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1999 Country Reports on Human Rights Practices

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LIBYA*

The Socialist People's Libyan Arab Jamahiriya is a dictatorship that has been ruled by Colonel Mu'ammr Al-Qadhafi (the "Brother Leader and Guide of the Revolution&) since 1969, when he led a military coup to overthrow King Idris I. Borrowing from Islamic and pan-Arab ideas, Qadhafi created a political system that rejects democracy and political parties and purports to establish a "third way" superior to capitalism and communism. Libya's governing principles are derived predominantly from Qadhafi's "Green Book." In theory Libya is ruled by the citizenry through a series of popular congresses, as laid out in the Constitutional Proclamation of 1969 and the Declaration on the Establishment of the Authority of the People of 1977, but in practice Qadhafi and his inner circle control political power. Qadhafi is aided by extragovernmental organizations--the Revolutionary Committees and the Comrades Organization--that exercise control over most aspects of citizens' lives. The judiciary is not independent of the Government.

Libya maintains an extensive security apparatus, consisting of several elite military units, including Qadhafi's personal bodyguards, local Revolutionary Committees, and People's Committees, as well as the "Purification" Committees, which were formed in 1996. The result is a multilayered, pervasive surveillance system that monitors and controls the activities of individuals. The various security forces committed numerous serious human rights abuses.

The Government dominates the economy through complete control of the country's oil resources, which account for almost all export earnings and approximately 30 percent of the gross domestic product. Oil revenues constitute the principal source of foreign exchange. Much of the country's income has been lost to waste, corruption, and to attempts to develop weapons of mass destruction and acquire conventional weapons. Despite efforts to diversify the economy and encourage private sector participation, the economy continues to be constrained by a system of extensive controls and regulations covering prices, credit, trade, and foreign exchange. The Government's mismanagement of the economy has caused high levels of inflation, increased import prices, and hampered

economic expansion, which has resulted in a decline in the standard of living for the majority of citizens in recent years.

The Government's human rights record remains poor. Citizens do not have the right to change their government. Qadhafi has used extrajudicial killing and intimidation to control the opposition abroad and summary judicial proceedings to suppress it at home. Security forces torture prisoners during interrogations or for punishment. Prison conditions are poor. Security forces arbitrarily arrest and detain persons, and many prisoners are held incommunicado. Many political detainees are held for years without charge. The Government controls the judiciary, and citizens do not have the right to a fair public trial or to be represented by legal counsel. The Government infringes on citizens' privacy rights, and citizens do not have the right to be secure in their homes or persons, or to own private property. The Government restricts freedom of speech, press, assembly, association, and religion. The Government imposes some limits on freedom of movement. There were reports of mass expulsions of foreign workers and residents to neighboring countries in 1997. The Government prohibits the establishment of independent human rights organizations. Violence against women is a problem. Traditional attitudes and practices continue to discriminate against women, and female genital mutilation (FGM) still is practiced in remote areas of the country. The Government discriminates against and represses certain minorities and tribal groups. The Government continues to repress banned Islamic groups and exercises tight control over ethnic and tribal minorities, such as Amazighs (Berbers), Tuaregs, and Warfalla tribe members. The Government restricts basic worker rights, uses forced labor, and discriminates against foreign workers. There have been reports of slavery and trafficking in persons.

Colonel Qadhafi publicly called for violence against opponents of his regime after violent clashes between Islamic activists and security forces in Benghazi in September 1995. Outbreaks of violence between government forces and Muslim militants had continued to plague eastern Libya since that time, but appeared to cease by year's end. The Government encouraged reconciliation with opposition groups during the year, and invited dissidents living abroad to return to Libya, promising that they would be safe. However, few opposition figures returned, and the sincerity of the Government's offer and the likelihood of reconciliation remain unclear.

In April the Government surrendered the two men suspected of the 1988 bombing of Pan Am flight 103 over Scotland. As a result, U.N. sanctions against Libya were suspended.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

Violent clashes between the security forces and militant Islamist opposition groups occurred less frequently during the year. In the past, the clashes were concentrated predominantly in the eastern region and resulted in an undetermined number of deaths. Since a 1996 prison mutiny in Benghazi and other attacks against the regime, the Government has maintained tightened security measures. In the years following the mutiny, the Government made hundreds of arrests, conducted military operations in the areas of insurrection, and killed a number of persons. However, there were no reports of

such activities during the year.

The Government uses summary judicial proceedings to suppress domestic dissent, and has used extrajudicial killings and intimidation to control the opposition abroad. Prior to 1994, there were reports that Libyan security forces hunted down and killed dissidents living abroad (see Sections 1.b. and 2.d.).

A large number of offenses, including political offenses and "economic crimes," are punishable by death. A 1972 law mandates the death penalty for any person associated with a group opposed to the principles of the revolution, as well as for other acts such as treason, attempting to change the form of government by violence, and premeditated murder. The "Green Book" of 1988 states that "the goal of the Libyan society is to abolish capital punishment;" however, the Government has not acted to abolish the death penalty and its scope has increased. In 1996 a law went into effect that applies the death penalty to those who speculate in foreign currency, food, clothes, or housing during a state of war or blockade, and for crimes related to drugs and alcohol.

In 1997 two civilians and six army officers were executed: The civilians by hanging and the army officers by firing squad; at least five others were given prison sentences, all convicted on charges of being American spies, committing treason, cooperating with opposition organizations, and instigating violence to achieve political and social goals. The eight executed men were arrested with dozens of others in connection with a coup attempt by army units composed of Warfalla tribe members in October 1993. The men were convicted by the Supreme Military Court and reportedly did not have lawyers for their trial. The convicted persons allegedly were kept in secret locations and tortured throughout their incarceration to obtain confessions of criminal activity.

The U.N. Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions noted in 1996 "the apparent lack of respect for fair trial standards in trials leading to the imposition of capital punishment in Libya."

Until April Libya was subject to economic and diplomatic sanctions imposed by the U.N. Security Council in connection with the bombings of Pan Am flight 103 over Scotland in 1988, which killed 259 persons on board and 11 persons on the ground, and the bombing of UTA flight 772 over Chad in 1989, which killed 171 persons. These U.N. Security Council resolutions required that Libya fulfill the following conditions: Ensure the appearance in a U.S. or Scottish court of those charged in the Pam Am 103 case; cooperate with U.S., British, and French investigations into the Pan Am and UTA bombings; pay compensation; and renounce terrorism and support for terrorism. In April the Government surrendered the two men suspected of the Pan Am bombing, which prompted the suspension of U.N. sanctions against Libya. The suspects are to be tried under Scottish law before a Scottish court seated in the Netherlands.

In March a French court convicted in absentia the six defendants in the UTA bombing and sentenced them to life in prison. In July the Government paid the French Government \$31 million to compensate the victims' families.

In late November, the Government paid compensation to the British Government for the 1984 killing of British policewoman Yvonne Fletcher outside the Libyan Embassy in London.

In spite of the Government's violent repression of resistance, opposition groups continued to stage attacks on Qadhafi and his regime.

b. Disappearance

The Libyan regime in the past has abducted and killed dissidents in the country and abroad. Libyan dissident Mansour Kikhiya disappeared from Cairo, Egypt in 1993. There is credible information that following his abduction, Kikhiya was executed in Libya in early 1994. There have been no reports of such abductions or killings since 1994.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Security personnel reportedly torture prisoners during interrogations or for punishment. Government agents reportedly periodically detain and torture foreign workers, particularly those from sub-Saharan Africa. Reports of torture have been difficult to corroborate because many prisoners are held incommunicado.

Methods of torture reportedly include: Chaining to a wall for hours, clubbing, applying electric shock, applying corkscrews to the back, pouring lemon juice in open wounds, breaking fingers and allowing the joints to heal without medical care, suffocating with plastic bags, deprivation of food and water, and beatings on the soles of the feet. The law calls for fines against any official using excessive force; however, there are no known cases of prosecution for torture or abuse.

Prison conditions reportedly are poor. While there is insufficient information to make a clear determination on overall prison conditions, a mutiny in July 1996 at the Abu Salim prison was caused by inmates protesting poor conditions. The prisoners went on a hunger strike and captured guards to protest the lack of medical care, overcrowding, and inadequate hygiene and diet provided at the facility. Security units were dispatched to suppress the uprising; as many as 100 persons were killed by security forces.

The Government does not permit prison visits by human rights monitors.

d. Arbitrary Arrest, Detention, or Exile

Security forces arbitrarily arrest and detain citizens. By law, the Government may hold detainees incommunicado for unlimited periods. It holds many political detainees incommunicado in unofficial detention centers controlled by members of the Revolutionary Committees. Hundreds of political detainees, many associated with banned Islamic groups, reportedly are held in prisons throughout the country (but mainly in the Abu Salim prison in Tripoli); many are held for years without charge. Hundreds of other detainees may have been held for periods too brief (3 to 4 months) to permit confirmation by outside observers.

Security forces in 1998 arrested suspected members and sympathizers of banned Islamic groups and monitored activities at mosques following the violent clashes in eastern Libya (see Section 1.a.). In June 1998, at least 100 professionals in Benghazi and several other major cities were arrested on suspicion of political opposition activities, specifically support of or sympathy for the Libyan Islamic Group, an underground Islamic movement that is not known to have used or advocated violence. Some practicing Muslims have

shaved their beards to avoid harassment from security services. Qadhafi has criticized publicly Libyan "mujaheddin" (generally, conservative Islamic activists who fought with the Afghan resistance movement against Soviet forces) as threats to the regime.

The 1994 Purge Law was established to fight financial corruption, black marketeering, drug trafficking, and atheism. It has been enforced by the "Purification" Committees since June 1996 (see Section 1.f.). Scores of businessmen, traders, and shop owners have been arrested arbitrarily on charges of corruption, dealing in foreign goods, and funding Islamic fundamentalist groups, and dozens of shops and firms have been closed. As part of the campaign to implement the Purge Law, the wealth of the middle class and affluent has been targeted as well.

In March 1997, the Libyan General People's Congress approved a law that provides for the punishment of accomplices to crimes of "obstructing the people's power, instigating and practicing tribal fanaticism, possessing, trading in or smuggling unlicensed weapons, and damaging public and private institutions and property." The new law provides that "any group, whether large or small," including towns, villages, local assemblies, tribes, or families, be punished in their entirety if they are accused by the General People's Congress of sympathizing, financing, aiding in any way, harboring, protecting, or refraining from identifying perpetrators of such crimes. Punishment under the Collective Punishment Law ranges from the denial of access to utilities (water, electricity, telephone), fuels, food supplies, official documents, and participation in local assemblies, to the termination of new economic projects and state subsidies.

The Government does not impose exile as a form of punishment. The Government encouraged Libyan dissidents abroad to return to the country during the year, and promised to ensure their safety; however, few returned by year's end, and the sincerity of the Government's offer and the likelihood of reconciliation remain unclear. Prior to 1994, there were reports that security forces hunted down and killed dissidents living abroad (see Section 1.a.). Students studying abroad have been interrogated upon their return (see Section 2.d.).

e. Denial of Fair Public Trial

The judiciary is not independent of the Government.

There are four levels of courts: Summary courts, which try petty offenses; the courts of first instance, which try more serious crimes; the courts of appeal; and the Supreme Court, which is the final appellate level.

Special revolutionary courts were established in 1980 to try political offenses. Such trials often are held in secret or even in the absence of the accused. In other cases, the security forces have the power to pass sentences without trial, especially in cases involving political opposition. The U.N. Special Rapporteur noted in 1996 a lack of fairness in trials of capital cases (see Section 1.a.). In the past, Qadhafi has incited local cadres to take extrajudicial action against suspected opponents.

The private practice of law is illegal; all lawyers must be members of the Secretariat of Justice.

The Government holds a large number of political prisoners. Amnesty International estimates that there are hundreds of persons imprisoned for political reasons.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Government does not respect the right to privacy. Security agencies often disregard the legal requirement to obtain warrants before entering a private home. They also routinely monitor telephone calls.

The security agencies and the Revolutionary Committees oversee an extensive network of informants. Libyan exiles have reported that family ties to suspected regime opponents may result in government harassment and detention. The Government may seize and destroy property belonging to "enemies of the people" or those who "cooperate" with foreign powers. In the past, citizens have reported that the Government warned members of the extended family of any regime opponent that they, too, risk the death penalty.

The law passed by the General People's Congress in March 1997 formally codified the Government's previous threats of punishment for families or communities that aid, abet, or do not inform the regime of criminals and oppositionists in their midst (see Section 1.d.).

The 1994 Purge Law provides for the confiscation of private assets above a nominal amount, describing wealth in excess of such undetermined amounts as "the fruits of exploitation or corruption." In 1996 the Government ordered the formation of hundreds of "Purge" or "Purification" Committees composed of young military officers and students. The Purification Committees reportedly seized some "excessive" amounts of private wealth from members of the middle and affluent classes; the confiscated property was taken from the rich to be given to the poor, in an effort to appease the populace and to strengthen the Government's power and control over the country. The activities of the Purification Committees continued during the year.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The authorities tolerate some difference of opinion in People's Committee meetings and at the General People's Congress; however, in general they severely limit freedom of speech. This is especially true with regard to criticism of Qadhafi or his regime. Infrequent criticism of political leaders and policies in the state-controlled media is interpreted as a government attempt to test public opinion or weaken a government figure who may be a potential challenger to Qadhafi.

The regime restricts freedom of speech in several ways: By prohibiting all political activities not officially approved, by enacting laws so vague that many forms of speech or expression may be interpreted as illegal, and by operating a pervasive system of informants (see Section 1.f.) that creates an atmosphere of mistrust at all levels of society.

The State owns and controls the media. There is a state-run daily newspaper, Al-Shams, with a circulation of 40,000. Local Revolutionary Committees publish several smaller newspapers. The official news agency, JANA, is the designated conduit for official views.

The regime does not permit the publication of opinions contrary to government policy. Such foreign publications as Newsweek, Time, the International Herald Tribune, Express, and Jeune Afrique are available, but authorities routinely censor them and may prohibit their entry onto the market.

Technology has made the Internet and satellite television widely available in Libya. According to numerous anecdotal reports, both are accessed easily in Tripoli.

The Government restricts academic freedom. Professors and teachers who discuss politically sensitive topics face a risk of government reprisal.

b. Freedom of Peaceful Assembly and Association

Public assembly is permitted only with regime approval and in support of the regime's positions.

Despite these restrictions, members of the Warfalla tribe staged several informal protests in 1995 to protest the regime's decision to carry out the death penalty against tribe members involved in the 1993 coup attempt. The Government responded by arresting hundreds of tribe members and expelling others from the military and security forces. In January 1997, eight Warfalla tribe members arrested for involvement in the 1993 coup attempt were executed and at least five others were given prison sentences for allegedly being American spies (see Section 1.a.).

The last display of public discontent and resentment towards the Government occurred when a riot broke out over a penalty called at a soccer match in Tripoli in 1996. The rare instance of public unrest began when a contentious goal was scored by the team that Qadhafi's sons supported and the referee called the play in their favor. The spectators reportedly started chanting anti-Qadhafi slogans after the referee made the call and Qadhafi's sons and their bodyguards opened fire in the air, then on the crowd. The spectators panicked and stampeded out of the stadium and into the streets, where they stoned cars and chanted more anti-Qadhafi slogans. The Government officially admitted that 8 persons died and 39 were injured as a result of the soccer riots, but there were reports of up to 50 deaths caused by the gunfire and the stampede of the crowd.

The Government limits the right of association; it grants such a right only to institutions affiliated with the regime. According to a 1972 law, political activity found by the authorities to be treasonous is punishable by death. An offense may include any activity that is "opposed to the principles of the Revolution."

c. Freedom of Religion

The Government restricts freedom of religion. The country is overwhelmingly Sunni Muslim. In an apparent effort to eliminate all alternative power bases, the regime has banned the once powerful Sanusiyya Islamic sect. In its place, Qadhafi established the Islamic Call Society (ICS), which is the outlet for state-approved religion, as well as a tool for exporting the Libyan revolution abroad. The ICS also is responsible for relations with other religions, including Christian churches in the country. In 1992 the Government announced that the ICS would be disbanded; however, its director still conducts activities, suggesting that the organization remains operational. Islamic groups whose beliefs and

practices are at variance with the state-approved teaching of Islam are banned. Although most Islamic institutions are under state control, some mosques are endowed by prominent families; however, they generally follow the government-approved interpretation of Islam.

According to recent reports, individuals are rarely harassed because of their religious practices. Members of some minority religions are allowed to conduct services. Christian churches operate openly and are tolerated by the authorities. The authorities reportedly have failed to honor a promise made in 1970 to provide the Anglican Church with alternative facilities when they took the property used by the Church. Since 1988 Anglicans have shared a villa with other Protestant denominations. Christians are restricted by the lack of churches; there is a government limit of one church per denomination per city. A resident Catholic bishop, aided by a small number of priests, operates two churches. In March 1997, the Vatican established diplomatic relations with Libya, stating that Libya had taken steps to protect freedom of religion. The Vatican hoped to be able to address more adequately the needs of the estimated 50,000 Christians in the country.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Government usually does not restrict the internal movement of citizens, but has imposed blockades on those cities and regions (primarily in the east) where antigovernment attacks or movements originate. In 1996 after the escape of some 400 prisoners--during which residents purportedly harbored escapees--the town of Dirnah was sealed off by government troops and also had its water and electricity cut off.

The Government requires citizens to obtain exit permits for travel abroad and limits their access to hard currency. A woman must have her husband's permission to travel abroad. Authorities routinely seize the passports of foreigners married to citizens upon their entry into the country.

The right of return exists. The regime has called on students, many of whom receive a government subsidy, and others working abroad, to return to Libya on little or no notice. Students studying abroad have been interrogated upon their return. Prior to 1994, there were reports that Libyan security forces hunted down and killed dissidents living abroad (see Section 1.a.).

The Government has expelled noncitizens arbitrarily (see Section 6.e.). There were reports that in April 1998, the Government accused at least 10 Tunisians suspected of membership in, or support for, the Islamist group An-Nadha, which is banned in Tunisia for activities in opposition of the Tunisian Government, and forcibly returned them to Tunisia, where they reportedly were subjected to abuse. In 1995 the Government expelled approximately 1,000 Palestinian residents to signal its displeasure with the signing of the Interim Agreement between Israel and the Palestine Liberation Organization. The Palestinians were forced to live in makeshift camps along the Egyptian border. The Government allowed the Palestinians living in the border camps to return to Libya, but over 200 Palestinians elected to remain, hoping to travel to the West Bank and Gaza or resettle in Egypt. The governments of Egypt and Israel refused to accept the Palestinians in 1996, leaving them stranded in the deteriorating and squalid conditions of the once

temporary border encampments. They were removed forcibly from their encampments to another location in the country by police and military authorities in April 1997.

The Government expelled 132 Algerians in November 1997 (see Section 6.e.).

The law does not include provisions for granting asylum, first asylum, or refugee status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol, and the Government does not grant such status. The U.N. High Commissioner for Refugees (UNHCR) reported that by July 1998, there were approximately 10,000 refugees of concern to the UNHCR in the country, including some 4,200 Palestinians, 3,543 Somalis, and smaller numbers of Eritreans, Sudanese, and Ethiopians. The Government officially contacted the UNHCR liaison officer in Tripoli in 1995 in an effort to facilitate the repatriation of Arab and African refugees to their countries of origin. In 1997 the UNHCR assisted in the repatriation of 886 Eritreans and 152 Ethiopians from Libya.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government. Major government decisions are controlled by Qadhafi, his close associates, and committees acting in his name. Political parties are banned. Qadhafi appoints military officers and official functionaries down to junior levels. Corruption and favoritism, partially based on tribal origin, are major problems that adversely affect government efficiency.

In theory popular political participation is provided by the grassroots People's Committees, which send representatives annually to the national General People's Congress. In practice, the GPC is a rubber stamp that approves all recommendations made by Qadhafi.

Qadhafi established the Revolutionary Committees in 1977. These bodies consist primarily of youths who guard against political deviation. Some Committees have engaged in show trials of regime opponents; in other cases, they have been implicated in the killing of opponents abroad. The Committees approve all candidates in elections for the GPC.

There is no reliable information on the representation of women and minorities in the Government.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government prohibits the establishment of independent human rights organizations. Instead, it created the Libyan Arab Human Rights Committee in 1989. The Committee is not known to have published any reports.

The regime has not responded substantively to appeals from Amnesty International on behalf of detainees. In 1994 the regime characterized Amnesty International as a tool of Western interests and dismissed its work as neocolonialist; its representatives last visited Libya in 1988.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination based on these factors; however, the Government does not enforce these prohibitions, particularly discrimination against women and tribal minorities.

Women

Although there is little detailed information on the extent of violence against women, it remains a problem. In general the intervention of neighbors and extended family members tends to limit the reporting of domestic violence. Abuse within the family rarely is discussed publicly, due to the value attached to privacy in society.

The 1969 Constitutional Proclamation granted women total equality. Despite this legal provision, traditional attitudes and practices prevail and discrimination against women persists and keeps them from attaining the family or civil rights formally provided them. A woman must have her husband's permission to travel abroad (see Section 2.d.).

Although their status is still not equal to that of men, most observers agree that, with the advent of oil wealth in the 1970's, the opportunity for women to make notable social progress has increased. Oil wealth, urbanization, development plans, education programs, and even the impetus behind Qadhafi's revolutionary government all have contributed to the creation of new employment opportunities for women. In recent years, a growing sense of individualism in some segments of society, especially among the educated young, has been noted. For example, many educated young couples prefer to set up their own households, rather than move in with their parents, and view polygyny with scorn. Since the 1970's, educational differences between men and women have narrowed.

In general the emancipation of women is a generational phenomenon: Urban women under the age of 35 tend to have more "modern" attitudes toward life and have discarded the traditional veil; at the same time, older urban women tend to be more reluctant to give up the veil or the traditional attitudes towards family and employment. Moreover, a significant proportion of rural women still do not attend school and tend to instill in their children such traditional beliefs as women's subservient role in society.

Employment gains by women also tend to be inhibited by lingering traditional restrictions that discourage women from playing an active role in the workplace, and by the resurgence of Islamic fundamentalist values. Some observers have noted that even educated women tend to lack self-confidence and social awareness and seek only a limited degree of occupational and social participation with men.

Children

The Government subsidizes education (which is compulsory to age 15) and medical care, and has improved the welfare of children; however, declining revenues and general economic mismanagement have led to cutbacks, particularly in medical services. Some nomadic tribes located in remote areas still practice female genital mutilation (FGM) on young girls, a procedure that is widely condemned by international health experts as damaging to both physical and psychological health.

People with Disabilities

No information is available on the Government's efforts to assist the disabled.

National/Racial/Ethnic Minorities

Arabic-speaking Muslims of mixed Arab and Amazigh ancestry constitute 97 percent of the population. The principal non-Arab minorities are Amazighs and blacks. There are frequent allegations of discrimination based on tribal status, particularly against Amazighs in the interior and Tuaregs in the south. The Government has manipulated the tribes to maintain a grip on power by rewarding some tribes with money and government positions and repressing and jailing members of various other tribes. The Government also has attempted to keep the tribes fractured by pitting one against another.

Section 6. Worker Rights

a. The Right of Association

Independent trade unions and professional associations are prohibited and workers do not have the right to form their own unions. The regime regards such structures as unacceptable "intermediaries between the revolution and the working forces." However, workers may join the National Trade Unions' Federation, which was created in 1972 and is administered by the People's Committee system. The Government prohibits foreign workers from joining this union.

The law does not provide workers with the right to strike. There have been no reports of strikes for years. In a 1992 speech, Qadhafi affirmed that workers have the right to strike, but added that strikes do not occur because the workers control their enterprises.

The official trade union organization plays an active role in the International Confederation of Arab Trade Unions and the Organization of African Trade Union Unity. It exploits international trade union contacts to engage in propaganda efforts on behalf of the regime. The Arab Maghreb Trade Union Federation suspended the membership of Libya's trade union organization in 1993. The suspension followed reports that Qadhafi had replaced all union leaders, in some cases with loyal followers without union experience.

b. The Right to Organize and Bargain Collectively

Collective bargaining does not exist in any meaningful sense because labor law requires that the Government must approve all agreements.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

In its 1995 report, the Committee of Experts of the International Labor Organization's (ILO) stated that "persons expressing certain political views or views ideologically opposed to the established political, social, or economic system may be punished with penalties of imprisonment," including "an obligation to perform labor." The 1995 ILO

report also noted that public employees may be sentenced to compulsory labor "as a punishment for breaches of labor discipline or for participation in strikes, even in services whose interruption would not endanger the life, personal safety, or health of the whole or part of the population." The Government informed the ILO in 1996 that legislation was enacted to abolish these provisions and submitted a report to the ILO. The ILO did not comment on the report.

There have been credible reports that the Government arbitrarily has forced some foreign workers into involuntary military service or has coerced them into performing subversive activities against their own countries. Libyans, despite the Penal Code's prohibition on slavery, have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children, who were captured by Sudanese government troops in the ongoing civil war in Sudan (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The minimum age for employment of children is 18. Education is compulsory to age 15. There is no information available on the prevalence of child labor, or on forced or bonded labor by children.

e. Acceptable Conditions of Work

The labor force is approximately 1.2 million workers (including about 160,000 foreign workers) in a population of 5.2 million. Wages, particularly in the public sector, frequently are in arrears. A public wage freeze imposed in 1981 remains in effect and has eroded significantly real income. There is no information available regarding whether the average wage is sufficient to provide a worker and family with a decent standard of living.

The legal maximum workweek is 48 hours. The Labor Law defines the rights and duties of workers, including matters of compensation, pension rights, minimum rest periods, and working hours.

The Labor Law does not accord equality of treatment to foreign workers. Foreign workers may reside in the country only for the duration of their work contracts, and may not send more than half of their earnings to their families in their home countries. They are subject to arbitrary pressures, such as changes in work rules and contracts, and have little option but to accept such changes or to depart the country. Foreign workers who are not under contract enjoy no protection.

In 1997 the U.N. Committee on Economic, Social, and Cultural Rights cited inadequate housing, threats of imprisonment to those accused of disobeying disciplinary rules, and accusations of causing a variety of societal problems as some of the problems in the Government's treatment of foreign laborers.

The Government uses the threat of expulsion of foreign workers as leverage against countries whose foreign policies run counter to Libya's. The Government expelled approximately 1,000 Palestinian residents in late 1995 to signal its displeasure with the agreement between Israel and the Palestine Liberation Organization, and in 1996, the regime threatened to expel thousands of Palestinian workers for political and economic reasons (see Section 2.d.).

Over 130 Algerians were expelled in 1997 (see Section 2.d.).

Labor inspectors are assigned to inspect places of work for compliance with occupational health and safety standards. Certain industries, such as the petroleum sector, try to maintain standards set by foreign companies. There is no information on whether a worker can remove himself from an unhealthy or unsafe work situation without risking continued employment.

f. Trafficking in Persons

There is no information available regarding whether the law prohibits specifically trafficking in persons.

There have been reports of trafficking in persons. Libyans have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children, who were captured by Sudanese government troops in the ongoing civil war in Sudan.

* The United States has no official presence in Libya. Information on the human rights situation therefore is limited.

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[Near East and North Africa Index](#) | [Table of Contents](#) | [1999 Report Homepage](#) | [Human Rights Reports Index](#)