

Submission by Society for Threatened Peoples

a non-governmental organization in special consultative status

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Libyan Arab Jamahiriya

Despite some modest improvements the human rights situation in Libya remains far from being satisfactory. The release of some 200 political prisoners in March 2010 was a positive step, but hundreds of political opponents still are held in prison without due process. The continued “disappearance” of dissidents, the incarceration of political prisoners, the torture of detainees, the deliberate denial of freedom of expression and access to information, the ban of independent associations and the violation of women rights and the lack of protection of refugees indicate that Libya’s human rights record remains poor. Impunity prevails and a repressive legal framework facilitates new massive human rights violations.

The denial of Amazigh culture and identity

Society for Threatened Peoples is especially concerned about the plight of ethnic minorities. Berber (Amazigh) and Toubou peoples have been suffering from human rights violations. Some 10 percent of the Libyan population are estimated to be of Amazigh origin. Tens of thousands of Tuareg people migrated from Niger and Mali to Libya in search for jobs after the disastrous drought in Sahel countries in the 70s. But the Libyan Government insists on the Arab identity of the country and describes claims of Amazigh identity as a colonial invention. Despite the fact that the Amazigh are the indigenous population of North Africa, Libyan leader Muammar al-Gaddafi declared in a speech to Tuareg tribal leaders on March 1, 2007 that no Berbers are living in North Africa. The remarks caused an outcry among the Amazigh community in North Africa. The President of the “World Amazigh Congress”, Belkacem Lounes, wrote an Open Letter to Gaddafi and protested against the denial of the existence of 30 million Amazigh in North Africa. Libyan Amazigh were facing ostracism, exclusion and broad discrimination, stated Lounes.

Libyan state authorities have been practising a deliberate policy of “forced Arabization”. The 1969 Constitutional Declaration defined Libya as an Arab nation and has acknowledged Arabic as the country’s only official language. Amazigh and other Berber languages have been dismissed and are barred from any use in public institutions. The “Declaration of the Establishment of the Authority of the People” which replaced the Constitution in March 1977, has emphasized the Arab nature of the country which was named Libyan Arab Jamahiriya. The cultural and educational system insists on the exclusive use of the Arabic language despite the Amazigh origin of many citizens. Until 1977 a controversial law banned Amazigh from giving Berber names to newborn children and forced children with Berber names to change their names in order to register for school education.

The deliberate denial of Amazigh language and culture constitutes a massive threat to Berber identity and survival. Numerous Amazigh-speaking areas in Libya (Sukna, Ghat, Zwara, Ghadames, Jalu, Awbrai, Nefusa, Awjila) are maintaining their Amazigh characteristics and the population in these towns still uses Berber languages as their mother tongue.

Libya’s official minority policy was extremely contradictory in recent years and has caused unease among Amazigh. On the one hand the government in Tripolis has convened the first Amazigh Congress

in 2007 to discuss education and social integration of Libya's Berbers. In August 2009 the "Gaddafi International Foundation" invited leading representatives of the "World Amazigh Congress" for an exchange of information on the Berber's situation to Libya. Furthermore Society for Threatened Peoples welcomed visits of the former Libyan Prime Minister al-Baghdadi al-Mahmoudi and of other leading Libyan politicians to Amazigh towns. Many Berbers appreciated that the authorities recently allowed the display of Tamazight signs at government-sponsored events.

Despite these positive signs several critical events highlighted that the Libyan authorities still are not committed to acknowledge Amazigh as respected citizens and to respect their culture and identity. On December 24, 2008, members of the official "Revolutionary Committees" and of state-sponsored youth organisations in the town Yefren (Region Nefusa) in a public meeting massively criticized leading Libyan representatives of the Amazigh community for participating in international conferences of the "World Amazigh Congress". They were called separatists and traitors. Organizers of the conference even encouraged the public to violently attack the houses of leading Amazigh. Any Berber participating in meetings on Amazigh rights would face death, announced the youth organizations. An atmosphere of intimidation and threats against Amzigh persisted in the town.

The Libyan Government pressured the Moroccan authorities to prohibit a lecture of a book of a critical Libyan Berber poet on June 18, 2009. The poet Sifaw El Mehroug, born in the Nefusa Mountains in 1946, was a leading critical Amazigh voice in Libya after the revolution of 1969. After a suspicious car accident he died in 1994. Many Amazigh are convinced that Libyan security officials were responsible for the so-called accident.

On November 18, 2009, the Vice-President of the "World Amazigh Congress", Khalid Zerrari, was prohibited from entering Libya at Tripolis airport. He had wanted to participate in the funeral of M'hamed Hamrani, a respected Libyan member of the Federal Committee of the "World Amazigh Congress".

Toubou people are facing discrimination

Massive discrimination of minority people has been reported from south eastern Libya. Some 4,000 Toubou people are living in the town of Kufra, an oasis city of 44,000 inhabitants some 2,000 kilometers of distance from the capital. The majority of the Toubou, a semi-nomadic indigenous group, live in northern Chad. In Libya they are treated as foreigners by the authorities. In December 2007, the Libyan Government withdrew citizenship from members of the Toubou group, stating that they were not Libyans but Chadians. Furthermore the local authorities issued decrees barring Toubou from access to education and health care services. The armed movement "Front for the Salvation of the Toubou Libyans" has opposed these measures. During five days of fighting between the official security forces and the Toubou in November 2008, incited by this deliberate denial of citizenship, up to 33 people died in Kufra.

Despite public criticism the government of Libya continues to expel Toubou people from their residential areas in Kufra. Since November 2009 dozens of families lost their homes due to forced destruction by bulldozers supervised by state security forces. Several dozens of Toubou were arrested due to their opposition against the forced evictions. They only were released after publicly confirming that they would not block any destruction of houses. People who refused to move from their houses were beaten by security officials. Some were even contacted by the authorities only minutes before bulldozers destroyed their homes to leave the houses. No alternative housing was proposed to the victims of the forced evictions. Furthermore Libyan authorities refused to renew or extend passports to the minority people. Several times parents were prevented from registering births of their children and denied birth certificates. The Libyan Government is responsible for a deliberate policy of ethnic cleansing in Kufra which violates both Libyan and international law.