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July-December, 2010 International Religious Freedom Report - Libya

Bureau of Democracy, Human Rights, and Labor
September 13, 2011

[Covers six-month period from 1 July 2010 to 31 December 2010 (USDOS is shifting to a calendar year reporting period)]

The country does not have a constitution, and there is no explicit legal protection for religious freedom. Although the Great Green Charter on Human Rights of the Jamahiriya Era provides for some degree of religious freedom, other laws and policies restrict religious freedom. In practice the government generally enforced these restrictions, especially with respect to forms of Islam it considers to be a security threat and to proselytizing Muslims. Religious practices that conflict with the government's interpretation of Sharia (Islamic law) are prohibited.

The government continued to regulate religious life actively and at times restricted religious activities that the government perceived had a political dimension or motivation. There was no change in the status of respect for religious freedom by the government during the reporting period.

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 703,816 square miles and a population of 6.5 million. The population is 97 percent Sunni Muslim. Small Christian communities consist almost exclusively of sub-Saharan African and Egyptian migrants and a small number of American and European workers. A bishop in Tripoli and another in Benghazi led an estimated 50,000 Coptic Christians, most of whom number among the estimated 750,000 Egyptian expatriate residents. Roman Catholic clergy operated in larger cities, working primarily in hospitals, orphanages, and with the elderly or physically impaired. A priest in Tripoli and a bishop resident in Tunis led the Anglican community. A Greek Orthodox archbishop resident in Tripoli and priests in Tripoli and Benghazi served 80 regular Orthodox churchgoers. The Ukrainian embassy in Tripoli also maintained a small

Orthodox church for Tripoli's Russian-speaking population. There are nondenominational, evangelical Unity churches in Tripoli and Benghazi as well as small Unity congregations located throughout the country. The nondenominational churches in Tripoli served a population of primarily African and Filipino migrant workers. While the country historically has no Shia community, there were reports that small numbers of Iraqi Shia fleeing sectarian tensions in Iraq immigrated during the reporting period.

Approximately 1.5 to two million foreigners resided in the country, most of whom originated in neighboring Arab countries and sub-Saharan Africa, with smaller numbers from South and Southeast Asia. Virtually all non-Sunni Muslims are foreigners. The government previously criminalized the proselytizing of Muslims and, therefore, forbids missionary activity aimed at citizens. The government maintained the position that all citizens were Muslims.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards
<http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The country does not have a constitution, and there is no explicit legal protection for religious freedom. Although the Great Green Charter on Human Rights of the Jamahiriya Era, which is viewed as a declaration of revolutionary principles to guide lawmakers and citizens, provides some degree of religious freedom, other laws and policies restrict religious freedom. In practice the government generally enforced these restrictions, especially with respect to forms of Islam it considers to be a security threat and to proselytizing Muslims. Religious practices that conflict with the government's interpretation of Sharia (Islamic law) are prohibited.

The charter proclaims that "religion is absolute faith in the Divinity, and a sacred spiritual value. Religion is personal to each one and common to all. It is a direct relationship with the Creator, without any intermediary. Jamahiriya Society proscribes the monopoly of religion as well as its exploitation for purposes of subversion, fanaticism, sectarianism, partisan spirit, and fratricidal wars."

There is no law providing for an individual's right to choose or change his or her religion or to study, discuss, or promulgate one's religious beliefs. Citizens have no apparent recourse if they believe their rights to religious freedom have been violated. In practice citizens did not have access to courts to seek damages for, or cessation of, human rights violations.

The government prohibits independent association and forbids group activities that are inconsistent with principles of the 1969 revolution; as a result, the government authorizes religious associations and lay groups only after confirming that the groups' activities are in line with regime policy. The government applies these restrictions uniformly to all groups.

The World Islamic Call Society (WICS) is the official conduit for the state-approved form of Islam. With an emphasis on activities outside the country, it operates a state-run university for Muslim clerics from outside the Arab world. The government encourages students who graduate to return home and promote its interpretation of Islamic thought in their own countries. Beyond its role in education, WICS serves as the religious arm of the government's foreign policy and maintains relations on behalf of the government with the country's minority religious communities. A state-run auqaf (religious endowment) authority administers mosques, supervises clerics, and has primary responsibility for ensuring that all religious practices within the country conform to the state-approved form of Islam.

There is no law prohibiting conversion from Islam to another religion; however, the government prohibits proselytizing to Muslims and actively prosecutes offenders.

Religious instruction in Islam is required in public schools and in private schools that admit citizens, but there is no in-depth instruction in other religious groups. The government does not issue information on the religious affiliation of children in public schools, and there were no reports of children transferring to private schools for alternative religious instruction.

The government observes the following religious holidays as national holidays: the birth of the Muhammad (the Prophet), Eid al-Fitr, Eid al-Adha, and the Islamic New Year.

The country's interpretation of Islamic law holds that a non-Muslim woman who marries a Muslim man is not required to convert to Islam, although many do so; however, a non-Muslim man must convert to Islam to marry a Muslim woman.

Citizens must be at least 40 years old to perform the Hajj.

Restrictions on Religious Freedom

The government generally enforced existing legal and policy restrictions on religious freedom. There was no change in the status of respect for religious freedom by the government during the reporting period.

The government closely monitors and regulates the practice of Islam, asserting it does so to ensure it does not take on a political dimension. For example, the government continued to ban the once-powerful Sufi Sanusiyya order. The order played an important role in the country's prerevolutionary history and is closely associated with the former monarchy.

The government strongly opposed religious extremism and militant Islam, which it viewed as a threat to the regime. The government monitored mosques, and there was a widespread culture of self-censorship among clerics. Even mosques endowed by prominent families generally must conform to the government-approved interpretation of Islam.

The government limited the number of places of worship allowed for each Christian denomination to one per city.

The government maintained a pervasive security apparatus that monitored many aspects of individuals' lives, including their religious activities. While the government did not single out religious activity for special scrutiny, it actively monitored peaceful religious practices for evidence of political motivations or dimensions. So long as religious groups avoided political activity, they encountered little harassment.

Members of minority religious groups, primarily Christians, encountered minimal restrictions conducting worship. The Unity Church of Tripoli, a nondenominational Christian congregation, continued to face difficulties obtaining compensation for property confiscated by the government in 1971, which has since been converted into a public school.

There were no known places of worship for members of other non-Muslim religious groups such as Hinduism, The Bahai Faith, and Buddhism, although adherents were allowed to practice their religion in their homes. Foreign adherents of these religious groups were allowed to display and sell religious items at bazaars and other public areas.

Although there is no law prohibiting conversion from Islam, the government prohibited efforts to proselytize to Muslims and actively prosecuted offenders.

Officials were generally tolerant of non-Muslim religious information in languages other than Arabic but confiscated Arabic-language materials, including Bibles. The government also maintained control over religious literature.

The government routinely granted visas and residence papers to religious staff from other countries. As with other classes of resident migrants, clergy were generally offered one-year residency permits.

Abuses of Religious Freedom

There were reports of abuses of religious freedom in the country, including religious prisoners and detainees.

On June 18, authorities arrested a South Korean evangelical Christian pastor and a South Korean farmer, allegedly working as his assistant, on charges of proselytizing, according to press reports. The two men were released from detention on October 3 and were pardoned by Libyan leader al-Qadhafi on December 29. Authorities did not permit the two men to leave the country by the end of the reporting period, reportedly due to the need to complete necessary procedures.

Also in June, authorities in Benghazi arrested an Egyptian man for proselytizing after he allegedly distributed Bibles and religious pictures to adolescents.

In April 2009 the government reportedly released several converts to Christianity after allegedly detaining them for three months without charge, according to International Christian Concern (ICC). The ICC reported in March 2009 that the converts from Islam were held without access to assistance in Tripoli in a state security prison where they were allegedly interrogated, abused, and pressured to reveal the names of other converts. Two weeks before their release, the converts were reportedly transferred to a reform and rehabilitation prison where some family members were permitted to visit them.

In 2009 authorities released Daniel Baidoo, a Ghanaian national, after he spent eight years in prison. According to press reports, Baidoo was imprisoned for proselytizing after receiving Arabic tracts that included Biblical quotations at a local post office.

According to Tripoli-based relief workers, some sub-Saharan African detainees claimed to have been imprisoned for proselytizing or holding Christian beliefs. It was difficult to determine the veracity of those claims, since many were arrested and held with other migrants during periodic round-ups of undocumented foreigners.

Improvements and Positive Developments in Respect for Religious Freedom

In July the chairman of the Libyan Jewish Community returned to visit the country for the first time since leaving in 1967. The chairman toured Tripoli and Benghazi and reported receiving a warm welcome in meetings with government officials.

Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Minority religious leaders reported that local Sunni Muslims were generally curious and receptive to learning about other faith traditions.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. U.S. embassy officials discussed religious freedom with local and visiting leaders representing a broad spectrum of religious groups.

