



EUROPEAN UNION
DELEGATION TO THE UNITED
NATIONS



PERMANENT MISSION OF THE REPUBLIC
OF HUNGARY TO THE UNITED NATIONS
NEW YORK

**General Statement on behalf of the European Union
and its Member States**

By

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Agenda Item 117 of the General Assembly

United Nations

New York

1 March 2011

(Check against delivery)

EU Statement
Action on A/65/L. 60
Suspension of the rights of membership of the Libyan Arab Jamahiriya in the Human Rights Council

1 March 2011

Mr. President,

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

The Candidate Countries, Croatia¹, the former Yugoslav Republic of Macedonia*, Iceland² and Montenegro*, the Countries of the Stabilisation and Association Process and potential candidates, Bosnia and Herzegovina, Serbia, as well as Georgia align themselves with this declaration.

The massive and shocking violence against peaceful demonstrators and other civilians in Libyan Arab Jamahiriya requires a clear response from the international community. As part of this response, the GA adopted today Resolution L 60.

Indeed, today's decision has been made possible by the mobilisation of countries from all regions and the international community has been speaking with one voice. This goes to show that in moments of the gravest need, member states can find unity across the lines that so often divide this Assembly. As you all know, last Friday's Human Rights Council special session concluded with a strong consensus on forming an independent international commission of inquiry and recommending the General Assembly to suspend Libya's rights of membership in the Council.

The EU congratulates Botswana, Gabon, Jordan, Lebanon, Nigeria and Qatar for taking the initiative in transforming the Human Rights Council recommendation into the necessary GA resolution. These countries have shown great leadership, they have responded with the sense of urgency that the situation demands. Their initiative has the full support of the European Union.

The EU therefore warmly welcomes the adoption today of Resolution 65/ L 60 by the General Assembly. This is the right response to the seriousness of the situation on the ground: The use of live ammunition and heavy weaponry against peaceful demonstrators exercising their right to freedom of assembly; the ongoing violent repression of civilians; the suppression of freedom of expression through the blocking of electronic communications. The urgency and extreme severity of the situation have been underlined by the UN Security Council, the OIC, the AU, the Arab League, various UN Special Rapporteurs, the EU itself and a wide range of international actors. In particular, the High Commissioner for Human Rights has recalled that each state has an obligation to protect the rights to life, liberty and security of the person. The EU fully supports this position and recalls moreover that the 2005 World Summit Outcome

¹ * Croatia, the former Yugoslav Republic of Macedonia and Montenegro continue to be part of the Stabilisation and Association Process

² Iceland continues to be a member of the EFTA and of the European Economic Area

document reaffirmed that each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity and that the international community, through the United Nations, has the responsibility to act, should the national authorities fail to fulfil their duty.

Mr. President,

The General Assembly cannot remain silent in the face of the shocking events taking place now in Libya. Upon its election to the Council last May, Libya pledged full commitment to all its human rights obligations. Unfortunately, these pledges have been blatantly violated. Membership in the Council indeed carries certain duties and obligations. Under UNGA resolution 60/251 members elected to the Council are required to uphold the highest standards in the promotion and protection of human rights and to fully cooperate with the Council. Resolution 60/251 also foresees the possibility of suspending the rights of membership in the Council of a member of the Council that commits gross and systematic violations of human rights. The General Assembly has therefore simply made use of the available instruments foreseen at the time of the Human Rights Council's creation.

Today's decision is in no way a punishment for the people of Libya. On the contrary, it is a resounding message of solidarity with them and of extreme concern for their plight. The EU of course stands ready to re-examine in the General Assembly the question of the membership rights of Libyan Arab Jamahiriya in the Human Rights Council on the basis of the evolution of the situation, and hopes that future events will soon allow us to reinstate Libya's full membership.

Meanwhile, much remains to be done by the UN and the international community to protect the Libyan population, to address the humanitarian needs created by the violence and unrest, to allow all foreigners in Libyan Arab Jamahiriya to be safely evacuated, to investigate the responsibilities in the ongoing crimes and to hold perpetrators fully accountable. In this regard, the Security Council has shown great decisiveness, in adopting unanimously last Saturday a strong Resolution with important mandatory measures, such as the arms embargo, a travel ban and asset freeze for those responsible, as well as the referral to the prosecutor of the International Criminal Court of the situation in Libya.

Equally today, the General Assembly, the universal voice of the UN membership, has taken determined action and used the instruments at its disposal to send a powerful message to the world.

Thank you!