

**Universal Periodic Review 9th Session
Intervention by Australia**

The Great Libyan Arab Jamahiriya

Australia appreciates the engagement of the Libyan delegation in the Universal Periodic Review Process. Australia congratulates Libya on its election to the Human Rights Council and looks forward to engaging with Libya over the course of its term.

Australia welcomes the Government's recent steps towards improving the human rights situation in Libya including the drafting of a new penal code, which proposes to limit provisions for the application of the death penalty, the establishment in 2009 of an investigation panel into the Abu Salim prison killings of 1996, in which over 1200 prisoners were killed and the establishment in 2007 of a National Human Rights Committee.

Australia welcomes Libya's willingness to facilitate visits by Human Rights Watch in April 2009 and Amnesty International in May 2010, demonstrating Libya's commitment to engaging with the international community on human rights.

However, we remain concerned by continuing reports of restrictions on freedom of assembly and expression; the detention of political prisoners, including detention without trial; limited rights to fair trial under the new State Security court; enforced disappearances; deaths in custody; discrimination towards minorities; lack of legal protections against domestic violence; and the application of the death penalty.

We are also deeply concerned at reports by international human rights organisations regarding the ongoing detention by the Internal Security Agency of prisoners who have served their sentences or been acquitted by Libyan courts.

Australia recommends Libya:

- 1. Abolish the death penalty and, in any event, establish a moratorium as an interim measure towards full abolition.**
- 2. Release publicly the findings of the Libyan Government's investigation into the Abu Salim prison killings of 1996.**
- 3. Consider greater provision for protection of freedom of association, freedom of speech and rights to judicial appeal, including by aligning all articles of the penal code and other relevant laws with international standards.**
- 4. Ensure independent access by international humanitarian agencies to assess the wellbeing of prisoners detained without trial, or in continued detention following the acquittal or commuting of their sentences.**