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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 110(2) of the Rules of Procedure

on the situation in Libya

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on behalf of the GUE/NGL Group

European Parliament resolution on the situation in Libya

The European Parliament,

- having regard to the UN Security Council resolution 1970/2011 adopted on 26 February 2011,
 - having regard to the decision of the sanctions committee of the UN Security Council to release of \$1.5 billion worth of Libyan assets frozen in US banks to address urgent humanitarian and civilian needs in the conflict-torn country,
 - having regard to the results of the Paris donors' conference for Libya,
 - having regard to Rule 110(2) of its Rules of Procedure,
- A. whereas after decades of repression, violations of human rights and democratic freedoms, corruption and worsening of the social situation the people in Libya is on the way towards a profound political, economical and social change;
- B. whereas the resistance of the Libyan leadership to step down in order to avoid bloodshed resulted in a civil war into which NATO interfered in violation of international law and UN Security council resolution 1970/2011; whereas NATO bombardments constitute a distortion of the modalities of UN Security Council resolution 1070/2011;
- C. whereas the civil war and the NATO bombardments resulted in the loss of lives of innocent civilians, a humanitarian crisis and heavy destructions; whereas serious human rights violations were committed by all parties involved;
- D. whereas the Libyan Interim National Council endeavours to consolidate the control of the country; whereas it expressed its commitment to moving quickly towards democratic legitimacy through the drafting of a constitution and early free and fair elections;
- E. whereas the European Union, many of its Member States and the United States have for decades supported the Gaddafi regime and bear a particular responsibility for the recent developments in the country; whereas there is clear evidence that Western intelligence agencies have cooperated with Libya since 2004, when Gaddafi stated his government would dismantle its arsenal of weapons of mass destruction;
1. Expresses its firm support for the struggle of the Libyan people for freedom, democratic, economic and social reforms and the dismissal of the authoritarian regime;
 2. Insists that the future destiny of Libya must firmly rest in the hands of the Libyan people, without any external interference; insists on the respect of the real and comprehensive sovereignty of Libya over its oil, water and other natural resources;
 3. Notes the commitment of the Libyan Interim National Council to moving quickly towards

democratic legitimacy through the drafting of a constitution and early free and fair elections; calls on the Libyan Interim National Council to ensure the involvement of the whole spectrum of the Libyan society and empowering women and minorities in the transitional process towards democratisation; underlines the need for national reconciliation process which does not exclude any political force committed to democratic principles;

4. Calls for an immediate cessation of the NATO bombardment of the territory of Libya; calls for an international investigation on the involvement of NATO in a civil war of a third country, the loss of lives and all the other humanitarian consequences, the destruction of infrastructure of Libya and the distortion of the modalities of UN Security Council resolution 1970/2011;
5. Underlines the importance of the investigation of all human rights violations independently from who has committed them; takes the view that this should be an important part of the reconsolidation process in the country managed by the Libyans themselves; supports the idea to establish an independent international commission of inquiry on Libya to investigate violations of international human rights law;
6. Expresses its deep concern at the humanitarian crisis; welcomes the timely first response of the European Commission to the humanitarian emergency situation in Libya; encourages the Council, the Commission and the High Representative to make all necessary financial and human resources available to support a robust international humanitarian operation in Libya, assisting the UNHCR and other humanitarian agencies in providing emergency assistance to all those in need; stresses the need to continue the humanitarian aid to the displaced people, many of whom now live as refugees on the borders between Libya and Tunisia;
7. Strongly condemns the intensive arms trade of EU Member States with Libya before and during the civil war; calls on the respective authorities of the EU and its Member States to investigate all cases of violations of the UN and EU export control rules and the UN arms embargo and to bring all those responsible to justice;
8. Calls on the EU to immediately end its cynical policy against refugees from North Africa; reaffirms its position Frontex operations carried out at sea and return operations must not result in persons being returned to Libya or other country where their life is at risk according to the principle of non-refoulement enshrined in the Article 19(2) of the Charter of Fundamental Rights;
9. Calls on the Member States to build in the EU a network of open reception centres for people currently fleeing from North Africa, also using the appropriate EU funds; those centres should offer at least primary humanitarian assistance, dignified living conditions and all appropriate social and legal advice to all people received, irrespective of their legal status;
10. Calls on the Members States to list their reception capacities in order to activate the Temporary Protection Directive 2001/55/CE and to share responsibility for the relocation of persons protected under this scheme to other EU Member States; reminds that the common policy on asylum and immigration shall be governed by the principle of

solidarity and fair sharing of responsibility, including its financial implications, between the Members States;

11. Calls for the coherence of EU's policies vis-à-vis its Southern Mediterranean Neighbours, in order to ensure that there is no contradiction with the EU human rights and democracy promotion objectives; rejects an approach towards these countries which is predominated by considerations to secure energy and natural resources' supply and fights against migration; insists on the strict implementation of the EU Code of Conduct on arms exports;
12. 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 governments and parliaments of the Member States, the UN Security Council and General Assembly, the UNHRC, the League of Arab States, the African Union, the Union for the Mediterranean, the governments of Libya's neighbouring countries and the Interim Transitional National Council.