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U.N. Human Rights Council condemns Gaddafi's crackdown in Libya

By Colum Lynch, 25 February 2011

UNITED NATIONS - The U.N. Human Rights Council adopted a European-drafted resolution condemning Moammar Gaddafi's government for its bloody crackdown on demonstrators and establishing a U.N. commission of inquiry to probe possible war crimes by Libyan authorities.

The meeting Friday marked the Geneva-based council's first emergency session to address serious human rights violations by one of its own members. It also provided the first clear sign that the popular uprisings in the Middle East are forcing governments to rethink their traditional alliances with autocratic governments such as Libya's that are facing existential threats to their rule.

In a sign of the changing times, the Libyan mission to the United Nations in Geneva broke ranks with the government in Tripoli. In an emotional speech before the council, a Libyan diplomat, Adel Shaltut, made it clear that his mission supported the demonstrators.

With other members standing at attention, the Libyan envoy called for a minute of silence "in honor of the revolution of 17 February."

"The will of people is invincible. Our ancestors fought against the Italian fascist invaders. We are the grandchildren of these heroes. A new chapter is being written in blood," Shaltut said to applause. "Victory to the heroic people of Libya! I wish to emphasize that we at the Libyan mission serve at the will of the Libyan people; we are their representatives."

European governments, meanwhile, are planning to convene a session of the U.N. General Assembly next week to consider a measure to suspend Libya's membership in the Human Rights Council.

"This is a unique example of unity of purpose, cutting across regional and political boundaries," Suzanne Nossel, the U.S. deputy assistant secretary of state for international organizations, said in an e-mail from Geneva. "The Libyan's comments added a human dimension, reminding delegates that real lives are at stake."

Before the vote, Eileen Donahoe, the U.S. ambassador to U.N. Human Rights Council, said in a statement that Libya has a "responsibility to protect its population."

"It is failing to do so," she said. "In fact, it is attacking its population. By convening this session on an urgent basis this week, the international community is sending a strong, unified and clear message that the Libyan government's violations of human rights are clearly contrary to international norms and must end."

The statement, which was adopted by consensus, "strongly condemns the recent gross and systematic human rights violations committed in Libya . . . some of which may also amount to crimes against humanity." It also "strongly calls upon the government of Libya to meet its responsibility to protect its population" and "immediately put an end to all human rights violations."

The statement also demands "an independent, international commission of inquiry . . . to investigate all alleged violations of international human rights law in Libya" and "calls upon the Libyan authorities to fully cooperate with the commission.:

The commission would be instructed to identify, where possible, "those responsible" for the crimes and "make recommendations, in particular, on accountability measures, all with a view to ensuring that those individuals responsible are held accountable."

Although the statement does not identify a chief investigator, it calls on the U.N. high commissioner for human rights, Navi Pillay, and the U.N. secretariat to provide administrative support to the team.

The statement reflects the international anxiety over the plight of foreign nationals, including U.S. citizens, urging the Libyan authorities to "ensure the safety of all civilians, including citizens of third countries" and to "facilitate the departure of those foreign nationals wishing to leave the country."

The Geneva debate comes just days after the U.N. Security Council issued a nonbinding statement condemning Libya's violent crackdown on protesters. European powers, following negotiations with the United States, have circulated a draft Security Council resolution imposing an arms embargo on Libya, as well as other targeted measures, including a financial asset freeze and travel ban on Gaddafi and members of his family. The draft resolution would also refer the general situation to the International Criminal Court for investigation. It was not clear how permanent Security Council members China and Russia would react.

In a Security Council session Thursday morning, Britain's U.N. ambassador, Mark Lyall Grant, appealed to his council partners to consider applying greater pressure on Gaddafi's government, a council diplomat said. China and Russia said they wanted to first hear more credible information on events on the ground from the U.N. secretariat before considering next steps. But they did not block further action on the matter.

U.N. Secretary General Ban Ki-moon was expected to brief the council Friday on developments.