

Flygtningenævnets baggrundsmateriale

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Freedom in the World - Libya (2007)

Population:
5,900,000

Capital:
Tripoli

Political Rights Score: 7
Civil Liberties Score: 7
Status: Not Free

Overview

Despite Libya's poor human rights record, the United States and the European Union (EU) continued to develop relations with the oil-rich state in 2006. Libyan leader Colonel Mu'ammar al-Qadhafi had changed his country's foreign policies in recent years and remained focused on ending its international isolation. 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.

Libya was ruled by the Ottoman Empire until the early twentieth century, when it was conquered by Italy. After a period of UN trusteeship in the wake of World War II, the country gained independence in 1951. For the next 18 years, a relatively pro-Western monarch, King Idris, ruled Libya. But in 1969, a group of military officers led by a young captain, Mu'ammar al-Qadhafi, overthrew the king while he was out of the country.

Al-Qadhafi soon seized control of the country's vast oil reserves from foreign companies, and evicted U.S. and British forces from military bases on Libyan territory. In establishing the new regime, he claimed that Libya would be ruled directly by the people. His three-volume political treatise, the *Green Book*, is supposedly the guide to leadership and governance in Libya, and explains his ideology, which is a fusion of Arab nationalism, socialism, and Islam. Al-Qadhafi currently holds no official title, and is referred to in Libyan state media as Brotherly Leader and Guide of the Revolution.

In 1981, the United States imposed sanctions on the country, which had become a leading state sponsor of terrorism. After a further deterioration in relations, the United States in 1986 bombed several targets in Libya, including al-Qadhafi's home. In 1988, a Pan Am flight 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 Libyan men, including a Libyan intelligence agent. The UN Security Council then imposed trade sanctions on the country. For the next several years, Libya was economically and diplomatically isolated.

In 1999, al-Qadhafi set out to make amends internationally and handed over 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 began (EU) reestablishing diplomatic and trade relations with the country. In 2001, the International Court of Justice in The Hague, 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 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 programs, the United States established a liaison office in Tripoli, and U.S. Assistant Secretary of State for Near East Affairs William Burns visited the country, making him the first U.S. official to do so in nearly three decades. The United States removed Libya from its list of state sponsors of terrorism, and established a full embassy in Tripoli in May 2006.

Libya's relations with some fellow Arab states, particularly Saudi Arabia, have remained poor. Media reports in 2003 suggested the existence of a Libyan plot to assassinate then-Crown Prince Abdullah bin Abd al-Aziz al Saud. Libya has denied the claim.

One of al-Qadhafi's seven children, Saif al-Islam, is believed to be one of the driving forces behind Libya's shift in policies. He runs a charitable organization called the Gaddafi International Foundation for Charity Associations, and has facilitated visits by foreign human rights activists. According to press reports, his foundation has made it possible for Libyan citizens to report abuses they may have faced at the hands of authorities. Saif al-Islam has also publicly criticized current conditions in Libya and advocated changes in the leadership.

Libya's people have yet to benefit from the recent policy changes. Political rights and civil liberties are still severely restricted, and the unpredictable al-Qadhafi is still the undisputed leader of the country. In September 2006, he made worrying statements about the need to kill Libya's enemies and reasserted the overall success of the revolution.

Political Rights and Civil Liberties

Libya is not an electoral democracy. Although it is effectively a dictatorship that has been dominated by the same leaders for over 35 years, Libya is in theory a country ruled by the masses, a "jamahiriya" in Arabic. It is illegal for any political group to oppose the principles of the 1969 revolution, which are laid out in supreme leader Mu'ammarr al-Qadhafi's multivolume political treatise, the *Green Book*. Power theoretically lies with a system of people's committees and the General People's Congress, but those structures are manipulated in practice to ensure al-Qadhafi's rule.

There are no legal opposition parties in Libya. The government monitors political activity, and people who do try to form parties can end up in jail. Many Libyan opposition leaders are active in Europe.

Libya ranked 105 out of 163 countries surveyed in Transparency International's 2006 Corruption Perceptions Index. The poor showing is consistent with the country's pervasive corruption in both government and business.

The local press is state controlled and is characterized by its praise of the leadership. Libyan journalists operate in a climate of fear and censorship, leading

some to publish their critical reporting on websites based in foreign countries. The June 2005 murder of Dayf al-Ghazal al-Shuhaibi, a former journalist for the government-owned daily *Azahf al-Akhdar* and a contributor to critical Libya-focused websites based in London, had a chilling effect on independent voices in the country. In another such case, Abd al-Raziq al-Mansuri, a journalist who wrote for a London-based website, was arrested in January 2005 by security agents. He received a pardon and was released in March 2006, though the details of the pardon were not disclosed. Al-Mansuri was originally convicted of illegal possession of a weapon, which was found following his arrest, but human rights activists maintain that the real reason behind his detention was his writing critical of the government.

Libya is overwhelmingly Muslim, and the government closely monitors mosques for any Islamist political activity. The few religious minorities, comprised mostly of foreigners living in Libya, are permitted to practice their faiths with relative freedom. Academic freedom is restricted, and like journalists, Libyan academics avoid controversial or politically sensitive topics.

Free assembly, demonstrations, and public events are discouraged and limited by the government. Civil society groups are largely powerless, and those that do have any clout, like the al-Qadhafi Foundation for Development, have connections to the government. Independent labor unions are virtually non-existent.

The People's Court, which had been used to jail political dissidents, has been closed, but Libya's judiciary remains beholden to the government. The courts do not make decisions that run counter to the opinions of al-Qadhafi and his close associates, and arbitrary detentions and imprisonment are fairly routine. However, Libya's desire to rejoin the international community has driven it to make some concessions. Over the last three years, the government has allowed teams from respected international human rights organizations like Human Rights Watch and Amnesty International into the country to conduct research missions. In January 2006, Human Rights Watch released a report based primarily on the findings of its June 2005 trip. While the organization praised the leadership's steps toward ending its international isolation, it was pointedly critical of Libya's judiciary, its restriction of free speech and assembly, and its treatment of political opponents. In a positive note, Libya in March 2006 pardoned over 130 political prisoners, many of whom had spent more than seven years in prison. The government still faced scrutiny for the case of five Bulgarian nurses and a Palestinian physician who were arrested in 1999 after being accused of deliberately injecting 400 hospitalized Libyan children with HIV. The defendants were eventually convicted and sentenced to death. Nevertheless, they maintain their innocence and have blamed the HIV outbreak on the poor conditions at the hospital. They also allege that they have been tortured, and two of the nurses claim they were raped. A retrial is currently being conducted, with a verdict expected on December 19. The retrial confirmed the sentence in December 2006. The nurses and the Palestinian physician are appealing the verdict.

Libya has an enormous force of migrant workers, largely illegal laborers from Africa, many of whom hope to end up in Europe. Human Rights Watch has criticized Libya for arbitrary detention of migrants in poor facilities. As Libya cracks down on undocumented migrant workers, the likelihood of abuse by authorities has increased.

Libyan women enjoy more legal protections than women in many other Arab countries, and Libyan girls enjoy greater access to public education. However, women still face many social and legal hurdles to equality, particularly in areas such as marriage, divorce, and inheritance.