

- take further measures to ensure the provision of support services to children in legal proceedings, the physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill treatment, violence or exploitation;
- undertake research on the issue of domestic violence and child abuse to identify the extent of the problem and provide socio-economic background information and analysis on the families facing these problems;
- envisage taking further steps to reform the system of juvenile justice, with particular attention paid to considering deprivation of liberty only as a measure of last resort and for the shortest possible period of time, the protection of the rights of children deprived of their liberty, due process of law and the full independence and impartiality of the judiciary;
- consider the possibility of ratifying the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, as well as the 1954 Convention on the Status of Stateless Persons, and the 1961 Convention on the Reduction of Statelessness; and
- conduct research on the situation of child labour, including the involvement of children in hazardous work, to identify its causes and the extent of the problem.

Committee on the Elimination of Racial Discrimination

Libya's 11th through 14th periodic reports were submitted as one document (CERD/C/299/Add.13, March 1997) which was considered by the Committee at its March 1998 session. The report prepared by the government states that the citizens of Libya are descended from the same race, speak the same language (Arabic), and profess the same religion (Islam). As a consequence, there are no theories or communities based on religion, race, ethnic origin or political affiliation. The report contains statistical data as well as information on, *inter alia*: the Constitutional Declaration and provisions related to religious freedom; the Great Green Document on Human Rights in the Age of the Masses; the General People's Congress; the Promotion of Freedom Act 1991; provisions in the Penal Code related to religious freedom; equality before the law; the functions and mandate of the People's Court; nationality, marriage and divorce, the right to own property and inheritance rights; the freedoms of thought, expression, association and assembly; access to housing and health care; social security; and the right to education.

The Committee's concluding observations and comments (CERD/C/304/Add.52) noted that the government's report provided information on legislative, judicial, and administrative developments only up to 5 January 1994. The Committee recalled the government's obligation to combat racial discrimination as a preventive measure so as to avoid any possible manifestation or recurrence of

the phenomenon. The Committee welcomed: the fact that the Convention forms an integral part of domestic legislation and, in case of legal conflict, takes precedence over domestic law; provisions in the Constitution and the other relevant documents guaranteeing equality of all citizens before the law; and the serious effort made to give effect to a number of the provisions of article 5, particularly those concerning certain economic and social rights.

The principal subjects of concern identified by the Committee included, *inter alia*: the statements of the government that there is no racial discrimination and no complaints concerning racial discrimination, and the absence of specific legislation to prohibit racial discrimination; the failure to provide any information on the demographic composition of the population, despite the Committee's request when it considered Libya's 10th periodic report in 1989; the failure to implement fully the provisions of article 4 (concerning racist organizations, incitement, propaganda); the insufficiency of information with regard to remedies and the practice of the tribunals; the fact that the government's statement that there are no ethnic minorities in Libya does not take into account the existence, in particular, of Berbers, Tuaregs, Black Africans, etc., who are reported to experience acts of discrimination because of their ethnic origin; and allegations of acts of discrimination against migrant workers on the basis of their national or ethnic origin.

The Committee recommended that the government, *inter alia*:

- provide in its next report detailed information on the demographic composition of the population, including of non-Libyans living in the country, as well as information on the status and working conditions of foreign workers, and on measures taken to prevent any acts of discrimination against them;
- enact specific legislation to prohibit racist organizations, incitement, propaganda and similar acts or practices; adopt appropriate policies to promote the rights of ethnic minorities and to ensure their equality;
- make a particular effort to train law enforcement officials in the light of the provisions of the Convention; and
- continue to take appropriate measures to increase awareness of the population about the provisions of the Convention, particularly those contained in article 7 (teaching, education, culture, information to combat racism), and widely disseminate the concluding observations adopted by the Committee.

Human Rights Committee

Libya's 3rd periodic report (CPR/C/102/Add.1, November 1995) was considered by the Committee at its October 1998 session. The report prepared by the government provides geographic, demographic and statistical data, as well as comparisons between the provisions of the Covenant, article by article, and the corresponding