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2009 Report on International Religious Freedom - Libya

[Covers the period from July 1, 2008, to June 30, 2009]

The country does not have a constitution, and there is no explicit legal provision for religious freedom. However, a basis for some degree of religious freedom is provided in the Great Green Charter on Human Rights of the Jamahiriya Era, and the Government generally respects the right to observe one's religion freely in practice. The Government tolerates most minority religions but strongly opposes militant forms of Islam, which it views as a security threat, and prohibits the proselytizing of Muslims. Religious practices that conflict with the Government's interpretation of Shari'a are prohibited.

There was no change in the status of respect for religious freedom by the Government during the reporting period. On April 21, 2009, the Government reportedly released several citizen converts to Christianity after allegedly holding them in detention without charges for three months and subjecting them to physical abuse. The Government continued to regulate religious life actively and at times restricted religious activities seen as having a political dimension or motivation.

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

Following the reestablishment of diplomatic relations with the country on May 31, 2006, the U.S. Government continued to normalize bilateral relations and foster a multifaceted relationship with the Government, including discussion of religious freedom as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 703,816 square miles and a citizen population of 5.8 million. Ninety-seven percent of the population is Sunni Muslim. Small Christian communities consist almost exclusively of sub-Saharan migrants and a small number of American and European expatriate workers. Two bishops – one in Tripoli, one in Benghazi – lead an estimated 50,000 Coptic Christians, most members of the estimated 750,000 Egyptian expatriate population. Roman Catholic clergy operate in larger cities, working primarily in hospitals, orphanages, and with the elderly or physically impaired. A priest in Tripoli and a bishop resident in Cairo lead the Anglican community. A Greek Orthodox archbishop resident in Tripoli and a priest in Tripoli and Benghazi serve 80 regular Orthodox churchgoers. The Ukrainian Embassy in Tripoli also maintains a small Orthodox church for Tripoli's Russian-speaking population. There are Unitarian churches in Tripoli and Benghazi as well as small Unitarian congregations scattered throughout the country. An evangelical Protestant church in Tripoli serves a population of primarily African migrant workers. While the country historically has no Shi'a community, there were reports that small numbers of Iraqi Shi'a fleeing sectarian tensions in Iraq immigrated

during the reporting period. There is no known Jewish community.

Numerous Christian groups meet for worship in Tripoli, including hundreds of African migrant Protestants and Roman Catholics. Coptic clergy report large congregations consisting largely of expatriate Egyptian laborers. Between 100 and 200 Anglicans, mostly from sub-Saharan Africa, and an estimated 80 Orthodox Christians, including members of the Greek, Romanian, Bulgarian, and Russian communities, attend weekly Friday services.

Approximately 1.5 to 2 million foreigners reside in the country, most of whom originated in neighboring Arab countries and sub-Saharan Africa, with smaller numbers from South and Southeast Asia. Virtually all non-Sunni Muslims are foreigners. While there was no information on the number of foreign missionaries, the Government criminalizes the proselytizing of Muslims and therefore forbids missionary activity aimed at citizens. Government claims that all citizens are "by definition" Sunni Muslim, coupled with broad prohibitions on any sort of independent political association, prevent citizens from identifying themselves as members of any religious or political group.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Although the country has neither a constitution nor any law explicitly providing for religious freedom, in practice the Government generally respected the right to freely observe one's religion. A basis for some degree of religious freedom is provided in the Great Green Charter on Human Rights of the Jamahiriya Era, dated December 6, 1988, which states: "The members of Jamahiriya Society ... proclaim that religion is absolute faith in the Divinity, and that it is a sacred spiritual value. Religion is personal to each one and common to all. It is a direct relationship with the Creator, without any intermediary. Jamahiriya Society proscribes the monopoly of religion as well as its exploitation for purposes of subversion, fanaticism, sectarianism, partisan spirit, and fratricidal wars."

There is no law expressly guaranteeing an individual's right to choose or change his or her religion or to study, discuss, or promulgate one's religious beliefs. Citizens have no obvious recourse if they believe their rights to religious freedom have been violated. In practice, citizens did not have access to courts to seek damages for, or cessation of, a human rights violation.

Islam is the equivalent of a state religion and thoroughly integrated into everyday political and social life. As with all other aspects of individuals' lives, the Government closely monitors and regulates Islam to ensure religious life includes no political dimension. The Government strongly opposes religious extremism or militant Islam, which it views as a threat to the Qadhafi regime. Monitoring of mosques and a widespread culture of self-censorship generally ensure both clerics and adherents stay within well-established lines of acceptable practice. Even mosques endowed by prominent families generally must conform to the government-approved interpretation of Islam. The Government also maintains control over religious literature, including Islamic literature. There is no civil law prohibiting conversion from Islam to another religion; however, the Government prohibits the proselytism of Muslims and actively prosecutes offenders.

The World Islamic Call Society (WICS) is the official conduit for the state-approved form of Islam. With an emphasis on activities outside the country, it operates a state-run university for moderate Muslim clerics from outside the Arab world. To date, WICS has trained 5,000 students in Islamic thought, literature, and history. Upon graduation, the Government encourages students to return home and promote its interpretation of Islamic thought in their own countries. Beyond its role in education, WICS serves as the religious arm of Qadhafi's foreign policy and maintains relations on behalf of the Government with the country's minority religious communities. A state-run religious endowments (auqaf) authority administers mosques, supervises clerics, and has primary

responsibility for ensuring that all religious practices within the country conform to the state-approved form of Islam.

The Government routinely granted visas and residence papers to religious staff from other countries. At least one Christian clergy member was removed from the country during the year. The minister, a Nigerian national, was reportedly in the country without a valid visa.

Religious instruction in Islam is required in public schools, but there is no in-depth instruction in other religions. The Government does not issue information on the religious affiliation of children in public schools, and there were no reports of children transferring to private schools for alternative religious instruction.

The country adheres to traditional Islamic law, which states that a non-Muslim woman who marries a Muslim man is not required to convert to Islam, although many do so; however, a non-Muslim man must convert to marry a Muslim woman.

In order to perform the Hajj, citizens must be at least 40 years old.

The Government observes the Islamic holy days of the birth of the Prophet Muhammad, Eid al-Fitr, Eid al-Adha, and the Islamic New Year as national holidays.

Restrictions on Religious Freedom

The Government limited the number of places of worship allowed for each Christian denomination to one per city.

The Government continued to ban the once powerful Sanusiyya Islamic order.

The Government maintains an extensive security apparatus that includes police and military units, multiple intelligence services, local revolutionary committees, and people's committees. The resulting pervasive surveillance system monitors and controls many aspects of the lives of individuals, including their religious activities. While the Government does not single out religious activity for special scrutiny, it actively monitors peaceful religious practices for evidence of political motivations or dimensions. So long as religious groups avoid political activity, they encounter little harassment.

The Government prohibits meaningful independent association and forbids group activities inconsistent with principles of the 1969 revolution; as a result, the Government authorizes religious associations and lay groups only after confirming that the groups' activities are in line with regime policy. The Government applies these restrictions uniformly to all religious groups.

Members of minority religious groups, primarily Christians, encountered minimal restrictions conducting worship. The Unitarian Church of Tripoli continues to face difficulties obtaining compensation for property confiscated by the Government in 1971.

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

Abuses of Religious Freedom

In May 2009, the authorities released Daniel Baidoo, a Ghanaian national, after he spent eight years in prison. According to press reports, Baidoo had been imprisoned for proselytizing after receiving Christian Biblical tracts at a local post office.

On April 21, 2009, the Government reportedly released several citizen converts to

Christianity after allegedly detaining them for three months without charge, according to International Christian Concern (ICC). ICC reported in March 2009 that the converts from Islam were held incommunicado in Tripoli in a State Security prison where they were allegedly interrogated, abused, and pressured to reveal the names of other converts. Two weeks before their release, the converts were reportedly transferred to a Reform and Rehabilitation Prison where some family members were permitted to visit them.

According to Tripoli-based relief workers, some sub-Saharan African detainees claim to have been imprisoned for proselytizing or holding Christian beliefs. It is difficult to determine the veracity of those claims as many are arrested and held with other migrants during periodic round-ups of undocumented foreigners.

There continued to be reports of armed clashes between security forces and Islamic groups that oppose the Government and advocate the establishment of an Islamic government that would enforce a more conservative form of Islam.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States or who had not been allowed to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

During the year, prominent representatives from the Government and society made new efforts to promote religious coexistence and harmony. Saif al-Islam al-Qadhafi, the son of Muammar al-Qadhafi, met with representatives of the Catholic Church to celebrate the Easter holiday and to discuss increasing the number of Catholic nuns working in the country's healthcare facilities.

During the reporting period, minority religious communities achieved several symbolic milestones within the context of the country's increasing openness to the international community. The Greek Orthodox Metropolitan visited the eastern city of Benghazi in late 2008. In January 2009, the Archbishop of Canterbury made his first visit to Tripoli, where he led services at the Anglican Church's historic premises in the city center. Saif al-Islam al-Qadhafi was instrumental in returning the 19th-century building – which had been used as an art gallery – to its original purpose.

Section III. Status of Societal Respect for Religious Freedom

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

Section IV. U.S. Government Policy

In May 2006, the U.S. Government upgraded its diplomatic representation in the country from a liaison office to an embassy. In June 2006, the Secretary of State rescinded the country's designation as a state sponsor of international terrorism, and in January 2009, the United States and the country exchanged ambassadors for the first time in 32 years. The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights. The embassy maintains regular contact with various religious denominations in the country consistent with its efforts to promote human rights and religious freedom.
