



EUROPEAN PARLIAMENT

2009 - 2014

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*Plenary sitting*

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20.11.2012

B7-0516/2012

## MOTION FOR A RESOLUTION

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

pursuant to Rule 122 of the Rules of Procedure

on the situation of migrants in Lybia  
(2012/2879(RSP))

**Cristian Dan Preda, Bernd Posselt, Filip Kaczmarek, Roberta Angelilli, Mario Mauro, Tunne Kelam, Eija-Riitta Korhola, Sergio Paolo Francesco Silvestris, Zuzana Roithová, Monica Luisa Macovei, Sari Essayah, Giovanni La Via, Laima Liucija Andrikienė, Elena Băsescu, Philippe Boulland, Jean Roatta**  
on behalf of the PPE Group

**European Parliament resolution on the situation of migrants in Libya  
(2012/2879(RSP))**

*The European Parliament,*

- having regard to Rule 122 of its Rules of Procedure,
  - A. whereas foreign nationals in Libya are particularly vulnerable to abuse because of the security vacuum, the proliferation of weapons and the judicial system;
  - B. whereas detention facilities for irregular migrants which are managed by the Department of Combating Irregular Migration under the Ministry of Interior, usually rely on armed militias to maintain law and order;
  - C. whereas Libya has not ratified the 1951 UN Convention relating to the Status of Refugees;
  - D. whereas the EU is negotiating cooperation agreements with Libya;
  - E. Whereas Libya is a party to the Organization of African Unity's 1969 Convention Governing the Specific Aspects of Refugee Problems in Africa;
  - F. Whereas foreign companies, many of them being European, will resume their investments in Libya and the country will become a hub of intra-African migration;
  - G. Whereas recent reports issued by the International Federation for Human Rights, Migreurop and Justice without borders for migrants (JWBM), based on a number of investigations in Libya in June 2012, reveal the existence of repeated mistreatments of migrants held in eight detention centers in Tripoli, Benghazi and the Nafusa Mountain region;
  - H. Whereas the Libya's "open door" policy conducted by Gaddafi's regime and historical position made Libya as a destination country for people seeking employment and a departure point for Europe;
- 1. Welcomes the formation of a new government in Libya following the elections in July and wishes all the success to the government in addressing the many challenges Libya is facing and in particular the situation of migrants.
- 2. Underlines to the new Libyan authorities its concerns regarding human rights and the security situation of foreign nationals in the country ;
- 3. Is concerned about the living conditions of thousands migrant detainees in eight detention centers in Tripoli, Benghazi and the Nafusa Mountain;

4. Is deeply concerned that some armed groups detain migrants, asylum seekers and refugees without any legal framework in a context of deep-rooted racism;
5. Emphasizes to the authorities the extreme conditions of detention and the lack of legal framework and protection causing indefinite detention, and the lack of appeal against deportation;
6. Asks the government to tackle the problems related to the racist and xenophobic attitudes prevailing in Libya towards foreign nationals, especially originating from sub-Saharan Africa, who are the particular targets of violence, hate crimes and abuses notably by Katibas;
7. Underscores that the new authorities bear the responsibility of devising migratory policies that abide by the rule of law and international law standards, urges the Libyan authorities to adopt the 1951 Refugee Convention; calls for the introduction of a functioning asylum system and for reforming of the legislation regulating the entry and stay of foreign nationals in the country;
8. Recalls the commitments taken by the EU notably in its new response to a changing Neighbourhood (COM(2011) 303 final) whereby, the Union shall adapt levels of EU support to partners according to progress on political reforms and building deep democracy as well as protect the rights of refugees and beneficiaries of international protection;
9. Encourages a closer cooperation between the EU, UNHCR, and other UN agencies involved in the post-conflict process which will lead into the formulation of a multi-agency recovery plan for Libya;
10. Invites the HR/VP to elaborate in coordination with the Minister of Foreign Affairs of Libya a comprehensive approach for mobility in the region based on targeted development and human rights strategies, to tackle security problems and enhance the effectiveness of EU efforts for democracy promotion;
11. 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 institutions of ECOWAS and the African Union, and the Libyan authorities.