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Libya

SOCIALIST PEOPLE'S LIBYAN ARAB JAMAHIRIYA

Head of State	Mu'ammar al-Gaddafi
Head of government	al-Baghdadi Ali al-Mahmudi
Death penalty	retentionist
Population	6.1 million
Life expectancy	73.4 years
Under-5 mortality (m/f)	18/18 per 1,000
Adult literacy	84.2 per cent

After years of diplomatic negotiations, a positive outcome was reached in a high-profile case of political imprisonment, involving six foreign medics sentenced to death after being convicted of infecting hundreds of Libyan children with HIV.

Their release paved the way for Libya to conclude arms deals with France and a diplomatic memorandum of understanding with the EU. Some media diversity was permitted, but freedom of expression continued to be severely restricted, exemplified by the absence of independent NGOs and repression of dissident voices. Refugees, asylum-seekers and migrants continued to be ill-treated in detention, but the government failed to address the legacy of past gross human rights violations.

The UN Human Rights Committee commented that "almost all subjects of concern remain unchanged" since it last examined Libya's record on civil and political rights in 1998. It noted some advancement in the status of women, but expressed concern about ongoing discrimination in law and practice.

Freedom of expression

In August the media landscape was broadened when two new private daily newspapers and a private satellite television channel were permitted to open. They were set up by a media corporation reportedly belonging to Saif al-Islam al-Gaddafi, son of Libyan leader Mu'ammar al-Gaddafi. The new dailies published some criticism of the government on economic issues. However, dissident voices addressing more sensitive issues, such as human rights violations or Mu'ammar al-Gaddafi's leadership, were severely repressed.

- A new State Security Court was established in August to try individuals accused of offences against state security and unauthorized political activities, raising fears of a new parallel justice system along the lines of the discredited People's Court, abolished in 2005.

Fathi el-Jahmi remained in detention at an undisclosed location understood to be a special facility of the Internal Security Agency. A prisoner of conscience, he was arrested in March 2004 after he criticized Mu'ammar al-Gaddafi and called for political reform. His family told Amnesty International that they had not been allowed to visit him since August 2006.

- Idriss Boufayed and 13 other people were arrested and charged with offences including possession of weapons, incitement to demonstrate and communication with enemy powers. Idriss Boufayed and three of the 13 had issued a communiqué to news websites announcing that they were planning a peaceful demonstration in Tripoli on 17 February to commemorate the anniversary of the killing of at least 12 people during a demonstration in Benghazi in February 2006. Reports indicated that all 14 were held incommunicado for prolonged periods after their arrest and that at least two of them were tortured. Trial proceedings, which began in June, were transferred to the new State Security Court after its creation. Two of the 14 were reportedly not present at any of the court hearings which were held, raising serious concerns about their safety in detention.

'War on terror'

Two Libyan nationals returned from US custody at Guantánamo Bay in December 2006 and September 2007 respectively were detained, apparently without charge or access to a lawyer. In December, the

Gaddafi Development Foundation, headed by Saif al-Islam al-Gaddafi, son of Mu'ammar al-Gaddafi, announced that it had visited the two men, was monitoring their treatment and had even purchased a home for the family of one of the detainees. However, neither the Foundation nor the authorities disclosed information regarding the men's exact place of detention or legal status.

No information was available on at least seven Libyan nationals, mainly alleged members of the Libyan Islamic Fighting Group, believed to have been held by US authorities in secret sites before being secretly and illegally transferred to Libya in previous years. Amnesty International received reports that at least five of the seven had been transferred to Libya in 2005 or 2006 and were being held incommunicado.

Death penalty

Nine Libyan citizens were reportedly executed in April, but no details were given. A number of death sentences against foreign nationals convicted of murder were commuted after the victims' relatives agreed to accept monetary compensation.

- The death sentences against five Bulgarian nurses and a Palestinian doctor convicted of knowingly infecting hundreds of Libyan children with HIV in 1998 were commuted to life imprisonment in July after the victims' families agreed to compensation payments emanating from an international fund. The six medics were forced to sign a document surrendering their right to redress for the torture they said they had suffered in Libya. A week later, the six medics were transferred to Bulgaria under a prisoner exchange agreement between the two countries and pardoned soon after their arrival by Bulgarian President Georgi Parvanov.

Refugees, asylum-seekers and migrants

Allegations that refugees, asylum-seekers and migrants were tortured or otherwise ill-treated on arrest or in detention were persistent. Of particular concern were at least 500 Eritrean nationals who were detained and at risk of forcible return.

- Some 70 Eritrean men were arrested in July after fleeing to Libya from Eritrea to seek refuge, according to reports. They were taken to a detention facility in the town of Az Zawiyah, where they said they were told to strip naked and were beaten by guards with implements such as metal chains. Some were reportedly beaten on numerous occasions. The detainees said that they had been threatened with deportation by the guards. In September, they were allegedly photographed and made to fill in forms, and were then told by guards that the forms and photographs had been requested by Eritrean embassy officials in Libya to allow them to issue travel documents for their deportation. At the end of the year, however, none of the detainees appeared to have been deported. Many of the Eritrean nationals were believed to have been conscripts, forced into military service in Eritrea for an indefinite period of time.

Discrimination against women

The UN Human Rights Committee reiterated its concern that "inequality between women and men continues to exist in many areas, in law and practice, such as notably inheritance and divorce". It also regretted "that Libyan laws permit the forced detention of some unconvicted women in so-called social rehabilitation facilities" and that the state had "not yet adopted legislation concerning the protection of women against violence, especially domestic violence".

The authorities took the retrogressive step of issuing a decree preventing children of Libyan mothers and foreign fathers from receiving free state education, a right they had previously enjoyed along with children of Libyan men married to either a Libyan or foreign woman. In September, children of Libyan mothers and foreign fathers were reportedly unable to enrol in state schools at the start of the academic year. In October, the authorities announced that the children could study in such institutions on condition that their families agreed to pay fees or were exempted from doing so because of their limited means.

Impunity

Impunity remained a serious concern. Three people, reportedly members of the Revolutionary Guard, were tried and convicted in July of murdering journalist Daif al-Ghazal. He was killed in 2005 in circumstances that indicated he was assassinated because of his writing. However, the rare but positive step of holding the perpetrators to account was marred by the death sentences passed against those convicted and the apparently closed nature of the trial proceedings.

The legacy of gross human rights violations committed in the past remained untackled. The violations,

which were committed particularly in the 1970s, 1980s and 1990s, included the enforced disappearance of hundreds of individuals, many of whom were feared to have died in custody while detained on political charges.

No information was made available about the apparently ongoing investigation into events in 1996 at Abu Salim Prison in Tripoli, during which hundreds of prisoners were alleged to have been killed.

Amnesty International visit/reports



Amnesty International informed the government in May that it wished to visit Libya, but was not granted access by the end of the year.



[4Libya: Six foreign medics should be released \(MDE 19/002/2007\)](#)



[Libyan Arab Jamahiriya: Briefing to the UN Human Rights Committee \(MDE 19/008/2007\)](#)



[Libyan Arab Jamahiriya: Addendum to briefing to the UN Human Rights Committee \(MDE 19/015/2007\)](#)