



General Assembly

Distr.: Limited
10 June 2011

Original: English

Human Rights Council

Seventeenth session

Agenda item 4

Human rights situations that require the Council's attention

Australia**, Austria**, Belgium, Bulgaria**, Canada**, Croatia**, Cyprus**, Czech Republic**, Denmark**, Estonia**, Finland**, France, Germany**, Greece**, Honduras**, Hungary, Iraq**, Ireland**, Israel**, Italy**, Japan, Jordan, Kuwait**, Latvia**, Liechtenstein**, Lithuania**, Luxembourg**, Maldives, Malta**, Morocco**, Netherlands**, New Zealand**, Norway, Palestine**, Poland, Portugal**, Qatar, Republic of Moldova, Romania**, Slovakia, Slovenia**, Spain, St. Kitts and Nevis**, Sweden**, Switzerland, Turkey**, United Kingdom of Great Britain and Northern Ireland, United States of America: draft resolution

17/... Situation of human rights in the Libyan Arab Jamahiriya

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, relevant international human rights instruments and relevant international law,

Recalling General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

Reaffirming Human Rights Council resolution S-15/1, and recalling General Assembly resolution 65/265 of 1 March 2011,

Taking note of the continued work of the Special Envoy of the Secretary-General for the Libyan Arab Jamahiriya, the African Union, the League of Arab States and the European Union,

Reaffirming that all States have an obligation to protect the rights to life, liberty and security of person,

Expressing deep concern at the killing of thousands of civilians and the deterioration of the humanitarian situation,

1. *Unequivocally condemns* the continuing deterioration of the human rights situation in Libya since February 2011, including ongoing gross and systematic human rights violations, in particular indiscriminate armed attacks against civilians, extrajudicial

* Re-issued for technical reasons on 15 June 2011.

** Non-Member State of the Human Rights Council.

killings, enforced disappearances, arbitrary detention, torture and reports of sexual violence against women and children, some of which may also amount to crimes against humanity;

2. *Expresses deep concern* at the ongoing arbitrary detention and killing of civilians, including human rights defenders, migrants and journalists, including foreign journalists;

3. *Urgently reiterates its call* on the Government of Libya made at the special session of the Human Rights Council on 25 February 2011 to immediately cease all violations of human rights, to meet its responsibility to protect its population, to release all those arbitrarily detained and to ensure unimpeded humanitarian access without discrimination;

4. *Urges* all parties concerned to respect applicable international law, in particular international human rights law and international humanitarian law;

5. *Urges* the Libyan authorities to take immediate steps to ensure the safety of foreign nationals in Libya, including that of migrant workers and United Nations, international and diplomatic staff, as well as the protection of their property;

6. *Welcomes* the report of the commission of inquiry¹ and their recent visit, and urges all parties to ensure the implementation of the recommendations contained therein;

7. *Urges* the Libyan authorities to respect the popular will, aspirations and demands of its people and, in this context, reiterates its call for an open, inclusive and meaningful national dialogue aimed at systemic changes responding to the will of all Libyan people and at the promotion and protection of their human rights, including the creation of credible and accountable mechanisms for the Libyan people;

8. *Calls upon* the Libyan authorities to cooperate fully with the commission of inquiry and with all international human rights bodies and mechanisms;

9. *Recalls* the importance of accountability, justice and the need to fight against impunity and, in this regard, stresses the need to hold to account those responsible for violations in Libya;

10. *Takes note* of the steps taken by the Prosecutor of the International Criminal Court;

11. *Welcomes* the statements made by the Libyan National Transitional Council on its commitment to uphold international human rights law, and invites it to take further steps to prevent violations and abuses of human rights, including through increased engagement with international human rights organizations;

12. *Encourages* the Office of the United Nations High Commissioner for Human Rights to identify ways to increase its engagement with Libya, including through technical assistance;

13. *Takes note* of the application of the measures described by the General Assembly in paragraph 8 of its resolution 60/251, and recalls its decision to review the matter as appropriate in the light of further developments;

14. *Decides* to extend the mandate of the commission of inquiry established by the Human Rights Council in its resolution S-15/1, and requests the commission to continue its work, including through visits, and to provide an oral update to the Council at its eighteenth session, and a final written report at its nineteenth session;

¹ A/HRC/17/44.

15. *Requests* the Secretary-General and the High Commissioner to continue to provide all administrative, technical and logistical assistance required to enable the commission of inquiry to fulfil its mandate;

16. *Expresses its determination* to ensure ongoing monitoring of the human rights situation in Libya, and decides to remain seized of the matter.
