

## **CHAPTER V**

### **CLOSING**

#### **A. Conclusion**

Based on the Universal Declaration of Human Right as a mother of the non derogable rights shown that the treatment of Gaddafi is acting which violate this provision. On the other word, the death of Gaddafi during his custody is a violation of human rights. In line with that, on the perspective of International Humanitarian Law, based on the provision of Geneva Convention III of 1949 article 3, article 12, article 13, and article 14 which specifically contain the protection of prisoners of wars was proved that during his status as prisoner of wars, Gaddafi's rights are violated.

#### **B. Suggestion**

There is one principle on the International Law known as Principle of Exhaustion of Local Remedies to answer the problem on this research. This is a principle of international law that protection of human rights should be carried out by national governments. National remedies are viewed as more effective way than international ones because they are easier to access, proceed more quickly and require fewer resources than making a claim before an international body. Access to international enforcement mechanisms is seen as a last resort, after the State has failed to correct the violation or to compensate victims.

The principle above required the relevant authorities of Libya have to investigate violation committed on their territory and prosecute the suspects where appropriate. The commitment to solve the problem has to be shown by the authorities of Libya if they won't international mechanism take over this matter as like as the principle above explained. When the authorities of Libya proved unable and unwilling to solve the