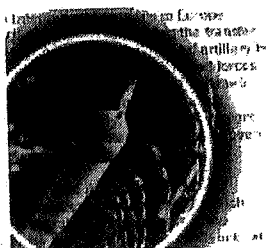


Libyen (67)

**UNHCR**
The UN Refugee Agency**Amnesty International - May 2002**
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Covering events from January-December 2001

Socialist People's Libyan Arab Jamahiriya

Head of state: Mu'ammar al-Gaddafi

Capital: Tripoli

Population: 5.4 million

Official language: Arabic

Death penalty: retentionist

Dozens of political prisoners were released, but hundreds, including prisoners of conscience and possible prisoners of conscience, remained in jail, many without charge or trial. Around 150 alleged political opponents were brought to trial on charges of membership of an illegal organization. The verdict in the trial of two Libyans charged with the Lockerbie bombing was handed down; one was acquitted and the other was sentenced to life imprisonment. The trial of six Bulgarians and a Palestinian accused of infecting children with the HIV virus was continuing at the end of the year. The fate of people who "disappeared" in previous years remained unclear.

Background

Freedom of expression remained severely restricted; Libyan law prohibits the formation of political parties and criticism of the political system. The national media continued to be strictly controlled by the government.

Prisoners of conscience and political prisoners

At the end of August the Gaddafi International Foundation for Charity Association (GIFCA), headed by Saif al-Islam Gaddafi, son of Colonel Mu'ammar al-Gaddafi, announced the release of dozens of political prisoners on the occasion of the 32nd anniversary of the revolution which brought Colonel Gaddafi to power. The GIFCA published a list of 107 released prisoners including more than 20 men who had been detained since a crackdown in 1984 on government opponents following an attack on the Bab al-'Aziziya Barracks in Tripoli. There were further releases of political prisoners in mid-September. The authorities

continued to claim that there were no political prisoners in Libya.

However, hundreds of political prisoners arrested in previous years, including prisoners of conscience, remained in detention, many without charge or trial.

- Libya's longest serving political prisoner, Ahmad al-Zubayr Ahmad al-Sanussi, was released in August. Ahmad al-Zubayr Ahmad al-Sanussi was imprisoned for 31 years after being accused of involvement in an attempted coup in 1970, and had been held for many years in solitary confinement.
- 'Omran 'Omar al-Turbi, a dentist married with two children, was released in August after 17 years in prison. He had been arrested in 1984 along with hundreds of other suspected members of the National Front for the Salvation of Libya and held without charge or trial.
- Five prisoners of conscience, including Muhammad 'Ali al-Akrami and 'Abd al-Rahman al-Azhari, who were arrested in 1973 and convicted of membership of the prohibited Islamic Liberation Party, continued to serve life sentences in Abu Salim Prison.

Political trials

Groups of individuals were sentenced by courts whose procedures continued to fall short of international standards for fair trial.

Trial of alleged political opponents

In March the trial began of some 150 professionals, including engineers, doctors and university lecturers. Most had been arrested in June 1998 on suspicion of supporting or sympathizing with the Libyan Islamic Group, which is banned in Libya. This organization is not known to have used or advocated violence. The defendants were kept incommunicado until the opening of the trial. For several months after the opening of the trial, relatives were denied access to the detainees in prison and the defendants were reportedly denied the right to choose their legal counsel.

HIV trial

The trial of seven medical workers, comprising six Bulgarians and one Palestinian, before the People's Court was continuing at the end of the year. They had been charged in February 2000 with deliberately infecting 393 Libyan children with the HIV virus.

The defendants said that their confessions had been extracted under torture. The defendants stated, including in court, that they had been beaten with electric cables and subjected to electric shocks. No investigation was carried out into these allegations.

The Court reportedly refused to allow virology experts to testify as requested by the defence. The indictment said that the acts were part of an attempt to destabilize the Libyan state. At a summit on AIDS/HIV in Nigeria in April, Colonel Gaddafi delivered a speech suggesting that the defendants had infected the children under the orders of US or Israeli intelligence services.

Trials of Libyan nationals abroad

Lockerbie trial

In January, the verdict was handed down in the trial in the Netherlands of two Libyans charged with planting a bomb on Pan Am flight 103 which exploded over the town of Lockerbie in the United Kingdom in December 1988, killing 270 people. Al-Amin Khalifa Fhimah was acquitted. Abdel Basset Ali al-Megrahi was convicted and sentenced to life imprisonment. His appeal was due to be heard in 2002.

The UTA airliner bombing

France's highest court, the *Cour de Cassation*, ruled that Colonel Gaddafi could not be prosecuted in connection with the UTA airliner bombing in September 1989 in which 170 people died. The court overturned the appeals court ruling that Colonel Gaddafi did not enjoy diplomatic immunity as a head of state.

The 1986 Berlin disco bombing

In November a Berlin court found that members of the Libyan secret service had planned the 1986 bombing of the *La Belle* disco in Berlin, Germany, in which two US soldiers and a Turkish woman were killed and more than 230 others injured. A Libyan diplomat, a Palestinian staff member of Libya's diplomatic representation in East Berlin and another Palestinian and his German wife were sentenced to between 12 and 14 years' imprisonment in connection with the bombing.

Torture and ill-treatment

There were further reports of torture and ill-treatment from previous years where no impartial and thorough investigations had been conducted.

- In October the Ethiopian Human Rights Council, an Ethiopian non-governmental organization, wrote to the Libyan authorities calling for an investigation into the alleged torture in 1997 of eight Ethiopian prisoners; they reported that they had been subjected to electric shocks.

'Disappearances'

Several cases of people who "disappeared" in previous years remained unresolved.

- Relatives of Imam Moussa al-Sadr, a prominent Iranian-born Shi'a cleric living in Lebanon who "disappeared" during a visit to Libya in 1978, filed a complaint in a Lebanese court against the Libyan authorities.
- No concrete action was known to have been taken by the Libyan authorities to clarify the fate of Mansur Kikhiya, a Libyan human rights activist and opposition political activist who "disappeared" in December 1993 in Cairo. There were reports that Mansur Kikhiya was handed over to the Libyan authorities and executed in January 1994.

Death penalty

Death sentences were imposed on at least eight people convicted of criminal charges. No executions were known to have been carried out.

- In May, two Libyans, a Ghanaian and four Nigerians were sentenced to death, one *in absentia*, by the Tripoli People's Court. They had been found guilty of "plotting against the policy of Libya and its leading role in Africa, undermining the aim of the Libyan Jamahiriya of creating a united African entity, and disturbing public order". The Nigerians and the Ghanaian were also convicted of "the murder of Libyan citizens and theft". The trial followed racist attacks which took place in September 2000 in which dozens of sub-Saharan Africans were killed. The Libyan authorities gave assurances that those convicted in this trial would have the right to appeal.

AI country reports/visits

Visit

Two AI delegates attended the 29th Ordinary Session of the African Commission on Human and Peoples' Rights held in Tripoli in April, and met Libyan government authorities and members of civil institutions. Repeated requests from AI to send trial observers received no response from the Libyan authorities.