

Libyen (67)

37

Uddrag fra

THE WORLD'S MOST REPRESSIVE REGIMES 2002

A Special Report to the 58th Session of the United Nations
Commission on Human Rights, Geneva, 2002

Excerpted from:

Freedom in the World
The Annual Survey of Political Rights & Civil Liberties
2001--2002

FREEDOM HOUSE
New York · Washington
Belgrade · Bucharest · Budapest
Kiev · Warsaw

Freedom House

Board of Trustees

Bill Richardson, *Chairman*
Bette Bao Lord, *Chair Emeritus*
Max M. Kampelman, *Chair Emeritus*
Ned W. Bandler, *Vice Chairman*
Mark Palmer, *Vice Chairman*
Walter J. Schloss, *Treasurer*
Kenneth L. Adelman, *Secretary*

Peter Ackerman
J. Brian Atwood
Barbara Barrett
Zbigniew Brzezinski
Peter Collier
Alan Dye
Stuart Eizenstat
Sandra Feldman
Thomas S. Foley
Malcolm S. Forbes, Jr.
Theodore J. Forstmann
Norman Hill
Samuel P. Huntington
John T. Joyce
Kathryn Dickey Karol

Jeane J. Kirkpatrick
Anthony Lake
Mara Liasson
Jay Mazur
John Norton Moore
Diana Villiers Negroponte
P.J. O'Rourke
Orlando Patterson
Susan Kaufman Purcell
J. Danforth Quayle
Wendell L. Willkie, II
R. James Woolsey
Andrew Young
Richard Sauber, *Of Counsel*

Senior Staff

Adrian Karatnycky, *President* Jennifer L. Windsor, *Executive Director*

Carlyle Hooff, *Chief Operating Officer*
Arch Puddington, *Vice President for Research*
Leonard R. Sussman, *Senior Scholar*

Lisa Davis, *Director, RIGHTS Program*
Patrick Egan, *Director, Regional Networking Project*
Cristina Guseth, *Director, Romania Democratization Programs*
Jennifer Koliba, *Director of Finance*
John Kubiniec, *Director, PAUCI Program*
Amanda Schnetzer, *Director of Studies*
Paula Schriefer, *Director of Programs*
Nina Shea, *Director, Center for Religious Freedom*
Laryssa Tatarynova, *Director, PRU Program*

Freedom House Survey Team

Adrian Karatnycky, *General Editor*
Aili Piano, *Managing Editor*
Martin Edwin Andersen
Gordon N. Bardos
Michael Goldfarb
Charles Graybow
Kristen Guida
Karin Deutsch Karlekar
Edward R. McMahon
Arch Puddington
Amanda Schnetzer
Cindy Shiner
Leonard R. Sussman
Kendra Zaharescu
Linda Stern, *Copy Editor*
Mark Wolkenfeld, *Production Coordinator*

Survey of Freedom Advisory Board

Central and Eastern Europe, Former Soviet Union

Alexander J. Motyl, *Rutgers University*
Charles Gati, *Johns Hopkins University*

Asia

Arthur Waldron, *University of Pennsylvania*

Middle East

Daniel Brumberg, *Georgetown University*
Daniel Pipes, *Middle East Forum*

Africa

Thomas Lansner, *Columbia University*

Latin America

David Becker, *Dartmouth College*

Methodology

Larry Diamond, *Hoover Institution*
Jeane J. Kirkpatrick, *American Enterprise Institute*
Seymour Martin Lipset, *George Mason University*
Joshua Muravchik, *American Enterprise Institute*

Copyright © 2002 by Freedom House

Printed in the United States of America. All rights reserved. No part of this pamphlet may be used or reproduced in any manner without written permission except in the case of brief quotations embodied in critical articles and reviews. For permission write to: Freedom House, 120 Wall Street, 26th Floor, New York, NY 10005, Fax: 212-514-8055.

First published in 1999.

Table of Contents

Introduction	<i>vii</i>
Afghanistan	11
Burma	18
Cuba	25
Iraq	32
Libya	38
North Korea	44
Saudi Arabia	50
Sudan	56
Syria	63
Turkmenistan	70
Chechnya	75
Tibet	83
Table of Independent Countries	90

INTRODUCTION

This year, as is the case each year, Freedom House appears before the United Nations Commission on Human Rights at its session in Geneva to present its findings on the state of political rights and civil liberties and to highlight areas of great urgency and concern. In this year's report, Freedom House again places its focus on the most repressive regimes in the world.

The "Most Repressive" reports that follow are excerpted from the 2001–2002 Freedom House survey *Freedom in the World*. The ratings and accompanying essays are based on information received through the end of December 2001. The countries judged to be the worst violators of basic political rights and civil liberties are: Afghanistan, Burma, Cuba, Iraq, Libya, North Korea, Saudi Arabia, Sudan, Syria, and Turkmenistan. They are joined by the territories of Chechnya and Tibet. These states and regions received the Freedom House survey's lowest rating: 7 for political rights and 7 for civil liberties. Within them, state control over daily life is pervasive and intrusive, independent organizations and political opposition are banned or suppressed, and fear of retribution is rooted in reality. In the case of Chechnya, the rating reflects the condition of a vicious conflict that has disrupted normal life and resulted in tens of thousands of victims within the civilian population. Because the report is based on events through December 2001, Afghanistan remains on the list. However, events in the first months of the new year suggest a modest improvement as a consequence of the fall of the Taliban, an end to hostilities, and the beginning of a process of national reconciliation based on the participation of broad segments of the country's civic, political, and military groupings.

The states on the list span a wide array of cultures, civilizations, regions, and levels of economic development. They include countries from the Americas, the Middle East, Central Asia, Africa, and East Asia. Many of the states in this report also share common characteristics. They violate basic human rights, suppress independent trade unions, censor or control the press, and restrict property rights. Some of these states deny the basic rights of women.

This year in Geneva, we direct our attention to the plight of the people of Chechnya, who are being subjected to an ever-mounting humanitarian catastrophe and a death toll that are the consequence of the brutal prosecution by Russia of a war against the territory's pro-independence insurgence. Amid ongoing reports of war atrocities committed against civilians, Russian authorities have shown little sign of interest in a peaceful solution to the conflict, a dialogue to which the leaders of the Chechen people are open. Regrettably, the Chechen people and their mainstream leaders are caught between elements of Russia's leadership that seek to crush the will of the Chechen people, and isolated groups of terrorist extremists who seek to hijack the cause of the Chechen people in the name of a violent jihad. While focusing attention on the ongoing rights abuses in Chechnya, Freedom House works to promote a dialogue between Russia and the Chechen people that can end the carnage.

Brutal human rights violations continue to take place in nearly every part of the world. Indeed, of the 192 countries in the world, only a minority, 86, are Free and can be said to respect a broad array of basic human rights and political freedoms; a further 57 are Partly Free, with some abridgments of basic rights and weak enforcement of the rule of law; and 49 countries (a quarter of the world total) are Not Free and suffer from systematic and pervasive human rights violations.

This report from Freedom House to the United Nations paints a picture of severe repression and unspeakable crimes against human dignity. But the grim reality depicted in this report stands in sharp contrast to the gradual expansion of human liberty that has been progressing for the last twenty-five years. Today, there are more Free countries than at any time in history. As significantly, there are 121 electoral democracies, representing 63 percent of the world's countries, up from 40 percent fifteen years ago. This progress is in no small measure the consequence of a growing global pro-democratic and pro-human rights movement. Increasingly, it is clear that countries that make the most measured and sustainable progress toward long-term economic development are those that are characterized by good governance and the absence of massive corruption and cronyism, conditions that are only possible in a climate of trans-

parency, civic control, and a vigorously independent media--all requisites of multiparty democracy.

It is the hope of Freedom House that by distributing information about the "Most Repressive" states and bringing these country reports to the attention of the United Nations Commission on Human Rights, we will be aiding those inside these countries who are engaged in a struggle to win their human dignity and freedom. Through their courageous work, such activists are hastening the day when dictatorships will give way to genuine pluralism, democracy, and the rule of law—the bedrock not only of political rights and civil liberties, but also of true economic prosperity.

Additional information about Freedom House and its reports on the state of political rights and civil liberties around the world can be obtained on the Internet at www.freedomhouse.org.

Adrian Karatnycky
President, Freedom House
April 2002

Libya

Political Rights: 7

Civil Liberties: 7

Status: Not Free

Overview:

Colonel Mu'ammar al-Qadhafi continued his campaign for international respectability in 2001. While his drive to improve relations with the United States and Europe yielded mixed results, his vision of a unified African state came closer to fruition in March with the formation of the African Union, intended to replace the Organization for African Unity (OAU). While the new union may be a victory for Qadhafi, it is undoubtedly less popular among Libyans, who suffer rampant corruption, mismanagement, and severe restrictions on their political and civic freedom, and who tend to blame African immigrants for Libya's socioeconomic problems.

After centuries of Ottoman rule, Libya was conquered by Italy in 1912 and occupied by British and French forces during World War II. In accordance with agreements made by Britain and the United Nations, Libya gained independence under the staunchly pro-Western King Idris I in 1951. Qadhafi seized power in 1969 amid growing anti-Western sentiment regarding foreign-controlled oil companies and military bases on Libyan soil.

Qadhafi's open hostility toward the West and his sponsorship of terrorism have earned Libya the status of pariah. Clashes with regional neighbors, including Chad over the Aozou strip and Egypt over their common border, have led to costly military failures. Suspected Libyan involvement in the 1988 bombing of Pan Am Flight 103 over Lockerbie, Scotland prompted the UN to impose sanctions, including embargoes on air traffic and the import of arms and oil production equipment, in 1992. The United States has maintained unilateral sanctions against Libya since 1981 because of the latter's sponsorship of terrorism.

With the economy stagnating, unemployment at 30 percent, and internal infrastructure in disrepair, Qadhafi began taking steps in 1999 to end Libya's international isolation. That year, he surrendered two Libyan nationals suspected in the Lockerbie bomb-

ing. He also agreed to pay compensation to the families of 170 people killed in the 1989 bombing of a French airliner over Niger. In addition, he accepted responsibility for the 1984 killing of British police officer Yvonne Fletcher by shots fired from the Libyan embassy in London, and expelled the Palestinian terrorist Abu Nidal organization from Libya. The UN suspended sanctions in 1999, but stopped short of lifting them permanently because Libya has not explicitly renounced terrorism. The United States eased some restrictions to allow American companies to sell food, medicine, and medical equipment to Libya, but maintained its travel ban. Britain restored diplomatic ties with Libya for the first time since 1986; the Libyan embassy in Britain reopened in March 2001. The European Union (EU) lifted sanctions but maintained an arms embargo.

The two Lockerbie suspects went on trial in May 2000 under Scottish law in the Netherlands. One, a Libyan intelligence agent named Abdel Basset Ali Mohammed al-Megrahi, was convicted of murder in January 2001 and sentenced to life imprisonment. The other was acquitted for lack of evidence and freed. Following the trial, the Arab League called for a total lifting of UN sanctions, and all 22 of its members agreed to disregard them. The United States and Britain reiterated their demand that Libyan authorities renounce terrorism, take responsibility for the attack, and pay compensation to the victims' families. Libya has consistently denied government involvement in the attack, and its immediate response to the verdict was bizarrely mixed. No sooner had its assistant foreign minister publicly stated that Libya looked forward to improved relations with the United States than Qadhafi declared that the judges had acted under U.S. influence and might consider suicide, that the United States owes compensation to the "victims" of its foreign policy, and that he had evidence to exonerate al-Megrahi. The evidence never materialized, and observers attributed the contradictory Libyan positions to Qadhafi's desire to maintain a defiant posture for domestic consumption.

Qadhafi's diplomatic offensive continued in 2001 despite the U.S. decision in August to extend unilateral sanctions for five years. In September, Libyan officials sent an appeal to U.S. officials via the Italian foreign minister seeking improved U.S.-Libyan relations. The anti-American posturing appeared again in September, when Qadhafi accused the United States of inventing AIDS for use

as a bioweapon. But Qadhafi was also one of the first Arab leaders to condemn the September 11 terrorist attacks on the United States. He called upon Muslim aid groups to assist Americans, and offered to help capture Saudi-born terrorist Osama bin Laden through law enforcement cooperation and intelligence sharing. In November, Libya placed several intelligence officials under house arrest in connection with the 1989 French airliner bombing. One of the officials, Abdallah Senoussi, is deputy head of Libyan intelligence and Qadhafi's brother-in-law. He was sentenced to life imprisonment two years ago by a French court.

Once a leading advocate of pan-Arab unity, Qadhafi received little Arab support in the wake of Lockerbie and turned instead to promoting a united Africa. Though notorious for his past support for rebel insurgents and apparent attempts to destabilize a number of African countries, Qadhafi has used the numerous conflicts on the continent as an opportunity to step into the role of regional power broker. In 2001 he worked with Egypt on a peace plan for Sudan and mediated disputes between Sudan and Uganda, and Eritrea and Djibouti. He sent troops to Central African Republic in November to support President Ange Felix Patasse in the wake of a failed coup in May. In March, he hosted an OAU summit in Sirte, at which leaders from 40 African countries backed the dissolution of the OAU and the formation of the African Union. Loosely based on the EU model, the African Union would include a pan-African parliament, a central bank, a supreme court, and a single currency. More than two-thirds of Africa's 53 countries have so far ratified the union. Still, the union is largely the product of Qadhafi's enthusiasm, and his promises of generous financial aid to many regional leaders have undoubtedly secured their support.

Despite his improved international stature, Qadhafi has become increasingly isolated at home. Ethnic rivalries among senior junta officials have been reported, while corruption, mismanagement, and unemployment have eroded support for the regime. Disaffected Libyans see little of some \$10 billion per year in oil revenue, and have yet to reap the benefits of suspended UN sanctions as potential investors from Europe, Asia, and the Middle East stream in seeking oil contracts. Economists stress the need for deregulation and privatization, and Qadhafi has gradually lifted some state controls on the economy. He has also tried to encourage foreign invest-

ment in agriculture and tourism as well as oil. In November, 47 government and bank officials, including the finance minister, were sent to prison for corruption as part of an apparently ongoing investigation that may be aimed at cleaning up Libya's image. However, arbitrary investment laws, restrictions on foreign ownership of property, state domination of the economy, and continuing corruption are likely to hinder growth for years to come.

Political Rights and Civil Liberties:

Libyans cannot change their government democratically. Colonel Mu'ammar al-Qadhafi rules by decree, with almost no accountability or transparency. Libya has no formal constitution; a mixture of Islamic belief, nationalism, and socialist theory in Qadhafi's *Green Book* provides principles and structures of governance, but the document lacks legal status. Libya is officially known as a *jamahiriyah*, or state of the masses, conceived as a system of direct government through popular organs at all levels of society. In reality, an elaborate structure of revolutionary committees and people's committees serves as a tool of repression. Real power rests with Qadhafi and a small group of close associates that appoints civil and military officials at every level. In 2000, Qadhafi dissolved 14 ministries, or General People's Committees, and transferred their power to municipal councils, leaving five intact. While some praised this apparent decentralization of power, others speculated that the move was a power grab in response to rifts between Qadhafi and several ministers.

The judiciary is not independent. It includes summary courts for petty offenses, courts of first instance for more serious offenses, courts of appeal, and a supreme court. Revolutionary courts were established in 1980 to try political offenses, but were replaced in 1988 by a people's court after reportedly assuming responsibility for up to 90 percent of prosecutions. Political trials are held in secret, with no due process considerations. Arbitrary arrest and torture are commonplace.

In what has been called the biggest political trial in recent memory, 300 Libyans and 31 other African nationals went on trial in January 2001 in connection with four days of clashes between Libyans and African expatriate workers in October 2000, in which

at least seven people died. Five African expatriates and two Libyans were sentenced to death in May, while 160 defendants were freed and the rest received prison sentences ranging from one year to life. Some 150 professionals, including engineers, doctors, and academics, went on trial in March 2001 for belonging to or supporting the Libyan Islamic Group, a nonviolent group that is prohibited in Libya. According to Amnesty International, the defendants were arrested in 1998 and their whereabouts unacknowledged by authorities for three years. In August 2001, officials released 107 political prisoners, including one who had served 31 years in connection with an attempted coup in 1970. Hundreds of political prisoners reportedly remain in Libyan prisons. The trial of 16 health professionals accused of infecting nearly 400 Libyan children with HIV continued in 2001. The defendants, who include six Bulgarians and a Palestinian, face the death penalty if convicted. Amnesty International has reported allegations of torture and pretrial irregularities, including denial of access to counsel, in the case. The judge in the case has postponed the verdict until February 2002. The death penalty applies to a number of political offenses and "economic" crimes, including currency speculation and drug- or alcohol-related crimes. Libya actively abducts and kills political dissidents in exile.

Limited public debate occurs within government bodies, but free expression and free media do not exist in Libya. The state owns and controls all media and thus controls reporting of domestic and international issues. Foreign programming is censored, but satellite television is widely available in Tripoli. Members of the international press reported fewer restrictions on their movement and less interference from officials in recent years.

Independent political parties and civic associations are illegal; only associations affiliated with the regime are tolerated. Political activity considered treasonous is punishable by death. Public assembly must support and be approved by the government. Instances of public unrest are rare. In February 2001, riot police beat and fired tear gas at thousands of demonstrators trying to break into the British embassy in Tripoli. Authorities had originally permitted the demonstration, which was held to protest the verdict in the Lockerbie trial. At least 30 people were arrested.

About 98 percent of Libyans are Sunni Muslim. Islamic groups whose beliefs and practices differ from the state-approved

teaching of Islam are banned. According to the U.S. State Department, small communities of Christians worship openly. The largely Berber and Tuareg minorities face discrimination, and Qadhafi reportedly manipulates, bribes, and incites fighting among tribes in order to maintain power.

Qadhafi's pan-African policy has led to an influx of African immigrants in recent years. Poor domestic economic conditions have contributed to resentment of these immigrants, who are often blamed for increases in crime, drug use, and the incidence of AIDS. In late September 2000, four days of deadly clashes between Libyans and African nationals erupted as a result of a trivial dispute. Thousands of African immigrants were subsequently moved to military camps, and thousands more were repatriated to Sudan, Ghana, and Nigeria. Security measures were taken, including restrictions on the hiring of foreigners in the private sector. The incident proved an embarrassment to Qadhafi, who blamed "hidden forces" for trying to derail his united-Africa policy.

Women's access to education and employment have improved under the current regime. However, tradition dictates discrimination in family and civil matters. A woman must have her husband's permission to travel abroad.

Independent trade unions and professional associations do not exist. The only federation is the government-controlled National Trade Unions Federation. There is no collective bargaining, and workers have no legal right to strike.
