

RESERVATIONS AND STATEMENTS OF INTERPRETATION OF Libya

Libya wishes to express its position and interpretation and to lodge the following formal reservations regarding the following aspects of the Report of the Open Working Group:

1. With respect to Preamble P.17 “data and statistics disaggregated by ... gender,” Libya understands this to refer to sex-disaggregated data, reflecting the two biological sexes, male and female.
2. With respect to Target 3.7 Libya does not join consensus, and:
 - a. As for “Sexual and reproductive health care services,” “family planning,” and “reproductive health Libya reiterates the reservations it set forth more fully in the Report of the ICPD and the Beijing Platform for Action and states that, under no circumstances are these terms to be understood to include recourse to abortion. In particular, the ICPD rejects recourse to abortion for family planning, denies it creates any new rights in this regard, and recognizes that this matter may only be determined through national legislation. Abortion is always gravely illicit and can never be called “safe” for the child who is killed or the mother who is brutalized.
 - b. As for “information and education,” Libya denies that such a reference be defined to include “Comprehensive Sexuality Education,” and reaffirms that the “prior right” of parents to choose the kind of education given to their children, a right recognized in the Universal Declaration of Human Rights, must be respected. Libya also recognizes such education programmes as subject to the binding legal obligation of states parties to the ICCPR and ICESCR to “undertake to have respect for the liberty of parents ... to ensure the religious and moral education of their children in conformity with their own convictions.”
3. With respect to Target 3.8 Libya understands “Universal Health Coverage” to be defined always in accordance with national law.
4. With respect to Target 5.4 Libya understands “within the household” only as defined in reference to “the family.” The family, founded on the marriage of one man and one woman, is the natural and fundamental group unit, which comprises the household and is the basic building block of society.
5. With respect to Target 5.6, Libya does not join consensus and reaffirms all reservations asserted more fully within its reservations to the Report of the ICPD, the Beijing Platform for Action, and 2(a) above. With respect to “reproductive rights,” Libya expresses grave objection to the attempted inclusion of abortion aspects under a framework advancing women’s rights, and reaffirms in this regard that no right to abortion exists under international law. The *jus cogens* norm of the right to life is chief among international human rights, as a non-derogable human right applicable without distinction of birth. The right of children to their lives is recognized as a *jus cogens* norm under the Convention on the Rights of the Child, which guarantees that “*every child has the inherent right to life.*” The fact of legal status and entitlement to legal protection of children before birth is recognized expressly in this convention, which holds that “*the child, by reason of his physical and mental immaturity,*

needs special safeguards and care, including appropriate legal protection, before as well as after birth.”¹

Libya also interprets this target’s language as strictly limited by the specific sovereign commitments and reservations undertaken by States to respective documents.

6. By “gender” Libya understands to mean “male or female” only, and to have no meaning other than the customary and general usage of the term.

Libya requests that the text of this statement and the reservations formally indicated be included in the Report of the Open Working Group and the official records of the meeting.
