Resolution on the situation in Libya

2011/2811(RSP) - 15/09/2011 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution on the situation in Libya.

The resolution was tabled by the S&D, ECR, Greens/EFA, EPP, and ALDE groups.

It welcomes the fall of the 42-year old autocratic regime of Muammar Gaddafi, who was responsible for long and tremendous suffering by the Libyan people, congratulating the Libyan people on their courage and determination and stressing that the **free and sovereign aspirations of the Libyan people should be the driving force of the transition process**. Members express **full support for the National Transitional Council (NTC)** in its challenging task of building up a new state representing all Libyans, and welcome the fact that all UN Security Council permanent members, including most recently China, have recognised the NTC as the legitimate authority in Libya.

Parliament calls on the **VP/HR to develop a genuine, effective and credible common strategy for Libya and requests EU Member States to implement this strategy refraining from unilateral actions or initiatives that might weaken it.** The EU and its Member States must offer their full support in the transition process that must now take place to create in a coordinated manner a free, democratic and prosperous Libya, avoiding duplications and pursuing a multilateral approach. Members call on the VP /HR, the Council and the Commission to promote relations with the NTC and assist the new Libyan authorities in building a unified, democratic and pluralist Libya in which human rights, fundamental freedoms and justice will be guaranteed for all Libyan citizens as well as migrant workers and refugees.

They welcome the commitment made by the States and international organisations present at the ‘Friends of Libya’ summit held in Paris on 1 September 2011 to release USD 15 billion in frozen Libyan assets, as well as the EU decision to lift sanctions on 28 Libyan entities, including ports, oil firms and banks. **EU Member States are asked to seek UNSC authorisation and release still frozen Libyan assets** to help the NTC deliver the governance needed in this transitional period. Member States in particular must comply with the promises made at the Paris Conference. Members also welcome the fact that the EU quickly marked its presence in Tripoli soon after the city was liberated and opened an EU office in the capital. They recommend sending forthwith a European Parliament delegation to Libya to assess the situation, to transmit a message of support and solidarity and to develop a dialogue with the NTC, civil society and other key players on the ground.

The resolution goes on to call on the VP/HR, the Commission and the EU Member States to provide **assistance aiming at reform of the Libyan security sector**, including the police and armed forces, as well as the disarmament, demobilisation and reintegration (DDR) of former combatants, and strengthening control of the borders and arms trafficking in cooperation with neighbouring countries. Members are particularly concerned by the huge amount of weapons held by combatants and civilians that put the life of the population at risk, with regard in particular to vulnerable groups such as women and children.

Parliament stresses that there can be no impunity for crimes against humanity and that **Muammar Gaddafi and members of his regime must be held responsible and put to trial for their crimes** under the rule of law. It urges the NTC combatants to refrain from reprisals and extrajudicial executions. All countries, especially Libya's neighbours, are urged to cooperate with the new Libyan authorities and the international justice authorities, namely the ICC, to ensure that Gaddafi and his inner circle are brought to justice. Members recall that, for instance, Niger and Burkina Faso are parties to the ICC and, therefore,

have an obligation to transfer Gaddafi and his indicted relatives to the ICC if they enter their territories. They deplore the offer of asylum by Guinea Bissau to Gaddafi to go and live in that country, warning that this would be **inconsistent with Guinea Bissau's obligations under the Cotonou Agreement**.

Parliament further stresses that the credibility of the NTC interim government will rest on its capacity to address the most pressing issues while at the same time creating conditions for democratic institutions. It calls on the NTC to initiate as **transparent and inclusive a process as possible**, involving all key stakeholders and avoiding regional, ethnic or tribal fractions that could cause further violence. It also calls on the National Transitional Council to **commit to high standards of transparency in domestic strategic economic sectors in order to make Libyan natural resources benefit all the population.**

Members go on to call on the NTC to:

- control and disarm the armed groups, to halt human rights abuses and to investigate the reported cases of war crimes, in order to avoid a vicious cycle of violations and retaliation;
- bring immediately all detention centres under the control of the Ministry of Justice and Human Rights and to ensure that arrests are only conducted by official bodies and that all prosecutions end up in fair trials meeting international standards;
- 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 and foreigners;
- actively stimulate and include women and young people in the political processes aimed at building political parties and democratic institutions;
- launch a justice and national reconciliation process; calls on the VP/HR to send experts and trainers on mediation and dialogue to assist the NTC and other Libyan actors;
- comply with international humanitarian laws in dealing with prisoners of war, namely the remaining pro-Gaddafi forces and mercenaries;
- free immediately African migrant workers and black Libyans who were arbitrarily detained for being thought to be pro-Gaddafi mercenaries and to bring to independent trial those who committed crimes;
- protect the **rights of minority and vulnerable groups, including thousands of 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 or any improvised camps. The VP/HR is asked to provide the NTC with European support in the field of mediation in order to respond to this urgent situation in accordance with human rights and humanitarian standards.

Members call on EU Member States and the Commission to assist in resettling refugees who are still in camps at the Tunisian and other borders having fled the conflict and for whom a return to Libya would place their life at risk.

Lastly, they stress the importance of the successful outcome of the Libyan conflict for the region and in the context of the Arab Spring, and urge other leaders in the region to draw lessons from Libya and to take heed of the growing popular movements calling for their rights and freedoms to be respected.