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COUNTRY OF ORIGIN INFORMATION KEY DOCUMENTS

LIBYA

22 APRIL 2008

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1. Preface

This Country of Origin Information Key Documents (COI Key Documents) on Libya has been produced by COI Service, UK Border Agency, for use by officials involved in the asylum/human rights determination process. It provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The COI Key Documents includes information available up to 22 April 2008.

- The COI Key Documents is an indexed list of key reports, papers and articles produced by a wide range of recognised external information sources. It does not contain any UK Border Agency opinion or policy.
- For UK Border Agency users, the COI Key Documents provides direct electronic access to each source referred to in the document, via a link on the source numbers in the index and list of sources. For the benefit of external users, the relevant web link has also been included, together with the date that the link was accessed.
- iv As noted above, the documents identified concentrate mainly on human rights issues. By way of introduction, brief background information on Libya is also provided. Please note, this background material is not intended to provide a summary of the material contained in the documents listed.
- v This COI Key Documents and the documents listed are publicly disclosable.
- vi Any comments regarding this COI Key Documents or suggestions for additional source material are very welcome and should be submitted to COI Service as below.

Country of Origin Information Service
UK Border Agency
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Website: http://www.homeoffice.gov.uk/rds/country reports.html

ADVISORY PANEL ON COUNTRY INFORMATION

- vii The independent Advisory Panel on Country Information (APCI) was established in 2003 to make recommendations to the Home Secretary about the content of the UK Border Agency's country of origin information material. The APCI welcomes all feedback on the UK Border Agency's Key Documents, COI Reports and other country of origin information material. Information about the Panel's work can be found on its website at www.apci.org.uk
- viii In the course of its work, the APCI reviews the content of selected UK Border Agency COI documents and makes recommendations specific to those

documents and of a more general nature. The APCI may or may not have reviewed this particular document. At the following link is a list of the COI Key Documents, COI Reports and other documents which have, to date, been reviewed by the APCI: www.apci.org.uk/reviewed-documents.html

Please note: It is not the function of the APCI to endorse any UK Border Agency material or procedures. Some of the material examined by the Panel relates to countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list. In such cases, the Panel's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

Advisory Panel on Country Information:

Email: apci@homeoffice.gsi.gov.uk

Website: www.apci.org.uk

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2. Background information on Libya

Area: 1.76m sq km Population: 5.41m Capital City: Tripoli

People: 97% Berber and Arab

Language(s): Arabic. English and Italian understood in major cities

Religion(s): 97% Sunni Muslim

Currency: Dinar

Major political parties: None Government: Jamahiriya

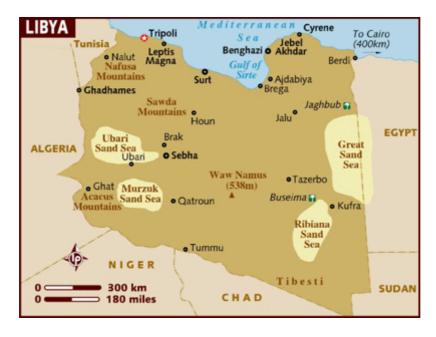
Head of State: Colonel Muammar Al Qadhafi, [aka Gaddafi] 'Leader of the Revolution

(de facto Head of State)'

Prime Minister: Dr Al-Baghdadi Ali al-Mahmudi **Foreign Minister:** Abdul Rahman Shalgam (FCO Country Profile, February 2008) [2]

GEOGRAPHY

"Libya is the fourth largest country in Africa. It lies on the north coast of Africa, on the Mediterranean Sea, and is bordered by Tunisia, Algeria, Niger, Chad, Sudan and Egypt. It is a low-lying country, much of which is desert. There are mountainous regions in the South and North West and North East." (FCO Country Profile, February 2008) [2]



RECENT HISTORY

"Muammar Al Qadhafi [aka Gaddafi] came to power in a coup on 1 September 1969 which toppled the monarchy of King Idris. The ideological basis of Qadhafi's regime is his own political philosophy, the Third Universal Theory, set out in his Green Book. Drawing heavily on Islam, socialism and Bedouin tradition, the Third Universal Theory calls for a system of direct rule by the people through a series of committees. It is intended as an alternative to capitalism and communism, and is applicable to all

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countries. In March 1979 Qadhafi renounced virtually all his positions in government and thereafter became known by the title 'Leader of the Revolution and Supreme Commander of the Armed Forces'. He is known locally as the 'Brother Leader'. There have been at least six failed coup plots during Qadhafi's period in power." (FCO Country Profile, February 2008) [2]

"On 21 December 1988, Pan Am Flight 103 was blown up over Lockerbie in Scotland. All 259 passengers and crew were killed, as were 11 residents of Lockerbie. Two thirds of the victims were American and 44 were British. In November 1991 the Lord Advocate and the US Acting Attorney General issued warrants for the arrest of two Libyans, Al-Megrahi and Fhimah. They were accused of placing a bomb on board the aircraft in Malta, and charged with murder. UN sanctions were imposed in March 1992, after Libya failed to respond satisfactorily to Security Council resolution 731. Sanctions were strengthened in November 1993 by Security Council Resolution 883." (FCO Country Profile, February 2008) [2]

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RECENT EVENTS AND POLITICAL DEVELOPMENTS

"Tripoli formally took responsibility for the [Lockerbie] incident in 2003. The move, part of a deal to compensate families of the 270 victims, heralded the lifting of UN sanctions. Months later, Libya renounced weapons of mass destruction, paving the way for a further blossoming of relations with the West." (BBC Country Profile, 4 April 2008) [28a] "One of Col Gaddafi's sons, Sayf al-Islam Gaddafi, is said to be behind the drive to break Libya's isolation. He has denied reports that he is being groomed to succeed his father." (BBC Country Profile, 4 April 2008) [28a]

In 1999 a Palestinian doctor Ashraf Ahmad Jum'a Al-Hajouj and five Bulgarian nurses Valya Georgieva Chervenyashka, Snezhana Ivanova Dimitrova, Nasya Stoycheva Nenova, Valentina Manolova Siropulo and Kristiana Venelinova Valcheva were detained after being accused of deliberately infecting 426 children with HIV in al-Fateh Children's Hospital in Benghazi. In May 2004 they were convicted and sentenced to death by firing squad. The death sentences were overturned on 25 December 2005 by the Supreme Court, which ordered the health professionals to be retried after noting 'irregularities' in their arrest and interrogation. In December 2006, at the end of a retrial, a court found the five Bulgarian nurses and the Palestinian doctor guilty of deliberately infecting Libyan children with HIV. All six were sentenced to death. The death sentences were commuted to life in prison, shortly afterwards they were freed under a deal with the European Union". (BBC Timeline, 4 April 2008) [28a]

"Libya takes over one-month rotating presidency of the UN Security Council in a step back to respectability after decades as a pariah of the West". (BBC Timeline, 4 April 2008) [28a]

On 2 March 2008 in a speech to the General People's Congress, (Parliament), Muammar Gaddafi vowed to dismantle the current cabinet, accusing it and the Libyan Prime Minister al-Baghdadi al-Mahmoudi of helplessness and failure to manage the country's affairs, and in particular the mismanagement of oil revenue. Gaddafi claimed that the current system of government had failed, and that large projects were falling behind schedule. Gaddafi is quoted as saying "all citizens have the right to benefit from oil funds. They should take the money and do whatever they want with it". (Ashaarq Al-Awsat) [33] Gaddafi went on to say "We have been spending \$37 billion annually in

recent years. The general people's committees have failed to manage this money. These committees must not continue to exist...These committees will be replaced spontaneously by real committees to be created elsewhere by citizens. Citizens will get part of the oil revenue directly. They don't need intermediaries". (Reuters) [34] Gaddafi went on to say that "apart from the main departments of defence, internal security, and foreign affairs and those responsible for strategic projects" state ministries will be "abolished" he said. (African National Congress) [35]

ECONOMY

"Libya is a major oil producer, with the oil sector contributing practically all export earnings and over one-quarter of GDP. Libya has begun a process of economic reform. Efforts are being made to modernise the economy as part of a broader campaign to reintegrate with the international community. Initial steps include applying for WTO membership, cautiously reducing subsidies, and announcing plans for privatisation. The non-oil manufacturing and construction sectors, which account for about 20% of GDP, have expanded from processing mostly agricultural products to include the production of petrochemicals, iron, steel, and aluminium. Libya imports about 75% of its food." (FCO Country Profile, February 2008) [2]

"US sanctions on Libya were eased in April 2004 although prohibitions still apply to exports of equipment that might be used for lethal military purposes." (FCO Country Profile, February 2008) [2]

GDP: \$46.3bn (2006)

Real GDP Growth: 8.1% (2006)

Inflation: 3.1% (2006)

Major Industries: Oil and gas, petrochemicals

Major trading partners: Italy, France, Germany, Turkey, Spain and the UK.

(Original Source: Economist Intelligence Unit, January 2007)

(Information extracted from the FCO Country Profile, February 2008) [2]

Exchange rate: British £1 = 2.343 Libyan Dinar, US \$1 = 1.19 Libyan Dinar, as of 17

April 2008. (Oanda.com FXConverter) [29a-29b]

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HUMAN RIGHTS

"While Libya has taken positive steps, such as releasing some political prisoners, it remains a country where the citizens have few civil rights or political liberties". (FH Freedom in the World 2007) [13a] "Libya's international reintegration accelerated in 2007 despite the government's ongoing human rights violations. In July the government released six foreign medical workers who had been tortured, unfairly tried, and imprisoned for eight years for allegedly infecting children with HIV. In October Libya won a seat on the UN Security Council. Driven by business interests and Libya's cooperation on counterterrorism, the United States and some European governments strengthened ties with Libya throughout the year. Yet the Libyan government continues to imprison individuals for criticizing the country's political system or its leader, Mu`ammar al-Qadhafi, and maintains near-total restrictions on freedom of expression and assembly. It forbids opposition political parties and independent organizations. Torture remains a concern". (HRW World Report 2008) [12]

"Libya continues to detain scores of individuals for engaging in peaceful political activity. According to the Geneva-based group Libyan Human Rights Solidarity, Libya has forcibly disappeared 258 political prisoners, some for decades. Many were imprisoned for violating Law 71, which bans any group activity opposed to the principles of the 1969 revolution that brought al-Qadhafi to power. Violators of Law 71 can be put to death". (HRW World Report 2008) [12]

"Law enforcement officials resorted to excessive use of force, killing at least 12 demonstrators while breaking up a protest and one detainee during a prison disturbance. Over 150 political detainees, including prisoners of conscience, were released following pardons. Freedom of expression and association remained severely restricted. Several Libyans suspected of political activism abroad were arrested or otherwise intimidated when they returned to the country...There were continuing concerns about the treatment of migrants, asylum-seekers and refugees. No progress was made towards establishing the fate or whereabouts of victims of enforced disappearances in previous years". (Al Annual Report 2007) [11a]

"The government's human rights record remained poor [in 2007]. Citizens did not have the right to change their government. Reported torture, arbitrary arrest, and incommunicado detention remained problems. The government restricted civil liberties and freedoms of speech, press, assembly, and association. The government did not fully protect the rights of migrants, asylum seekers, and refugees. Other problems included poor prison conditions; impunity for government officials; lengthy political detention; denial of fair public trial; infringement of privacy rights; restrictions of freedom of religion; corruption and lack of transparency; societal discrimination against women, ethnic minorities, and foreign workers; trafficking in persons; and restriction of labour rights." (USSD Report on Human Rights Practices 2007) [6b]

"In 2007 the government continued to review proposals for a new penal code and code of criminal procedure, a process that began at least three years before. In 2005 the secretary of justice stated that, under the new penal code, the death penalty would remain only for the "most dangerous crimes" and for "terrorism." However, a 2004 draft of the new code suggests the government might accept a very broad definition of terrorism, which could be used to criminalize people expressing peaceful political views. The government has yet to present either draft code to the General People's Congress". (HRW World Report 2008) [12]. "A large but unknown number of persons were detained and imprisoned during the year either for engaging in peaceful political

activity or for belonging to an illegal political organization. The law bans any group activity based on any political ideology inconsistent with the principles of the 1969 revolution". (USSD Report on Human Rights Practices 2007) [6b]

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3. Index to key source documents

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