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Libya: Time to make human rights a reality

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(Brussels) - Amnesty International today released a new report, *Libya: Time to make human rights a reality*, detailing the findings of the organization's first visit to Libya in 15 years.

The report -- released on the day of Libyan leader Colonel Mu'ammar al-Gaddafi's visit to the European Commission in Brussels, his first to Europe in 15 years -- reveals a pattern of on-going human rights violations, a continuing failure to investigate and resolve past abuses, and a climate of fear in which most Libyans are afraid to raise concerns over current and past violations.

While welcoming some positive developments, Amnesty International said that a comprehensive program of reform is needed to address these human rights concerns.

"Libya is at a cross-roads. It has an opportunity to ensure that human rights become a reality at home and that the country can contribute to promoting human rights internationally," said Amnesty International.

"Libya must turn human rights promises into action. There is an urgent need to establish the truth over past events and for the Libyan authorities to commit to domestic reform to address current abuses."

Libya is undergoing a period of change with the end of UN sanctions and the process of normalization of its relations with the United States of America and the European Union.

Given Colonel al-Gaddafi's visit to the European Commission and Libya's expressed readiness to enter the EU's current partnership with Mediterranean countries, the EU must send a strong signal from the outset that, as a basis of this partnership, it expects Libya to deliver on its promises to respect human rights. Amnesty International also called on the EU and Libya to ensure that possible cooperation on the return of "illegal immigrants" respects the rights of people in need of protection.

In a speech to judicial and other officials on 18 April 2004, Colonel Mu'ammar al-Gaddafi, called for legal and other reforms and responded to a number of specific concerns raised by Amnesty International, documented in its report released today.

"We welcome Colonel al-Gaddafi's speech. We hope that it will give impetus to reforms in laws and practice that will secure institutional change, as well as to accountability for perpetrators and full redress for victims of human rights violations," said Amnesty International.

The Libyan authorities have taken some positive steps on human rights in recent years. These include the release in 2001 and 2002 of nearly 300 prisoners, including prisoners of conscience detained since 1973, and the recent opening of the country to a degree of international scrutiny.

However, a pattern of human rights violations continues, often justified under the new rhetoric of the 'war on terror'.

Amnesty International's findings include laws which criminalize the peaceful exercise of freedom of expression and association, leading to the imprisonment of prisoners of conscience; prolonged detention without access to the outside world, which facilitates torture; and unfair trials, in particular before the People's Court which tries political cases. Torture and ill-treatment continues to be widely reported, its main use being to extract "confessions".

Although abolition of the death penalty is promised, capital punishment remains prescribed and used for a large number of offences including the peaceful exercise of political activities. Forms of "collective punishment", including house demolition, are authorized and practised.

Past policies and events constituting grave human rights violations continue to cast a shadow on Libya's human rights record. They include a policy of "physical liquidation" of political opponents during the 1980s; numerous deaths in custody without adequate explanation; the "disappearance" of political prisoners, especially since 1996; and the "disappearance" of Libyan nationals abroad and foreign nationals visiting Libya.

Hundreds of families still do not know whether their relatives are alive or dead, or how they died. Many are too scared to ask. Libyans living inside and outside the country are afraid to report human rights violations for fear of retaliation against themselves or their relatives. Others wishing to undertake human rights work in the country encounter severe obstacles, including restrictive legislation and the possibility of being sentenced to death.

During its visit in February 2004, Amnesty International had unprecedented access to prisoners, as well as the Libyan authorities at all levels, legal professionals and charitable organizations. The Libyan authorities promised to seriously consider Amnesty International's recommendations.

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566
Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

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