



Libya

International Religious Freedom Report 2007

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The country does not have a constitution, and there is no explicit legal provision for religious freedom. However, a basis for some degree of religious freedom is provided in the Great Green Charter on Human Rights of the Jamahiriya Era, and the Government generally respected the right to freely observe one's religion in practice. The Government tolerates most minority religions but strongly opposes militant forms of Islam, which it views as a threat, and prohibits the proselytizing of Muslims. Religious practices that conflict with the Government's interpretation of Shari'a are prohibited.

There was no change in the status of respect for religious freedom by the Government during the period covered by this report. The Government continued to actively regulate religious life and at times restricted religious activities seen as having a political dimension or motivation. As in the previous reporting period, de facto Head of State Colonel Muammar Qadhafi made statements during the reporting period denigrating non-Muslims, including Christians and Jews.

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

Following the reestablishment of diplomatic relations with the country on May 31, 2006, the U.S. Government continued to normalize bilateral relations and foster a meaningful and multifaceted relationship including discussion of religious freedom issues with the Government as part of its overall policy to promote human rights. During the period covered by this report, the head of the Islamic studies faculty at a major national university traveled to the United States on a U.S.-funded International Visitor Program focusing on religious tolerance and interfaith communication.

Section I. Religious Demography

The country has an area of 703,816 square miles and a population of 5.8 million. Ninety-seven percent of the population is Sunni Muslim. Small Christian communities consist almost exclusively of sub-Saharan migrants and miniscule numbers of American and European expatriate workers. A single priest in Tripoli and a bishop resident in Cairo lead the Anglican community. A Greek Orthodox archbishop resident in Tripoli and a priest in Tripoli and Benghazi serve 80 regular Orthodox churchgoers. The Ukrainian Embassy in Tripoli also maintains a small Orthodox church for Tripoli's Russian-speaking population. Two bishops--one in Tripoli, one in Benghazi--lead an estimated 50,000 Roman Catholics. Catholic clergy operate in larger cities, working primarily in hospitals, orphanages, and with the elderly or physically impaired. There are Unitarian churches in Tripoli and Benghazi as well as small Unitarian congregations scattered throughout the country. A Protestant evangelical church in Tripoli serves a population of primarily African migrant workers. While the country historically has no Shi'a community, there were reports that small numbers of Iraqi Shi'a fleeing sectarian tensions in Iraq immigrated during the reporting period. There is no known Jewish community.

Between one and two hundred Anglicans, mostly from sub-Saharan Africa, attend weekly Sunday services in Tripoli. An estimated 80 Orthodox Christians, including members of the Greek, Romanian, Bulgarian, and Russian communities, attend weekly Friday services in Tripoli. Hundreds of African migrant Protestants and hundreds of Catholics also attend services in Tripoli.

Approximately 1.5 to 2 million foreigners reside in the country, mostly from neighboring Arab countries and sub-Saharan Africa, with smaller numbers from South and Southeast Asia. Virtually all non-Sunni Muslims are foreigners. While there was no information on the number of foreign missionaries, the Government criminalizes the proselytizing of Muslims and therefore forbids missionary activity aimed at almost all citizens. Government claims that all citizens are "by definition" Sunni Muslim, coupled with broad prohibitions on any sort of independent political association, prevent citizens from identifying themselves as members of any religious or political group.

Section II. Status of Religious Freedom

Legal/Policy Framework

Although the country has neither a constitution nor any law explicitly providing for religious freedom, the Government generally respected the right to freely observe one's religion in practice. A basis for some degree of religious freedom is provided in the Great Green Charter on Human Rights of the Jamahiriya Era, dated December 6, 1988, which states: "The members of Jamahiriya Society...proclaim that religion is absolute faith in the Divinity, and that it is 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 expressly guaranteeing 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 obvious 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, a human rights violation.

Islam is the equivalent of a state religion and thoroughly integrated into everyday political and social life. As with all other aspects of individuals' lives, the Government closely monitors and regulates Islam to ensure religious life includes no political dimension. The Government strongly opposes religious extremism or militant Islam, which it views as a threat to the Qadhafi regime. Monitoring of mosques and a widespread culture of self-censorship ensure both clerics and adherents stay within well-established lines of acceptable practice. There is no civil law prohibiting conversion from Islam to another religion. However, the Government prohibits the proselytism of Muslims and actively prosecutes offenders.

During the reporting period, de facto Head of State Colonel Qadhafi made statements denigrating Christians and Jews and urged the practice of Islam. Echoing a statement in April 2006 that all persons are required to be Muslims, Qadhafi noted in a March 31, 2007 speech in Agadez, Niger, that "Christianity is not a faith for people in Africa, Asia, Europe, and the Americas." Speaking during an annual commemoration of the Prophet Muhammad's birth, Qadhafi declared that those who do not practice Islam are "losers" and that it was a mistake for Christians to say Jesus was crucified. Following comments in April 2006 that Jews should conform to Islamic practices by making an annual pilgrimage to Mecca, Qadhafi stated in a March 27, 2007, interview that "Jews will go extinct because everyone hates them."

The World Islamic Call Society, or 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 moderate Muslim clerics from outside the Arab world. To date WICS has trained five thousand students in Islamic thought, literature, and history. Upon graduation, the Government encourages students 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 Qadhafi's foreign policy and maintains relations on behalf of the Government with the country's minority religious communities.

The Government limited the number of places of worship allowed for each Christian denomination to one per city. The Government continued to ban the once powerful Sanusiyya Islamic order. The Government routinely granted visas and residence papers to religious staff from other countries.

The country adheres to traditional Islamic law, which states 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 marry a Muslim woman.

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

The Government recognizes the Islamic holy days of Eid al-Fitr, Eid al-Adha, the Islamic New Year, and the birth of the Prophet Muhammad as official holidays.

Restrictions on Religious Freedom

The Government maintains an extensive security apparatus that includes police and military units, multiple intelligence services, local revolutionary committees, and people's committees. The resulting pervasive surveillance system monitors and controls many aspects of the lives of individuals, including their religious activities.

While the Government does not single out religious activity for special scrutiny, it actively monitors peaceful religious practice for evidence of political motivations or dimensions. So long as religious groups avoid political activity, they encounter little harassment.

The Government controls all mosques and Islamic institutions, and it may censor clerics. Even mosques endowed by prominent families generally must conform to the government-approved interpretation of Islam. The Government also

maintains control over religious literature, including Islamic literature.

The Government prohibits meaningful independent association and forbids group activities 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 religious groups.

The Government actively enforces a prohibition on efforts to proselytize Muslims.

Members of minority religious groups, primarily Christians, encountered minimal restrictions conducting worship. However, Christian churches face occasional property disputes and difficulties obtaining municipal services. On February 1, 2007, with the approval of the Catholic community, the Government gave a 19th-century Catholic church in the Tripoli old city to the Anglican community, fulfilling a 1970 promise to provide the Anglican Church with an appropriate worship facility. The Anglican community consecrated the church on March 9, 2007; however, the Church faced difficulties obtaining water service. The Government expelled squatters occupying property belonging to the Greek Orthodox Church; however, the Church continued to face difficulties renovating its property. The Government has not returned Unitarian Church property confiscated in 1971 despite requests from the Church.

On March 7, 2007, the Government announced a ban on women under the age of 40 traveling abroad without a male relative, based on a particular interpretation of Islam. After strong objections, the Government quickly reversed the decision, although there were reports that some female citizens were forbidden from traveling during the reporting period.

The Government allowed priests to visit six Bulgarian medics imprisoned since 1999 for allegedly infecting children with HIV. Criminal courts convicted and sentenced the medics to death in May 2004 and, after appeal and retrial, again in December 2006. At the end of the period covered by this report, the Supreme Court was reviewing the second conviction and death sentence. The medics were allowed to worship with the Greek Orthodox priest in Tripoli.

There were no known places of worship for members of other non-Muslim religions such as Hinduism, the Baha'i Faith, and Buddhism, although adherents are allowed to practice within their homes. Foreign adherents of these religions are allowed to display and sell religious items at bazaars and other gatherings.

Religious instruction in Islam is required in public schools, but in-depth instruction in other religions is not taught. 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.

Abuses of Religious Freedom

There continued to be reports of armed clashes between security forces and Islamic groups that oppose the Government and advocate for the establishment of an Islamic government that would enforce a more conservative form of Islam.

There were no reports available on the number or status of individuals detained because of their religious beliefs.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

During the reporting period, the Government resolved property issues with the Anglican Church of Tripoli pending since 1970. On February 1, 2007, with the concurrence of the Catholic community, the Government formally turned over a former Catholic church in Tripoli's old city to the Anglican Bishop of Tripoli (resident in Cairo) for use by the Anglican community. The Anglican community consecrated the new facility on March 9, 2007.

Section III. Societal Abuses and Discrimination

There were no reports of societal abuse or discrimination based on religious belief or practice. While specific information about relations among religious groups in the country is limited, minority religious leaders expressed contentment with the level of religious freedom.

Section IV. U.S. Government Policy

On May 31, 2006, the U.S. Government upgraded its diplomatic representation in the country from a liaison office to an embassy. On June 30, 2006, Secretary of State Rice rescinded the country's designation as a state sponsor of terrorism. The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. The Embassy maintains regular contact with various religious denominations in the country consistent with its efforts to promote human rights and religious freedom. In addition, during the period covered by this report, the head of the Islamic studies faculty at a major national university traveled to the United States on a U.S.-funded International Visitor Program grant focusing on religious tolerance and interfaith communication.

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