

**9<sup>th</sup> Session of the Universal Periodic Review Working Group**  
**UPR Session for Libya**  
**Statement by the Delegation of the United States**  
**UN Human Rights Council, Geneva, Switzerland**  
**November 9, 2010**

Thank you Mr. President,

The United States welcomes [**head of delegation**] and the Libyan delegation to the UPR Working Group. We would like to raise the following issues and recommendation.

While United States supports the Government of Libya's increased engagement with the international community, we remain deeply concerned about continued reports of incidences of torture, particularly in prisons. Several reports indicate that Libyan officials have tortured prisoners, some of whom have died from abuse. The United States calls on Libya to comply with its human rights treaty obligations, and recommends that Libya adopt and implement a definition of torture consistent with its obligations under the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment. We further call on Libya to adopt domestic legislation to absolutely abolish practices of torture on its territory—including in prisons.

The United States is also troubled by the status of freedoms of expression and association in Libya. Restrictions on free speech and expression remain in Libya's existing body of laws, and authorities arrest many individuals every year for exercising their right to speak freely, often for political reasons. The United States recommends that Libya repeal laws restricting the formation of a free and independent press, including Law No. 76 of 1972, Law No. 120 of 1972, and Law No. 75 of 1973. The United States further recommends that Libya abolish legal provisions that criminalize the dissemination of

information considered to tarnish Libya's reputation abroad, including Article 178 of the Libyan Penal Code.

We continue to be concerned by Libya's treatment of refugees and migrants and by reports over the past year of continued deportations of migrants and asylum seekers without the benefit of a credible process for determining refugee status and the risk of torture. We also note incidences of Libyan forces shooting at boats carrying suspected refugees and migrants in the Mediterranean. The United States recommends that Libya consider becoming a party to the 1967 Protocol to the UN Convention relating to the Status of Refugees; to adopt asylum legislation; and sign a memorandum of understanding with the UNHCR, formalizing UNHCR's presence in Libya and allowing UNHCR greater access to detained asylum-seekers and migrants.

The United States is also troubled by the lack of action against trafficking in persons. Libya is a transit and destination country for individuals from sub-Saharan Africa and Asia, who are subjected to forced labor and forced prostitution. We recommend that Libya enact legislation that prohibits all forms of human trafficking, increase law enforcement efforts, and implement standard procedures to identify victims and provide them with protection.

Thank you Mr. President