Question for written answer E-008353/2011
to the Council
Rule 117
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Subject: Interpretation of Regulation (EU) No 204/2011

The political crisis that has afflicted several countries on the southern shore of the Mediterranean has had harsh economic consequences for large- medium- and small-scale European entrepreneurs who had been operating in those countries. Many companies have had to leave Libya, Tunisia and Egypt, sending their workforces home and abandoning their building sites, factories, equipment and receivables. This sudden withdrawal, accompanied by the ongoing instability and consequent impossibility of continuing to work in those countries, is jeopardising the very existence of many SMEs that contribute, in many countries, to 95% of GDP.

In Libya, in particular, on the one hand, the amounts due to companies which had been operating in that country before the outbreak of the crisis are not being paid, and on the other, funds belonging to individuals close to the Gaddafi regime and the Libyan state have been frozen.

The EU expressed its opinion through Council Regulation (EU) No 204/2011, stipulating that all funds and economic resources belonging to, owned, held or controlled by persons close to the Gaddafi regime were to be frozen (Article 5). By way of derogation from this article, it was stipulated that certain frozen funds or economic resources could be used for humanitarian purposes, including the payment of administrative costs or charges for holding the funds. Among the derogation options, however, no mention is made of the payment of accrued credits and the damage suffered by businesses and companies that had been operating in Libya before the crisis broke out.

The non-payment of amounts due and the damage suffered, especially for SMEs, will mean that they will be replaced by non-EU companies (from countries such as Turkey, China and Brazil) that were already operating in Libya. This will cause serious damage to the businesses/companies in question and indirectly to the EU itself, because there will no longer be any working or business relations with a country that has been, and will be, very important to Europe in the future.

In order to aid the survival of the companies concerned, especially the small and medium-sized ones, and to boost their business in Libya (which could be considered part of that development which Member States have been calling for), in addition to suspending the formalities required by the tax laws of each Member State, in the light of Regulation (EU) No 204/2011 would the Council consider releasing the seized Libyan capital also for the purpose of paying any amounts due and compensating the damage to the businesses, companies and individuals who/which had been operating in Libya prior to 15 February 2011 and who/which have already been registered by the ministries responsible?