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Human Rights Council

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Agenda item 10

Technical assistance and capacity-building

Algeria*, Australia*, Azerbaijan*, Egypt*, Finland*, France*, Germany*, Hungary, Indonesia, Iraq*, Italy, Japan*, Jordan, Kuwait, Lebanon*, Libya, Malaysia, Maldives, Malta*, Mauritania (on behalf of the Arab Group), Morocco*, Norway, Oman*, Palestine*, Pakistan* (on behalf of the Organization of Islamic Cooperation), Poland, Portugal*, Qatar*, Senegal (on behalf of the African Group), Somalia*, Sudan*, Switzerland, Thailand, Turkey*, United Arab Emirates*, United Kingdom of Great Britain and Northern Ireland*, United States of America* : draft resolution

19/... Assistance for Libya in the field of human rights

The Human Rights Council,

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

Recalling General Assembly resolutions 60/251 of 15 March 2006, and 66/11 of 18 November 2011, on the restoration of the rights of membership of Libya in the Human Rights Council,

Recalling also Human Rights Council resolution 5/1 of 18 June 2007 on institution-building of the Council,

Recalling further Human Rights Council resolutions S-15/1 of 25 February 2011, 17/17 of 17 June 2011 and 18/9 of 29 September 2011,

Reaffirming that all States are bound to promote and protect all human rights and fundamental freedoms enshrined in the Charter, the Universal Declaration of Human Rights and international human rights treaties to which they are party,

Reaffirming also that it is the primary responsibility of States to promote and protect all human rights and fundamental freedoms,

Recalling its strong commitment to the sovereignty and independence, unity and territorial integrity of Libya,

1. *Welcomes:*

* Non-Member State of the Human Rights Council.

(a) The Constitutional Charter for the Transitional Stage in Libya of 3 August 2011, where promotion and protection of human rights are core elements;

(b) The statement made by the Prime Minister of Libya on 28 February 2012, during the high-level segment of the nineteenth session of the Human Rights Council, including the invitation addressed to the United Nations High Commissioner for Human Rights to visit Libya, and the willingness to extend a standing invitation to thematic special procedures to visit the country in due course;

(c) The ongoing efforts of the transitional Government of Libya to fulfil its obligations under the international human rights treaties to which Libya is party, to promote and protect human rights and fundamental freedoms, and to cooperate with the Human Rights Council and the Office of the High Commissioner;

(d) The recent establishment of a national institution for human rights, namely, the Council of Human Rights and Fundamental Freedoms in Libya;

(e) The political transitional process in Libya, and the arrangements to hold the election of the Libyan National Congress later in 2012, as a step towards the establishment of the constitution and constitutional institutions that promote and protect human rights and fundamental freedoms;

2. *Commends* the courage of the people of Libya, and strongly supports the efforts of the transitional Government of Libya towards a swift and peaceful political transition and the full realization of human rights;

3. *Takes note* of the final report submitted by the international commission of inquiry on Libya,¹ and encourages the transitional Government of Libya to implement the recommendations addressed to it;

4. *Recognizes* the ongoing human rights challenges in Libya, and strongly encourages the transitional Government of Libya to increase its efforts to protect and promote human rights and prevent any violations;

5. *Takes note* of the adoption of the report of the Working Group on the Universal Periodic Review on Libya² at the nineteenth session of the Human Rights Council, and commends the cooperation of Libya with the Council mechanisms, including its willingness to implement the accepted recommendations contained in the addendum to the above-mentioned report;³

6. *Strongly encourages* the transitional Government of Libya to investigate human rights violations and to bring those responsible before the Libyan Justice, using all possible means;

7. *Recognizes* that the availability of Libyan resources may help the transitional Government of Libya to utilize those resources in the field of human rights;

8. *Requests* the Office of the High Commissioner, in collaboration with the transitional Government of Libya and upon its request, to explore ways of cooperation in the field of human rights, including technical assistance and capacity-building;

9. *Invites* the Office of the High Commissioner to inform the Human Rights Council, at its twenty-second session, under agenda item 10, on its technical assistance, capacity-building and cooperation with the transitional Government of Libya.

¹ A/HRC/19/68,

² A/HRC/16/15.

³ A/HRC/16/15/Add.1.

