



**International covenant
on civil and
political rights**

Distr.
GENERAL

CCPR/C/SR.2487
26 October 2007

Original: ENGLISH

HUMAN RIGHTS COMMITTEE

Ninety-first session

SUMMARY RECORD OF THE 2487th MEETING

Held at the Palais Wilson, Geneva,
on Wednesday, 17 October 2007, at 3 p.m.

Chairperson: Mr. RIVAS POSADA

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLE 40 OF THE COVENANT (agenda item 6) (continued)

Fourth periodic report of the Libyan Arab Jamahiriya (CCPR/C/LBY/4;
CCPR/C/LBY/Q/4; HRI/CORE/1/Add.77; written replies by the Libyan Arab Jamahiriya,
document without a symbol distributed in Arabic only)

1. At the invitation of the Chairperson, the members of the delegation of the Libyan Arab Jamahiriya took places at the Committee table.
2. Mr. ABUSEIF (Libyan Arab Jamahiriya), introducing his country's fourth periodic report (CCPR/C/LBY/4), said that the denial of basic human rights and of a people's right to genuine participation was not only a tragedy for individual citizens but could also undermine social and political stability, generating violence and conflict. That was why the Libyan people had adopted the Great Green Document on Human Rights in 1988 and the Promotion of Freedom Act, which translated its provisions into law, in 1991. Libyan men and women now enjoyed equal rights. They were free to establish trade unions and other associations to protect their labour rights, and enjoyed freedom of opinion and expression. The judiciary was independent and every Libyan citizen could exercise the right to litigate. The right to work, the right to adequate housing and the right to life were guaranteed. The death penalty could be imposed only in cases of qisas (retribution) or where a person posed a continuing threat to society. Similarly, only those who constituted a threat to others could be deprived of their liberty and an accused person was deemed to be innocent until proved guilty by a court of law. Moreover, the law prohibited the subjection of accused persons to any form of physical or mental torture or to cruel or degrading treatment. All Libyans were entitled under law to protection of their privacy and to enjoyment of the fruits of their labour; private property was inviolable.
3. His Government had taken vigorous action for the advancement of women, enabling them to participate fully in the development process. Women held high office in the political, economic and social spheres, as well as in the diplomatic corps, the judiciary, the police and the armed forces. Libyan children also enjoyed special protection, since corporal punishment and all forms of torture and ill-treatment of children were prohibited by law. They also had access to all-round health care and free education.
4. The human rights that constituted the core content of the revealed religions were inalienable. The Islamic sharia guaranteed human rights through an all-embracing and consistent framework that was applicable everywhere and for all time. With regard to inheritance, the recommendation in the Holy Koran that a man's share should be twice that of a woman was not a general rule and was applicable only in a limited number of circumstances. Three basic criteria were applied in that regard. The first concerned the degree of kinship to the deceased: the closer the degree of consanguinity, the greater the portion a male or female heir stood to inherit. The second criterion was generational, with priority being given to the younger generation, irrespective of sex, on the ground that the younger heir's future burden of responsibility would be greater than that of a member of the older generation. Thus, the daughter of the deceased stood to inherit more than the deceased's mother or father, even if she was still an infant.

The third criterion, namely the financial burden to be borne by the male heir vis-à-vis other parties, was the only one involving a distinction between men and women, but it entailed no adverse consequences for the woman. Indeed the contrary was often the case.

5. Mr. AL JETLAWI (Libyan Arab Jamahiriya), responding to question 1 of the list of issues (CCPR/C/LBY/Q/4), said that the content of the Covenant had formed part of his country's Islamic heritage for more than 1,400 years. Libyan domestic legislation was therefore consistent with the provisions of the Covenant unless those provisions were at variance with the sharia, an approach based on the principle of freedom of belief and worship which was guaranteed by the Covenant.

6. Mr. ABUSEIF (Libyan Arab Jamahiriya), responding to question 2, said that the Committee's Views had been circulated to the relevant parties so that they could take the requisite action. With regard to communication No. 1107/2002, the Libyan consulate in Morocco had issued a passport to Ms. Loubna El Ghar. No information was yet available regarding communication No. 440/1990 (Youssef El-Megreisi v. Libyan Arab Jamahiriya).

7. Mr. AL MAJDOUB (Libyan Arab Jamahiriya), referring to question 3, said that the Libyan legislature had adopted a policy of imposing harsher criminal sanctions for violence against women. That policy was reflected in articles 390 to 395 of the Criminal Code concerning abortion, articles 407 and 408 criminalizing rape, article 416 criminalizing enforced prostitution and article 411 criminalizing marriage by abduction. Ill-treatment of a wife by her husband was punishable under articles 396 to 398 of the Code.

8. Mr. AL JETLAWI (Libyan Arab Jamahiriya), responding to question 4, said that Law No. 70 of 1973 concerning adultery was based on the Koran. A licentious society was incompatible with cultural particularism and with freedom of belief and worship. Women and girls underwent virginity examinations only when they had been raped. Social rehabilitation facilities for girl victims of violence had been established to protect the girls and to safeguard them from possible attacks by relatives as a social reaction. They were in fact social welfare centres rather than detention facilities and the law guaranteed the girls full exercise of their rights.

9. Mr. ABUSEIF (Libyan Arab Jamahiriya) said that he had responded to question 5 concerning inheritance in his introductory statement. He simply wished to reaffirm that the injunctions laid down in the Koran were not subject to amendment, exemption or expansion.

10. Ms. MARKUS (Libyan Arab Jamahiriya), turning to question 6, said that Law No. 10 of 1984 concerning marriage and divorce guaranteed women full equality in filing for divorce on grounds of desertion or domestic violence. Women also had the right of khul (divorce at the instance of the wife).

11. Mr. DERBI (Libyan Arab Jamahiriya), responding to question 7, said that his country's counter-terrorism legislation consisted of chapter I of the Criminal Code, the 1967 Law concerning weapons, ammunition and explosives, Law No. 7 of 1981 concerning possession of

weapons, ammunition and explosives, and Law No. 13 of 1993 concerning theft and highway robbery, all of which criminalized individual, group and State terrorism. He pointed out that there was as yet no agreed international definition of terrorism and that each State tended to adopt a different approach to the problem.

12. Mr. AL JETLAWI (Libyan Arab Jamahiriya), referring to question 8, said that during the past five years the death penalty had been imposed only for premeditated homicide. The sentence was executed by firing squad, in accordance with the Code of Criminal Procedure. Deliberations on the list of offences for which the death penalty could be imposed had not yet been completed.

13. Mr. ABUSEIF (Libyan Arab Jamahiriya), replying to question 9, said that for the time being his country had no plans to abolish the death penalty.

14. Mr. AL JETLAWI (Libyan Arab Jamahiriya), responding to question 10, which referred to cases of extrajudicial, arbitrary or summary executions and persons in detention, said that the Libyan Arab Jamahiriya was a State based on the rule of law, in accordance with article 1 of the Criminal Code, which laid down the principle of *nullum crimen, nulla poena, sine lege*. Nobody could be charged or punished save on the basis of a pre-existing legal enactment and a judgement by a court of law. All judgements were published and nobody was put to death in the absence of a death sentence.

15. Mr. AL MAJDOUB (Libyan Arab Jamahiriya), referring to question 11, said that prisons and prison staff were subject to judicial supervision. Committees composed of members of the Public Prosecutor's Office carried out regular inspections and considered inmates' complaints. Cases of alleged torture were investigated as offences against articles 337 and 435 of the Criminal Code, which provided for harsher penalties if the acts were committed by a public official. Institutional Reform Law No. 5 of 2005 guaranteed detainees' rights, including the right to file complaints.

16. Mr. AL JETLAWI (Libyan Arab Jamahiriya), responding to question 12, said that the penalties of flogging and amputation were imposed for adultery, theft and highway robbery. The imposition of such penalties was subject to extremely strict conditions so as to safeguard the rights of the accused. Moreover, an offender who repented was exempted from such punishment. The sharia was the source of the relevant Libyan legislation.

17. Mr. DERBI (Libyan Arab Jamahiriya), responding to question 13, said that there were no detention centres for asylum-seekers. All matters pertaining to foreigners' entry into, departure from and residence in Libyan territory were governed by Law No. 6 of 1987. Article 21 of the 1991 Promotion of Freedom Law stated that "the Jamahiriya is a place of refuge for the persecuted and freedom-fighters, and no refugee may be handed over to any party whatsoever". The General People's Congress was responsible for granting refugee status and deciding on the treatment of refugees.

18. The persons held in detention centres had entered the country illegally and were in most cases undocumented migrants intending to enter Europe illegally.

19. Mr. AL MAJDOUB (Libyan Arab Jamahiriya) said that the provisions governing qisas and diyah (payment of blood money) could be invoked to prevent the imposition of the death penalty for premeditated homicide. The provisions in question were not incompatible with the Covenant because they were applied in accordance with the requirements of a fair trial and were based on the sharia.

20. Mr. AMOR, Country Rapporteur, said he regretted the fact that the Libyan Arab Jamahiriya's report and written replies to the list of issues were very brief. The Committee's dialogue with the delegation would therefore be of the utmost importance since most of the information it had hitherto received had come from other sources.

21. He asked what was the status of the Covenant in Libyan law, and to what extent domestic legislation and, in particular, legislation on inheritance were in line with the provisions of the Covenant. The State party had ratified the Covenant without any reservations, and he wondered whether the treatment of women under the sharia and the provisions on qisas and diyah could be considered consistent with the provisions of the Covenant. He wished to know whether the Covenant had the same status as the Constitution and the Declaration of 1977 on the establishment of the authority of the people, and what its position was in the hierarchy of legal enactments. He wondered whether a complainant had the right to invoke the Covenant before a court, whether courts could hand down sentences on the basis of the provisions of the Covenant rather than domestic legislation, and if so, whether the delegation could provide specific information on such cases.

22. Mr. SHEARER said he shared Mr. Amor's concern about the lack of information provided by the State party. He requested clarification on the State party's activities in response to the two communications mentioned in question 2 of the list of issues: communications No. 1107/2002 (Loubna El Ghar v. Libyan Arab Jamahiriya) and No. 440/1990 (Youssef El-Megreisi v. Libyan Arab Jamahiriya), the first of which concerned a young Libyan woman who had been temporarily resident in Morocco and had applied to extend the validity of her passport so as to be able to pursue higher education in Europe. She had only been granted a two-year extension, which had effectively prevented her from taking up a scholarship. The outcome of the case indicated grave difficulties in communication between the Committee and the State party.

23. The second case was much graver, and he had been disappointed to hear the delegation's response that it had no further information about it. In 1990, the case had been filed by Mr. El-Megreisi's brother. Mr. El-Megreisi had disappeared following imprisonment and had last been seen alive in 1992, when he had been visited in prison by his wife. Although the Committee had sought information on the case, including what charges had been brought against Mr. El-Megreisi, whether he had been convicted, where he was being held and what his state of health was, the State party had not responded. The lack of cooperation on the part of the State party in that case had impeded the Committee in the performance of its duties under the Optional Protocol to the Covenant. The Committee would therefore appreciate further information.

24. He drew the State party's attention to the fact that, in respect of non-derogable rights under the Covenant, States parties had a responsibility to investigate alleged violations. Even if no further information was available the Committee could not be satisfied unless the State party was conducting an investigation.

25. Referring to question 12 of the list of issues concerning floggings and amputations as a penalty for certain criminal offences, he said that despite the Committee's request in 1999 that the State party should formally abolish flogging and amputation as punishment, the Committee had been informed that both had been inflicted by the State party in recent years. The revision of the Criminal Code had been under way for a number of years, and he wished to know when it would be completed and what effect it would have on those punishments, which were contrary to the doctrine of the Covenant and the obligations that the Libyan Arab Jamahiriya had undertaken.

26. Ms. MAJODINA noted that the Committee's examination was taking place on the basis of inadequate information from the State party, which made its work particularly difficult. Although there had been positive developments in the promotion of gender equality, she remained concerned about the handling of domestic violence cases in the Libyan legal system. Although the periodic report stated in paragraph 26 that there was no need to criminalize marital rape or assault, it did not provide any precise information on how such violence was dealt with. Information should be provided on the number of cases of domestic violence, rates of prosecution and conviction, the number of sentences handed down, and types of penalties and compensation. She requested further information on detention facilities for women, including the situation of women in social rehabilitation facilities, who, NGOs had reported, had no opportunity to contest their detention before a court. Such deprivation of freedom of movement, dignity and privacy was incompatible with the provisions of the Covenant.

27. Turning to question 8 of the list of issues, she said that no details had been provided on the precise offences for which the death penalty could be imposed under the revised Criminal Code. She wondered when the revised Code would be completed. Despite the statement in the Great Green Document on Human Rights that the State party intended to abolish the death penalty, there did not appear to have been any developments in that regard. She wondered whether the State party intended to ratify the second Optional Protocol to the Covenant.

28. On the question of refugees and asylum-seekers, she said that the Committee welcomed the establishment of a new commission to draft relevant legislation. She was, however, concerned that many foreigners, asylum-seekers and refugees, particularly from sub-Saharan Africa, were repeatedly returned to places where they risked torture. There had also been reports of African refugees who had been tortured in detention in the State party pending their return to their countries of origin. She requested information on what steps the State party envisaged to establish mechanisms to allow those foreign nationals to challenge the legality of their detention and/or expulsion.

29. Mr. O'FLAHERTY asked whether the State party had eliminated the discriminatory practices of granting custody of children to men in divorce cases, depriving women of their rights and ordering them to pay compensation to their husbands if they had initiated divorce proceedings, and granting women the right to marry only with the consent of their legal guardian.

30. Turning to the issue of counter-terrorism, he said that the State party had reported several times to the United Nations Counter-Terrorism Committee, and he welcomed the statement that all counter-terrorism activities would be conducted in compliance with international law, in particular human rights law and humanitarian law. The draft criminal code included elements on

terrorism, and from the point of view of compliance with the Covenant, some issues of concern arose, particularly regarding the use or threat of force or violence and the spreading of propaganda, certain types of association or entity, and terrorization by means of the telephone or messages of any kind. In the absence of a precise definition of the terms “terrorist” and “terrorism”, such broadly phrased provisions provided an opportunity for actions inconsistent with the rights to freedom of association and freedom of expression, inter alia. He wondered whether the State party intended to include a precise legal definition of terrorism in the revised Criminal Code. Were the current anti-terrorism practices and their revisions sufficiently respectful of the principle of non-refoulement? He requested information on measures to ensure that anti-terrorism laws were in line with the non-derogable rights enshrined in article 4 of the Covenant.

31. He asked the delegation to comment on allegations that people had been subjected to rendition to the Libyan Arab Jamahiriya from other countries: people of Libyan nationality had been abducted from Afghanistan and Pakistan with assistance from other States and had been returned to Libya, where at least five of them were in detention. He asked whether those allegations were true, and if so, what was the status of those people. He asked if it was indeed the case that women could be detained for their own protection and that they could be subjected to forced sterilization tests. He requested specific information on the situation of Eritrean refugees and asylum-seekers.

32. Mr. KHALIL said that the dialogue between the State party and the Committee should be based on information provided by the State. The Committee was disappointed to have received so little information, and to have learned that its previous recommendations, which had been intended to assist the State party in its compliance with the provisions of the Covenant, had not been taken into consideration. He hoped that the delegation would use the present meeting as an opportunity to inform the Committee of its efforts to implement the Covenant.

33. The State party had failed to provide the statistics requested in question 10 of the list of issues. While it was useful to learn about the relevant legislation, it was the practical implementation of the legislation that was of interest. The Committee had received alarming information from several reputable sources, including a report from Human Rights Watch, alleging that in January 2006, 258 detainees had been held incommunicado. Some of them had since died in mysterious circumstances. The Committee would appreciate a response to question 11, particularly regarding measures it had taken to ensure that prisoners were not tortured or mistreated. Statistics and other information on the practical application of the relevant legislation should be provided.

34. Mr. SÁNCHEZ CERRO said that the State party’s replies had been unsatisfactory, particularly as they had not indicated whether the Government planned, or even had the political will, to bring domestic legislation into line with the provisions of the Covenant.

35. On question 13, a report from the Office of the United Nations High Commissioner for Refugees (UNHCR) had asserted that of the 12,000 refugees and asylum-seekers currently on Libyan territory, only a quarter were registered with UNHCR. It was thus difficult to understand how those people could be protected, particularly given the lack of relevant policies and structures in the reporting State. It was noteworthy that the State party was not a signatory to any international instruments concerning refugees or asylum-seekers; it should, nonetheless,

endeavour to develop legislation and mechanisms for their protection. He asked what investigations had been made into the case of the 70 refugees from Eritrea who had allegedly been repeatedly tortured in Libya on 8 July 2007. In particular, it would be interesting to learn whether the officials responsible for those acts had been or would be prosecuted.

36. Ms. CHANET said that since the State party had ratified the Optional Protocol to the Covenant, it was obliged to give details of the action that had been taken in the light of the Committee's Views regarding communications No. 1107/2002 and No. 440/1990. She failed to understand how the State party could allow flogging and amputation under the sharia since those practices were in direct contravention of the provisions of the Covenant on inhuman and degrading treatment. The replies the State party had given on divorce and inheritance law had provided information on exceptions only; the Committee wished to know whether men and women had equal rights in the areas of divorce and inheritance. Given that domestic legislation did not contain a definition of terrorism, it would be useful to learn which laws applied to acts of terrorism, and what type of acts fell under the category of terrorism. The delegation should provide details of any cases in which people had been found guilty of acts of terrorism under current legislation, and the legal basis for those prosecutions.

37. She asked whether the Bulgarian nurses and the Palestinian doctor who had been held in the State party had signed a document stating that they would not take legal action against the Libyan authorities for the acts of terrorism to which they had been subjected. If so, she would welcome the delegation's explanation of how such a document was consistent with article 2 of the Covenant.

38. Ms. WEDGWOOD asked the delegation to describe how the periodic report had been prepared. In particular, it would be interesting to know whether inter-agency questionnaires had been used and whether relevant stakeholders had been interviewed in order to gather information.

39. She asked when the findings of the investigative commission on the Abu Salim prison revolt in June 1996 would be released. She requested clarification of how the death penalty for slander and non-violent conduct, such as organizing a political group opposing the 1969 revolutionary principles, was compatible with article 6 of the Covenant.

40. In the light of the assertion that the social rehabilitation facilities for women and girls had been opened with the aim of protecting them against potentially fatal retaliation by family members, it was difficult to understand why the State did not address honour killings in a more direct fashion. She asked what measures had been taken to change that social norm and thus render such shelters unnecessary. In particular, it would be useful to know whether the President had condemned honour killings, and whether the police had responded to threats to women. The delegation should also indicate whether women and girls could leave those shelters only in the custody of a male relative or if they consented to marry.

41. She enquired why the prosecution of the 10 officials accused of taking part in the ill-treatment of the Bulgarian nurses had failed. It was surprising to note that some of the allegations of torture had included sexual assault, particularly in the light of the views held on honour killings in the State party.

42. She recalled that the Committee's case law had consistently prohibited flogging and amputation. Reports had been received of cases in 2002 in which four men had suffered amputation of hand and foot for the crime of stealing cars and supplies from a Chinese oil exploration company. Moreover, Law No. 70 of 1973 and Law No. 52 of 1974 permitted flogging for adultery, fornication and defamation. She asked for the delegation's comments on the inconsistency between those cases and provisions and article 7 of the Covenant.

43. Mr. LALLAH asked whether the people's congresses and people's committees, cited in the State party's core document as the twin pillars of direct popular democracy, had been consulted in the preparation of the periodic report. He enquired how the Committee could be of assistance in ensuring that the death penalty was abolished. It would be useful to learn what amendments were planned in the draft criminal code. He asked for specific details on the State party's legislation on terrorism. Was the reporting State concerned that a court in the United States had refused to extradite a prisoner from Guantánamo to Libya on the grounds that he would be likely to suffer torture once he arrived there?

44. Sir Nigel RODLEY regretted that, despite the high level of expertise among the delegation, the State party appeared to show no desire to respond seriously to the Committee, as illustrated by the response in paragraph 6 of the fourth periodic report to the concern expressed in paragraph 7 of the Committee's previous concluding observations. The Committee against Torture had received no more useful information in response to its concerns. However, the Committees were unimportant; the point was that the State party had undertaken obligations regarding the international community, and in particular the other States parties and the Libyan people, whose human rights were supposedly protected by the Covenant. The dearth of information from the State party thus indicated a contemptuous attitude not towards the Committee, but to the international community and the Libyan people.

45. He requested information about the fate of Mansour Al-Kikhia, the former Permanent Representative of the State party to the United Nations and human rights activist, who had, ironically, disappeared while attending the General Conference of the Arab Organization for Human Rights in Cairo in 1993. According to information available to the Committee, the Libyan authorities had written a letter to Amnesty International in 2002 stating that they had "conducted a series of investigations to determine Mansour Al-Kikhia's whereabouts", but that "his disappearance remains a mystery". The letter had further offered the theory that he might have been "forcibly abducted as part of a settlement of conflicts among competing groups or as part of tactics orchestrated by foreign intelligence services". The delegation should describe the nature and scope of those investigations and indicate whether the authorities had contemplated the possibility that State agents themselves might have been involved in Mr. Al-Kikhia's disappearance.

The meeting was suspended at 5.15 p.m. and resumed at 5.35 p.m.

46. Mr. ABUSEIF (Libyan Arab Jamahiriya) said that international instruments ratified by his country were automatically incorporated into national legislation and could be invoked directly in domestic courts. The Libyan Arab Jamahiriya had acceded to the Covenant of its own free will and it was unacceptable for any member of the Committee to imply that the Government was unwilling to cooperate. His delegation had come to Geneva precisely to engage in dialogue with the Committee. His Government accorded the utmost importance to human rights and had

appointed a representative from each Ministry to participate in a committee that had spent several months examining the provisions of the Covenant, relevant reports and the list of issues in order to prepare the replies. His delegation would do its utmost to respond to the additional questions raised by the Committee, although some, including the disappearance of Mansour Al-Kikhia and the “Bulgarian nurses affair”, did not necessarily fall within the scope of the report.

47. Mr. AL JETLAWI (Libyan Arab Jamahiriya) said that the five Libyans sentenced to amputation had not been accused of mere vehicle theft, but rather had been found guilty of membership of a gang that engaged in large-scale armed highway robbery. Terrorizing and even killing unsuspecting travellers in the desert was a serious crime and warranted severe punishment.

48. Investigations into the incidents in Bouslim prison were under way and detailed information would be provided once the initial investigation had been concluded.

49. His Government was doing its utmost to shed light on the disappearance of Mansour Al-Kikhia; allegations of official involvement in the incident were baseless.

50. With regard to the alleged detention and refusal to permit the entry of refugees, he stressed the importance of distinguishing between refugees and illegal migrants. The authorities had indeed refused entry to persons trying to cross the southern border of the Libyan Arab Jamahiriya illegally and without proper documentation. In accordance with Law No. 6 of 1986 relating to the entry, residence and departure of foreign nationals, illegal residents could be repatriated even after they had been in the country for several months or years. In the framework of the 5+5 Dialogue, his Government had undertaken to cooperate with other Mediterranean countries in the fight against illegal migration and to ensure that the country was not used as a corridor for illegal migration to Europe. African Union nationals, including Eritrean citizens, were accorded special status.

51. Ms. MARKUS (Libyan Arab Jamahiriya) said that, when Ms. Loubna El Ghar (communication No. 1107/2002) had applied for a Libyan passport at the Libyan consulate in Casablanca (Morocco) on 16 September 2002, the consulate had taken the appropriate steps to request authorization from the relevant authorities. Ms. El Ghar had been asked to submit passport photographs and some additional documentation; her failure to do so had delayed the processing of the application. Two days after her initial application, Ms. El Ghar had returned to the consulate to request a document enabling her to travel to the Libyan Arab Jamahiriya, which she had been given. Since the documentation provided by the applicant had been inadequate to establish her eligibility for a Libyan passport, the General Directorate of Passports and Nationality in Tripoli had requested additional information. Once that request had been satisfied, the General Directorate had authorized the consulate in writing, on 2 March 2003, to issue a passport in exchange for the temporary travel document. However, after receipt of that document, Ms. El Ghar had established no further contact with the consulate. The General Directorate had reconfirmed its decision to grant Ms. El Ghar’s request in September 2003 and the passport had been issued once she had submitted all necessary documentation.

52. Mr. ABUSEIF (Libyan Arab Jamahiriya) added that, in accordance with Libyan legislation, passports issued by Libyan consulates abroad were valid for two years only; a second passport issued abroad was valid for four years. The issuance of a passport valid for two years to Ms. El Ghar was thus in accordance with the law, and not an act of discrimination.

53. Ms. MARKUS (Libyan Arab Jamahiriya) said that the social rehabilitation facilities for women mentioned in the list of issues were funded by the Social Security Fund. Far from being places of detention, the centres took in women who lacked the means to provide for themselves, were unable to return to their families because they had been accused of immoral behaviour or had been accused of minor offences that did not carry prison sentences. The centres offered women protection, free health care and social services, training courses, educational programmes and assistance with finding a job. They further assisted women in arranging marriage or reconciliation with their husbands.

54. There were separate facilities for females in pretrial detention, including vagrant minors. The conditions of detention were in line with relevant legislation. Girls or women who had served their sentence but were unable to return to their families were housed in a separate wing; they were free to leave at any time. The main purpose of the centres was to ensure the protection and well-being of women who lacked other means of support. The provisions of the Criminal Code applied to both men and women, without distinction.

55. Mr. AL-MAJDOUB (Libyan Arab Jamahiriya), responding to the allegation that the Bulgarian nurses who had been put on trial in his country had been beaten and tortured to obtain a confession, said that the case had been followed closely by the media, the trial had been conducted in the presence of Bulgarian lawyers, and the nurses had been convicted in accordance with the law. At no point during the trial had allegations of torture been brought. The claims of torture had been made only after the accused had left the country.

56. Law No. 10 of 1984 governed marriage and divorce. Both women and men could file for divorce. Women were eligible to file for divorce in case of abandonment or abuse; they could also file for divorce without providing any grounds, but in that case had no right to compensation of any kind. Custody could be granted to either the father or the mother, depending on the individual circumstances of the case. Violence against women was a punishable offence.

The meeting rose at 6 p.m.