

Libya (67)



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LIBYA

Socialist People's Libyan Arab Jamahiriya

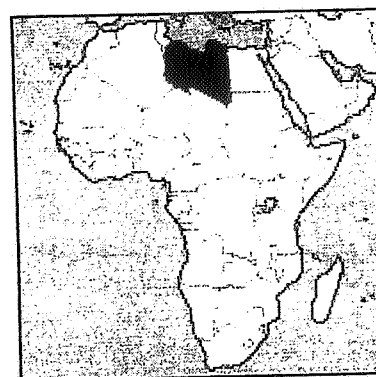
Head of state: Mu'ammar al-Gaddafi

Capital: Tripoli

Population: 5.6 million

Official language: Arabic

Death penalty: retentionist



Hundreds of political prisoners, including prisoners of conscience and possible prisoners of conscience, remained in detention, many without charge or trial. Libyans forcibly returned to the country, including asylum-seekers, were believed to have been subjected to human rights violations. Torture, especially during incommunicado detention, continued to be reported. The authorities failed to protect hundreds of sub-Saharan Africans from racist attacks, reportedly leading to the killings of dozens of Africans. The death penalty remained in force.

Background

There were two government reshuffles during the year. In March a new government was appointed and the Ministries of Justice and General Security were combined into one ministry. The reshuffles also included the abolition of several ministries, including the Information Ministry, and the allocation of their responsibilities to other bodies.

Diplomatic and economic ties were resumed as part of Libya's re-entry into the international arena, following the suspension of sanctions in April 1999. Colonel Mu'ammar al-Gaddafi continued to call for advances in African unity, including the establishment of an African parliament and political and economic union.

Libya had no independent non-governmental organizations, human rights groups or independent bar association. Libyan law prohibits the formation of political parties and criticism of the political system. The press continued to be strictly controlled by the government.

The Lockerbie trial

In May the trial began of two Libyans, 'Abd al-Basit al-Miqrahi and al-Amin Khalifa

Fahima, accused of the 1988 bombing of an airplane over Lockerbie, Scotland which killed 270 people. The two defendants pleaded not guilty to charges of murder, conspiracy to murder and violation of the Aviation Security Act. The trial was continuing at the end of the year.

The UTA airliner bombing

In October a French Court of Appeals authorized a judicial investigation into charges against Colonel Mu'ammar al-Gaddafi for complicity to murder in connection with the 1989 UTA airliner bombing. The Paris Public Prosecutor's Office subsequently appealed against the ruling.

Racist attacks

In September racist attacks against sub-Saharan Africans, including Chadian, Niger and Sudanese nationals among others, reportedly led to dozens of deaths and scores of injuries. In contrast, at the 28th Ordinary Session of the African Commission on Human and Peoples' Rights in October, a Libyan representative claimed that five people, including one Libyan, had died in the attacks. Disturbances in Tripoli and neighbouring al-Zawiyah soon spread to other parts of the country, leaving many homeless after their homes were burned and looted. As a result, many of the victims were forced to live in special camps, where sanitation was reportedly very poor and where on occasion members of the security forces failed to protect them from further attack.

On at least one occasion, there were allegations of police involvement in the attacks. Large numbers of Chadians, Ghanaians, Nigerians and other sub-Saharan Africans were repatriated after seeking refuge at their embassies. The Libyan authorities announced an investigation and preventive security measures to protect sub-Saharan Africans from further attacks. In November the Minister of General Security and Justice announced that 75 people, the majority of them Libyans, would be tried in connection with the violent incidents.

Prisoners of conscience and political prisoners

Some political prisoners arrested in 1989 were reportedly released in small groups between April and August. In August and September, several prisoners arrested in 1984 were released. Some of the men had been acquitted in a trial in 1995 but had remained in detention.

Political detainees were reportedly held in cruel, inhuman or degrading conditions and denied adequate medical care; several were reported to have died in custody as a result in recent years.

Hundreds of political prisoners arrested in previous years, including possible prisoners of conscience, remained in detention without charge or trial; many had been held for more than a decade. Scores of other political detainees remained held despite having been tried and acquitted. Others continued to serve prison sentences imposed in previous years after grossly unfair trials.

- Rashid 'Abd al-Hamid al-'Urfia, a law graduate, remained in Abu Salim Prison in Tripoli. He had reportedly been arrested with 20 others in 1982 on suspicion of founding an Islamist opposition group. All those arrested with him were released following a general amnesty in 1988.
- Five prisoners of conscience, who were arrested in 1973 and convicted of membership of the prohibited Islamic Liberation Party, continued to serve life sentences in Abu Salim Prison.

Scores of professionals, including engineers and university lecturers, who were arrested in June and July 1998 on suspicion of supporting or sympathizing with *al-Jama'a al-Islamiya al-Libiya*, the Libyan Islamic Group, a clandestine Islamist movement which was not known to have used or advocated violence, remained held in Abu Salim and 'Ain Zara prisons in Tripoli.

- Among those who remained in detention was Mohammad Faraj al-Qallal, an executive in a printing house in Benghazi, who was arrested by plainclothes security men and given no reason for his arrest.

Deaths in custody

At least one person died in police custody; torture reportedly caused or contributed to his death. On 26 April Yusuf Muhammad al-Hour, a Chadian national, was arrested in Tripoli and transported to Sirte. The following day his body was given to his relatives who reported signs of torture on his body.

Forcible return of refugees

Following the suspension of sanctions against Libya in April 1999, refugees and asylum-seekers were at increasing risk of being forcibly returned to Libya. Some of those forcibly returned were detained and there were reports that some had been the victims of serious human rights violations, including torture.

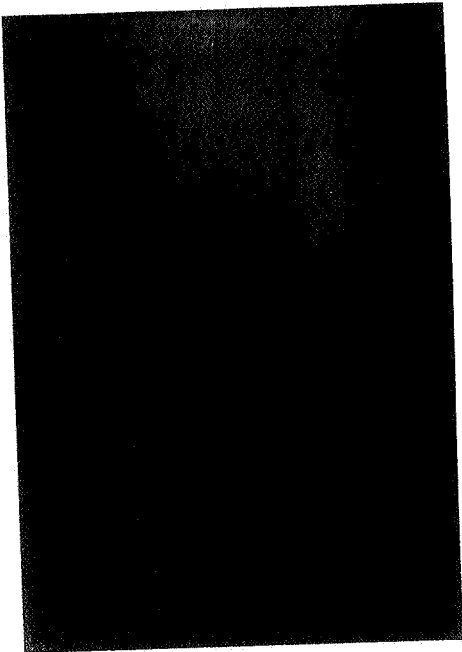
- In February, eight Libyan nationals suspected of being Islamist sympathizers were forcibly returned to Libya by the Jordanian authorities.
- In July, four Libyans suspected of being Islamist sympathizers were forcibly returned from Pakistan. Youssef Khalifa and 'Abdessalam Musa Muhammad's applications for asylum were still under consideration when they were deported, while the other two men were reportedly residing and working legally in Pakistan. Their whereabouts following their return to Libya were unknown.

Torture/ill-treatment

~~Torture/ill-treatment~~

There were continuing reports that political detainees were routinely tortured while held in incommunicado detention. Reported methods of torture included beatings, hanging by the wrists, being suspended from a pole inserted between the knees and elbows, electric shocks, burning with cigarettes and attacks by aggressive dogs, causing serious injuries.

- Defendants in a trial of 16 health professionals, among them five women, stated that they were tortured or ill-treated while in detention. The 16 included foreign nationals, who were kept in incommunicado detention for about 10 months without access to family or legal representation. Some alleged that their confessions had been obtained under duress. Following the formal opening on 7 February, the trial was postponed on several occasions at the request of defence lawyers and had not begun by the end of the year. The defendants were accused of infecting almost 400 children



with the HIV-virus in a Libyan hospital, leading to the deaths of children.
The charges against them are punishable by death.

Death penalty

Reports continued to be received that people convicted of criminal charges were sentenced to death.

AI correspondence with the authorities

By the end of the year AI had still not received replies to its requests to visit Libya or to the human rights concerns raised in correspondence with the authorities.
