



EUROPEAN PARLIAMENT

2014 - 2019

Plenary sitting

12.1.2015

B8-0033/2015

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))

Javier Couso Permuy, Sabine Lösing, Patrick Le Hyaric, Fabio De Masi, João Ferreira, Miguel Viegas, Inês Cristina Zuber, Paloma López Bermejo, Marina Albiol Guzmán, Ángela Vallina, Younous Omarjee, Kostas Chrysogonos, Georgios Katrougkalos, Kostadinka Kuneva, Sofia Sakorafa, Lidia Senra Rodríguez, Marie-Christine Vergiat
on behalf of the GUE/NGL Group

**European Parliament resolution on the situation in Libya
(2015/3018(RSP))**

The European Parliament,

- having regard to the United Nations Security Council resolutions of 16 September 2011 (S/RES/2009(2011)), of 17 March 2011 (S/RES/1973(2011)), of 31 October 2011 (S/RES/2017(2011)), of 2 December 2011 (S/RES/2022(2011)), of 12 March 2012 (S/RES/2040(2012)) and of 27 August 2014 (S/RES/2174(2014)) on Libya,
 - having regard to the European Council conclusions of 23 June 2014, 15 August 2014 and 20 October 2014 on Libya,
 - having regard to the appointment of 14 August 2014 of Bernardino León as new Special Representative of the United Nations Secretary-General for Libya,
 - having regard to the statements of 4 October and 6 November 2014 by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on Libya,
 - having regard to the Joint Statement of 26 July 2014 by the Special Envoys for Libya of the Arab League, the European Union, France, Germany, Italy, Malta, Spain, the United Kingdom and the United States on Libya,
 - having regard to its resolutions of 15 September 2011¹ and of 18 September 2014² on the situation in Libya,
 - having regard to the Geneva Conventions of 1949 and the additional protocols thereto 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 statements by the United Nations Support Mission in Libya (UNSMIL), to the joint reports of 4 September 2014 on the human rights situation in Libya and to the update of 23 December 2014 by UNSMIL and the United Nations Human Rights Office on violations of international human rights and humanitarian law during the ongoing violence in Libya,
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas NATO intervention, including the deployment to Libya of the UK's Special Air Service (SAS) in 2011 resulted in the loss of innocent civilian lives, a humanitarian crisis and heavy destruction which have led to the complete destabilisation of the Libyan state and an ongoing civil war; whereas the escalating violence has brought Libya to a state of chaos and all-out war;

¹ OJ C 051 E, 22.2.2013, p. 114.

² Texts adopted, P8_TA(2014)0028.

- B. whereas the Libya Dawn militia alliance controls much of western Libya, including Misrata and Tripoli; whereas the armed battles among Libyan political factions which have continued almost without interruption since July 2014 in Tripoli, Benghazi and other parts of the country are leading to the further deterioration of living conditions, displaced populations and a rising death toll, including among children;
- C. whereas there are two rival governments that claim to be the legitimate one: the General National Congress (GNC), elected in 2012 and based in Tripoli, and the House of Representatives (HOR), elected in June 2014, which moved to Tobruk after militia forces took control of the country's two largest cities and which is recognised by most of the international community; whereas in November 2014 the Libyan Supreme Court ruled that the elections conducted in June of the same year leading to the creation of the HOR were invalid; whereas the HOR denounced the ruling, arguing that the judges in Tripoli were operating under pressure from Libya Dawn militias and refused to recognise the judgment;
- D. whereas the Tripoli government accuses Egypt, Saudi Arabia and the United Arab Emirates (UAE) of backing its rivals in Tobruk, inter alia by carrying out airstrikes; whereas the Tobruk government claims that Turkey and Qatar back Islamist militias;
- E. whereas armed conflicts and other acts of violence across the country and violations and abuses of international human rights and humanitarian law persist, causing hundreds of deaths, mass displacement and a humanitarian crisis in many areas;
- F. whereas the unity of the Libyan state is at stake and there is a real risk of separation in at least three regions (Fezzan, Cyrenaika and Tripolitania) if a compromise solution, together with a process of reconciliation, is not initiated;
- G. whereas the UN has managed to obtain a reluctant agreement by 'all sides' to come to the negotiating table, but the meeting that was expected to take place on 5 January 2015 has been postponed sine die; whereas the Dakar Peace and Security Summit which discussed the situation in Libya took place in late December 2014 with only three heads of state in attendance;
- H. whereas France has declared that it is considering a new military intervention in Libya; whereas on 19 December 2014 the G5 Sahel (Chad, Niger, Mali, Mauritania and Burkina Faso) meeting called on the UN to create an international force; whereas the Libyan Government based in Tobruk has called on the Arab League for help but has rejected armed Western intervention; whereas neighbour countries such as Algeria are rejecting any further foreign military intervention in Libya;
- I. whereas on 4 January 2015 a Libyan war plane from forces loyal to the internationally recognised government bombed a Greek-operated oil tanker anchored off the coast killing two crewmen; whereas in December 2014 rockets controlled by Libya Dawn forces incinerated oil storage tanks at the largest oil port of Es Sridr;
- J. whereas in December 2014 the EU banned all Libyan airlines from flying over EU air space because of aircraft safety concerns; whereas on 6 January 2015 Turkish airlines, the last foreign company travelling to Libya, cancelled all its flights to the country;

- K. whereas on 30 December 2014 a terrorist attack targeted a hotel in Tobruk where the HOR was in session; whereas the Libyan National Council for Civil Liberties and Human Rights (NCCLHR) ceased functioning in November 2014; whereas the archives of key government institutions in Tripoli were broken into in September 2014 and a large number of files taken to Misrata by Libya Dawn forces, including the archives of the ministries of justice, defence and the interior;
- L. whereas on 11 October 2014 serious fighting erupted in the Nafusa Mountains, south-west of Warshafana, when Zintam armed groups shelled and laid siege to the towns of Kikla and al-Qal'a; whereas fighters gained control of Kikla in late November 2014; whereas the south of Libya has also experienced violence, in particular in early October 2014, when fighting broke out in Awbari mainly between armed groups from the Tuareg and Tabu communities; whereas general security in the country has also deteriorated, with car bomb attacks occurring in al-Baida and Tobruk;
- M. whereas from late August until early October 2014, Libya Dawn forces launched a major operation against Warshafana armed groups; whereas reportedly both sides engaged in indiscriminate shelling; whereas the shelling led to the killing of more than 100 people and a humanitarian crisis with at least 120 000 people estimated to be internally displaced in December 2014 in the western part of the country, with acute shortages of food and medical supplies being common; whereas by the end of November 2014 over 170 people were reported to have been killed in the Nafusa Mountains (western Libya), while around 450 people were killed from mid-October to mid-December in Benghazi (eastern Libya) and more than 140 people were killed in Awbari (southern Libya);
- N. whereas the arms delivered to the so-called rebels have meanwhile been spread throughout the whole of North Africa and have been used in conflicts and for the destabilisation of countries like Central African Republic, Mali and Syria, and have also appeared in Algeria;
- O. whereas the militia forces in Darnah and Sirte have already expressed their solidarity with Islamic State (IS); whereas it is reported that certain IS training camps are based in eastern and southern Libya; whereas the Special Representative of the United Nations Secretary General for Libya, Bernardino León, has declared that, despite the fact that the war in Libya is not between Islamist and non-Islamist groups, but is rather a conflict among tribes, the militia in Tripoli and Misrata seem to have strong links with IS; whereas he has added that if the conflict continues in the country new IS training camps will probably be established;
- P. whereas armed men have vandalised mosques in Tripoli; whereas 20 Coptic Christians were reportedly kidnapped on 3 January 2015;
- Q. whereas in 2011 NATO members gave substantial support to one civil war party in the Libya conflict – which constitutes a breach of international law – claiming that the no-fly zone and the delivery of arms to (so-called) rebels would be in line with the responsibility to protect (R2P) concept;
- R. whereas the UNSMIL also estimates that at least 100 000 Libyans have been internally

displaced by the fighting, and that a further 150 000 people, including many migrant workers, have left the country to seek refuge abroad;

- S. whereas many migrants, particularly those from sub-Saharan Africa, are facing arbitrary detention by various armed groups; whereas hundreds of migrants and refugees, fleeing the violence in Libya, have reportedly died while attempting to cross the Mediterranean to Europe; whereas according to the Office of the High Commissioner for Refugees (UNHCR), more than 3 419 people have died in the Mediterranean, many of whom departed from Libya;
 - T. whereas Libya is still subject to the international arms embargo imposed in 2011 by the UN Security Council; whereas in spite of its being in effect, NATO members and allies (namely the US, France, the UK, Qatar and the UAE) and, inter alia, the Canadian company Aeryon Labs Inc.¹, have breached the arms embargo; whereas despite the embargo, the flow of arms into Libya is ongoing;
 - U. whereas in May 2013 the EU established the EU Border Assistance Mission (EUBAM) to Libya to provide military support to the Libyan authorities in border protection and control; whereas this mission's priority is to prevent the flow of refugees and migration to Europe and to place oil fields and plants under state control; whereas, at a cost of EUR 30 million, EUBAM Libya is the most expensive mission ever launched by the EU; whereas half of the budget is spent on private security companies;
 - V. whereas an escalating battle over oil storage depots and lifting ports is taking place in the oil-rich east of the country, which is home to the tenth-largest proven oil reserves in the world and the largest reserves in Africa; whereas 80 % of Libya's GDP depends on its oil sector; whereas oil production stood at 1.6 million barrels per day (bpd) before the NATO intervention, with this figure then falling to less than 200 000 barrels per day, increasing to 800 000 bpd in October 2014, and now standing at around 350 000 bpd and likely to fall much lower;
1. Reiterates its condemnation of the 2011 military intervention in Libya led by France, the UK, the US and Canada under the auspices of NATO which has led to the current situation;
 2. Is strongly opposed to any further external military intervention in the country; underlines, nevertheless, the need for all parties to engage in a peaceful and political dialogue; calls on all parties to agree on an immediate ceasefire and to cease fighting as a condition for engaging in an inclusive Libyan-led political dialogue in order to initiate reconciliation and help to restore stability in the country;
 3. Is deeply concerned about the current economic and political disintegration of the country, which is aggravating the fragile situation of the population; reaffirms its commitment to the sovereignty, independence and territorial integrity of Libya;

¹ The Canadian company Aeryon Labs Inc. delivered Aeron Scout drones to Libya which were used to help the Libyan rebels on their way to Tripoli. The training on how to fly the drones was provided by the private security company Zariba Security Corporation. See <http://www.aeryon.com/news/pressreleases/271-libyanrebels.html>

4. Reiterates its support for the inalienable right of all peoples to have access to and control over their own country's resources; condemns, therefore, the attacks on important oil infrastructure, which are essential to the wealth of the Libyan population; recalls that Libyan oil belongs to the Libyan people and should not be manipulated by any group;
5. Deplores the increasing violence in Libya; condemns the use of violence, which has resulted in a high number of civilians being wounded and killed as well as displaced; calls for those responsible for violations or abuses of human rights or violations of international humanitarian law to be held accountable for their actions;
6. Urges all parties to desist from violations of international law, in particular all acts that may amount to war crimes or crimes against humanity, including indiscriminate attacks, attacks on medical facilities, enforced disappearances, murder, hostage-taking, torture and other ill-treatment;
7. Reminds all parties engaged in the fighting in Libya that they are bound by the relevant provisions of international human rights and humanitarian law; recalls that all parties must respect the prohibition of direct attacks on civilians and civilian facilities such as hospitals, schools, airports and ports;
8. Encourages the countries of the region, the Arab League and the African Union to support an immediate cessation of hostilities and constructive engagement to reach a solution; supports, in this connection, initiatives such as those by Algeria in partnership with Libya's neighbours to launch a national dialogue between warring factions;
9. Encourages, in particular, Sahel and Maghreb and Mashreq states to coordinate their efforts to prevent terrorist groups from crossing borders and seeking safe havens in the Sahel region; calls on these states to enhance cooperation and coordination in order to develop inclusive and effective strategies to prevent the expansion of those groups as well as to prevent the proliferation of all arms and transnational organised crime in the region;
10. Calls for the cessation of all arms exports and deliveries to Libya and the region, the cessation of arms exports to the Gulf states and the cessation of finance to all militia by Gulf states and indirectly by western countries, meaning, in particular, the end of oil purchases from oilfields run by militia; calls for an investigation into the breaches of the arms embargo imposed under UN Security Council resolution 1970;
11. Recalls the fact that the EU, many of its Member States and the US, which for decades supported Gaddafi, and later on the NATO military intervention in Libya, bear a particular responsibility for the current situation in Libya;
12. Expresses deep concern at the humanitarian crisis in Libya which has forced thousands of refugees to flee the country; encourages the Council, the Commission and the Vice-President / High Representative to make all necessary financial and human resources available to assist refugees; stresses the need to provide appropriate humanitarian aid to those who have been displaced;

13. Calls for the EU immediately to change its policy on refugees from North Africa; reaffirms its position against Frontex and believes that, in accordance with the principle of non-refoulement enshrined in Article 19(2) of the Charter of Fundamental Rights of the European Union, its operation must not result in persons being returned to Libya or any other country where their lives are at risk;
14. Calls for the EU to stop the EUBAM Libya mission, as it further militarises the Libyan border and is leading to the death of refugees; believes that the EU must send only humanitarian and civil assistance to Libya;
15. Instructs its President to forward this resolution to the President of the European Council, the President of the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the presidents and parliaments of the Member States, EUBAM Libya, the UNSMIL and the Government and House of Representatives of Libya.