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## Freedom in the World 2010 - Libya

Capital: Tripoli

Population: 6,283,000

Political Rights Score: 7 \*

Civil Liberties Score: 7 \*

Status: Not Free

### Overview

The Libyan government nationalized the country's only quasi-independent media group in 2009, although online censorship and the hacking of dissident websites appeared to decline somewhat. Also during 2009, a prominent dissident died after years of illness in custody, and the authorities sentenced two Swiss businessmen to jail terms on immigration charges, apparently as part of a diplomatic row with Switzerland.

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. Until 1969, Libya was ruled by King Idris, a relatively pro-Western monarch. A group of young army officers, led by 27-year-old captain Mu'ammar al-Qadhafi, overthrew the king's government while he was traveling abroad.

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 and ideology – 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. The attack led to more provocations. 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. 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 families 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. Libyan authorities successfully sued three newspapers in Morocco for defamation in 2009, and imposed 16-month prison sentences on two Swiss businessmen for immigration offenses in December, apparently as part of a broader retaliation against Switzerland for the brief 2008 arrest of al-Qadhafi's son Hannibal and his wife, who had been accused of abusing servants in Geneva. Also in 2009, Libya offered a jubilant welcome for the convicted Lockerbie bomber, who was released by Scottish authorities due to a terminal illness.

### 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 have been illegal for over 35 years, 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 sentence. 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 130 out of 180 countries surveyed in Transparency International's 2009 Corruption Perceptions Index.

There is no independent press. The regime hardened its monopoly on media outlets in mid-2009 with the nationalization of Al-Ghad media group, which was established in 2007 by al-Qadhafi's son, Saif al-Islam, and encompassed the country's only quasi-independent newspapers and radio stations. The satellite television station Al-Libiya, a subsidiary of Al-Ghad and the country's only private television outlet, had fallen under scrutiny after airing criticism of the Egyptian government. 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. The government controls the country's only internet service

provider. The OpenNet Initiative found that dissident websites were censored and hacked sporadically in 2009, although less often than in previous years. The government established the first wireless service provider for public use in January. This may increase internet usage, which stood at only 4.7 percent in 2008 due to poor telecommunications infrastructure.

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. In February 2007, the authorities arrested 13 men for planning a peaceful demonstration in Tripoli to commemorate clashes between security forces and demonstrators the previous year. Idris Boufayed, a prominent opposition figure who had led planning for the demonstration, received a 25-year sentence, but was released in October 2008 to undergo treatment for advanced lung cancer. Two of the others were held incommunicado and without charge, a common practice in Libya, and the remaining 10 received jail terms of between 6 and 15 years. All had reportedly been released by March 2009.

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, citing Libya's secretary of justice, reported in December 2009 that 500 political prisoners remained in custody despite having been acquitted of all charges or served their full prison sentences. The head of internal security, Colonel Al-Tohamy Khaled, defended the continued detention of such prisoners by arguing that they were undergoing mandatory rehabilitation programs designed to rid them of extremist beliefs. He reportedly criticized the judges who had ordered the prisoners' release, saying they did not understand the threat the inmates posed.

Prominent political opposition figure Fathi al-Jahmi died at a Jordanian hospital in May 2009 after some seven years in nearly continuous government custody, according to Human Rights Watch. Following a long decline in health, Al-Jahmi had been receiving treatment for cardiac disease and diabetes in a government hospital in Libya, where he was held in de facto detention despite government claims in March 2008 that he was a free man. He was not allowed to seek treatment elsewhere until he fell into a coma just over two weeks before his death.

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. The regime has been more aggressive in its crackdown on illegal laborers in recent years, increasingly the likelihood of abuses. The Nigerian government alleged that Libya executed dozens of Nigerians in 2009 and intended to execute more than 200 additional Nigerian nationals for simple immigration violations.

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. Women who have been cast out by their families are particularly vulnerable. The government considers such women wayward and can hold them indefinitely in "social rehabilitation" facilities, which are de facto prisons. Women are

seriously underrepresented in Libya's political system, with only 36 gaining seats in March 2009 indirect elections for the 468-member General People's Congress.

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*\*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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