Texts adopted, P7_TA(2012)0465.

³ Texts adopted, P8_TA(2014)0028.

⁴ OJ C 332E, 15.11.2013, p. 94.

⁵ OJ C 353E, 3 December 2013, p. 77.

⁶ Texts adopted, P7_TA(2013)0446.

- having regard to United Nations Security Council Resolutions 1970, 1973 (2011) and 2174 of 27 August 2014,
 - having regard to the United Nations Support Mission in Libya (UNSMIL) report entitled ‘Overview of violations of international human rights and humanitarian law during the ongoing violence in Libya’ of 4 September 2014, updated on 27 December 2014,
 - having regard to the Sahel Summit held in Mauritania on 19 December 2014, which included leaders from Mauritania, Mali, Niger, Chad and Burkina Faso,
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas Libyans went onto the streets in February 2011 asking for political rights and were confronted by indiscriminate state repression which triggered nine months of civil conflict and the ousting of the Gaddafi regime;
 - B. whereas Libya held its third general democratic and free elections in June 2014 to elect a House of Representatives which would replace the General National Congress elected in July 2012;
 - C. whereas Libya faces an escalation of fighting among local armed groups, including attacks on civilians and civilian property involving massive human rights violations and abuses, in some cases amounting to war crimes;
 - D. whereas the Sahel Summit members’ meeting of 19 December 2014 lodged an official request with the African Union’s Peace and Security Council to form an ‘international military force to intervene in Libya’;
 - E. whereas on 5 January 2015 the Arab League Council at the level of permanent delegates convened an extraordinary session to examine the developments related to the situation in Libya and their serious repercussions;
 - F. whereas on 3 January 2015 an official government statement said that Islamic State militia had killed 14 soldiers of the Libyan army and that the government called on the international community to lift the arms embargo on the country in order to fight this militia, which it describes as terrorists;
 - G. whereas on 6 November 2014 the Constitutional Circuit of the Supreme Court ruled as unconstitutional paragraph 11 of Article 30 of the Constitutional Declaration, as amended by the 7th amendment endorsing the recommendations of the ‘February Committee’, which included the holding of elections for the House of Representatives;
 - H. whereas the House of Representatives has rejected the Constitutional Circuit of the Supreme Court’s ruling of 6 November 2014 attempting to delegitimise the elected House of Representatives, taking the view that the ruling oversteps the mandate of the Court, that it was made under pressure from Islamist militias in Tripoli and that the House of Representatives, as well as the government, will continue to function;

- I. whereas the international community is stepping up its engagement in support of a peaceful solution to the current crisis and in view of its impact on regional security and environmental security;
1. Calls on all Libyan parties to agree to an immediate ceasefire, ending the fighting, and to engage in an inclusive national political dialogue;
 2. Fully backs the mediation efforts of the Special Representative of the UNSG, Bernardino León, aimed at assisting the Libyan people in finding a negotiated settlement to resolve the crisis and to ensure unity, governability, stability and institution building for achieving peace;
 3. Regrets that the new round of UN-brokered peace talks aimed at ending the escalating political crisis in Libya, initially scheduled for 5 January 2015, have been delayed once again;
 4. Recalls that there is no military solution to the conflict;
 5. Deplores the renewed attacks on Libya's oil installations on Saturday, 27 December 2014, which set ablaze storage tanks in the Sidra oil terminal; condemns the airstrikes on targets in the city of Misrata on Sunday, 28 December 2014, among many other attacks; deplores the terrorist attacks of 30 December 2014 which targeted a hotel in Tobruk where the House of Representatives was in session; deplores the bombing of an oil tanker in the port of Derna and the death of two crew members, as well as its environmental security impact; calls for all sides to work towards de-escalation and to stop this cycle of violence, which will lead the country into chaos and all-out war;
 6. Strongly condemns the recent abduction by Islamist militia of 13 Coptic Christian workers from Egypt the city of Sirte and the killing of three others the week before, among many attacks against internationals who have been wounded and killed; expresses grave concern over the increasing threat posed by extremism and terrorism in Libya, and strongly condemns all violence based on ideology, gender, political affiliation, nationality or religion;
 7. Reiterates its support of the elected House of Representatives in Tobruk as the sole legitimate parliament following the June 2014 elections; reiterates its call on the House of Representatives and the official government to work in an inclusive and transparent manner, carry out their tasks on the basis of the rule of law and human rights, and to engage constructively in an inclusive national political dialogue in the interests of the whole country;
 8. Welcomes the publishing by the Constitutional Drafting Assembly, on 24 December 2014, of the initial work of its thematic committees; encourages the Constitutional Drafting Assembly to proceed with its work in a transparent and inclusive manner; underscores the importance of the work of the Constitutional Drafting Assembly and calls on all Libyans to continue to respect its independence so that it can complete its mandated task;
 9. Calls on neighbouring countries and regional players, especially Egypt, Qatar, Saudi

Arabia, Turkey and the UAE, to refrain from actions which might exacerbate current divisions and undermine Libya's democratic transition, and to fully support the UN-led Ghadames process; recalls that those who are actively creating obstacles to a consensual political solution are in violation of Security Council resolutions on Libya and must face the consequences of their actions;

10. Stresses the need for a common and coordinated action by all 28 Member States under the supervision of the High Representative so as to deter Member States from acting through their own diplomacy, which would not constitute a solution to the problem;
11. Recalls the EU's strong commitment to the unity and territorial integrity of Libya and the need to prevent the spread of terrorism; recalls UNSC Resolution 2174, adopted on 27 August 2014, which broadens the existing international sanctions on Libya to include the criminal responsibility of people who engage in or support acts that 'threaten the peace, stability or security of Libya, or obstruct or undermine the successful completion of its political transition'; calls on the EU to consider further actions, including restrictive measures;
12. Expresses its solidarity with the Libyan people and strongly condemns the recent military actions and violence, and the human rights violations and abuses resulting from the ongoing fighting and military operations; expresses its deep concern at the suffering of the Libyan civilian population and all migrants, expatriates and refugees stranded in Libya; notes that fighting in recent months in western and eastern Libya, as well as in the south, has resulted in hundreds of civilian deaths, mass displacement and acute humanitarian conditions for those trapped in conflict zones;
13. Notes with concern the impact on regional and European security, including environmental security, resulting from the general insecurity and deteriorating governance in Libya; recalls that the fighting has resulted in a dramatic escalation, a descent into chaos, numerous fatalities and the destruction of strategic infrastructures; remains concerned by the proliferation of weapons, ammunition and explosives and the smuggling of arms, which poses a risk to the population, the stability of Libya and that of the region; notes with deep concern the strengthening of a terrorist hub in South Libya and notes the risk that it will serve as a safe haven and training base for Daesh;
14. Recalls that all parties in Libya must commit to the protection of civilians at all times, and that all those detained should be treated in accordance with international human rights and humanitarian law; recalls that attacks intentionally directed against personnel involved in humanitarian assistance or a peacekeeping mission in accordance with the UN Charter intended for the protection of civilians or civilian objects under the international law of armed conflict, constitute war crimes under the Rome Statute of the International Criminal Court;
15. Commends the Tunisian hospitality towards an estimated 1.5 million Libyan citizens currently in Tunisia fleeing from violence; asks the EU to provide financial and logistical support to the Tunisian Government for that task; calls for further humanitarian, financial and political assistance from the EU and the international community in addressing the humanitarian situation in Libya and the plight of internally displaced persons and refugees, as well as that of civilians facing disruption of access to

basic services;

16. Reiterates its call on the High Representative to review the mandate of the European Union Border Mission (EUBAM) in Libya, currently on hold and stationed in Tunisia, in order to take account of the dramatically changed situation in the country, and with a view to designing a properly coordinated CSDP mission to operate in articulation with the UN and regional partners in the event that a political settlement is found; takes the view that that CSDP mission should be aimed at supporting the implementation of a political settlement, should give priority to security sector reform (SSR) and disarmament, demobilisation and reintegration (DDR) and should also respond to other urgent needs of governance; additionally, expresses the view that in the face of prolonged war in Libya and deepening instability and serious threats to European security, the CSDP mission should be prepared to participate in a UNSC-mandated and coordinated action to stabilise Libya;
17. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Libyan Government and General National Congress, the UN Secretary-General, the Arab League and the African Union.