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## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on executions in Libya

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on behalf of the GUE/NGL Group

**European Parliament resolution on executions in Libya**

*The European Parliament,*

- having regard to its previous resolutions on Libya;
- having regard to the final declaration adopted by the 4th World Congress against the Death Penalty, held in Geneva from 24 to 26 February 2010, which calls for universal abolition of the death penalty,
- having regard to the informal dialogue taking place between the EU and Libya with a view to strengthening relations and the current EU-Libya co-operation on migrations (two projects implemented under the Aeneas programme and Migrations and Asylum instrument) and HIV-AIDS (Action Plan for Benghazi)
- having regard to Rule 122 of its Rules of Procedure,
  - a. whereas Amnesty International reported on the 1 June that 18 people, many of them foreign nationals, were executed by firing squad on Sunday, 27 May 2010; whereas the Libyan authorities did not release the identity of the persons concerned
  - b. whereas according to the Cerene report more than 200 people are currently on death row in Libya, again a high number of foreign nationals included
  - c. whereas Libyan courts continue to hand down death penalties, mostly for murder and drug-related offences, although it may also be imposed for a wide range of other offences, including the peaceful exercise of the right of freedom of expression and association
  - d. whereas the Libyan government resists the abolition of the death penalty, did not join the respective international conventions and voted against UN General Assembly resolutions calling for a worldwide moratorium on executions
  - e. whereas Libya often fails to provide interpretation or translation assistance during legal proceedings, which are conducted in Arabic, or to enable access for detainees to their own governments' consular representatives
  - f. whereas Libya is an important country for mostly illegal immigration to Europe and many refugees and migrants from African destinations are kept in camps under inhuman and degrading conditions
  - g. whereas the government control and repression of civil society remains the norm, despite some movement to reform according to the UNHCR
  - h. whereas the UNHCR refugee aid office was closed some days ago by decision of Libyan officials under the pretext of illegal activities

- i. whereas despite a huge number of human rights violations in Libya the European governments and the United States strengthen their ties with the country
  - j. whereas in 2007 the EU and Libya started negotiations on a Framework agreement, which did not result in any substantial progress or clear commitments from Libya towards respect for international human rights conventions;
  - l. whereas any EU-Libya cooperation on migration and asylum, which is considered an essential part of the Framework agreement, should necessarily require full adherence by Libya to international standards in terms of protection of migrants and refugees;
  - m. whereas Libya is not party to the 1951 Geneva Convention on refugees and did not sign any cooperation agreement with the UNHRC or recognize the existence of this body on its territory;
  - n. whereas Libya has no national asylum system to screen, register refugees and grant them asylum status, visit detention facilities as well as medical and humanitarian assistance;
1. Reiterates its firm and principled opposition to the death penalty worldwide and to executions
  2. Clearly condemns the recent executions of 18 persons and demands the Libyan authorities immediately introduce a moratorium on executions, commute the death sentences for more than 200 further persons and join the international trend towards general abolition of the death penalty
  3. Expresses its condolences to the families of the victims and asks the Libyan authorities to immediately reveal the identities of the 18 people, thus allowing the families the normal human process of mourning, and to give an overview about the facts leading the Courts to give death penalties
  3. Demands full respect for democratic and human rights for citizens staying on Libyan territory, especially for migrants being kept for long periods in special camps without any legal proceedings and under inhuman conditions
  4. Expresses its serious concern over the lack of respect of civil and democratic rights of citizens when in custody and in front of the court and demands the Libyan authorities to adopt the internal procedures to fully guarantee the international rights and rules of proceedings for foreign nationals brought to court
  5. Calls on the Libyan authorities to ensure that those detained in connection with the above events are guaranteed humane treatment while in custody and fair trials in accordance with international law, including access to a lawyer of their choosing and respect for the principle of the presumption of innocence;
  6. Strongly condemns the closure of the refugee aid offices of the UNHCR and asks the Libyan authorities to review its decision in order to allow it to run its activities in this country without any obstruction; regards this move as serious mistake made towards the international

community and an obstacle for the cooperation with the EU and its member states

7. Stresses that any EU-Libya cooperation and agreement shall be conditional on Libya's full adherence to major international human rights conventions, its ratification to the 1951 Geneva Convention on refugees and its full respect for fundamental freedoms of migrants and refugees;

8. Insists on the fact that the Commission must strictly comply with article 218 TFEU and thus, provide the European Parliament with immediate and full information at all stages of the negotiations of the Framework agreement with Libya; reiterates its call to be fully informed about the negotiating mandate of the Commission in this regard;

9. Instructs its President to forward this resolution to the EU HR on Foreign Affairs, the Commission and to the Parliaments of the Member States, to the government and Parliament of Libya, the Euro-Mediterranean Assembly and the OSCE.