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Freedom in the World 2011 - Libya

Capital: Tripoli

Population: 6,283,000

Political Rights Score: 7 *

Civil Liberties Score: 7 *

Status: Not Free

Overview

A law granting Libyan women the ability to pass their citizenship to their children was approved in January 2010, though the measure's pervasive ambiguity and lack of enforcement mechanisms left its practical effects in doubt. Government crackdowns on the country's only quasi-independent media group continued in 2010, including a six-month shutdown of two of the group's newspapers and the arrest of 20 journalists in November. The Libyan authorities faced ongoing criticism for their abuse of migrant workers, and in June, the UN refugee agency was expelled from the country without explanation.

Libya was part of the Ottoman Empire until the Italian conquest and occupation of the country in 1911. It achieved independence in 1951 after a brief period of UN trusteeship in the wake of World War II. Libya was then ruled by King Idris, a relatively pro-Western monarch, until 1969, when a group of young army officers led by 27-year-old captain Mu'ammar al-Qadhafi overthrew the king's government.

Al-Qadhafi argued that foreign oil companies were profiting from the country's resources at the expense of the Libyan people, and he moved to nationalize oil assets, claiming that the revenues would be shared among the population. In the early years of his rule, al-Qadhafi published a multivolume treatise, the *Green Book*, in which he expounded his political philosophy – a fusion of Arab nationalism, socialism, and Islam. Although he has been Libya's undisputed leader since 1969, making him one of the world's longest-serving rulers, he holds no official title and is referred to as Brother Leader or the Guide of the Revolution.

Al-Qadhafi adopted decidedly anti-Western policies, and after his regime was implicated in several international terrorist attacks, the United States imposed sanctions on Libya in 1981. Relations between the two countries continued to worsen, and in 1986 the United States bombed targets in Libya, including al-Qadhafi's home. In 1988, a U.S. airliner exploded over Lockerbie, Scotland, killing all 259 people aboard as well as 11 residents of the town. After an exhaustive investigation, Scottish police issued arrest warrants for two Libyans, including an intelligence agent. The UN Security Council

imposed trade sanctions on the country, and over the next several years, Libya became more economically and diplomatically isolated.

In 1999, al-Qadhafi moved to mend his international image and surrendered the two Lockerbie bombing suspects for trial. He accepted responsibility for past acts of terrorism and offered compensation packages to the families of victims. The United Nations suspended its sanctions, and the European Union (EU) reestablished diplomatic and trade relations with Tripoli. In 2001, a special Scottish court sitting in the Netherlands found one of the Lockerbie suspects guilty of masterminding the attack. Libya agreed to pay a \$10 million compensation package to the family of each of the 270 victims in 2003. The following year, al-Qadhafi made his first trip to Europe in more than 15 years, and European leaders in turn traveled to Libya. The EU subsequently lifted its arms embargo and normalized diplomatic relations; Libya purchased hundreds of millions of dollars in European weapons systems in 2007. The regime also improved its relations with the United States. In 2004, a year after al-Qadhafi's government announced that it had scrapped its nonconventional weapons program, the United States established a liaison office in Tripoli. The U.S. government eventually removed Libya from its list of state sponsors of terrorism, reestablishing a full embassy in Tripoli in 2006.

Many observers speculated that Saif al-Islam al-Qadhafi, the leader's son, was behind some of these policy moves. He facilitated visits by foreign human rights activists, and according to press reports, his charitable umbrella organization – the Qadhafi International Foundation for Charity Associations – made it possible for Libyan citizens to report abuses by the authorities. Saif al-Islam also publicly criticized current conditions in Libya and advocated changes in the leadership.

Nevertheless, the diplomatic and economic shifts were not accompanied by noticeable improvements in political rights or civil liberties, and the regime has remained hostile to foreign criticism and other perceived affronts. In 2009, the authorities nationalized the country's only quasi-independent media group, Al-Ghad, founded by Saif al-Islam in 2007. The campaign against the company continued in 2010, as the government reportedly shut down two of its newspapers for six months in January and later arrested 20 of its journalists for three days in November.

Political Rights and Civil Liberties

Libya is not an electoral democracy. Power theoretically lies with a system of people's committees and the indirectly elected General People's Congress, but in practice those structures are manipulated to ensure the continued dominance of Mu'ammar al-Qadhafi, who holds no official title. It is illegal for any political group to oppose the principles of the 1969 revolution, which are laid out in the *Green Book*, although market-based economic changes in recent years have diverged from the regime's socialist ideals.

Political parties are illegal, and the government strictly monitors political activity. Organizing or joining anything akin to a political party is punishable by long prison terms and even the death penalty. Many Libyan opposition movements and figures operate outside the country.

Corruption is pervasive in both the private sector and the government in Libya, which was ranked 146 out of 178 countries surveyed in Transparency International's 2010 Corruption Perceptions Index.

There is no independent press. State-owned media largely operate as mouthpieces for the authorities, and journalists work in a climate of fear and self-censorship. Those who displease the regime face harassment or imprisonment on trumped-up charges. In 2010, the government created the new position of press deputy, tasked with monitoring journalists who report on corruption. Four investigative journalists were arrested in January after they uncovered graft in the eastern city of Benghazi. The government also continued to target the Al-Ghad media group, which had run the country's only quasi-independent newspapers, radio stations, and satellite television station until it was

nationalized in 2009. Two newspapers in the Al-Ghad group, *Quryna* and *Oea*, said that they were forced to suspend publication from January to July 2010 after publishing articles critical of the government. In an apparent power struggle between the media group and conservative elements in the ruling elite, a group of 20 Al-Ghad journalists were arrested in November, and the head of Al-Ghad resigned shortly thereafter, publicly citing his inability to protect journalists in Libya's hostile media environment.

The government controls the country's only internet service provider. Independent news websites were sporadically blocked during 2010, as was the international video-sharing site YouTube after users posted what they claimed were clips of demonstrations within Libya. Opposition websites based outside of Libya were also routinely hacked.

Nearly all Libyans are Muslim. The government closely monitors mosques for Islamist activity, and there have been unconfirmed reports of Islamist militant groups allied to Al-Qaeda operating against the government. In 2007, Al-Qaeda declared that the so-called Libyan Islamic Fighting Group had joined its international network. The few non-Muslims in Libya are permitted to practice their faiths with relative freedom. Academic freedom is tightly restricted.

The government does not uphold freedom of assembly. Those demonstrations that are allowed to take place are typically meant to support the aims of the regime. According to Amnesty International, prisoners' relatives who gather weekly in the city of Benghazi are subject to harassment, intimidation, and arrest.

The law allows for the establishment of nongovernmental organizations, but those that have been granted authorization to operate are directly or indirectly linked to the government. There are no independent labor unions.

The People's Court, infamous for punishing political dissidents, was abolished in 2005, but the judicial authority has since created the State Security Court, which carries out a similar function. The judiciary as a whole remains subservient to the political leadership and regularly penalizes political dissent.

Human Rights Watch reported in 2009 that 500 political prisoners remained in custody despite having been acquitted of all charges or served their full prison sentences. Incommunicado detention and disappearances of political dissidents are common in Libya, and the fate of thousands of prisoners taken into custody over the last 30 years remains unknown. These include up to 1,200 prisoners who were massacred at Abu Salim prison in 1996, when guards violently crushed an inmate revolt. In 2008, the government began to issue death certificates for prisoners thought to have died in the revolt, but it did not indicate the cause of death in those cases. The government has not released any other information about the Abu Salim incident, despite having called for an official investigation in 2008. No one has been prosecuted for the massacre.

A large number of migrants from sub-Saharan Africa work in Libya or pass through in attempts to reach Europe. Human rights organizations have documented and criticized the country's treatment of these migrants, including forced repatriation of detainees to countries where they are at high risk of torture and mistreatment by their home governments. Following a 2009 agreement between Libya and Italy on joint naval operations to stop illegal migration, there have been reports of Libyan authorities firing live ammunition at boats they believe to be carrying illegal migrants. In June 2010, the Libyan government expelled the Office of the UN High Commissioner for Refugees from the country without explanation or an official statement.

Women enjoy many of the same legal protections as men, but certain laws and social norms perpetuate discrimination, particularly in areas such as marriage, divorce, and inheritance. In January 2010, the Libyan government passed Law No. 24 of 2010, which nominally gave Libyan women the right to pass their nationality to their children. However, a key clause defines a Libyan as a person born either to a Libyan father or to a Libyan mother and a father who is stateless or of unknown nationality, which seems to rule out Libyan citizenship if the father has a known foreign nationality. Moreover, the

law lacks implementation regulations, leaving it unclear as to whether and how the new rights will be applied in practice. Women who have been cast out by their families are particularly vulnerable in Libya. The government considers such women wayward and can hold them indefinitely in "social rehabilitation" facilities, which are de facto prisons.

** Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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