



Plenary sitting

B8-0180/2016

1.2.2016

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
(2016/2537(RSP))

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on behalf of the GUE/NGL Group

**European Parliament resolution on the situation in Libya
(2016/2537(RSP))**

The European Parliament,

- having regard to United Nations Security Council resolutions 2009 (2011) of 16 September 2011, 1973 (2011) of 17 March 2011, 2017 (2011) of 31 October 2011, 2022 (2011) of 2 December 2011, 2040 (2012) of 13 March 2012, 2174 (2014) of 27 August 2014, 2238 (2015) of 10 September 2015 and 2259 (2015) of 23 December 2015 on Libya,
- having regard to the appointment on 4 November 2015 of Martin Kobler as the Special Representative of the UN Secretary-General for Libya,
- having regard to the Foreign Affairs Council conclusions of 30 August, 20 October, 17 and 18 November, and 15 December 2014, of 19 January, 9 February, 16 March and 12 October 2015, and of 18 January 2016,
- 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), Federica Mogherini, on Libya of 30 April, 26 and 27 May, 30 June, 12 July, 17 August, 13 and 22 September, 9 October, and 19 and 26 November 2015, and of 7 January 2016, and to her declaration on the signing of the Libyan Political Agreement on 17 December 2015,
- 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 UN Support Mission in Libya (UNSMIL), to the joint report of 4 September 2014 by UNSMIL and the UN Human Rights Office concerning violations of international human rights and humanitarian law during the ongoing violence in Libya, and to the updates thereto of 27 December 2014 and of 12 January and 16 November 2015,
- 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)¹,
- having regard to the Libyan Political Agreement signed on 17 December 2015, which includes an agreement on a Government of National Accord (GNA),
- having regard to its resolutions of 15 September 2011², 18 September 2014³ and

¹ OJ L 138, 24.5.2013, p. 15.

² OJ C 51 E, 22.2.2013, p. 114.

³ Texts adopted, P8_TA(2014)0028.

15 January 2015¹ on the situation in Libya,

- having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas NATO intervention, including the deployment to Libya of the French Army and 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; whereas the escalating violence has brought Libya to a state of chaos and all-out war with a negative impact in the neighbouring countries;
- B. whereas following the conflict in the country two rival governments have been claiming to be the legitimate one: the General National Congress (GNC), elected in 2012 and based in Tripoli, and the House of Representatives (HOR), which was elected in June 2014 and 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;
- C. whereas after 14 months of UN-sponsored negotiations these two parties signed the Libyan Political Agreement on 17 December 2015 on, inter alia, the formation of a Government of National Accord, which should be based in Tripoli; whereas the UN-sponsored government was rejected on 25 January 2016 by the Libyan House of Representatives;
- D. whereas armed conflicts, 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; whereas according to the UN more than 2.4 million people require immediate humanitarian assistance, around 435 000 Libyans have been internally displaced by the fighting and a further 150 000 people, including many migrant workers, have left the country to seek refuge abroad in neighbouring countries such as Tunisia, placing a strain on its capabilities;
- E. whereas many migrants, particularly those from sub-Saharan Africa, have been subjected to arbitrary detention by various armed groups in the country; whereas thousands of migrants and refugees, fleeing the violence in Libya, have reportedly died while attempting to cross the Mediterranean to Europe;
- F. whereas so-called Islamic State (IS) and groups that have pledged allegiance to it, Ansar al-Sharia and other armed groups associated with al-Qaeda have emerged in this chaos, taking advantage of the proliferation of weapons in the country following the military intervention and the prolonged power vacuum in the country;
- G. 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 on 21 January 2016, IS militants set fire to oil storage tanks in an assault on Libya's Ras Lanuf terminal; whereas, two weeks before, clashes between IS and the Petroleum Facilities Guard, which control the area around Es Sider and Ras Lanuf, left seven oil storage tanks damaged by fire and at least 18 guards dead;

¹ Texts adopted, P8_TA(2015)0010.

- H. whereas the US military has declared that urgent and decisive military action is needed to halt the spread of IS in Libya; whereas neighbouring countries such as Algeria are rejecting any further foreign military intervention in Libya; whereas many Western countries seem to be pushing for the formation of a Government of National Accord, not because of their interest in finding a political solution to the situation, but to justify further foreign military intervention in the country, this time on the pretext of fighting IS;
- I. whereas another military intervention will increase the destruction of the country and the destabilisation of the region; whereas any foreign military intervention would be used by IS for further recruitment;
- J. whereas around 3 000 Tunisians and hundreds of Moroccans are believed to have signed up as jihadists in Libya; whereas IS recently announced that it was trying to recruit more jihadists from North African countries in order to extend its influence over the continent; whereas as a reaction to a massive and unusual flow of Moroccans from Casablanca heading for Libya through Algeria, hundreds of Moroccans without legal residence in Libya were stopped by the Algerian authorities; whereas Algeria has just cancelled all commercial flights to Libya;
- K. 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 such as the Central African Republic and Mali, and have also appeared in Algeria;
- L. whereas in 2011 NATO members gave substantial support to one of the parties involved 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;
- M. whereas Libya is still subject to the international arms embargo imposed in 2011 by the UN Security Council; whereas in spite of this, NATO members and allies (namely the US, France, the UK, Qatar and the UAE) have breached the arms embargo; whereas despite the embargo, the flow of arms into Libya is ongoing;
- N. whereas the Council of Ministers expressed in its conclusions of 18 January 2016 that the EU is ready to support the Libyan authorities that result from the GNA in security sector reform; whereas in May 2013 the EU established the EU Border Assistance Mission in Libya (EUBAM Libya) with the aim of providing 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 being spent on private security companies;
- O. whereas the unity of the Libyan state is at stake and there is a real risk of separation if a compromise solution, together with an inclusive process of reconciliation, is not implemented soon;
- P. 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, and whereas it now stands at around 360 000 bpd and is likely to fall much lower as a result of the recent attacks on oil tanks and infrastructure; whereas, according to estimates by the National Oil Corporation (NOC), Libya has forgone more than USD 68 billion in lost oil revenue since 2013 alone;

1. Takes note of the signing of the Libyan Political Agreement on the formation of a Government of National Accord; notes with concern that this government has already been rejected by the Libyan House of Representatives;
2. Expresses its deep concern about the current economic and political disintegration of the country, which is aggravating the fragile situation of the population; reiterates its condemnation of the 2011 military intervention in Libya led by France, the UK, the US and Canada under the auspices of NATO on the pretext of the so-called 'responsibility to protect' doctrine, which has led to the current situation; is convinced that this foreign military intervention has been the breeding ground for the current situation of the destruction of Libya and destabilisation of the region;
3. Is deeply concerned by the IS presence in Libya, namely around Sirte; condemns all the terrorist acts being committed in Libya by groups proclaiming allegiance to IS, including those committed by individuals or groups associated with IS or al-Qaeda;
4. Is strongly opposed to any further external military intervention in the country; is deeply concerned about the reports of a planned further military intervention in the country by the US, France, the UK and Italy; warns of the consequences of a new foreign intervention; reaffirms its commitment to the sovereignty, independence and territorial integrity of Libya;
5. Rejects the use of the notion of 'responsibility to protect', as it violates international law and does not offer an adequate legal basis to justify the unilateral use of force, in many cases with the goal of regime change; condemns the unilateral assumption of the role of global police officer by powerful states such as the US or by NATO; also condemns so-called selective airstrikes and the introduction of foreign troops on the ground; denounces NATO's attempt to replace the pacification and stabilisation tasks that can only be implemented by broad consensus in the framework of the UN General Assembly;
6. Deplores the ongoing violence in Libya; condemns the use of violence, which has resulted in a high number of civilians being wounded, killed or 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;
7. Urges all parties to desist from violations of international law, in particular all acts that may be tantamount to war crimes or crimes against humanity, including indiscriminate attacks, attacks on medical facilities, enforced disappearances, murder, hostage-taking, torture and other ill-treatment; 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 the continuation of constructive engagement between the parties with a view to reaching a solution; encourages, in particular, states in the Sahel, Maghreb and Mashreq regions 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 and to prevent the proliferation of all arms and transnational organised crime, including drug trafficking, in the region; endorses, in this connection, the Algerian Government's call for further cooperation on these issues among countries in the region;
9. 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 funding 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 (2011);
10. 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 is essential to the wealth of the Libyan population; condemns also any engagement in direct or indirect trade, in particular in oil and oil products, modular refineries and related materiel, including chemicals and lubricants, with IS or groups associated with IS or al-Qaeda; recalls that Libyan oil belongs to the Libyan people and should not be manipulated by any group;
11. Considers that the EU should drastically revise its external policy, in particular its strategy towards the southern Mediterranean, as part of the ongoing European Neighbourhood Policy (ENP) review, in the light of its failure; calls for the EU to establish a new framework for relations with these countries and regions based on non-intervention in their internal affairs and respect for their sovereignty, and aimed at supporting the development of neighbouring regions, rather than on 'association agreements' serving mainly to establish free trade areas that benefit corporate interests on the European side, or military interventions aimed at reinforcing their geopolitical influence in the region;
12. Recalls the fact that the EU, many of its Member States and the US, which for decades supported Gaddafi, and later the NATO military intervention in Libya, bear a particular responsibility for the current situation in Libya;
13. 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 VP/HR 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; rejects the plans to deploy EU NAVFOR Sophia forces in territorial waters; 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 people being returned to Libya or any other country where their lives are at risk;

14. Calls for the EU to stop the re-launch of the EUBAM Libya mission, as it further militarises the Libyan border and leads 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, the EU Border Assistance Mission (EUBAM) in Libya, the UN Support Mission in Libya, the House of Representatives and the General National Congress of Libya, the Arab League and the African Union.