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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 ALDE Group

European Parliament resolution on the situation in Libya

The European Parliament,

- having regard to its previous resolutions on Libya, in particular that of 10 March 2011, and its recommendation of 20 January 2011 spelling out critical conditions concerning the negotiations on the EU-Libya Framework Agreement (2010/2268(INI)),
 - having regard to recent Foreign Affairs Council Conclusions and statements on Libya and on North Africa by High Representative Catherine Ashton,
 - having regard to the Paris conference that took place on 1 September 2011,
 - having regard to United Nations Security Council (UNSC) Resolutions 1970/2011 of 26 February 2011 and 1973/2011 of 17 March 2011, authorising ‘all necessary measures’ to protect civilians,
 - having regard to the appeals made by the Arab League for an intervention to protect Libyan civilians and the answer provided by NATO, together with some Arab countries such as Qatar, through the air campaign Odyssey Dawn, launched on 19 March 2011 and still ongoing,
 - having regard to the United Nations General Assembly (UNGA) resolution of 1 March 2011 unanimously suspending Libya’s membership of the United Nations Human Rights Council (UNHRC),
 - having regard to the UNHRC Resolution S-15/2 adopted on 25 February 2011,
 - having regard to the suspension on 22 February 2011 of the negotiations on an EU-Libya Framework Agreement,
 - having regard to Rule 110(2) of its Rules of Procedure,
- A. whereas after six months of fighting, resulting in an estimated 50,000 casualties and in alarming humanitarian needs and sufferings, the Gaddafi regime has come to an end and the an interim government led by the National Transitional Council (NTC) has begun work on building a new Libya;
- B. whereas a ‘Friends of Libya’ Summit, attended by some 60 states and international organisations, was held on 1 September in Paris aiming to coordinate the international effort to assist the reconstruction of Libya;
- C. whereas the NTC will have to concurrently address the most pressing humanitarian needs of its population, put an end to violence and establish the rule of law as well as tackle the daunting task of nation-building and the building of a functioning, democratic state;

- D. whereas the NATO-led air campaign Odyssey Dawn continues as long as it is necessary to protect civilian population in Libya, in line with the UNSCR Resolutions (1970 and 1973);
- E. whereas the International Criminal Court (ICC) issued on 27 June 2011 the arrest warrant for Gaddafi and two of his family members for alleged crimes against humanity committed since the beginning of the popular rebellion;
- F. whereas the EU lifted its asset freeze on 28 Libyan entities, including oil companies, on 1 September 2011 in order to provide resources to the interim government and the Libyan people and help the economy function again;
- G. whereas the EU has provided over 152 million Euros in humanitarian support and the HR/VP opened an EU office in Benghazi on 22 May 2011, with a view to establish contacts with the Libyan National Transitional Council (NTC) and help Libya prepare for the next stage of democratic transition;
1. Expresses its solidarity and support to the revolution led by the Libyan people; strongly supports the commitments made by the NTC to build Libya based on democracy, human rights and the rule of law;
 2. Urges the EU to further increase humanitarian assistance to respond to the new needs of the Libyan population, particularly in Tripoli and other most affected cities, including access to clean water, medicine and medical supplies;
 3. Calls on the HR/VP to open a fully-fledged EU Delegation in the Libyan capital, as soon as possible, and to build on the important work developed by the EU office in Benghazi to further promote relations with the NTC and assist the new Libyan authorities in addressing the most pressing needs of the Libyan people; urges the EU to provide support in particular to assist the NTC in preparing for the electoral and constitutional processes;
 4. Calls on EU Member States to initiate UNSC authorisation for the release of frozen Libyan assets to help the NTC ; calls on Member States in particular to deliver on the commitments made at the Paris Conference on 1 September 2011, during which 60 states promised to release 15 billion US dollars;
 5. Declares its expectation that the NTC will fulfil its responsibilities and deliver on the commitments it has made to build a tolerant, unified and democratic state in Libya, protecting universal human rights for all Libyan citizens, as well as for migrant workers or foreigners; the EU expects that the constitution for a new democratic Libyan state fully respects universal human rights, including women's rights;
 6. Commends NTC rhetoric with regards to the importance of national reconciliation; in this regard considers the importance of bringing to court those responsible for crimes against Libyan people, especially Gaddafi and his family;
 7. Expects Libyan courts and proceedings will ensure full compliance with international standards for fair trials, including transparency to international observation and excluding the capital punishment;

8. Urges all countries, especially Libya's neighbours, to cooperate with the new Libyan authorities and the international justice, namely the ICC, to ensure that Gaddafi and his closest allies will be brought to justice; recalls that, for instance, Niger and Burkina Faso are parties to the ICC and, therefore, have an obligation cooperate with the Court and surrender Gaddafi and his indicted relatives to the ICC if they enter their territories;
9. Calls on all NTC military forces to comply with international humanitarian laws in dealing with prisoners of war, namely the remaining pro-Gaddafi forces and mercenaries; urges the NTC to immediately free African migrant workers and black Libyans who were arbitrarily detained for being thought to be pro-Gaddafi mercenaries and bring to independent trial those who committed crimes; calls on the NTC to protect the rights of thousands sub-Saharan African migrants who face harassment solely due to their skin colour and to ensure protection and evacuation of the migrants still stranded at the IOM centres, such as in Sebha or any improvised camps;
10. Emphasises that the Libyan people made the revolution and lead the way forward; therefore, the EU as much as other regional actors, such as the Arab League and the African Union, must do everything they can to help Libya build democratic institutions, ensure disarmament, demobilisation, rehabilitation and security sector reform, including professional police forces, prepare free and fair elections, build the justice system and deliver the rule of law and accountable governance; underlines that as the role to be played by the UN in this process is irreplaceable, the EP expects all international actors to support the UN in this endeavour;
11. Deeply regrets that the EU was unable to respond in an active and timely manner to the developing Libyan crisis, in particular regarding the impending destruction and commitment of large scale crimes against humanity in Benghazi; calls on the HR/VP to ensure that the EU in the future will be able to take its international responsibility and can respond to such an acute threat;
12. Calls on the EU and the international community to assist the NTC in its efforts toward economic recovery, to help it reconstruct its economic infrastructure and to attract foreign investment; underlines that the sooner the Libyan economy recovers, notably through the restart of oil production, the sooner the NTC can strengthen its legitimacy and tend to the medium- to long-term needs of the country; calls on the Council and the Commission to ensure that the TNC receives benefits fully from the proceeds of the oil revenue; urges all EU Member States to ensure that national business interests will not conflict with the EU's approach towards Libya;
13. Underlines that the EU's long term engagement with Libya and the other countries in the Mediterranean region must be based on free trade and investment, while ensuring sustainable development; calls on the Commission to assist Libya in its future accession to the WTO as a matter of urgency and provide the technical assistance required;
14. Underlines in this context the necessity of a long-term commitment of the international community to assist the NTC, and then its elected successors, upon request in reconstruction efforts, and to do so in a coordinated and coherent way led by the UN and the Contact Group; emphasises the role that can be played by the EIB and the EBRD in investing in trade and economic projects, particularly with the view to stimulating the

growth of the Libyan SMEs;

15. Urges the EU Member States to help in the resettlement of refugees from war-torn countries who are in camps in the Tunisian-Libyan border and cannot return to their homes;
16. Welcomes the inquiry set by the UK to investigate alleged intelligence-sharing by British secret services with the Gaddafi regime; calls on all concerned Member States to follow this example and set up independent inquiries to investigate the allegations of complicity in torture by some European secret services that might have cooperated with Gaddafi's regime in the framework of the CIA extraordinary renditions programme; calls on the EU to investigate possible complicity in human rights violations by European companies through the supply of surveillance technologies, deploying and managing monitor centres and training secret service agents;
17. Instructs its President to forward this resolution to the Council, the Commission, the EEAS, the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission, the parliaments and governments of the Member States, the Libyan National Transitional Council, the UNSC, UNGA, the UNHRC, the Arab League and the African Union.