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P8_TA(2015)0010

Situation in Libya**European Parliament resolution of 15 January 2015 on the situation in Libya (2014/3018(RSP))**

(2016/C 300/05)

The European Parliament,

- having regard to its previous resolutions on Libya, in particular those of 15 September 2011 ⁽¹⁾, 22 November 2012 ⁽²⁾ and 18 September 2014 ⁽³⁾,
- having regard to the recent statements by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy Federica Mogherini on Libya, including those of 16 and 30 December 2014 and 10 January 2015,
- having regard to the Foreign Affairs Council Conclusions of 15 August, 30 August 2014, 20 October 2014, 17 and 18 November 2014, and 15 December 2014,
- having regard to the joint statement on Libya by the governments of France, Germany, Italy, Spain, the UK and the USA of 11 January 2015,
- having regard to United Nations Security Council Resolutions 1970, 1973 (2011) and 2174 of 27 August 2014,
- having regard to the United Nations Support Mission in Libya (UNSMIL) report entitled ‘Overview of violations of international human rights and humanitarian law during the ongoing violence in Libya’ of 4 September 2014, updated on 27 December 2014,
- having regard to the Geneva Conventions of 1949 and their Additional Protocols of 1977, and to the obligation of parties to armed conflict to respect and ensure respect for international humanitarian law in all circumstances,
- having regard to Council Decision 2013/233/CFSP of 22 May 2013 creating the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya),
- having regard to the ENP package on Libya of September 2014,
- having regard to the Sahel Summit held in Mauritania on 19 December 2014, which included leaders from Mauritania, Mali, Niger, Chad and Burkina Faso,
- having regard to the joint communiqué issued on 22 September 2014 by 13 countries ⁽⁴⁾, pledging a policy of non-interference in Libya’s affairs,
- having regard to Rule 123(2) and (4) of its Rules of Procedure,

⁽¹⁾ OJ C 51 E, 22.2.2013, p. 114.

⁽²⁾ Texts adopted, P7_TA(2012)0465.

⁽³⁾ Texts adopted, P8_TA(2014)0028.

⁽⁴⁾ Algeria, Egypt, France, Germany, Italy, Qatar, Saudi Arabia, Spain, Tunisia, Turkey, the United Arab Emirates, the United Kingdom and the United States of America, as well as the EU and the UN.

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- A. whereas Libyans took to the streets in February 2011, asking for political rights, and were confronted by indiscriminate state repression, which triggered nine months of civil conflict and the ousting of the Gaddafi regime;
- B. whereas Libya held its third general democratic and free elections in June 2014 to elect a House of Representatives to replace the General National Congress elected in July 2012;
- C. whereas despite national parliamentary elections in June 2014, the aspirations of the Libyan people born out of the fall of Colonel Gaddafi have been thwarted by political division and violence in what is becoming an all-out civil war; whereas rival governments and parliaments have been operating in Tripoli and Tobruk for several months;
- D. whereas Libya remains embroiled in political infighting that has evolved into a violent power struggle between two rival seats of government and numerous competing factions of nationalist, Islamist, tribal and regionalist forces, resulting in further civilian suffering, casualties, mass displacement and a spreading humanitarian crisis;
- E. whereas both sides are reported to have committed a wide range of violations and abuses under international human rights and humanitarian law; whereas UNSMIL estimates that at least 400 000 Libyans have been internally displaced by the latest wave of fighting while a further 150 000 people, including many migrant workers, have left the country; whereas foreign aid workers and diplomats, including EU and UNSMIL staff, have been evacuated from Libya; whereas the mass influx of Libyan refugees into neighbouring Tunisia is putting a significant strain on that country's capabilities and its own stability; whereas there are estimated to be more than one million Libyans already staying in Tunisia;
- F. whereas on 23 December 2014 the United Nation's High Commissioner for Human Rights, Zeid Ra'ad al-Husseini, said that the indiscriminate shelling of civilians in Libya could well lead to prosecution for war crimes;
- G. whereas UN Special Envoy Bernardino León has actively sought to broker talks between the warring factions and to launch a national dialogue for a reconciliation process and the formation of a government of national unity; whereas a first round of talks took place in Ghadames on 29 September 2014 and continued in Tripoli on 11 October 2014, while a further round, initially scheduled for 5 January 2015, was postponed owing to a lack of agreement on both sides; whereas UNSMIL has announced that Libyan parties have now agreed to hold a new round of talks in Geneva, purportedly on 14 January 2015; whereas both camps have so far proven largely reluctant or unable to engage in compromise;
- H. whereas the UN Envoy for the Sahel region, Hiroute Guebre Sellassie, has warned the UN Security Council that the Libyan crisis threatens to destabilise the entire region in the near future, and has also stated that terrorist and criminal networks in Libya were developing closer ties to Mali and northern Nigeria, dealing in arms sales and drug trafficking amongst other illegal trade;
- I. whereas the unity of the Libyan state is at stake and there is a real risk of separation in at least three regions (Fezzan, Cyrenaika and Tripolitania) if a compromise solution, together with a process of reconciliation, is not achieved;
- J. whereas recent fighting has greatly facilitated the spreading and settlement of terrorist groups such as ISIS in the country; whereas, if not addressed, this could represent a major threat to the security of the region and of the EU; whereas the eastern Libyan branch of IS said on 8 January 2015 that it had executed reporter Sofiene Chourabi and camera operator Nadhir Ktari;

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- K. whereas on 4 January 2015 war planes from forces loyal to the internationally recognised government bombed a Greek-operated oil tanker in the military zone of the port of Derna, leading to the killing of one Greek and one Romanian crew member and the wounding of two others; whereas the port is controlled by Islamist militants and has been attacked several times over the past year;
- L. whereas on 3 January 2015 an official government statement declared that Islamic State militia had killed 14 soldiers of the Libyan army and that the government called on the international community to lift the arms embargo on the country in order to fight this militia, which it designates as terrorists;
- M. whereas ISIS is training fighters in Libya and establishing a branch in the eastern part of the country; whereas on 30 December 2014 terrorists detonated a car bomb in Tobruk, targeting a session of the House of Representatives; whereas elements of al-Qaida in the Islamic Maghreb are reported to have established logistical hubs in the southern periphery of Libya; whereas, according to an official government statement, an Islamic State militia executed 14 soldiers of the Libyan army on 3 January 2015;
- N. whereas on 28 December 2014 militia commander General Heftar conducted air strikes on Misrata, a stronghold of the militia group Libya Dawn, in what is seen as revenge for the 25 December 2014 militia attacks on Libya's largest oil terminal in Sidra and on Libyan army soldiers in Sirte, killing 22 of them;
- O. whereas some 20 Egyptian Coptic Christians were abducted by Ansar al-Sharia militants in Sirte, under militia control, in the latest of an increasing number of attacks on Christians and other religious minorities in Libya; whereas detentions, abductions, torture and executions of suspected fighters on all sides have also continuously increased;
- P. whereas hundreds of migrants and refugees fleeing the violence in Libya have reportedly died while attempting to cross the Mediterranean to Europe, leading to a major refugee crisis in Italy and Malta; whereas Libya is a primary departure point for migrants attempting to reach Europe;
- Q. whereas on 6 November 2014 the Libyan Supreme Court ruled that the June parliamentary elections which established the internationally recognised, Tobruk-based House of Representatives were illegitimate;
- R. whereas the House of Representatives has rejected the ruling, saying that the ruling oversteps the mandate of the court, that it was made under pressure from Islamist militias in Tripoli and that the House of Representatives and the government will continue functioning;
- S. whereas United Nations Security Council Resolution 2174 (2014) authorises travel bans and asset freezes against 'individuals and entities determined by the Committee to be engaging in or providing support for other acts that threaten the peace, stability or security of Libya, or obstruct or undermine the successful completion of its political transition';
- T. whereas a crucial element of the conflict concerns the control and administration of the National Oil Corporation; whereas both sides in the conflict have nominated their own oil ministers in an effort to channel oil revenues to themselves; whereas oil accounts for 95 % of Libya's state revenue and 65 % of the country's GDP; whereas Libya has the largest oil reserves in Africa and the fifth largest in the world;

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1. Strongly condemns the sharp escalation of violence in Libya, particularly targeting civilians, which seriously undermines the future prospects for a peaceful settlement; strongly supports the UN-brokered talks in Geneva and calls on all parties to the conflict to accept the freeze in military operations proposed by UN Special Representative Bernardino León in order to create a favourable environment;
2. Calls on all sides involved in the violence to commit to an unconditional ceasefire, to refrain from actions creating further divisions and polarisation, to publicly declare that they will not tolerate such actions and to engage without precondition with the efforts of the United Nations Special Representative for Libya, Bernardino León, aimed at bringing the rival groups together in an inclusive national political dialogue; insists that due attention be paid to the involvement of women and minorities in this process; recalls that there is no military solution to the current conflict;
3. Reiterates its strong and full support for the United Nations Support Mission in Libya; applauds the tireless efforts of the United Nations Special Representative for Libya, Bernardino León, in brokering this political dialogue; welcomes the fact that a new round of political dialogue is scheduled to take place in Geneva within days;
4. Calls on the EU to support these efforts by immediately enacting its own targeted sanctions, including asset freezes and travel bans, for those responsible for armed violence and human rights violations and abuses, and for boycotting the UN sponsored negotiations;
5. Reiterates its support for the House of Representatives in Tobruk as the sole legitimate body emanating from the June 2014 elections; reiterates its calls on the elected House of Representatives and the official government to carry out their tasks on the basis of the rule of law and human rights, in a spirit of inclusiveness, in the interests of the country and in order to protect the rights of all Libyan citizens, including religious and ethnic minorities;
6. Is deeply concerned by the increasing presence of Al-Qaeda-linked terrorist groups, Islamic State militias and other extremist organisations and movements in Libya; believes that the region risks ending in destructive chaos along the lines of what is happening in Syria and Iraq; believes that these groups represent a major threat to the stability and security of the whole region, and also to the security of Europe; reaffirms the need to combat by all means, in accordance with the Charter of the United Nations and with international law, including applicable international human rights, refugee and humanitarian law, threats to international peace and security caused by terrorist acts;
7. Calls on the EU and on the international community to continue to support efforts to combat terrorism with due respect for international law and to prevent it from spreading further and from establishing new bases in Libya;
8. Underlines the destabilising impact of the Libyan conflict on other countries in the Sahel region as well as on European security; calls on neighbouring countries and regional players, especially Egypt, Qatar, Saudi Arabia, Turkey and the UAE, to refrain from actions which might exacerbate current divisions and undermine Libya's democratic transition, and to fully support the UN-led Ghadames process; recalls that those who are actively creating obstacles to a consensual political solution are in violation of Security Council resolutions on Libya and must face the consequences of their actions;
9. Welcomes the recent declarations by the African Union on 3 December 2014 and by the League of Arab States on 5 January 2015 and their public commitment to support the UN-led process;

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10. Stresses the need for a common and coordinated action by all 28 Member States under the supervision of the High Representative; calls on the Commission and the European External Action Service to coordinate Member States' action and focus their support on state-building and institution-building and, together with the Member States, the UN, NATO and regional partners, to assist in the creation of effective and nationally commanded and controlled security forces (armed forces and police forces) that can ensure peace and order in the country, as well as supporting the initialling of a ceasefire and designing a mechanism to monitor it; stresses that the EU should also give priority to assisting with reform of the Libyan justice system, as well as other fields crucial for democratic governance;

11. Recalls the EU's strong commitment to the unity and territorial integrity of Libya and the need to prevent the spread of terrorism; recalls UNSC Resolution 2174, adopted on 27 August 2014, which broadens the existing international sanctions on Libya to include the criminal responsibility of people who engage in or support acts that 'threaten the peace, stability or security of Libya, or obstruct or undermine the successful completion of its political transition'; calls on the EU to consider further actions, including restrictive measures;

12. Stresses the need to ensure accountability for all violations of human rights and international humanitarian law; points to the statement by UNSMIL that many of the violations and abuses committed in Libya fall under the jurisdiction of the ICC, and calls for the latter to be granted the adequate political, logistical and financial resources to allow it to investigate these crimes; believes that strengthening international accountability mechanisms can dissuade militias from perpetrating further abuses and violations, and calls for consideration to be given to establishing a UN Commission of Inquiry or similar mechanism to investigate violations of human rights and international humanitarian law;

13. Expresses its solidarity with the Libyan people; believes that the European Union must help the Libyan people fulfil their ambition to establish a democratic, stable and prosperous state, in line with the commitments set out in its neighbourhood policies for the southern Mediterranean; calls for continued humanitarian, financial and political assistance from the EU and the international community to address the humanitarian situation in Libya, the plight of internally displaced persons and refugees and that of civilians facing disruption of access to basic services;

14. Calls on all parties in Libya to guarantee the safety and freedom of Christians and other religious minority groups who are facing increasing discrimination and persecution and find themselves in the crossfire; calls on the EU and its Member States to ensure that future bilateral agreements include effective monitoring mechanisms for the protection of the human rights of religious minorities;

15. Insists on preserving the neutrality of key Libyan institutions, notably the Central Bank, the National Oil Corporation and the sovereign wealth fund, which are authorised by the UN to receive oil revenues from abroad;

16. Commends the Tunisian hospitality towards an estimated 1,5 million Libyan citizens currently in Tunisia fleeing from violence; asks the EU to provide financial and logistical support to the Tunisian Government for that task;

17. Asks international companies, before concluding any transaction involving Libyan oil, which belongs to the Libyan people, to make sure that such transactions do not finance, directly or indirectly, the warring militias; asks international companies involved in Libya, once again, to reveal their financial dealings in the energy sector;

18. Remains concerned by the proliferation of weapons, ammunition, explosives and smuggling of arms, which poses a risk to the population and to the stability of Libya and of the region;

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19. Reiterates its call on the High Representative to review the mandate of the European Union Border Mission (EUBAM) in Libya, currently on hold and stationed in Tunisia, in order to take account of the dramatically changed situation in the country, and with a view to designing a properly coordinated Common Security and Defence Policy (CSDP) mission to operate in articulation with the UN and regional partners in the event that a political settlement is found; takes the view that that CSDP mission should be aimed at supporting the implementation of a political settlement, should give priority to security sector reform (SSR) and disarmament, demobilisation and reintegration (DDR) and should also respond to other urgent needs of governance; additionally, expresses the view that in the face of prolonged war in Libya and deepening instability and serious threats to European security, the CSDP mission should be prepared to participate in a UNSC-mandated and coordinated action to stabilise Libya;

20. Expresses its grave concern at the fate of migrants, asylum seekers and refugees in Libya, whose already precarious situation continues to deteriorate; calls on the EU and its Member States to effectively help Italy in its laudable efforts to tackle the spiralling migration and refugee flows from North Africa, particularly from Libya;

21. 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 Libyan Government and the House of Representatives, the UN Secretary-General, the Arab League and the African Union.
