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Libya

Country Reports on Human Rights Practices - 2001
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The Socialist People's Libyan Arab Jamahiriya is a dictatorship that has been ruled by Colonel Mu'ammar Al-Qadhafi (the "Brother Leader and Guide of the Revolution") since 1969, when he led a military coup that overthrew King Idris I. Borrowing from Islamic and pan-Arab ideas, Qadhafi created a political system that rejects democracy and political parties and purports to establish a "third way" superior to capitalism and communism. Libya's governing principles are derived predominantly from Qadhafi's "Green Book." In theory the country is ruled by the citizenry through a series of popular congresses, as laid out in the Constitutional Proclamation of 1969 and the Declaration on the Establishment of the Authority of the People of 1977, but in practice Qadhafi and his inner circle control political power. Qadhafi is aided by extragovernmental organizations—the Revolutionary Committees—that exercise control over most aspects of citizens' lives. The judiciary is not independent of the Government, and security forces have the power to pass sentences without trial.

Libya maintains an extensive security apparatus, consisting of several elite military units, including Qadhafi's personal bodyguards, local Revolutionary Committees, and People's Committees, as well as "Purification" Committees. The result is a multilayered, pervasive surveillance system that monitors and controls the activities of individuals. The various security forces committed numerous serious human rights abuses.

The Government dominates the economy through complete control of the country's oil resources, which account for approximately 95 percent of export earnings and approximately 30 percent of the gross domestic product. Oil revenues constitute the principal source of foreign exchange. Much of the country's income has been lost to waste, corruption, conventional armament purchases, and attempts to develop weapons of mass destruction, as well as to large donations made to developing countries in attempts to increase Qadhafi's influence in Africa and elsewhere. Despite efforts to diversify the economy and encourage private sector participation, extensive controls on prices, credit, trade, and foreign exchange constrain growth. The Government's mismanagement of the economy has led to high inflation and increased import prices, resulting in a decline in the standard of living for most of the approximately 5 million citizens in recent years, whose average per capita gross domestic product (GDP) was approximately \$8,900. Nevertheless, the country's gross domestic product grew due to high oil prices, the end of a long cyclical drought, and increased foreign investment following the suspension of U.N. sanctions in 1999.

The Government's human rights record remained poor, and it continued to commit numerous serious abuses. Citizens do not have the right to change their government. Qadhafi uses summary judicial proceedings to suppress domestic opposition. Security forces torture prisoners during interrogations and as punishment. Prison conditions are poor. Security forces arbitrarily arrest and detain persons, and many prisoners are held incommunicado. Many political detainees are held for years without charge. The Government controls the judiciary, and citizens do not have the right to a fair public trial or to be represented by legal counsel. The Government infringes on citizens' privacy rights, and citizens do not have the right to be secure in their homes or persons, or to own private property. The Government restricts freedom of speech, press, assembly, association, and religion. The Government imposes some limits on freedom of movement. The Government prohibits the establishment of independent human rights organizations. Violence against women is a problem. Traditional attitudes and practices continue to discriminate against women, and female genital mutilation (FGM) is practiced in remote areas of the country. The Government discriminates against and represses tribal groups. The Government continues to repress banned Islamic groups and exercises tight control over ethnic and tribal minorities, such as Amazighs (Berbers), Tuaregs, and the Warfalla tribe. The Government restricts basic worker rights, uses forced labor, and discriminates against foreign workers. In October Libyan mobs killed at least 150 African workers. Government authorities put down the violence, but then expelled hundreds of thousands of African migrants. There have been reports of slavery and trafficking in persons.

U.N. sanctions against Libya were suspended in 1999 following the Government's surrender of two Libyans suspected in the 1988 bombing of Pan Am flight 103. On January 31, a Scottish court in The Hague convicted one of the suspects, Abdelbasset al-Megrahi, in connection with the bombing. Megrahi has appealed the conviction; the appeal is scheduled to begin in January 2002.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life



Clashes between the security forces and militant Islamic opposition groups were concentrated predominantly in the eastern region and resulted in an undetermined number of deaths. However, there were no reports of such clashes during the year. Since a 1996 prison mutiny in Benghazi and other attacks against the Government, it has maintained tightened security measures. In the years following the mutiny, the Government made hundreds of arrests, conducted military operations in the areas of insurrection, and killed a number of persons.

Prison conditions reportedly are poor and may have caused an unknown number of deaths in custody (see Section 1.c.).

The Government uses summary judicial proceedings to suppress domestic dissent.

U.N. sanctions against Libya were suspended after the Government surrendered two suspects wanted in connection with the bombing of Pan Am flight 103 over Scotland in 1988, which killed 259 persons on board and 11 persons on the ground. On January 31, a Scottish tribunal in The Hague found one man, Abdelbasset al-Megrahi, guilty in connection with the bombing, and acquitted a second. Megrahi has appealed the conviction; the appeal is scheduled to begin in January 2002. U.N. Security Council resolutions require Libya to fulfill certain obligations regarding the Pan Am 103 bombing before sanctions may be lifted, including accepting responsibility for the actions of its officials and payment of appropriate compensation.

In March 1999, a French court convicted in absentia six defendants in the bombing of UTA flight 772 over Chad in 1989, which killed 171 persons, and sentenced them to life in prison. In July 2000, the Government paid the French Government \$31 million (17 million dinars) to compensate the victims' families. Family members of the UTA 772 victims now are seeking indictments of more senior officials, including Qadhafi.

In late November 1999, the Government paid compensation to the British Government for the 1984 killing of British policewoman Yvonne Fletcher outside the Libyan Embassy in London.

In October Libyan mobs killed an estimated 150 Africans, including a Chadian diplomat, in the worst outbreak of antireporter violence since Qadhafi took power in 1969. Government security forces reportedly intervened to stop the violence, but then deported hundreds of thousands of African migrant workers by driving them in convoys to the southern border and leaving them stranded in the desert (see Section 6.e.).

b. Disappearance

There have been no reports of abductions or killings since 1994; the Government in the past has abducted and killed dissidents in the country and abroad. Dissident Mansour Kikhiya disappeared from Cairo, Egypt in 1993. There is credible information that, following his abduction, Kikhiya was executed in Libya in early 1994.

Prisoners routinely are held in incommunicado detention (see Section 1.d.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Security personnel reportedly routinely torture prisoners during interrogations or for punishment. Government agents reportedly periodically detain and torture foreign workers, particularly those from sub-Saharan Africa. Reports of torture are difficult to corroborate because many prisoners are held incommunicado. In April 1999, the U.N. Committee against Torture reported that it continued to receive allegations of torture and recommended that the authorities send a clear message to all of its law enforcement personnel that torture is not permitted under any circumstances. The law provides for fines against any official using excessive force; however, there are no known cases of prosecution for torture or abuse.

Methods of torture reportedly include: Chaining to a wall for hours; clubbing; applying electric shock; applying corkscrews to the back; pouring lemon juice in open wounds; breaking fingers and allowing the joints to heal without medical care; suffocating with plastic bags; depriving of food and water; hanging by the wrists; suspending from a pole inserted between the knees and elbows; burning with cigarettes; attacking with dogs; and beating on the soles of the feet. In May 1999, in a much publicized case involving the HIV infection of nearly 400 children, three defendants, two Bulgarians and one Palestinian, all health professionals claimed that their confessions had been obtained under duress.

Prison conditions reportedly are poor. According to Amnesty International (AI), political detainees reportedly are held in cruel, inhuman, or degrading conditions, and denied adequate medical care, which has led to several deaths in custody. AI reported that Mohammad 'Ali al-Bakoush, detained since 1989 without charge or trial, died in Abu Salim prison in August 1999, reportedly as a result of poor conditions of detention.

The Government does not permit prison visits by human rights monitors.

d. Arbitrary Arrest, Detention, or Exile

Security forces arbitrarily arrest and detain citizens. By law the Government may hold detainees incommunicado for unlimited periods. It holds many political detainees incommunicado in unofficial detention centers controlled by members of the Revolutionary Committees.

In 1998 security forces arrested suspected members and sympathizers of banned Islamic groups and monitored activities at mosques following violent clashes in eastern Libya. In June 1998, at least 100 professionals, including engineers, doctors, and university professors in Benghazi and several other major cities were arrested on suspicion of political opposition activities, specifically support of or sympathy for Islamic oppositionist groups. These professionals were held without charge or trial until March, when AI reported that they and approximately 50 other persons were tried on suspicion of supporting or sympathizing with Islamic oppositionist groups. According to AI, relatives of these detainees were only allowed to meet with them in the context of the trial hearings (see Section 1.e.). Some practicing Muslims have shaved their beards to avoid harassment from security services (see Section 2.c.).

The 1994 Purge Law was established to fight financial corruption, black marketeering, drug trafficking, and atheism. It has been enforced by the "Purification" Committees since June 1996. Scores of businessmen, traders, and shop owners have been arrested arbitrarily on charges of corruption, dealing in foreign goods, and funding Islamic fundamentalist groups, and dozens of shops and firms have been closed. As part of the campaign to implement the Purge Law, the wealth of the middle class and affluent has been targeted as well.

The law provides for the punishment of accomplices to crimes of "obstructing the people's power, instigating and practicing tribal fanaticism, possessing, trading in or smuggling unlicensed weapons, and damaging public and private institutions and property." The law also provides that "any group, whether large or small," including towns, villages, local assemblies, tribes, or families, be punished in their entirety if they are accused by the General People's Congress of sympathizing, financing, aiding in any way, harboring, protecting, or refraining from identifying perpetrators of such crimes. Punishment under the Collective Punishment Law ranges from the denial of access to utilities (water, electricity, telephone), fuels, food supplies, official documents, and participation in local assemblies, to the termination of new economic projects and state subsidies. In 1997 Qadhafi declared that if any member of a family was found guilty of an offense, the individual's entire family was to be considered guilty.

Hundreds of political detainees, many associated with banned Islamic groups, reportedly are held in prisons throughout the country (but mainly in the Abu Salim prison in Tripoli); many are held for years without charge. Hundreds of other detainees may have been held for periods too brief (3 to 4 months) to permit confirmation by outside observers (see Section 1.c.).

The Government does not impose forced exile as a form of punishment, and it continued to encourage Libyan dissidents abroad to return, promising to ensure their safety; however, with the exception of the appointment in 2000 of the Ambassador to the Arab League, formerly an opponent of the Government, few have returned, and the sincerity of the Government's offer and the likelihood of reconciliation remain unclear. Students studying abroad have been interrogated upon their return.

e. Denial of Fair Public Trial

The judiciary is not independent of the Government, and security forces have the power to pass sentences without trial.

There are four levels of courts: Summary courts, which try petty offenses; the courts of first instance, which try more serious crimes; the courts of appeal; and the Supreme Court, which is the final appellate level.

Special revolutionary courts try political offenses. Such trials often are held in secret or even in the absence of the accused. In other cases, the security forces have the power to pass sentences without trial, especially in cases involving political opposition. The U.N. Special Rapporteur noted in 1996 a lack of fairness in trials of capital cases. In the past, Qadhafi has incited local cadres to take extrajudicial action against suspected opponents. In 2000 the attorney defending 16 health professionals who were charged with infecting 400 Libyan children with HIV claimed that he had been allowed to meet with his clients only twice since their incarceration. The defendants (nine Libyans, one Palestinian, and six Bulgarians) were arrested in January 1999. Amnesty International reported that approximately 150 professionals who were arrested in 1998 on suspicion of supporting Islamic oppositionist groups were allowed to meet with family members only when their trial began in March (see Section 1.d.). In November nine Ethiopians arrested in 1992 were released; human rights groups alleged that they had been held illegally after being charged as "black Jews" who were spying on behalf of Israel.

A large number of offenses, including political offenses and "economic crimes," are punishable by death. The law mandates the death penalty for any person associated with a group opposed to the principles of the revolution, as well as for other acts such as treason and attempting to change the form of government by violence. The "Green Book" of 1988 states that "the goal of the Libyan society is to abolish capital punishment;" however, the Government has not acted to abolish the death penalty, and its scope has increased. The law also applies the death penalty to those who speculate in foreign currency, food, clothing, or housing during a state of war or a blockade, and for crimes related to drugs and alcohol.

The private practice of law is illegal; all lawyers must be members of the Secretariat of Justice.

The Government holds a large number of political prisoners. AI estimates that there are hundreds of persons imprisoned for political reasons. According to AI, in August the Government released dozens of political prisoners on the 32nd anniversary of Qadhafi's coming to power, including Ahmad al-Zubayr Ahmad al-Sanussi, who had been in custody for 31 years, many of those years spent in solitary confinement.

The Government does not permit access to political prisoners by international human rights monitors.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Government does not respect the right to privacy. Security agencies often disregard the legal requirement to obtain warrants before entering a private home. They also routinely monitor telephone calls.

The security agencies and the Revolutionary Committees oversee an extensive network of informants; one credible foreign observer estimated that 10 to 20 percent of the population was engaged in surveillance for the Government. Exiles have reported that family ties to suspected Government opponents may result in harassment and detention. The Government may seize and destroy property belonging to "enemies of the people" or those who "cooperate" with foreign powers. In the past, citizens have reported that the Government warned members of the extended family of any Government opponent that they, too, risk the death penalty.

The law provides for the punishment of families or communities that aid, abet, or do not inform the Government of criminals and oppositionists in their midst (see Section 1.d.).

The 1994 Purge Law provides for the confiscation of private assets above a nominal amount, describing wealth in excess of such undetermined amounts as "the fruits of exploitation or corruption." In 1996 the Government ordered the formation of hundreds of "Purge" or Purification Committees composed of young military officers and students. The Purification Committees reportedly seized some "excessive" amounts of private wealth from members of the middle and affluent classes; the confiscated property was taken from the rich to be given to the poor, in an effort to appease the populace and to strengthen the Government's power and control over the country. The activities of the Purification Committees continued during the year.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Government severely limits the freedoms of speech and of the press. This is especially true with regard to criticism of Qadhafi or his Government. The occasional instances of criticism of political leaders and policies in the state-controlled media usually are government attempts to test public opinion or weaken a government figure who may be a potential challenger to Qadhafi. The authorities tolerate some difference of opinion in People's Committee meetings and at the General People's Congress.

The Government restricts freedom of speech in several ways: By prohibiting all political activities not officially approved; by enacting laws so vague that many forms of speech or expression may be interpreted as illegal; and by operating a pervasive system of informants that creates an atmosphere of mistrust at all levels of society (see Section 1.f.).

The State owns and controls the media. There is a state-run daily newspaper, Al-Shams, with a circulation of 40,000. Local Revolutionary Committees publish several smaller newspapers. The official news agency, JANA, is the designated conduit for official views. The Government does not permit the publication of opinions contrary to its policy. Such foreign publications as Newsweek, Time, the International Herald Tribune, L'Express, and Jeune Afrique are available, but authorities routinely censor them and may prohibit their entry into the market.

Technology has made the Internet and satellite television widely available in Libya. According to numerous anecdotal reports, both are accessed easily in Tripoli.

The Government restricts academic freedom. Professors and teachers who discuss politically sensitive topics face the risk of government reprisal.

b. Freedom of Peaceful Assembly and Association

The Government severely restricts the right of assembly. Public assembly is permitted only with Government approval and in support of the Government's positions.

Speculation continued that the September 2000 mob violence against sub-Saharan African workers, as well as the October riots that resulted in the death of approximately 150 workers and the deportation of hundreds of thousands (see Sections 5 and 6.e.), reflect dissatisfaction with the Government's efforts to enhance ties to Africa, particularly the decisions to provide greater economic assistance to African nations and projects associated with Qadhafi's pan-African policy.

The Government restricts the right of association; it grants such a right only to institutions affiliated with the Government. Under the law, political activity found by the authorities to be treasonous is punishable by death. An offense may include any activity that is "opposed to the principles of the Revolution."

c. Freedom of Religion

The Government restricts freedom of religion. The country is overwhelmingly Sunni Muslim, and the leadership states publicly its preference for Islam. In an apparent effort to eliminate all alternative power bases, the Government has banned the once powerful Sanusiyya Islamic sect. In its place, Qadhafi established the Islamic Call Society (ICS), which is the outlet for state-approved religion, as well as a tool for exporting the revolution abroad. The ICS also is responsible for relations with other religions, including Christian churches in the country. In 1992 the Government announced that the ICS would be disbanded; however, its director still conducts activities, suggesting that the organization remains operational. Islamic groups whose beliefs and practices are at variance with the state-approved teaching of Islam are banned. Although most Islamic institutions are under state control, some mosques are endowed by prominent families; however, they generally follow the government-approved interpretation of Islam.

According to recent reports, individuals rarely are harassed because of their religious practices, unless such practices are perceived as having a political motivation. In 1998 at least 100 professionals in Benghazi and several other major cities were arrested on suspicion of political opposition activities, specifically support of or sympathy the Islamic oppositionist movement. Some practicing Muslims have shaved their beards to avoid harassment from security services.

Members of some minority religions are allowed to conduct services. Christian churches operate openly and are tolerated by the authorities. However, Christians are restricted by the lack of churches; there is a government limit of one church per denomination per city. The authorities reportedly have failed to honor a promise made to provide the Anglican Church with alternative facilities when the Government took the property used by the Anglicans in 1970. Since 1988 Anglicans have shared a villa with other Protestant denominations. There are two resident Catholic bishops and a small number of priests. In 1997 the Vatican established diplomatic relations, stating that the country had taken steps to protect freedom of religion. The Vatican hoped to be able to address more adequately the needs of the estimated 50,000 Catholics in the country.

There are no known places of worship for other non-Muslim religions such as Hinduism, the Baha'i Faith, and Buddhism, although adherents are allowed to practice within the privacy of their homes. Foreign adherents of these religions are allowed to display and sell religious items at bazaars and other gatherings.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Government usually does not restrict the internal movement of citizens, but it has imposed blockades on those cities and regions (primarily in the east) in which antigovernment attacks or movements originate.

The Government requires citizens to obtain exit permits for travel abroad and limits their access to hard currency. A woman must have her husband's permission to travel abroad (see Section 5). Authorities routinely seize the passports of foreigners married to citizens upon their entry into the country.

The right of return exists. The Government has called on students, many of whom receive a government subsidy, and others working abroad, to return to the country on little or no notice.

The Government expels noncitizens arbitrarily. Following reports in October of mob violence in which 150 African workers were killed, the Government expelled hundreds of thousands of African migrants by driving them in convoys to the border with Niger and Chad and abandoning them there in the desert (see Section 5 and 6.e.).

In 2000 the Government reportedly expelled hundreds of African workers following incidents of mob violence (see Section 5). In April 1998, the Government accused at least 10 Tunisians of suspected membership in, or support for, the Islamist group An-Nahda, which is banned in Tunisia for activities in opposition to the Tunisian Government and forcibly returned them to Tunisia, where they reportedly were subjected to abuse.

While the country has acceded to the 1969 Organization of African Unity Convention on refugees, it is not a signatory to the 1951 U.N. Convention relating to the Status of Refugees and its 1967 Protocol. The law does not include provisions for granting asylum, first asylum, or refugee status. The U.N. High Commissioner for Refugees (UNHCR) reported that there were approximately 33,000 refugees in the country, including 30,000 Palestinians and 3,000 Somalis. During the year, the UNHCR assisted approximately 1,300 of the most vulnerable refugees in the country and supported income-generating programs for refugee women. The Government cooperates with UNHCR and provides free housing to approximately 850 refugees.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Government denies citizens the right to change their government. Major government decisions are controlled by Qadhafi, his close associates, and committees acting in his name. Political parties are banned. Qadhafi appoints military officers and official functionaries down to junior levels. Corruption and favoritism, partly based on tribal origin, are major problems that adversely affect government efficiency.

In theory popular political participation is provided by the grassroots People's Committees, which are open to both men and women, and which send representatives annually to the national General People's Congress (GPC). In practice the GPC merely approves all recommendations made by Qadhafi.

Qadhafi established the Revolutionary Committees in 1977. These bodies consist primarily of youths who

guard against political dissent. Some committees have engaged in show trials of Government opponents; the committees also have been implicated in the killing of opponents abroad. The committees approve all candidates in elections for the GPC.

There is no reliable information on the representation of women and minorities in the Government.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government prohibits the establishment of independent human rights organizations.

The Government has not responded substantively to appeals from Amnesty International on behalf of detainees. In 1994 the Government characterized Amnesty International as a tool of Western interests and dismissed its work as neocolonialist; its representatives last visited the country in 1988.

The Government created the Libyan Arab Human Rights Committee in 1989. The committee is not known to have published any reports.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination based on these factors; however, the Government does not enforce the prohibitions, particularly those against discrimination against women and tribal minorities.

Women

Although there is little detailed information regarding the extent of violence against women, it remains a problem. In general the intervention of neighbors and extended family members tends to limit the reporting of domestic violence. Abuse within the family rarely is discussed publicly, due to the value attached to privacy in society.

Some nomadic tribes located in remote areas still practice female genital mutilation (FGM) on young girls, a procedure that is condemned widely by international health experts as damaging to both physical and psychological health.

Citizens have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children (see Section 6.f.).

The 1969 Constitutional Proclamation granted women total equality. Despite this legal provision, traditional attitudes and practices prevail, and discrimination against women persists and keeps them from attaining the family or civil rights formally provided them. A woman must have the permission of her husband or another close male relative to travel abroad (see Section 2.d.).

Although their status is still not equal to that of men, the opportunity for women to make notable social progress increased in recent years. Oil wealth, urbanization, development plans, education programs, and even the impetus behind Qadhafi's revolutionary government have contributed to the creation of new employment opportunities for women. In recent years, a growing sense of individualism in some segments of society, especially among the educated young, has been noted. For example, many educated young couples prefer to set up their own households, rather than move in with their parents, and view polygyny with scorn. Educational differences between men and women have narrowed.

In general the emancipation of women is a generational phenomenon: Urban women under the age of 35 tend to have more "modern" attitudes toward life and have discarded the traditional veil; at the same time, older urban women tend to be more reluctant to give up the veil or traditional attitudes toward family and employment. Moreover, a significant proportion of rural women still do not attend school and tend to instill in their children such traditional beliefs as women's subservient role in society.

Female participation in the workforce, particularly in services, has increased in the last decade. However, employment gains by women tend to be inhibited by lingering traditional restrictions that discourage women from playing an active role in the workplace and by the resurgence of Islamic fundamentalist values. Some observers have noted that even educated women tend to lack self-confidence and social awareness and seek only a limited degree of occupational and social equality with men.

Children

The Government subsidizes education (which is compulsory until age 15) and medical care, and it has improved the welfare of children; however, declining revenues and general economic mismanagement have led to cutbacks, particularly in medical services.

Sudanese girls reportedly have been sold as slaves in the country (see Section 6.f.).

FGM is practiced on young girls (see Section 5, Women).

Persons with Disabilities

No information is available on the Government's efforts, if any, to assist persons with disabilities.

National/Racial/Ethnic Minorities

Arabic-speaking Muslims of mixed Arab and Amazigh ancestry constitute 97 percent of the population. The principal minorities are Amazighs and sub-Saharan Africans. There are frequent allegations of discrimination based on tribal status, particularly against Amazighs in the interior and Tuaregs in the south. The Government has manipulated the tribes to maintain a grip on power by rewarding some tribes with money and government positions and repressing and jailing members of various other tribes. The Government also has attempted to keep the tribes fractured by pitting one against another.

Foreigners constitute a significant part of the workforce. Africans in particular have become targets of resentment, and in October mobs of citizens in several locations reportedly killed 150 African workers, including a Chadian diplomat. The Government dispersed the rioters, but then reportedly expelled hundreds of thousands of African workers.

The October violence followed similar attacks on African workers in September 2000, in which mobs beat and killed numerous workers and, in some cases, burned their places of residence and employment. The mobs blamed the foreign population for increased crime and the presence of HIV/AIDS in the country.

Section 6 Worker Rights

a. The Right of Association

Independent trade unions and professional associations are prohibited, and workers do not have the right to form their own unions. The Government regards such structures as unacceptable "intermediaries between the revolution and the working forces." However, workers may join the National Trade Unions' Federation, which was created in 1972 and is administered by the People's Committee system. The Government prohibits foreign workers from joining this organization.

The law does not provide workers with the right to strike. In a 1992 speech, Qadhafi claimed that workers were permitted to strike but added that strikes do not occur because the workers control their enterprises. There have been no reports of strikes for years.

The official trade union organization plays an active role in the International Confederation of Arab Trade Unions and the Organization of African Trade Union Unity. The Arab Maghreb Trade Union Federation suspended the membership of the country's trade union organization in 1993. The suspension followed reports that Qadhafi had replaced all union leaders, in some cases with loyal followers without union experience.

b. The Right to Organize and Bargain Collectively

Collective bargaining does not exist in any meaningful sense, because labor law requires that the Government must approve all agreements.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

In its 2000 report, the International Labor Organization's (ILO) Committee of Experts stated that in the country "persons expressing certain political views or views ideologically opposed to the established political, social, or economic system may be punished with penalties of imprisonment," including "an obligation to perform labor." The ILO report also noted that public employees may be sentenced to compulsory labor "as a punishment for breaches of labor discipline or for participation in strikes, even in services whose interruption would not endanger the life, personal safety, or health of the whole or part of the population."

There have been credible reports that the Government arbitrarily has forced some foreign workers into involuntary military service or has coerced them into performing subversive activities against their own countries. Despite the Penal Code's prohibition on slavery, citizens have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children, who were captured by Sudanese government troops in the ongoing civil war in Sudan (see Section 6.f.).

There is no information regarding whether the law prohibits forced or bonded labor by children or whether such practices occur.

d. Status of Child Labor Practices and Minimum Age for Employment

The minimum age for employment of children is 18. There is no information available on the prevalence of

child labor, or whether forced or bonded labor by children is prohibited or practiced (see Section 6.c.).

e. Acceptable Conditions of Work

The legal maximum workweek is 48 hours. The labor law defines the rights and duties of workers, including matters of compensation, pension rights, minimum rest periods, and working hours.

Wages, particularly in the public sector, frequently are in arrears. A public sector wage freeze imposed in 1981 remains in effect and has eroded real income significantly, particularly in the face of consistently high inflation. According to some reports, the average family lives on \$170 (86.7 dinars) a month. There is no information available regarding whether the average wage is sufficient to provide a worker and family with a decent standard of living.

Labor inspectors are assigned to inspect places of work for compliance with occupational health and safety standards. Certain industries, such as the petroleum sector, attempt to maintain standards set by foreign companies. There is no information regarding whether a worker may remove himself from an unhealthy or unsafe work situation without risking continued employment.

Although foreign workers constitute a significant percentage of the work force, the Labor Law does not accord them equality of treatment. Foreign workers may reside in the country only for the duration of their work contracts and may not send more than half of their earnings to their families in their home countries. They are subject to arbitrary pressures, such as changes in work rules and contracts, and have little option but to accept such changes or to depart the country. Foreign workers who are not under contract enjoy no protection.

In 1997 the U.N. Committee on Economic, Social, and Cultural Rights cited inadequate housing, threats of imprisonment to those accused of disobeying disciplinary rules, and accusations of causing a variety of societal problems as some of the problems in the Government's treatment of foreign laborers.

The Government uses the threat of expulsion of foreign workers as leverage against countries whose foreign policies run counter to the Government's. For example, over 130 Algerians were expelled in 1997.

In October mobs of citizens in several locations reportedly killed 150 African workers, leading to the deportation of hundreds of thousands of African workers by the Government. The violence followed similar attacks on African workers in September 2000 (see Section 5).

f. Trafficking in Persons

There is no information available regarding whether the law specifically prohibits trafficking in persons.

There have been reports of trafficking in persons. On August 28, Senegalese authorities detained 100 young Senegalese women from boarding a charter flight to Libya. According to a media report, two French nationals of Senegalese origin were arrested and charged with organizing international prostitution. In September Senegalese authorities questioned a Senegalese and the French nationals relating to allegations that these women were being sent to Libya to work as prostitutes. Citizens have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children, who were captured by Sudanese Government troops in the ongoing civil war in Sudan (see Section 6.c.).

* The United States has no official presence in Libya. Information on the human rights situation therefore is limited; this report draws heavily on non-U.S. Government sources.

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