

UNITED NATIONS HUMAN RIGHTS COUNCIL  
15<sup>th</sup> Special Session

EU Statement

Situation of Human Rights in the Libyan Arab Jamahiriya  
(25 February 2011)

Mr. President,

I have the honour to speak on behalf of the EU.

The Candidate Countries Croatia\*, the former Yugoslav Republic of Macedonia, Montenegro\*<sup>1</sup> and Iceland\*\*<sup>2</sup>, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Serbia, as well as Armenia align themselves with this declaration.

The whole world has been following with shock and growing dismay the events unfolding in Libya: the reported deaths of a very high number of demonstrators and other civilians, the use of live ammunition and heavy weaponry against peaceful demonstrators exercising their right to freedom of assembly. The violent repression of civilians is ongoing, including the reported persecution and arbitrary arrests of lawyers, human rights defenders, journalists and peaceful demonstrators. The blocking of the internet and telecommunication networks strongly undermines the freedom of expression, including the freedom of the press. Access is not guaranteed for human rights monitors and humanitarian agencies, the safe passage of humanitarian and medical supplies and humanitarian workers into the country is not ensured.

Governments and civil society have not been silent on the human rights emergency in Libya. The urgency and the seriousness of the situation have been underlined by the EU, the UN Security Council, the OIC, the AU, the Arab League, UN Special Rapporteurs, and a wide range of international actors, as well as the High Commissioner for Human Rights. The EU is pleased to see that many regional organizations condemned in strong terms the crimes committed against the peaceful popular demonstrations.

The High Commissioner for Human Rights made it clear that the state has an obligation to protect the rights to life, liberty and security of the person. The EU endorses and fully supports this position and underlines that each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

A group of Special Procedure mandate-holders of the Human Rights Council issued a joint statement on the 22<sup>nd</sup> of February, calling for a stop to the massacre and warning that gross violations of human rights committed in the past few days could amount to crimes against humanity. They also welcomed the call made by the High Commissioner for Human Rights for an international inquiry into the violence, while offering their expertise to ensure that the interests of the justice are served.

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<sup>1</sup> \*Croatia and the former Yugoslav Republic of Macedonia and Montenegro continue to be part of the Stabilisation and Association Process.

<sup>2</sup> \*\*Iceland continues to be a member of the EFTA and of the European Economic Area.

In addition the Secretary General of the OIC expressed deep concern over the latest developments, whilst the Council of League of Arab States condemned in strong terms the crimes committed against the peaceful popular demonstrations.

President of the European Council, Herman Van Rompuy, made it clear that the horrible crimes are unacceptable and must not remain without consequences. High Representative Catherine Ashton, on behalf of the European Union, condemned the repression against peaceful demonstrators and deplored the violence and the deaths of civilians. She also emphasized that the legitimate aspirations and demands of people for reform must be addressed through open and meaningful Libyan-led dialogue. The Council of EU Foreign Ministers in its conclusions of 21 February also called for an immediate end to the use of force against protesters.

Therefore the EU urges Libya to fulfil immediately its obligations under international law and all relevant human rights duties. The European Union is also deeply concerned about the fate of citizens of Member States stuck in Libya against their own will. In this connection we urge Libya to fully cooperate in protecting the rights of the citizens of third countries, including in assisting a possible evacuation if necessary. We also urge the Libyan authorities and the relevant parties to ensure the safety of all foreign nationals and facilitate the departure of those among them wishing to leave the country.

Mr. President,

The Human Rights Council cannot remain silent in the face of shocking events such as those taking place now in Libya. We, members and observers of the Council have the responsibility to act in order to stop human rights violations and take steps to remedy the plight of victims. Membership in the Council carries certain duties and obligations. Under UNGA resolution 60/251 members elected to the Council shall uphold the highest standards in the promotion and protection of human rights and shall fully cooperate with the Council. In this context, the European Union would like to recall OP 8 of this resolution: "the General Assembly, by a two-thirds majority of the members present and voting, may suspend the rights of membership in the Council of a member of the Council that commits gross and systematic violations of human rights".

We have to act now because the number of victims is growing day by day. The European Union strongly supports the High Commissioner in challenging the international community to act on behalf of victims of human rights violations. We welcome that the UN Security Council underscored that Libya must meet its obligation to protect its population, as well as to hold to account those responsible for attacks, including by forces under their control, on civilians.

The European Union also believes that an independent, impartial and credible international investigation is necessary to shed light on the violations of international law and to bring to justice all perpetrators. In this context, we stress that those responsible for the brutal aggression and violence against civilians will be held accountable. This is also our obligation towards the victims on the ground. They should know that the international community is ready to act decisively for them.

Mr. President,

In view of the above, Member States of the European Union, together with other Human Rights Council members and observers, have called for this Special Session on the human rights situation in Libya. Altogether 56 countries from all regions of the world have signed the call for a special session. Non-governmental organizations have also played an invaluable role in encouraging the

Council to take immediate action. We warmly welcome their support and that of other delegations. This cross-regional initiative sends a strong message about the need for the Council to take prompt and meaningful action in response to urgent human rights situations. It is the inherent task of the Council to address urgent country situations like the one in Libya.

Mr. President, the Council must act and must act urgently. We have therefore decided to submit a draft resolution on the situation of human rights in Libya. It is our sincere hope that it will enjoy the universal support of this Council.

Thank you.