

112TH CONGRESS  
1ST SESSION

# S. RES. 317

Expressing the sense of the Senate regarding the liberation of Libya from the dictatorship led by Muammar Qaddafi.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 8, 2011

Mr. KERRY (for himself, Mr. McCAIN, and Mr. LIEBERMAN) submitted the following resolution; which was referred to the Committee on Foreign Relations

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## RESOLUTION

Expressing the sense of the Senate regarding the liberation of Libya from the dictatorship led by Muammar Qaddafi.

Whereas peaceful demonstrations, which began in Libya on February 17, 2011, and were inspired by similar movements in Tunisia, Egypt, and elsewhere in the Middle East, quickly spread to cities throughout Libya and were met with military force by the government of Muammar Qaddafi, including the use of air power and foreign mercenaries;

Whereas Qaddafi stated that he would show “no mercy” to his opponents in Benghazi, and that his forces would go “door-to-door” to find and kill dissidents;

Whereas in response to Qaddafi’s assault on civilians in Libya, a “no-fly zone” in Libya was called for by—

- (1) the Gulf Cooperation Council on March 7, 2011;
- (2) the Secretary-General of the Organization of the Islamic Conference on March 8, 2011; and
- (3) the Arab League on March 12, 2011;

Whereas the United Nations Security Council passed—

- (1) Resolution 1970 on February 26, 2011, which mandated international economic sanctions and an arms embargo; and
- (2) Resolution 1973 on March 17, 2011, which authorized United Nations member states to take “all necessary measures” to protect civilians in Libya and to implement a “no-fly zone”;

Whereas the United States Armed Forces, in cooperation with coalition partners, launched Operation Odyssey Dawn in Libya on March 19, 2011, to protect civilians in Libya from immediate danger and enforce an arms embargo and a “no-fly zone”, which was transferred on March 31, 2011 to NATO command, with the mission continuing as Operation Unified Protector;

Whereas the National Transitional Council of Libya—

- (1) formally convened in Benghazi on March 5, 2011 for the first time in support of the February 17 Revolution;
- (2) formed an executive body on March 23, 2011; and
- (3) was recognized by the United States as the “legitimate governing authority for Libya” on July 15, 2011;

Whereas the military offensive of forces loyal to the National Transitional Council against Qaddafi loyalists accelerated in June and July, and the Libyan capital, Tripoli, was declared liberated in August 2011;

Whereas the United Nations Security Council passed Resolution 2009 on September 16, 2011, creating the United Nations Support Mission in Libya (UNSMIL) to support Libyan national efforts to secure the country's political and economic transition;

Whereas, on October 23, 2011, the National Transitional Council issued an historic Declaration of Liberation for Libya;

Whereas, on October 27, 2011, the United Nations Security Council unanimously passed Resolution 2016, which ended the mandate established by United Nations Security Council Resolution 1973 for international military intervention to protect Libyan citizens on October 31, 2011; and

Whereas, on October 28, 2011, NATO announced that Operation Unified Protector would end on October 31, 2011: Now, therefore, be it

1        *Resolved*, That the Senate—

2            (1) congratulates the people of Libya for their  
3        tremendous courage and extraordinary resilience in  
4        liberating themselves from the despotic regime of  
5        Muammar Qaddafi;

6            (2) commends the men and women of the  
7        United States Armed Forces and their coalition  
8        partners who engaged in military operations to pro-  
9        tect the people of Libya for their extraordinary brav-  
10        ery and professionalism;

1           (3) supports the legitimate aspirations of the  
2           people of Libya to form a democratic government  
3           that respects universal human rights and freedoms,  
4           and allows Libyans to build their lives free from  
5           fear;

6           (4) welcomes the October 23, 2011 Libyan Dec-  
7           laration of Liberation by the National Transitional  
8           Council;

9           (5) affirms the national interest of the United  
10          States in a successful and irreversible transition to  
11          democracy in Libya, including—

12                   (A) respect for the rule of law;

13                   (B) independent media;

14                   (C) a vibrant civil society; and

15                   (D) universal rights and freedoms, includ-  
16          ing equal rights for all citizens, freedom of  
17          speech, and human rights; and

18          (6) urges the swift establishment of a new in-  
19          terim transitional authority in Libya that is broadly  
20          inclusive and representative of the Libyan people  
21          and will—

22                   (A) prepare for elections that are free, fair,  
23          transparent, credible, and meet international  
24          electoral standards, working with relevant inter-  
25          national actors, including the United Nations;

1 (B) restore public security and promote  
2 the rule of law;

3 (C) promote and ensure compliance  
4 throughout Libya of international norms of jus-  
5 tice and human rights, particularly with respect  
6 to detainees, individuals associated or suspected  
7 of association with the Qaddafi regime, inter-  
8 nally displaced persons, refugees, third-country  
9 nationals, and other vulnerable communities;

10 (D) begin a process of national reconcili-  
11 ation and accountability for human rights  
12 abuses committed by all parties, including any  
13 committed by forces fighting against the  
14 Qaddafi regime; and

15 (E) work closely with the Organization for  
16 the Prohibition of Chemical Weapons and the  
17 International Atomic Energy Agency to elimi-  
18 nate remaining stockpiles of chemical weapon  
19 agents and secure existing nuclear materials  
20 and facilities.

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