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from Morocco + Libya

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Human Right Council

Nineteenth session

Agenda item 10

Technical assistance and capacity-building

Draft Resolution: Assistance to 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 the 8th December 2011 on restoration of rights of membership of Libya in the Human Rights Council,

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

Recalling further its resolutions S-15/1 of 25 February 2011, and 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 UN Charter, the Universal Declaration of Human Rights and international human rights treaties to which they are party,

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

1. Welcomes :

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

b) The statement made by the Libyan Prime Minister, on February 28th 2012, during the High Level Segment of the 19th session of the HRC, including the invitation addressed to the 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 fulfill its obligations under 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 for Human Rights;

—d) The recent establishment of a National Institution for Human Rights named “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 this year, as a step paving the way to 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 (A/HRC/19/68), submitted by the International Commission of Inquiry on Libya, to the Human Rights Council at its 19th session, and encourages the Transitional Government of Libya to implement those recommendations directed at the Transitional Government of Libya;

4. *Recognises* the ongoing human rights challenges in Libya and strongly encourages the Transitional Government of Libya to continue its efforts to protect and promote human rights and prevent any violations;

5. *Also takes* note of the adoption of the Universal Periodic Report of Libya (A/HRC/16/15), during the 19th session of the Human Rights Council and commends the cooperation of Libya with the Human Rights Council

mechanisms, including its willingness to implement accepted recommendations contained in the Addendum No (A/HRC/16/15/Add.1) to the above mentioned report;

6. Encourages the Transitional Government of Libya to use all possible means to investigate human rights violations;

7. Recognises that the availability of the Libyan resources may help the Transitional Government of Libya to utilise those resources in the field of human rights.

8. Requests the Office of the High Commissioner for Human Rights in collaboration with the Libyan Transitional Government, 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 for Human Rights to inform the Human Rights Council during its 22nd session on its technical assistance, capacity building and cooperation with the Libyan Transitional Government.