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*Plenary sitting*

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**A9-0252/2022**

18.10.2022

# REPORT

on a European Parliament recommendation to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the situation in Libya (2021/2064(INI))

Committee on Foreign Affairs

Rapporteur: Giuliano Pisapia

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## DRAFT EUROPEAN PARLIAMENT RECOMMENDATION

**to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the situation in Libya  
(2021/2064 (INI))**

*The European Parliament,*

- having regard to the European Council conclusions of 25 June 2021,
- having regard to the European Council conclusions of 12 December 2019,
- having regard to the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) of 24 December 2021 on the postponement of the elections,
- having regard to the declaration by the VP/HR of 11 March 2021 on behalf of the European Union on the approval of the new Government of National Unity,
- having regard to the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 on the status of refugees,
- having regard to the EU Emergency Trust Fund for Africa (EUTF),
- having regard to the joint communication of the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 9 February 2021 entitled ‘Renewed partnership with the Southern Neighbourhood – A new Agenda for the Mediterranean’(JOIN(2021)0002),
- having regard to the Commission communication of 11 December 2019 on the European Green Deal (COM(2019)0640),
- having regard to the UN resolution entitled ‘Transforming our World – the 2030 Agenda for Sustainable Development’ adopted at the UN Sustainable Development Summit on 25 September 2015 in New York (the UN 2030 Agenda),
- having regard to the Paris Agreement, adopted by decision 1/CP.21, to the 21st Conference of the Parties (COP21) to the UN Framework Convention on Climate Change and to the 11th Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP11), held in Paris, France from 30 November to 11 December 2015,
- having regard to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction of 18 September 1997,
- having regard to the Convention on Cluster Munitions of 30 May 2008,
- having regard to the UN Security Council resolution of 31 October 2000 on women and

peace and security,

- having regard to the UN Convention on the Rights of the Child of 20 November 1989,
  - having regard to the African Charter on the Rights and Welfare of the Child of 1 July 1990,
  - having regard to the UN Security Council resolution of 26 February 2011 and all subsequent resolutions on the arms embargo in Libya,
  - having regard to the UN Security Council resolutions of 29 April 2022 and 28 July 2022 on Libya,
  - having regard to the report of the Secretary-General of 20 May 2022 on the UN Support Mission in Libya (UNSMIL),
  - having regard to the 23<sup>rd</sup> Report of the Prosecutor of the International Criminal Court to the United Nations Security Council of 28 April 2022 pursuant to Resolution 1970 (2011),
  - having regard to the UN Human Rights Council resolution of 22 June 2020 establishing a fact-finding mission to Libya and that of 8 July 2022 extending its mandate for nine months,
  - having regard to the reports of the Independent Fact-Finding Mission on Libya to the UN Human Rights Council of 29 November 2021, 23 March 2022, 27 June 2022 and 1 July 2022,
  - having regard to the International Covenant on Civil and Political Rights of 16 December 1966,
  - having regard to its resolution of 19 May 2021 on human rights protection and the EU external migration policy<sup>1</sup>,
  - having regard to its recommendation of 30 May 2018 to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on Libya<sup>2</sup>,
  - having regard to Rule 118 of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs (A9-0252/2022),
- A. whereas over the past decade, deep divisions and confrontations between major Libyan stakeholders, further exacerbated by interference from foreign actors, has led to continuous power struggles and significantly hindered the national reconciliation process;
- B. whereas in November 2020, UNSMIL facilitated the first round of the Libyan Political

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<sup>1</sup> OJ C 15, 12.1.2022, p. 70.

<sup>2</sup> OJ C 76, 9.3.2020, p. 206.

Dialogue Forum (LPDF), which consisted in 75 Libyan participants representing the full social and political spectrum of Libyan society; whereas the LPDF agreed on a roadmap on credible, inclusive and democratic national elections, to be held on 24 December 2021; whereas in February 2021 the LPDF elected Abdul Hamid Dbeibeh to head the interim Government of National Unity; whereas the approval of the formation of a Government of National Unity (GNU) by the Libyan House of Representatives based in Tobruk in March 2021 temporarily addressed the political deadlock and the situation of contested legitimacy in the country;

- C. whereas in January 2022 the House of Representatives declared that the legal term for the mandate of the GNU had expired in December 2021; whereas the House of Representatives consequently designated the former minister of interior, Fathi Bashagha, as Prime Minister in February 2022; whereas GNU leaders rejected Bashagha's appointment and the subsequent formation of a new government, and did not resign; whereas the GNU is still the only government recognised by the international community;
- D. whereas the situation in Libya has further deteriorated since the indefinite postponement of the elections at the end of 2021, notably due to a lack of prior agreement on the legal basis for elections and on vetting criteria for candidates as well as the failure to prioritise the building of essential guarantees for credible and transparent elections, deepening the political deadlock and national fragmentation;
- E. whereas the postponement of the elections profoundly disappointed the more than 2.8 million Libyan citizens who had registered to vote, and in particular the young electorate, and risks contributing to further diminishing trust in public institutions;
- F. whereas, despite the fact that the UN-facilitated talks between the Libyan House of Representative and High State Council legislative bodies in Cairo and Geneva in June 2022 led to an unprecedented level of consensus on several long-standing issues, including on the distribution of seats for the two legislative chambers, the distribution of power among different executive authorities and the delineation of provinces, they were unable to lead to an agreement on a broadly supported constitution or a legal framework for elections;
- G. whereas elections cannot be an end in themselves but should be accompanied by significant political, economic and institutional reforms; whereas the involvement of women, civil society organisations, municipalities and local stakeholders is key to building a functioning state and ensuring proper governance in Libya; whereas all Libyan parties should engage in a genuine dialogue to address the ongoing political impasse and not use force to resolve their differences; whereas the lack of commitment from Libyan stakeholders to build a new shared roadmap towards elections appears to indicate a shared lack of interest in building functional and representative political institutions;
- H. whereas since the beginning of July 2022, mass protests against the mismanagement of political institutions and the deterioration of living conditions have been held across the country, including in Tripoli, Tobruk, Benghazi and Misrata; whereas protesters have

called for elections to be held without delay;

- I. whereas following the protests, the Presidential Council proposed an action plan to move forward and preserve the unity of the country, including parliamentary and presidential elections within a specific timeframe to overcome the deadlock;
- J. whereas recent clashes in Tripoli between militias loyal to Dbeibeh and militias loyal to Bashagha caused several deaths, including among the civilian population, and underlined once more the fragile situation in the country;
- K. whereas security and stability in Libya are closely correlated with the prospect of a real democratic transition that has the potential to deliver for all people in Libya; whereas the long-term instability and systemic impunity has been a significant factor in the resurgence of military confrontations as well as mass demonstrations across the country; whereas respect for the rule of law and accountability for human rights violations are essential to ensure political stability and sustainable peace in Libya and the entire region;
- L. whereas it is of the utmost importance that the Member States coordinate their actions and speak with one voice, strengthening the EU's mediation efforts and underlining the central role of the UN;
- M. whereas since the invasion of Ukraine, Russia has significantly undermined the UN's capacity for action by refusing to join consensus on proposals for a longer mandate of UNSMIL and for the nomination of a new UN Special Representative for Libya;
- N. whereas, after nine months of political deadlock within the UN Security Council, UN Secretary-General António Guterres announced on 2 September 2022 the appointment of Abdoulaye Bathily of Senegal as his Special Representative for Libya and head of UNSMIL;
- O. whereas in November 2019, Libya signed with Türkiye a memorandum of understanding (MoU) on the delimitation of maritime jurisdictions in the Mediterranean Sea; whereas this agreement infringes upon the sovereign rights of third states and does not comply with the Law of the Sea, and therefore cannot produce any legal consequences for third states, as stated by the European Council; whereas on 3 October 2022 Libya and Türkiye signed an agreement on hydrocarbons based on the 2019 Türkiye-Libya MoU;
- P. whereas the ongoing involvement in the conflict of local and foreign armed groups, such as Russia's Wagner group, as well as foreign forces, poses a threat to the stability and security of Libya and the entire region;
- Q. whereas all countries that participated in the Berlin Conferences on Libya and in the Paris International Conference for Libya, including Russia and Türkiye who have a military presence in Libya, committed themselves not to interfere in Libyan affairs and backed the implementation of an action plan for the withdrawal of mercenaries, foreign fighters and foreign forces from Libyan territory without delay;
- R. whereas recently there have been attempts by senior Libyan military figures to re-

establish a unified Libyan army;

- S. whereas comprehensive security sector reform is critical to establish unified, inclusive and accountable Libyan national security, police and military forces under central, civilian authority, thus contributing to the prevention of future human rights violations, strengthening the rule of law, ending impunity and guaranteeing political stability in the country and the region; whereas developments on the ground in late August unfortunately point in the other direction, with increased fighting leading to the brink of military escalation;
- T. whereas the significant presence of landmines and unexploded ordnance, in addition to resulting in the loss of human life, represents a serious obstacle to the economic and social recovery of the country;
- U. whereas the proliferation of small arms, light weapons and abandoned ammunition stockpiles increases instability as they are often diverted both within Libya and across its borders, significantly affecting regional and local security as local armed groups gain access to these weapons, especially in the Sahel region;
- V. whereas the rule of law and accountability for human rights violations are essential to ensuring political stability and sustainable peace; whereas the absence of a robust judicial system, the systemic violation of the rule of law, the consequent widespread corruption and the repeated violations of human rights contribute to creating a climate of impunity in the country which is a significant obstacle to peaceful coexistence and to the safe return of internally displaced persons;
- W. whereas Libya is the country with the largest oil reserves in Africa, a member of the Organization of the Petroleum Exporting Countries and one of the main oil suppliers to world markets; whereas the Libyan economy relies heavily on the oil sector; whereas oil production has been often instrumentalised by different actors who have repeatedly shut down oil facilities for political purposes; whereas the practice of pillaging and the illicit export of crude oil and refined petroleum products poses a threat to the peace, security and stability of Libya and must therefore be overcome;
- X. whereas the months' long partial shutdown of Libya's oil facilities by the forces loyal to Field Marshal Khalifa Haftar, which started in April 2022, has significantly cut the country's production, causing a decrease in revenues to the state budget, and has had significant repercussions beyond Libya's borders, including further increasing energy prices which were already high due to the Russian invasion of Ukraine; whereas in July 2022, an agreement was reached between western and eastern Libyan stakeholders to resume oil production and exports in all of Libya's blockaded oilfields and ports;
- Y. whereas the Economic Working Group of the International Follow-up Committee on Libya (EWG), which is co-chaired by the EU, Egypt, the USA and UNSMIL, is working with the Libyan authorities on delivering core basic services to the Libyan people, strengthening economic institutions, revitalising the private sector and improving the budget process; whereas the EWG has already made significant progress in assisting with the reunification of the Libyan Central Bank;
- Z. whereas the EU Border Assistance Mission in Libya (EUBAM Libya) has since 2013

supported the Libyan authorities in developing border management and security in Libya; whereas EUBAM Libya has been extended until 30 June 2023;

- AA. whereas, the European Union Naval Force Mediterranean Operation Iriini (EUNAVFOR MED Iriini) was launched on 31 March 2020 and extended to 31 March 2023; whereas its core task is the implementation of the UN arms embargo on Libya established by UN Security Council resolution 1973 (2011); whereas the UN arms embargo has faced multiple and continued breaches by a number of actors;
- AB. whereas on 15 January 2021, Iriini and the European Border and Coast Guard Agency (Frontex) signed a working arrangement whereby they will, inter alia, exchange information on cross-border crime such as arms trafficking and human smuggling; whereas Frontex exchanges information on actual or potential situations of distress at sea in the Libyan search and rescue (SAR) region with the relevant authorities and coordination centres, including the Italian, Maltese and Tunisian marine rescue coordination centres (MRCCs), as well as the Libyan MRCC and joint rescue coordination centre, financed by the EU through the EUTF and operated by the Libyan coastguard and navy;
- AC. whereas the stability and security of Libya are essential to those of the broader Mediterranean region;
- AD. whereas the EU has adopted a renewed partnership with the Southern Neighbourhood that focuses on human development, good governance and the rule of law, resilience, prosperity and the digital transition, peace and security, migration and mobility, as well as the green transition, climate resilience, energy and the environment;
- AE. whereas the EU is allocating an average of EUR 37 million per year between 2021 and 2024 to state-building efforts, human development needs and basic health services in Libya;
- AF. whereas Libya's civil society must play a key role in determining its country's future; whereas in recent months, there has been a worrying shrinking of civic space characterised by increasingly draconian laws and regulations; whereas many political activists, human rights defenders, humanitarian personnel, journalists, magistrates and lawyers have been threatened, abducted, arbitrarily detained, tortured and killed; whereas the lack of an autonomous and independent justice system does not allow victims of human rights violations to pursue legal remedies;
- AG. whereas migrants, refugees and asylum seekers are victims of widespread and systematic human rights violations such as human trafficking, arbitrary arrest, detention, extortion, rape, enslavement, and kidnapping for blackmail and exploitation, by both state authorities and armed groups;
- AH. whereas Libya is a key point of transit and departure for migrants attempting to reach Europe, particularly from sub-Saharan Africa; whereas thousands of people have lost their lives attempting to cross the Mediterranean to reach Europe;
- AI. whereas one of the objectives of the EU's support for border management in Libya is to prevent the loss of life in the Mediterranean; whereas NGOs have often played a



praiseworthy role in saving lives in the Mediterranean; whereas the sharp decrease in the number of SAR vessels has had deadly consequences for people seeking safety; whereas human-smuggling networks exploit the SAR principle to illegally profit from people escaping atrocities in Libya, thus perpetuating human misery and becoming responsible of grave violations of human rights; whereas the European Council reiterated that all vessels operating in the Mediterranean must respect international and EU law; whereas both UN bodies and prominent NGOs have documented violations of human rights against people attempting to escape Libya by sea; whereas people intercepted by the Libyan coast guard and disembarked after rescue at sea are often placed in immigration detention and subjected to human rights violations; whereas the EU expects Libyan authorities, including the Libyan coast guard with which it cooperates, to ensure respect for the human rights and dignity of migrants, to investigate incidents of violence and to ensure appropriate follow-up actions against those responsible; whereas, however, these violations continue to persist, especially owing to ineffective monitoring and accountability mechanisms;

- AJ. whereas around 160 000 internally displaced people in Libya still lack sufficient protection and assistance;
  - AK. whereas women and children are at higher risk of exploitation, trafficking, sexual and gender-based violence, forced prostitution and unlawful detention;
  - AL. whereas sexual and gender-based violence is widespread and fuelled by impunity; whereas survivors of sexual violence are often marginalised and stigmatised by their families and communities; whereas the domestic legal framework does not properly provide for the protection of survivors of sexual violence;
  - AM. whereas the UN Independent Fact-Finding Mission on Libya has concluded in its reports that it has reasonable grounds to believe that crimes against humanity and war crimes have been and are still being committed in Libya; whereas on 8 July 2022 the UN Human Rights Council renewed the mandate of the mission for a final, non-extendable period of nine months to present its concluding recommendations;
1. Recommends that, in implementing the EU policy on Libya, the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy:
- (a) ensure that a UN-facilitated, Libyan-led and Libyan-owned inclusive national reconciliation process is given the strongest support possible in order to deliver longer-term stability and security and lay the foundations for a peaceful and democratic transition that involves all Libyan stakeholders, including women, civil society organisations and local authorities, in order for the peace process to be representative of the entire Libyan population;
  - (b) continue to cooperate closely with UNSMIL and actively support a substantial prolongation of its mandate beyond 31 October 2022 in order to effectively contribute to the constitutional process and the organisation of the elections, implement the ceasefire, monitor human rights issues and offer technical assistance to the Libyan institutions; stress that, given the current political impasse, the continuation of UN-backed negotiations on a roadmap for free, fair,

credible and transparent elections remains vital, and urge all Libyan stakeholders to avoid mistakes made in the past, such as the absence of vetting criteria for candidates, to respect the electoral results and to guarantee a peaceful transition of power; deploy an EU electoral observation mission to monitor the electoral process;

- (c) reinforce diplomatic channels with international actors and increase efforts to mediate and reach a unified international strategy towards a peaceful, stable and unified Libya; consider hosting another Libya conference, and foster so-called ‘Track 2’ diplomatic efforts;
- (d) step up EU diplomatic efforts to restore peace and security in the country, and ensure that the Member States speak with one voice, act in a more unified manner and support nation-wide, inclusive and collaborative efforts to achieve the desired political transition accompanied by the necessary reforms; to this end, nominate, as a matter of priority, an EU special representative for Libya;
- (e) ensure that the EU Delegation to Libya plays a more active role and, as soon as security conditions allow, that it facilitates more missions of EU institutions to Libya, including of the European Parliament, in order to further increase dialogue between the EU and Libya;
- (f) ensure that all agreements or cooperation measures between Libya and the EU or its Member States are consistent with international and EU law;
- (g) urge the Libyan authorities to proceed with the cancellation of the 2019 Türkiye-Libya MoU on the delimitation of maritime jurisdictions in the Mediterranean Sea, and not to implement any clause included in the subsequent agreement on hydrocarbons signed on 3 October 2022, which provides for illegal drilling activities in third countries’ exclusive economic zones, including those of Cyprus and Greece;
- (h) reinforce the call made during the Berlin and Paris conferences on Libya for all mercenaries, foreign fighters and foreign forces to withdraw from Libyan territory; urge all international actors involved, including Russia, the United Arab Emirates and Türkiye, not to interfere in Libya and to comply with that call, to refrain from fuelling tensions and fights through direct or sponsored military intervention and to immediately withdraw any mercenaries which, like Russia’s Wagner group, are still present in the country and which represent a threat to the stability of Libya and the entire region;
- (i) increase support to the Libyan authorities for the implementation of a comprehensive security sector reform and for policies in the area of disarmament, demobilisation and reintegration of armed groups, based on a census of armed groups’ personnel and with professional vetting, assisted by the UN; work towards guaranteeing that such policies have the final aims of establishing unified, inclusive and accountable Libyan national security, police and military forces under a civilian authority and allowing former combatants to lay down their weapons and be reintegrated in their communities, thus building a more sustainable peace;

- (j) urge Libyan authorities to accede to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction and the Convention on Cluster Munitions; allocate adequate EU funds to projects aimed at removing landmines and other unexploded ordnances, at providing mine risk education and at supporting mine victims, including by guaranteeing them access to healthcare, rehabilitation, psychological and psychosocial support, in order to prevent future accidents and enable sustainable economic and social development;
- (k) address the impact on human security and regional stability of the diversion of small arms, light weapons and ammunition to the illicit market, including by supporting weapon and ammunition management and security sector reform at national and regional levels;
- (l) provide the Libyan authorities with the technical assistance they need to enact a comprehensive reform of the judiciary sector with the aim also of dismantling the structural impunity that prevails in the country and paving the way for sustainable reconciliation and peace;
- (m) consider the imposition of additional targeted restrictive measures, including through the use of the EU Global Human Rights Sanctions Regime, on persons and entities whose actions cause serious violations of human rights and freedoms and threaten the rule of law;
- (n) call on all actors to refrain from using oil as an instrument of political confrontation and keep all wells and oil terminals open; step up efforts within the EWG to call on the Libyan authorities to ensure fair, transparent, inclusive and sustainable redistribution of oil revenues by pursuing a vision of shared economic prosperity for all people in the country;
- (o) support Libya's economic institutions, reinforce the country's economic governance and promote economic diversification;
- (p) work towards a more stable energy partnership with Libya which would help to increase Libya's capabilities in the sector and diversify the EU's energy sources; provide, in this regard, Libyan authorities with the necessary technical assistance to support the country in its transition to a sustainable and climate-neutral economy in order to limit the risks posed by climate change which are severely affecting the country, in line with the external dimension of the European Green Deal and the Paris Agreement;
- (q) support the valuable work of EUBAM Libya and the EUNAVFOR MED Irini, two common security and defence policy (CSDP) missions, in contributing to sustainable peace, security and stability; continue, in particular, to support Irini's core task of implementing the arms embargo on Libya imposed by the UN; ensure that the two missions live up to their true potential, which so far has not been the case; equip Irini with the necessary technical capabilities to prevent arms entering Libya via land, sea, or air and step up EUBAM's efforts at Libya's southern border;

- (r) renew, if deemed necessary, the mandate of these two CSDP missions in order to contribute to improving the security conditions on the ground, including by preventing terrorists, human traffickers and armed groups from carrying out cross-border activities, such as the illicit trafficking of weapons; guarantee that all activities carried out or facilitated by these two missions respect human rights and are in line with international and EU law, in particular the principle of non-refoulement, and provide accountability for possible violations; enhance the monitoring of the work of EUBAM to prevent any mismanagement with regard to its activities in carrying out the mission; conduct and provide Parliament with regular human rights impact assessments and evaluations of all their activities; guarantee that any support to the Libyan border or security apparatus is conditional to the respect of international and EU law;
- (s) ensure adequate resources for SAR activities along the central Mediterranean Sea route, including proactive maritime and aerial patrolling by the EU and its Member States, in order to guarantee the full protection of people's life and dignity; ensure that private vessels conducting SAR activities comply with relevant international and EU law, and cooperate with the competent authorities of Member States and Frontex in order to safeguard the safety of people in distress at sea; ensure that migrants rescued at sea are disembarked in places of safety, and that southern Member States are not left alone to carry the responsibility of disembarkation and reception;
- (t) mobilise adequate EU funds based on reviews of previous programmes in the country under the Neighbourhood, Development and International Cooperation Instrument (NDICI) – Global Europe to support Libyan democratisation efforts and projects aimed at strengthening the rule of law and good governance, improving Libya's public service delivery capacities, supporting decentralisation efforts, fostering stabilisation in the country, supporting civil society organisations, strengthening social inclusion and fighting inequalities, promoting gender equality and the empowerment of women and young people, strengthening Libya's health system, fighting climate change and promoting the concept of human security and inclusive, equitable and sustainable growth; provide technical assistance to these projects and ensure their implementation by international institutions and non-governmental organisations with experience operating in Libya; ensure that these projects are in line with the priorities of the New Agenda for the Mediterranean and the UN 2030 Agenda and are compliant with the criteria of the Development Assistance Committee of the Organisation for Economic Co-operation and Development; guarantee that all EU funds under the NDICI – Global Europe are conditional on the respect for human rights and international law, and that Parliament has adequate power to scrutinise their use and ensure accountability;
- (u) continue to provide humanitarian assistance to Libya, with a special focus on the most vulnerable groups;
- (v) continue to support and actively cooperate with Libyan civil society; urge the Libyan authorities to stop the violent repression of civil society organisations via arrests, detentions, enforced disappearances and torture, and to lift restrictions on

civil society organisations that continue to put up serious obstacles to the freedom of expression, association and peaceful assembly, as guaranteed also by the International Covenant on Civil and Political Rights, which Libya has ratified;

- (w) urge the Libyan authorities to lift visa restrictions for members of the foreign and local press and to guarantee journalists' safety;
- (x) urge the Libyan authorities to repeal Law No. 19 of 2001 and Presidential Council Decree No. 286 of 2019, which restrict the ability of civil society actors to carry out their activities, and Law No.76 of 1972 on publications, which restricts the freedom of expression; urge the Libyan authorities to stop criminalising fundamental freedoms using vaguely-worded articles of the Libyan Penal Code such as Articles 206 and 207, which provide for the death penalty; urge the Libyan authorities to immediately release all people unjustly detained under these charges;
- (y) call on the Libyan authorities to introduce a moratorium on the use of the death penalty, with the objective of ultimately abolishing it;
- (z) call on the Libyan authorities to enhance the full representation and participation of women and protect them from all forms of violence; support initiatives aimed at developing a national action plan on women, peace and security, in line with the UN Security Council resolution of 31 October 2000;
- (aa) urge the Libyan authorities to develop and adopt measures to end and prevent violations against children and to comply with Libya's obligations to promote and protect the rights of children, with particular regard to the obligations under the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child;
- (ab) urge the Libyan authorities to eliminate discriminatory laws and practices against members of religious and ethnic minorities;
- (ac) assist the Libyan authorities in ensuring the voluntary, safe and dignified return of internally displaced persons to their homes and support all the relevant stakeholders providing humanitarian assistance to internally displaced persons and returnees, including access to basic healthcare, education and protection services;
- (ad) urge Libyan authorities to respect cultural, linguistic and historical regional diversity and lift restrictions and obstacles to peaceful expression of local communities' aspirations for fair and equal rights and responsibilities within the framework of a united Libya; continue to provide assistance and funds to local communities, in particular marginalised communities, in order to foster sustainable economic development, social cohesion and human security; further develop partnerships with Libyan municipalities and support them to strengthen their systems of local governance and provide essential services, including but not limited to education and healthcare;

- (ae) urge the Libyan authorities to ensure migrants, refugees and asylum seekers are protected, and guarantee full, safe and unhindered access to disembarkation points and to all rooms of detention centres for humanitarian organisations providing assistance to these vulnerable categories of people; encourage the Libyan authorities to lift visa restrictions for all international humanitarian personnel regardless of nationality; provide these humanitarian actors with adequate financial resources to ensure an effective humanitarian response within the detention centres and in urban areas;
- (af) urge the Libyan authorities to sign and ratify the Geneva Convention on Refugees of 1951, and offer support for the implementation of its accompanying measures;
- (ag) urge the Libyan authorities to end arbitrary immigration detention and introduce human rights-based alternatives to detention, inter alia by closing immigration detention centres and opening reception centres, developing screening and referral mechanisms and offering community housing options; to this end, actively support and fund initiatives to amend the Libyan legislative framework on migration and asylum to align it with international law and internationally recognised standards and principles;
- (ah) urge the Libyan authorities to ensure that women detainees are held in facilities with adequately trained women guards, and children separately from unrelated adults;
- (ai) continue encouraging the Libyan authorities to enhance cooperation with neighbourhood countries regarding the creation of safe and legal pathways for migration;
- (aj) encourage the Libyan authorities to enhance cooperation with other countries and the International Organisation for Migration regarding the voluntary, safe and dignified return to countries of origin of migrants stranded in Libya and their reintegration into the societies and communities that receive them;
- (ak) encourage negotiations by EU Member States on the development of a more ambitious EU migration and asylum policy in order not to indirectly facilitate illegal pullbacks by the Libyan border or security apparatus and the returning of people to inhumane camps in Libya, and not to fund and cooperate with Libyan stakeholders against which there are credible allegations of grave violations and involvement in human trafficking; reinforce safe and legal pathways for migration to the EU, including by replicating existing good practices and increasing the capacities of the Emergency Transit Mechanisms and the Member States' resettlement pledges;
- (al) actively support, if deemed necessary, an additional renewal of the UN Independent Fact-Finding Mission on Libya and the implementation of the recommendations included in its reports; ensure that the mission has sufficient resources to fulfil its mandate and urge Libyan authorities to cooperate fully with the mission and to grant its members full access to carry out their investigations without delay;

- (am) continue to support the International Criminal Court's mandate and its efforts to bring to justice all perpetrators of atrocity crimes, including violations of international humanitarian law, the recruitment and direct participation of children in hostilities, enforced disappearances, extrajudicial killings and other forms of violence against vulnerable populations;
2. Instructs its President to forward this recommendation to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy and the Committee of the Regions.

## **MINORITY POSITION**

pursuant to Rule 55(4) of the Rules of Procedure  
Susanna Ceccardi

In recent years, Libya has become the epicentre of alarming migratory flows.

In addition to the dramatic civil conflict that has been ongoing for years, the presence of armies and forces with aggressive or hostile attitudes, such as Turkey and Russia, persist on the territory. These countries want to increase even more their influence in Libya and consequently its geopolitical role in the Mediterranean area, which, meanwhile, has become NATO's new southern front.

The text of the report, while acknowledging some important points of the Libyan reality such as its strategic nature and the importance of the energy issue, does not fully highlight the gravity of the irregular migratory flows from the Libyan coasts to Europe. Moreover, the text does not emphasize the risk, as has happened in the past that Islamic terrorists may be hiding among the departing migrants.

The international authorities and the Libyan police forces, which certainly cannot be replaced by NGOs, would therefore need more resources and funds for the control and monitoring of the Mediterranean Sea.

Furthermore, the creation of identification centres in the southern part of Libya would help to prevent the Libyan coasts from increasingly becoming the port of departure for migratory flows.



## INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

<b>Date adopted</b>	13.10.2022
<b>Result of final vote</b>	+: 47 -: 9 0: 5
<b>Members present for the final vote</b>	Alexander Alexandrov Yordanov, Maria Arena, Petras Auštrevičius, Traian Băsescu, Włodzimierz Cimoszewicz, Katalin Cseh, Anna Fotyga, Michael Gahler, Kinga Gál, Bernard Guetta, Sandra Kalniete, Dietmar Köster, Andrius Kubilius, Miriam Lexmann, Leopoldo López Gil, Jaak Madison, Claudiu Manda, Lukas Mandl, Thierry Mariani, Pedro Marques, Marisa Matias, Vangelis Meimarakis, Sven Mikser, Matjaž Nemec, Kostas Papadakis, Tonino Picula, Manu Pineda, Giuliano Pisapia, Thijs Reuten, Nacho Sánchez Amor, Jacek Saryusz-Wolski, Mounir Satouri, Dominik Tarczyński, Dragoș Tudorache, Hilde Vautmans, Harald Vilimsky, Viola von Cramon-Taubadel, Witold Jan Waszczykowski, Charlie Weimers, Isabel Wiseler-Lima
<b>Substitutes present for the final vote</b>	Markéta Gregorová, Christophe Grudler, Evin Incir, Manolis Kefalogiannis, Arba Kokalari, Andrey Kovatchev, Georgios Kyrtos, Sergey Lagodinsky, Pierfrancesco Majorino, Juozas Olekas, Ramona Strugariu, Tom Vandenkendelaere, Mick Wallace
<b>Substitutes under Rule 209(7) present for the final vote</b>	Asim Ademov, Bas Eickhout, Javier Moreno Sánchez, Piernicola Pedicini, Miguel Urbán Crespo, Juan Ignacio Zoido Álvarez

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

47	+
NI	Fabio Massimo Castaldo
PPE	Asim Ademov, Alexander Alexandrov Yordanov, Traian Băsescu, Michael Gahler, Andrzej Halicki, Sandra Kalniete, Manolis Kefalogiannis, Arba Kokalari, Andrey Kovatchev, Andrius Kubilius, Miriam Lexmann, Leopoldo López Gil, Lukas Mandl, Vangelis Meimarakis, Tom Vandenkendelaere, Isabel Wiseler-Lima, Juan Ignacio Zoido Álvarez
RENEW	Petras Auštrevičius, Katalin Cseh, Christophe Grudler, Bernard Guetta, Georgios Kyrtos, Ramona Strugariu, Dragoș Tudorache, Hilde Vautmans
S&D	Maria Arena, Włodzimierz Cimoszewicz, Evin Incir, Dietmar Köster, Pierfrancesco Majorino, Claudiu Manda, Pedro Marques, Sven Mikser, Javier Moreno Sánchez, Matjaž Nemeč, Juozas Olekas, Tonino Picula, Giuliano Pisapia, Thijs Reuten, Nacho Sánchez Amor
VERTS/ALE	Bas Eickhout, Markéta Gregorová, Sergey Lagodinsky, Piernicola Pedicini, Mounir Satouri, Viola von Cramon-Taubadel

9	-
ECR	Charlie Weimers
ID	Jaak Madison, Harald Vilimsky
NI	Kinga Gál, Kostas Papadakis
THE LEFT	Marisa Matias, Manu Pineda, Miguel Urbán Crespo, Mick Wallace

5	0
ECR	Anna Fotyga, Jacek Saryusz-Wolski, Dominik Tarczyński, Witold Jan Waszczykowski
ID	Thierry Mariani

### Key to symbols:

+ : in favour

- : against

0 : abstention