

31 August 2001

AI Index MDE 19/002/2001 - News Service Nr. 154

Libya: Releases positive but not enough

After 31 years of imprisonment, Libya's longest serving political prisoner, Ahmad al-Zubayr Ahmad al-Sanussi, was released earlier this week together with dozens of other political prisoners. Accused of involvement in an attempted coup d'état in 1970, he had been held for many years in solitary confinement, in violation of international human rights standards.

"The release of dozens of political prisoners in Libya is a very positive step," Amnesty International said. "However, we remain concerned about the hundreds of remaining political prisoners, many of whom have been detained for more than a decade without charge or trial."

The *Gaddafi International Foundation for Charity Association (GDIFCA)*, headed by Saif al-Islam Gaddafi, a son of Colonel Gaddafi, announced the prisoners' release on the occasion of the 32nd anniversary of Colonel Gaddafi's coming to power. The GDIFCA published a list with the names of 107 released prisoners including more than 20 men who had been detained in 1984 in a clampdown on government opponents after an attack on the Bab al-'Aziziya Barracks in Tripoli.

Among the hundreds of political prisoners who have not been released are five prisoners of conscience imprisoned since April 1973. Muhammad 'Ali al-Akrami, al-'Ajili Muhammad 'Abd al-Rahman al-Azhari, Muhammad 'Ali al-Qajiji, Salih 'Omar al-Qasbi and Muhammad al-Sadiq al-Tarhuni. They were sentenced to life imprisonment for membership of the *Islamic Liberation Party* before tribunals which fail international standards of fair trial.

Many political prisoners remain held without charge or trial. However in March 2001 a trial began against some 150 professionals, including engineers, doctors and university lecturers. The majority of them were arrested in summer 1998 under suspicion of supporting or sympathizing with *al-Jama'a al-Islamiya al-Libiya*, the Libyan Islamic Group, which is banned in Libya. This organization is not known to have used or advocated violence and these detainees may also be prisoners of conscience.

For almost three years the whereabouts of these detainees were unacknowledged. Their relatives were only recently allowed to meet them in the context of the trial hearings. Amnesty International is concerned that international standards for fair trial have been violated in this trial, including the right of a defendant to have "adequate time and facilities for the preparation of his defence and to communicate with a counsel of his own choosing," as guaranteed under Article 14 (3) (b) of the International Covenant of Civil and Political Rights to which Libya is a State Party. According to the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment a "detained or imprisoned person shall have the right to communicate with the outside world," including the family and legal counsel.

According to Amnesty International's information, the next hearing in this trial before the Peoples' Court is scheduled for 23 September 2001. The organization has applied to the Libyan authorities to receive permission to observe this trial and is currently awaiting a response.

Amnesty International calls on the Libyan authorities to ensure that in accordance with its international obligations all detainees are brought before a judge immediately after arrest, that they are humanely treated and have access to the outside world. All prisoners of conscience should be immediately and unconditionally released.

BACKGROUND

Amnesty International is also monitoring a number of other pending trials in Libya before the Peoples' Court, including:

*On 22 September 2001 the verdict in the trial of 16 health professionals, accused of infecting children with the HIV-virus in a Libyan hospital, is expected to be pronounced. The charges against them are punishable by death.

* On 21 May 2001 death sentences were passed against one Ghanaian, two Libyans and four Nigerians for their alleged role in the racist attacks against sub-Saharan Africans in September and early October 2000 in which dozens of sub-Saharan Africans were killed. The trial included more than 300 defendants of whom about 150 were sentenced to imprisonment. Libyan authorities have given assurances that those convicted in this trial have the right to appeal.

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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>