

*Mission permanente de la Grande Jamahiriya
Arabe Libyenne Populaire Socialiste
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بعثة الجماهيرية العربية الليبية الشعبية
الإشتراكية العظمى المقيمة لدى الأمم
المتحدة في جنيف والمنظمات الدولية بسويسرا

Libyan Arab Jamahiriya Statement

**General Debate
10th Session of the Human Rights Council**

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Jamahiriya**

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Mr. President,

I am pleased to express to your Excellency Mr. the President and to the members of your Bureau our gratitude for your exerted efforts to make the work the Human Rights Council a success.

I would like also to thank the High Commissioner for Human Rights, and I am honored to see an African woman appointed to this important function; and while we express to her our thanks and congratulations, wishing her success in the realization of this noble mission, we are confident that she will successfully fulfil all of her duties thanks to her skills and wisdom.

Mr. President,

The Human Rights Council, in its fourth year of existence, is facing great challenges. In fact, Human rights are still violated in many parts of the world, and the resolutions issued by the Council still don't find their way to implementation.

Therefore, the Council needs to play a more efficient role in order to take on these serious challenges and those problems that undermine the realization of human rights. The Council must also establish its credibility when addressing issues and questions on its agenda by keeping away from selectivity and double standards.

Recognizing that security, peace and human rights are the fundamental ingredients of the development process, my country, the Great Jamahiriya, has deployed great efforts to achieve these objectives. In this regard, Libya has realized many projects in the development area at the national level as well as in the African Continent in

order to achieve and reach the development goals, such as the project "*Al Gadhafi Trans Saharan Road*" consisting of building a highway that will connect the Northern part of the African Continent with its Western and Southern regions. This road will be a vital artery that will maintain trade traffic throughout the continent. My country also exerts great and continuous efforts towards the settlement of conflicts that sometimes arise in the African Continent by means of peaceful methods, convinced that a serious and efficient dialogue is the only successful way to establish peace and achieve development throughout Africa.

Mr. President,

At the national level, the Great Jamahiriya makes every effort to support and consolidate human rights for every Libyan citizen, be it a man or a woman. All citizens equally enjoy freedom, dignity; and everyone is entitled to the rights, including the enjoyment of health, access to education, work and development, together with the right to freedom of opinion and expression, and the right to political participation without discrimination of any kind as set forth in the Great Green Charter of Human Rights in the Jamahiriyan Era and in the Freedom Consolidation Law. The Great Jamahiriya is part of all core international conventions and instruments on human rights and always fulfills its commitments by submitting its periodical reports regarding complying with these conventions.

Mr. President,

The Great Jamahiriya has shown its resolute intention and joined the international community to fight against terrorism. My country has denounced all forms of this scourge and has ratified all related international and regional conventions and is also contributing in the elimination of its root causes.

My country considers that the elimination of this phenomenon needs first of all agreement on the definition of terrorism and making a distinction between terrorism and the legitimate right of the peoples to resist foreign occupation and their legitimate right to obtain their freedom and independence. And as a matter of fact, it is beyond logical reasoning to associate terrorism with any specific religion or culture, because terrorism has no specific religion or culture, so we must deal with it as a worldwide phenomenon because it costs human lives without any discrimination.

Mr. President,

Talking about the tragedy of the Palestinian people may require hundreds of pages, as the Palestinian people are still living under the occupation that has lasted for more than 60 years. The occupation forces are practicing the worse kinds of violations of human rights, ignoring the principles of international law and international humanitarian law, and don't respect human rights at all. The destruction maneuvers and the killing attacks are still ongoing; and still fresh in our minds the recent massacres perpetrated in Gaza. The occupation war machine already made thousands of victims among innocents, including children, the elderly, women and defenseless people. The entire world had witnessed the aggression and did see the scenes of horror and the pictures of infants passing away without committing any sin or crime. The Human Rights Council must take its responsibilities and act towards ending these serious violation, oblige this force of occupation to stop these mistreatments and abide by the international resolutions issued in this regard and bring those responsible before international justice.

The occupation forces have persisted in ignoring all the resolutions but no appropriate sanctions were taken against it to correct its misconduct.

Refusing to comply with the resolutions of the international community issued against it, this occupation confirms its disdain for the international law. Consequently this behavior should normally lead the occupation to loose its adhesion to the United Nations Organization. So, we avail ourselves this opportunity to call on the council participation in the works of the Council which is devoted to the respect of the international law and the resolutions issued by the international community. The same applies its membership in the United Nations for it did not comply with the conditions of its acceptance as a member.

Mr. President

My country appreciates the strenuous efforts made by the International community in order to eradicate racism, racial discrimination, xenophobia and any kind of intolerance through the implementation of what had been decided by the heads of states through the Durban Declaration and Plan of action Conference held in South Africa in 2001. My country follows with deep interest the special Preparatory meetings for the Durban Review Conference to be held in Geneva from 20th to 24th April 2009 through our chairmanship of the Preparatory Committee and under the leadership of H. E. Ambassador **Najat Al- Hajjaji** who is widely known for being highly professional, and we wish her full success for her efforts. We call upon all states to give great importance to the spirit of consensus that helped a lot in the preparation of the Durban Declaration and Plan of action. We also hope that our common approach would be the eradication of racism, racial discrimination, xenophobia and any kind of intolerance for the wellbeing of mankind.

We also call upon those States which actually intend to boycott the conference to review their decision since it would give a wrong signal to the international community about their commitment to fight racism and discrimination.

Mr. President

In the view of my delegation, tolerance and cooperation between the peoples when based on transparency and respect of rights and duties are the milestone for the respect of human rights and constitute their guarantees. In this regard, my delegation underlines the application of these principles that have great impact as well as good implications on the credibility and the consecration of the legitimate rights for peoples.

The official apology made by the Italian government to the Libyan people through the Convention of friendship, partnership, and cooperation, as well as the moral and financial compensation because of the colonization of Libya, which emanated from the brave Italian people, is considered a powerful starting point in the field of tolerance and amended the injustices of the past.

This Convention should be set as an example for the ex-colonizers who spoiled other countries and caused moral damage to them. We urge States to follow this achievement and to review their policies for the benefit of rights so that people would cooperate with each other and work with honesty and devotion for the good and the justice in order to fulfill the rights of all human beings.

Mr. President

We are pleased to inform you about the establishing of the National Commission on Human Rights in Libya. This commission is financially and administratively independent, and aims at promoting and defending human rights. Furthermore, this commission that chaired, since I am a jurist in Libya, commits itself to cooperate with all human rights institutions, either national or international, in order to promote human rights all over the world. Although it was recently created, this commission has made many achievements such as the settlement of complaints made by citizens for the benefit of its members. Moreover, the commission works hand in hand with the institutions and community-based commissions on human rights. This resulted in the proclamation of many resolutions of amnesty concerning detainees, and contributed to the release of hundreds. Efforts are still made to release other detainees according to the complaints the commission receives on this issue.

Thank you Mr. President