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6491st Meeting* (PM)

IN SWIFT, DECISIVE ACTION, SECURITY COUNCIL IMPOSES TOUGH MEASURES ON LIBYAN

REGIME, ADOPTING RESOLUTION 1970 IN WAKE OF CRACKDOWN ON PROTESTERS

Situation Referred to International Criminal Court: Secretary-General Expresses Hope Message 'Heard and Heeded' in Libya

Deploing what it called "the gross and systematic violation of human rights" in strife-torn Libya, the Security Council this evening demanded an end to the violence and decided to refer the situation to the International Criminal Court while imposing an arms embargo on the country and a travel ban and assets freeze on the family of Muammar Al-Qadhafi and certain Government officials.

Unanimously adopting resolution 1970 (2011) under Article 41 of the Charter's Chapter VII, the Council authorized all Member States to seize and dispose of military-related materiel banned by the text and adopt "all measures necessary" to secure the prompt and safe delivery of humanitarian assistance to those in need.

Through the text, the Council also decided to establish a new committee to monitor sanctions, to liaison with Member States on compliance and to respond to violations and to designate the individuals subject to the targeted measures. Individuals and entities immediately subjected to the targeted sanctions were listed in an Annex to the resolution.

Regarding its referral of the situation in Libya since 15 February 2011 to the Prosecutor of the International Criminal Court, the Council recognized that States not party to the Rome Statute that established the Court had no obligations to it, but urged all States and concerned organizations to cooperate fully with the Court's Prosecutor.

The Council affirmed it would keep the actions of the Libyan authorities under continuous review and would be prepared to strengthen, modify, suspend or lift the prescribed measures in light of compliance or non-compliance with the resolution.

Following the adoption of the text, Secretary-General Ban Ki-moon welcomed the Council's "decisive" action. "While it cannot, by itself, end the violence and the repression, it is a vital step — a clear expression of the will of a united community of nations," he said.

He expressed hope that the message that "gross violations of basic human rights will not be tolerated and that those responsible for grave crimes will be held accountable" would be "heard and heeded" by the Libyan regime and that it would bring hope and relief to those still at risk. He looked for similar action from the General Assembly and the international community as a whole, and warned that even bolder steps might be necessary.

In their explanations of vote, Council members welcomed the unanimity of the action and expressed solidarity with the people of Libya, hoping that their "swift and decisive" intervention would help bring them relief. Many expressed hope that the resolution was a strong step in affirming the responsibility of States to protect their people as well as the legitimate role of the Council to step in when they failed to meet that responsibility.

With the referral of the situation to the International Criminal Court, France's representative hoped the vote would open a new era in commitment to the protection of populations. Further to that goal, Brazil's representative expressed strong reservations to the provision in the resolution allowing for exemptions from jurisdiction of nationals from non-States parties, saying those were not helpful to advance the cause of justice and accountability.

Noting that five Council members were not parties to the Rome Statute that set up the International Criminal Court, including India, that country's representative said he would have preferred a "calibrated approach" to the issue. However, he was convinced that the referral would help to bring about the end of violence and he heeded the call of the Secretary-General on the issue, while stressing the importance of the provisions in the resolution regarding non-States parties to the Statute.

Some speakers, such as the representatives of Lebanon and the Russian Federation, stressed the importance of affirming the sovereignty and territorial integrity of Libya. The Chinese representative said he had supported the resolution taking into account the special circumstances in Libya.

Speaking last, Libya's representative said that the Council's action represented moral support for his people and was a signal that an end must be put to the fascist regime in Tripoli. He launched an appeal to all the officers of the Libyan armed forces to support their own people, and welcomed the referral to the International Criminal Court, as well as the decision not to impose sanctions on those who might abandon Mr. Al-Qadhafi in the end.

Also speaking this evening were the representatives of the United Kingdom, South Africa, Nigeria, United States, Colombia, Portugal, Germany, and Bosnia and Herzegovina and Gabon.

The meeting was opened at 8:10 p.m. and closed at 8:55 p.m.

Resolution

The full text of resolution 1970 (2011) reads as follows:

"The Security Council,

"Expressing grave concern at the situation in the Libyan Arab Jamahiriya and condemning the violence and use of force against civilians,

"Deploing the gross and systematic violation of human rights, including the repression of peaceful demonstrators, expressing deep concern at the

deaths of civilians, and rejecting unequivocally the incitement to hostility and violence against the civilian population made from the highest level of the Libyan government,

"*Welcoming* the condemnation by the Arab League, the African Union, and the Secretary General of the Organization of the Islamic Conference of the serious violations of human rights and international humanitarian law that are being committed in the Libyan Arab Jamahiriya,

"*Taking note* of the letter to the President of the Security Council from the Permanent Representative of the Libyan Arab Jamahiriya dated 26 February 2011,

"*Welcoming* the Human Rights Council resolution A/HRC/S-15/2 of 25 February 2011, including the decision to urgently dispatch an independent international commission of inquiry to investigate all alleged violations of international human rights law in the Libyan Arab Jamahiriya, to establish the facts and circumstances of such violations and of the crimes perpetrated, and where possible identify those responsible,

"*Considering* that the widespread and systematic attacks currently taking place in the Libyan Arab Jamahiriya against the civilian population may amount to crimes against humanity,

"*Expressing concern* at the plight of refugees forced to flee the violence in the Libyan Arab Jamahiriya,

"*Expressing concern also* at the reports of shortages of medical supplies to treat the wounded,

"*Recalling* the Libyan authorities' responsibility to protect its population,

"*Underlining* the need to respect the freedoms of peaceful assembly and of expression, including freedom of the media,

"*Stressing* the need to hold to account those responsible for attacks, including by forces under their control, on civilians,

"*Recalling* article 16 of the Rome Statute under which no investigation or prosecution may be commenced or proceeded with by the International Criminal Court for a period of 12 months after a Security Council request to that effect,

"*Expressing concern* for the safety of foreign nationals and their rights in the Libyan Arab Jamahiriya,

"*Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity and national unity of the Libyan Arab Jamahiriya.

"*Mindful* of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

"*Acting* under Chapter VII of the Charter of the United Nations, and taking measures under its Article 41,

"1. *Demands* an immediate end to the violence and calls for steps to fulfil the legitimate demands of the population;

"2. *Urges* the Libyan authorities to:

(a) Act with the utmost restraint, respect human rights and international humanitarian law, and allow immediate access for international human rights monitors;

(b) Ensure the safety of all foreign nationals and their assets and facilitate the departure of those wishing to leave the country;

(c) Ensure the safe passage of humanitarian and medical supplies, and humanitarian agencies and workers, into the country; and

(d) Immediately lift restrictions on all forms of media;

"3. *Requests* all Member States, to the extent possible, to cooperate in the evacuation of those foreign nationals wishing to leave the country;

ICC referral

"4. *Decides* to refer the situation in the Libyan Arab Jamahiriya since 15 February 2011 to the Prosecutor of the International Criminal Court;

"5. *Decides* that the Libyan authorities shall cooperate fully with and provide any necessary assistance to the Court and the Prosecutor pursuant to this resolution and, while recognizing that States not party to the Rome Statute have no obligation under the Statute, urges all States and concerned regional and other international organizations to cooperate fully with the Court and the Prosecutor;

"6. *Decides* that nationals, current or former officials or personnel from a State outside the Libyan Arab Jamahiriya which is not a party to the Rome Statute of the International Criminal Court shall be subject to the exclusive jurisdiction of that State for all alleged acts or omissions arising out of or related to operations in the Libyan Arab Jamahiriya established or authorized by the Council, unless such exclusive jurisdiction has been expressly waived by the State;

"7. *Invites* the Prosecutor to address the Security Council within two months of the adoption of this resolution and every six months thereafter on actions taken pursuant to this resolution;

"8. *Recognizes* that none of the expenses incurred in connection with the referral, including expenses related to investigations or prosecutions in connection with that referral, shall be borne by the United Nations and that such costs shall be borne by the parties to the Rome Statute and those States that wish to contribute voluntarily;

Arms embargo

"9. *Decides* that all Member States shall immediately take the necessary measures to prevent the direct or indirect supply, sale or transfer to the Libyan Arab Jamahiriya, from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical assistance, training, financial or other assistance, related to military activities or the provision, maintenance or use of any arms and related materiel, including the provision of armed mercenary personnel whether or not originating in their territories, and decides further that this measure shall not apply to:

(a) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee established pursuant to paragraph 24 below;

(b) Protective clothing, including flak jackets and military helmets, temporarily exported to the Libyan Arab Jamahiriya by United Nations personnel, representatives of the media and humanitarian and development works and associated personnel, for their personal use only; or

(c) Other sales or supply of arms and related materiel, or provision of assistance or personnel, as approved in advance by the Committee;

"10. *Decides* that the Libyan Arab Jamahiriya shall cease the export of all arms and related materiel and that all Member States shall prohibit the procurement of such items from the Libyan Arab Jamahiriya by their nationals, or using their flagged vessels or aircraft, and whether or not originating in the territory of the Libyan Arab Jamahiriya;

"11. *Calls upon* all States, in particular States neighbouring the Libyan Arab Jamahiriya, to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to and from the Libyan Arab Jamahiriya, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, transfer, or export of which is prohibited by paragraphs 9 or 10 of this resolution for the purpose of ensuring strict implementation of those provisions;

"12. *Decides* to authorize all Member States to, and that all Member States shall, upon discovery of items prohibited by paragraph 9 or 10 of this resolution, seize and dispose (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) items the supply, sale, transfer or export of which is prohibited by paragraph 9 or 10 of this resolution and decides further that all Member States shall cooperate in such efforts;

"13. *Requires* any Member State when it undertakes an inspection pursuant to paragraph 11 above, to submit promptly an initial written report to the Committee containing, in particular, explanation of the grounds for the inspections, the results of such inspections, and whether or not cooperation was provided, and, if prohibited items for transfer are found, further requires such Member States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure, and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if this information is not in the initial report;

"14. *Encourages* Member States to take steps to strongly discourage their nationals from travelling to the Libyan Arab Jamahiriya to participate in activities on behalf of the Libyan authorities that could reasonably contribute to the violation of human rights;

Travel ban

"15. *Decides* that all Member States shall take the necessary measures to prevent the entry into or transit through their territories of individuals listed in Annex I of this resolution or designated by the Committee established pursuant to paragraph 24 below, provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory;

"16. *Decides* that the measures imposed by paragraph 15 above shall not apply:

(a) Where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation;

(b) Where entry or transit is necessary for the fulfilment of a judicial process;

(c) Where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in the Libyan Arab Jamahiriya and stability in the region; or

(d) Where a State determines on a case-by-case basis that such entry or transit is required to advance peace and stability in the Libyan Arab Jamahiriya and the States subsequently notifies the Committee within forty-eight hours after making such a determination;

Asset freeze

"17. *Decides* that all Member States shall freeze without delay all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by the individuals or entities listed in Annex II of this resolution or designated by the Committee established pursuant to paragraph 24 below, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, and decides further that all Member States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of the individuals or entities listed in Annex II of this resolution or individuals designated by the Committee;

"18. *Expresses* its intention to ensure that assets frozen pursuant to paragraph 17 shall at a later stage be made available to and for the benefit of the people of the Libyan Arab Jamahiriya;

"19. *Decides* that the measures imposed by paragraph 17 above do not apply to funds, other financial assets or economic resources that have been determined by relevant Member States:

(a) To be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services in accordance with national laws, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant State to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within five working days of such notification;

(b) To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant State or Member States to the Committee and has been approved by the Committee; or

(c) To be the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgment provided that the lien or judgment was entered into prior to the date of the present resolution, is not for the benefit of a person or entity designated pursuant to paragraph 17 above, and has been notified by the relevant State or Member States to the Committee;

"20. *Decides* that Member States may permit the addition to the accounts frozen pursuant to the provisions of paragraph 17 above of interests or other earnings due on those accounts or payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of this resolution, provided that any such interest, other earnings and payments continue to be subject to these provisions and are frozen;

"21. *Decides* that the measures in paragraph 17 above shall not prevent a designated person or entity from making payment due under a contract entered into prior to the listing of such a person or entity, provided that the relevant States have determined that the payment is not directly or indirectly received by a person or entity designated pursuant to paragraph 17 above, and after notification by the relevant States to the Committee of the intention to make or receive such payments or to authorize, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, 10 working days prior to such authorization;

Designation criteria

"22. *Decides* that the measures contained in paragraphs 15 and 17 shall apply to the individuals and entities designated by the Committee, pursuant to paragraph 24 (b) and (c), respectively;

(a) Involved in or complicit in ordering, controlling, or otherwise directing, the commission of serious human rights abuses against persons in the Libyan Arab Jamahiriya, including by being involved in or complicit in planning, commanding, ordering or conducting attacks, in violation of international law, including aerial bombardments, on civilian populations and facilities; or

(b) Acting for or on behalf of or at the direction of individuals or entities identified in subparagraph (a).

"23. *Strongly encourages* Member States to submit to the Committee names of individuals who meet the criteria set out in paragraph 22 above;

New Sanctions Committee

"24. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (herein "the Committee"), to undertake to following tasks:

(a) To monitor implementation of the measures imposed in paragraphs 9, 10, 15, and 17;

(b) To designate those individuals subject to the measures imposed by paragraphs 15 and to consider requests for exemptions in accordance with paragraph 16 above;

(c) To designate those individuals subject to the measures imposed by paragraph 17 above and to consider requests for exemptions in accordance with paragraphs 19 and 20 above;

(d) To establish such guidelines as may be necessary to facilitate the implementation of the measures imposed above;

(e) To report within thirty days to the Security Council on its work for the first report and thereafter to report as deemed necessary by the Committee;

(f) To encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures;

(g) To seek from all States whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed above;

(h) To examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in this resolution;

"25. *Calls upon* all Member States to report to the Committee within 120 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 9, 10, 15 and 17 above;

Humanitarian assistance

"26. *Calls upon* all Member States, working together and acting in cooperation with the Secretary General, to facilitate and support the return of humanitarian agencies and make available humanitarian and related assistance in the Libyan Arab Jamahiriya, and requests the States concerned to keep the Security Council regularly informed on the progress of actions undertaken pursuant to this paragraph, and expresses its readiness to consider taking additional appropriate measures, as necessary, to achieve this;

Commitment to review

"27. *Affirms* that it shall keep the Libyan authorities' actions under continuous review and that it shall be prepared to review the appropriateness of the measures contained in this resolution, including the strengthening, modification, suspension or lifting of the measures, as may be needed at any time in light of the Libyan authorities' compliance with relevant provisions of this resolution;

"28. *Decides* to remain actively seized of the matter."

Annex I

Travel ban

1. Al-Baghdadi, Dr Abdulqader Mohammed
Passport number: B010574. Date of birth: 01/07/1950.
Head of the Liaison Office of the Revolutionary Committees. Revolutionary Committees involved in violence against demonstrators.
2. Dibri, Abdulqader Yusef
Date of birth: 1946. Place of birth: Houn, Libya.
Head of Muammar Qadhafi's personal security. Responsibility for regime security. History of directing violence against dissidents.
3. Dorda, Abu Zayd Umar

Director, External Security Organisation. Regime loyalist. Head of external intelligence agency.

4. Jabir, Major General Abu Bakr Yunis

Date of birth: 1952. Place of birth: Jalo, Libya.

Defence Minister. Overall responsibility for actions of armed forces.

5. Matuq, Matuq Mohammed

Date of birth: 1956. Place of birth: Khoms.

Secretary for Utilities. Senior member of regime. Involvement with Revolutionary Committees. Past history of involvement in suppression of dissent and violence.

6. Qadhaf Al-dam, Sayyid Mohammed

Date of birth: 1948. Place of birth: Sirte, Libya.

Cousin of Muammar Qadhafi. In the 1980s, Sayyid was involved in the dissident assassination campaign and allegedly responsible for several deaths in Europe. He is also thought to have been involved in arms procurement.

7. Qadhafi, Aisha Muammar

Date of birth: 1978. Place of birth: Tripoli, Libya.

Daughter of Muammar Qadhafi. Closeness of association with regime.

8. Qadhafi, Hannibal Muammar

Passport number: B/002210. Date of birth: 20/09/1975. Place of birth: Tripoli, Libya. Son of Muammar Qadhafi. Closeness of association with regime.

9. Qadhafi, Khamis Muammar

Date of birth: 1978. Place of birth: Tripoli, Libya.

Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations.

10. Qadhafi, Mohammed Muammar

Date of birth: 1970. Place of birth: Tripoli, Libya.

Son of Muammar Qadhafi. Closeness of association with regime.

11. Qadhafi, Muammar Mohammed Abu Minyar

Date of birth: 1942. Place of birth: Sirte, Libya.

Leader of the Revolution, Supreme Commander of Armed Forces. Responsibility for ordering repression of demonstrations, human rights abuses.

12. Qadhafi, Mutassim

Date of birth: 1976. Place of birth: Tripoli, Libya.

National Security Adviser. Son of Muammar Qadhafi. Closeness of association with regime.

13. Qadhafi, Saadi

Passport number: 014797. Date of birth: 25/05/1973. Place of birth: Tripoli, Libya.

Commander Special Forces. Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations.

14. Qadhafi, Saif al-Arab

Date of birth: 1982. Place of birth: Tripoli, Libya.

Son of Muammar Qadhafi. Closeness of association with regime.

15. Qadhafi, Saif al-Islam

Passport number: B014995. Date of birth: 25/06/1972. Place of birth: Tripoli, Libya.

Director, Qadhafi Foundation. Son of Muammar Qadhafi. Closeness of association with regime. Inflammatory public statements encouraging violence against demonstrators.

16. Al-Senussi, Colonel Abdullah

Date of birth: 1949. Place of birth: Sudan.

Director Military Intelligence. Military Intelligence involvement in suppression of demonstrations. Past history includes suspicion of involvement in Abu Selim prison massacre. Convicted in absentia for bombing of UTA flight. Brother-in-law of Muammar Qadhafi.

Annex II

Asset freeze

1. Qadhafi, Aisha Muammar

Date of birth: 1978. Place of birth: Tripoli, Libya.

Daughter of Muammar Qadhafi. Closeness of association with regime.

2. Qadhafi, Hannibal Muammar

Passport number: B/002210. Date of birth: 20/09/1975. Place of birth: Tripoli, Libya. Son of Muammar Qadhafi. Closeness of association with regime.

3. Qadhafi, Khamis Muammar

Date of birth: 1978. Place of birth: Tripoli, Libya.

Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations.

4. Qadhafi, Muammar Mohammed Abu Minyar

Date of birth: 1942. Place of birth: Sirte, Libya.

Leader of the Revolution, Supreme Commander of Armed Forces. Responsibility for ordering repression of demonstrations, human rights abuses.

5. Qadhafi, Mutassim

Date of birth: 1976. Place of birth: Tripoli, Libya.

National Security Adviser. Son of Muammar Qadhafi. Closeness of association with regime.

6. Qadhafi, Saif al-Islam

Passport number: B014995. Date of birth: 25/06/1972. Place of birth: Tripoli, Libya.

Director, Qadhafi Foundation. Son of Muammar Qadhafi. Closeness of association with regime. Inflammatory public statements encouraging violence against demonstrators.

Statements

MARK LYALL GRANT (United Kingdom) welcomed the adoption, noting that his country was gravely concerned over the violence and had condemned the actions of the Libyan leadership. The text, he said, was a powerful signal of the determination of the international community to stand with the Libyan people as they charted their future.

HARDEEP SINGH PURI (India) hoped that calm and stability were restored without further violence and called for measures to ensure the safety of the Indian population in Libya, as well as those attempting to leave. Noting that five Council members were not parties to the Rome Statute, including India, he said he would have preferred a "calibrated approach" to the issue. However, he was convinced that the referral of the situation to the International Criminal Court would help to bring about the end of violence, and he heeded the call of the Secretary-General on the issue. He, therefore, had voted in favour of the resolution, while stressing the importance of its provisions regarding non-States parties to the Rome Statute.

BASO SANGQU (South Africa) said his country was deeply concerned about the situation in Libya. The resolution adopted by the Security Council sent a clear and unambiguous message to Libya to stop the indiscriminate use of force in that country, and the measures it contained could contribute to the long-term objective of bringing peace and stability to the nation.

U. JOY OGWU (Nigeria) said that she was deeply concerned about the inflammatory rhetoric and loss of life occurring in Libya. As many had been calling for swift action, it was fitting that the Council had taken decisive action today. Nigeria supported the resolution and its "comprehensive" targeted sanctions. It was convinced that the text would deter individuals from supporting the regime and would provide for the protection of civilians and respect for international humanitarian and human rights law. The delegation believed that the resolution would swiftly address the ongoing violence.

SUSAN RICE (United States) welcomed the fact that the Council had spoken with one voice this evening, in a clear warning to the Libyan Government that it must stop the killing. Calling the text a strong resolution, she said that this was about people's ability to shape their own future. Their rights were not negotiable and could not be denied.

NAWAF SALAM (Lebanon), noting the denunciation by the League of Arab States of the crimes committed against Libyan civilians, said he concurred with its opinion, as well as its support for the right of Libyan citizens to express their opinion. That was why he had voted in favour of the resolution. He stressed the importance of reaffirming the territorial unity of Libya and expressed deep sorrow over the lives lost.

VITALY CHURKIN (Russian Federation) said he supported the resolution because of his country's deep concern over the situation, its sorrow over the lives lost and its condemnation of the Libyan Government's actions. He opposed counterproductive interventions, but he said that the purpose of the resolution was to end the violence and to preserve the united sovereign State of Libya with its territorial integrity. Security for foreign citizens, including Russian citizens, must be ensured.

LI BAODONG (China) said that China was very much concerned about the situation in Libya. The greatest urgency was to cease the violence, to end the bloodshed and civilian casualties, and to resolve the crisis through peaceful means, such as dialogue. The safety and interest of the foreign nationals in Libya must be assured. Taking into account the special circumstances in Libya, the Chinese delegation had voted in favour of the resolution.

NÉSTOR OSORIO (Colombia) said the Colombian Government was pleased with the resolution, which had emerged as a result of a "timely process of consultation", in tune with the sense of urgency demanded by the international community. The resolution sent the "direct and solid message" that the violence in Libya must cease and that those responsible for it must answer for their crimes. Moreover, the decision to refer the situation to the International Criminal Court was an appropriate one. Colombia clearly rejected the calls for violence from official sectors in Libya, and condemned the violation of basic rights and freedoms of that country's citizens, including the right to life and to peaceful assembly. Colombia had co-sponsored yesterday's Human Rights Council resolution on the situation. Libya must find a way to respond legitimately to its people's demands, and the international community must remain united to bring an end to the violence there.

JOSÉ FILIPE MORAES CABRAL (Portugal) welcomed the unanimous adoption of the resolution, which he said sent a clear, united message against the crimes being committed against civilians in Libya. He expressed deep concern over the plight of refugees and other humanitarian issues, including the safety of foreigners. Impunity would not be tolerated and serious crimes would be prosecuted.

GÉRARD ARAUD (France) welcomed the fact that the Council had unanimously answered yesterday's appeal by the Libyan representative. The referral of the matter to the International Criminal Court might ensure that those responsible for the crimes were brought to justice. The Court had once again showed the rationale for its existence. The resolution recalled the accountability of each State for the protection of its population and the role of the international community when that responsibility was not met. He hoped the vote would open a new era for the international community as a whole.

PETER WITTIG (Germany) welcomed what he called the Council's swift, decisive, united and strong message that the violation of the rights of the Libyan people would not be tolerated. The referral to the International Criminal Court demonstrated the determination not to allow impunity. It should be clear to all that the Council would continue to follow the situation closely.

IVAN BARBALIĆ (Bosnia and Herzegovina) said that in the current situation time was of the essence, and that the Security Council had to react "unanimously and urgently" to end the violence and prevent further escalation of the situation in Libya. His delegation had closely followed the popular movement in Libya, and was appalled at the "unacceptable level of violence" targeted at civilians there. Bosnia and Herzegovina condemned in the strongest possible terms the violence and loss of life, and therefore fully supported the decision to refer those responsible to the International Criminal Court. He called for an immediate stop to the violence. Worried about the outflow of refugees and the high number of internally displaced persons there, he called on international organizations to provide humanitarian aid and services to those affected by the violence.

ALFRED ALEXIS MOUNGARA MOUSSOTSI (Gabon) said that the situation existing in Libya over the last two weeks required an answer and a "strong, clear message" from the Security Council. Gabon had decided to add its voice to the resolution, not only to end the violence, but also to advise the Libyan regime of the consequences of its actions. Gabon was also ready to support other measures that the Council might adopt in support of the Libyan people and their right to life and free speech.

MARIA LUIZA RIBEIRO VIOTTI (Brazil) said that her delegation was deeply disturbed by the dramatic situation in Libya. The measures adopted today were meant to halt the violence, ensure the protection of civilians and promote respect for international law. The resolution was a "clear signal" of the Council's readiness to respond to the situation in a manner consistent with its responsibilities. Brazil was a long-standing supporter of the integrity and

universalization of the Rome Statute, and opposed the exemption from jurisdiction of nationals of those countries not parties to it. Brazil, therefore, expressed its strong reservation to the resolution's operative paragraph 6, and reiterated its firm conviction that initiatives aimed at establishing those exemptions were not helpful to advance the cause of justice and accountability.

IBRAHIM DABBASHI ([Libya](#)) expressed his condolences to the martyrs who had fallen under the repression of the Libyan regime, and thanked Council Members for their unanimous action, which represented moral support for his people, who were resisting the attacks. The resolution would be a signal that an end must be put to the fascist regime in Tripoli.

He launched an appeal to all the officers of the Libyan armed forces to support their own people and renounce their support for Muammar Al-Qadhafi, whom he called "criminal" and whom he said was prepared to go to extremes to keep up the repression. He appealed also to the Libyan people to keep up their struggle to restore the State to the people. He welcomed, in addition, the referral of the situation to the International Criminal Court and the fact that sanctions were not being imposed on those who might abandon Mr. Al-Qadhafi in the end.

BAN KI-MOON, United Nations Secretary-General, welcomed the resolution. "While it cannot, by itself, end the violence and the repression, it is a vital step — a clear expression of the will of a united community of nations," he said. Calling the events in Libya "clear-cut violations of all norms governing international behaviour and serious transgressions of international human rights and humanitarian law", he said it was of great importance that the Council was determined to reach consensus and uphold its responsibilities.

He hoped that the strong message that "gross violations of basic human rights will not be tolerated and that those responsible for grave crimes will be held accountable" would be heeded by the regime in Libya and that it would bring hope and relief to those still at risk. The sanctions were a necessary step to speed the transition to a new system of governance that had the people's consent and participation.

He pledged to monitor the situation closely and remain in touch with world and regional leaders to support swift and concrete action. Expressing solidarity with the Libyan people in coping with the humanitarian impacts, he hoped that the new future for which they yearned would soon be theirs. Commending the Council for its decisive action, he looked for similar determination from the General Assembly and the Human Rights Council.

"Today's measures are tough. In the coming days even bolder action may be necessary," he said.

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* The 6490th Meeting was closed.

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