Libya

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

Overview:

Although Libyan leader Colonel Mu'ammar al-Qadhafi introduced sweeping changes in 2004 with the aim of enabling the country to join the international community, these did not translate into reforms that affected political rights and civil liberties. Nevertheless, his announcement in 2003 to abandon weapons of mass destruction and his subsequent cooperation with international arms inspectors have earned him international favor and, this year, an end to U.S. trade and diplomatic sanctions. Libya also agreed to pay $35 million in compensation to victims of a Berlin nightclub bombing 18 years ago, blamed on Libya's intelligence agents. A number of Western countries established economic ties with the oil-rich state, and European leaders paid visits to the once-ostracized country, while oil companies announced their return to Libya.

Following centuries of Ottoman rule, Libya became an Italian colony after an invasion in 1912. French and British forces occupied Libya during World War II. The country's independence dates to 1951, when King Idris assumed power following a UN resolution establishing Libya as an independent and sovereign state.

In 1969, Qadhafi, at the age of 25, seized power in a military coup that deposed the staunchly pro-West King Idris. Qadhafi railed against Western control of Libya's oil fields and the presence of foreign military bases in Libya. He ushered in a highly personalized style of rule that combines elements of pan-Arabism with Islamic ideals and rejects both Western-style democracy and communism.

In the years following Qadhafi's rise to power, Libya became a pariah state with its sponsorship of various acts of terrorism, as well as its support of insurgencies throughout sub-Saharan Africa. Libyan involvement in the 1988 bombing of Pan Am flight 103 over Lockerbie, Scotland, led to UN sanctions on Libya in 1992, including an air embargo and a ban on the import of arms and oil production equipment. The United States had maintained its own sanctions against Libya since 1981, citing Libyan sponsorship of terrorism.

In 1999, Qadhafi embarked on a strategy to end Libya's international isolation. He surrendered two Libyan nationals suspected in the Pan Am 103 bombing and agreed to compensate families of victims of the 1989 bombing of a French airliner over Niger. The Libyan government also accepted responsibility for the 1984 death of British police officer Yvonne Fletcher, killed by shots fired from the Libyan Embassy in London.

In response, the United Nations suspended sanctions against Libya in 1999, and the United States eased some trade restrictions. Britain re-opened its embassy in Tripoli in March 2001. The European Union (EU) followed suit by lifting sanctions, but maintained an arms embargo.

The two Pan Am terrorism suspects went on trial in March 2000 at the International Court of Justice in The Netherlands, but under Scottish law. One of the suspects was found guilty of murder and sentenced to life imprisonment in January 2001, while the other suspect was acquitted and freed. In August 2003, the Libyan government offered to pay $2.7 billion in

compensation to the families of the Pan Am bombing victims, roughly $10 million for each family. In response, the United Nations lifted sanctions on Libya. French families of the victims of the 1989 UTA airliner bombing over Niger sought a higher compensation package than that offered.

In 2004, Libya agreed to increase the UTA compensation to $170 million, about $1 million per family, and to pay $35 million to relatives of the victims of a 1986 attack on a discotheque in West Berlin. Qadhafi flew to Brussels in April 2004—his first visit to Europe in 15 years—for preliminary talks on joining an EU-Mediterranean association agreement. British Prime Minister Tony Blair, Italian Prime Minister Silvio Berlusconi and French President Jacques Chirac were among European dignitaries who visited Libya in 2004. In September, pressured by Italy to help Libya control illegal migrants crossing over to Europe from its shores, the EU agreed to lift its arms embargo on Tripoli.

In response to Libya's decision in December 2003 to renounce weapons of mass destruction, Washington suspended trade and economic sanctions against Libya in April 2004, and the U.S. Assistant Secretary of State for Near East Affairs, William Burns, visited Tripoli, in the first visit by a U.S. government official in more than 30 years. The United States lifted the sanctions in September, and a White House statement said Libya had removed virtually all of its declared nuclear weapons program, destroyed its chemical munitions, and provided "excellent cooperation and support" to international inspectors. Tripoli had threatened to cancel its Pan Am payments unless sanctions were lifted by mid-September. The change allowed U.S. oil companies to do business in Libya and ended a travel ban on Americans. The United States, however, kept Libya on the list of countries supporting terrorism, maintaining a ban on military-related exports and on full resumption of diplomatic ties. Reports in 2004 of Libyan involvement in an assassination plot against Saudi Arabia's Crown Prince Abdullah and of its support of a foiled coup attempt in Mauritania raised concerns in Washington; Libya has denied both accusations.

Despite its oil wealth, the Libyan economy remained hobbled by its years of isolation and corruption. Libya introduced wide-ranging economic reforms in 2003, liberalizing the exchange rate, privatizing companies and opening up the country to foreign investment. In 2004, the government announced plans to cut $5b worth of subsidies in fuel, food and electricity as part of its liberalization drive. Tripoli has also introduced a transparent bidding process for foreign oil companies seeking exploration rights in the country and offshore.

Political Rights and Civil Liberties:

Despite recent dramatic diplomatic developments, Libyans still cannot change their government democratically, and Colonel Mu'ammar al-Qadhafi rules by decree with little accountability or transparency. Libya is officially known as a *jamahiriyah*, or state of the masses, conceived as a system of direct government through popular organs at all levels of society. In reality, an elaborate structure of revolutionary committees and people's committees serves as a tool of repression. Real power rests with Qadhafi and a small group of close associates that appoints civil and military officials at every level. Libya's governing principles stem from Qadhafi's Green Book, a treatise that combines Islamic ideals with elements of socialism and pan-Arabism.

Libyans do not have the right to organize into different political parties. Extra-governmental bodies, including the revolutionary committees and people's committees, serve as tools of repression, and the multiple security services rely on an extensive network of informers.

Libya was among the poorest performing countries in the 2004 annual report by the corruption watchdog group Transparency International, which ranked Libya 108 of 146 countries surveyed.

Free media do not exist in Libya. The government severely limits freedom of speech and of the press, particularly any criticism of Qadhafi, and in 2004 suspended the publication of a number of papers and banned the distribution of a magazine from Egypt. The state owns and controls all print and broadcast media outlets, and thereby maintains a monopoly on the flow of information. Satellite television is widely available, although foreign programming is censored at times. Internet access increased in 2004.

The government restricts religious freedom and controls mosques and Islamic institutions. It is tolerant of other faiths and allows Christian churches to operate openly, according to the State Department's 2004 International Religious Freedom Report.

The government restricts academic freedom, and professors and teachers who discuss politically sensitive issues faced the risk of reprisals.

Freedom of assembly is severely restricted, as are the rights to hold public demonstrations and open public discussions. The government prohibits the right to form independent trade unions and professional associations, but workers can join the National Trade Unions federation, a quasi-governmental body.

The judiciary is not independent. Security forces have the power to pass sentence without a trial. Special People's Courts and the government have used summary judicial proceedings to suppress domestic dissent. Political trials are held in secret. Arbitrary arrest and torture are commonplace. In May 2004, a criminal court sentenced five Bulgarian nurses and a Palestinian doctor to death by firing squad after convicting them of deliberately contaminating some 400 hospital children with AIDS. The six medics, who are appealing the verdict, said they were tortured in order to extract a confession, which they later retracted in court. Amnesty International highlighted the case of Fathi al-Jahmi, a member of the General People's Congress, Libya's indirectly elected legislative branch, who was arrested and sentenced to one year in jail for demanding democratic reforms. He was released in March 2004, but was beaten after he gave interviews to Arabic satellite channels. Subsequently, he and his immediate family disappeared. The case of some 150 alleged members of the Muslim Brotherhood remains open as the prosecution has appealed the acquittal of 66 of them and the rest are appealing verdicts against them.

In February 2004, a team from Amnesty International visited Libya for the first time in 15 years. Later, in April, Qadhafi referred in a speech to their recommendations for the improved treatment of prisoners and a reduction in the imposition of the death penalty. However, these changes were not discussed in the annual General People's Congress, and that, taken together with the AIDS case, signaled Tripoli's rejection of international pressure. A Libyan human rights society headed by Qadhafi's son, Saif al-Islam, initiated investigations into death in custody and torture allegations, but these were largely overshadowed by continued severe violations and an atmosphere of impunity. In April, Amnesty issue a strongly worded press release accusing Qadhafi of maintaining a "climate of fear," with a consistent pattern of violations.

The Berber and Tuareg minorities face discrimination. While women's status has improved in some areas, such as education and employment, discrimination continues in other

areas where local traditions predominate. Female genital mutilation is still practiced in remote rural areas. Violence against women also continues to be a problem.