



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Consideration of reports submitted by States parties under article 44 of the Convention

Third and fourth periodic reports of States parties due  
in 2005

**Libyan Arab Jamahiriya<sup>\*,\*\*</sup>**

[1 September 2009]

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

\*\* Annexes can be consulted in the files of the Secretariat.

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## I. Introduction

1. The Libyan Arab Jamahiriya is pleased to submit its combined (third and fourth) periodic report to the Committee on the Rights of the Child under article 44 of the Convention on the Rights of the Child, to which, as you are aware, it has acceded. This combined periodic report is done in the context of the Libyan Arab Jamahiriya's compliance with the overall approach of the United Nations and the general guidelines regarding the form and content of reports. In order to avoid repetition and excessive detail, we shall simply make reference to the two earlier reports.

2. At the same time as applauding the efforts of the Committee on the Rights of the Child to protect and secure the rights of all children the world over, the Libyan Arab Jamahiriya affirms the continuation of its dialogue and communication with the Committee and its commitment to guaranteeing and respecting all of the rights provided for in the Convention. It would also mention that the committee that prepared the present report comprised representatives of official and non-governmental bodies and experts from the various child-related sectors.

3. In submitting this report, we wish to state the following:

(a) In the context of measures taken to organize and develop the general administrative structure of State institutions, the functions of the Higher Committee for Children, which previously oversaw preparation of the periodic reports on children, were transferred to the Child Welfare Department of the General People's Committee for Social Affairs;

(b) The Jamahiriya has acceded to a number of international conventions and protocols, namely:

(i) The International Labour Organization (ILO) Convention No. 182 of 1999 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (2000);

(ii) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (2004);

(iii) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2004);

(iv) The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (2004);

(v) The Convention on the Rights of Persons with Disabilities (2007).

## II. General information

### A. Geographical and demographic features

4. The Libyan Arab Jamahiriya is situated in central North Africa between latitudes 18° N and 33° N and longitudes 9° E and 25° E. It is bounded on the east by Egypt and the Sudan, on the west by Tunisia and Algeria, on the south by Chad and Niger, and on the north by the Mediterranean Sea, with which it has a coastline of approximately 1,900 kilometres in length. It covers a total surface area of 1,775,500 square kilometres.

5. According to the final results of the general population census of 2006, the number of inhabitants in the Jamahiriya amounted to 5,298,152, comprising 2,687,513 males and

2,610,639 females, with an annual growth rate of 1.8 per cent. The results of this census showed that the proportion of males and females to the total number of inhabitants stood at 50.73 and 49.27 per cent, respectively. Hence, the gender ratio is approximately 103 males to 100 females.

6. The census results also indicated that the number of Libyan inhabitants aged 15 and over amounted to 3,652,319, or 68.94 per cent of the total population. As to the proportion of Libyan inhabitants aged 65 and over, it amounted to 4.24 per cent of the total population.

7. All Libyans profess Islam as their religion and speak Arabic, which is the State's official language.

## **B. Political system**

8. The political system in the Libyan Arab Jamahiriya is based on the direct authority of the people, which is exercised through basic people's congresses. It is covered in detail in Act No. 1 of 2007 concerning the modus operandi of people's congresses and people's committees, as set out below.

### **Basic people's congresses**

9. These are basis of the authority of the people in the Jamahiri system and are composed of all male and female citizens over 18 years of age.

10. The basic people's congresses exercise authority, power and control directly, to which end they may undertake the following:

- Formulate general policies and enact laws in various fields
- Formulate and approve economic and social plans and general budgets
- Draw up foreign policy and ratify treaties and agreements with other States
- Take decisions on matters of peace and war
- Select and hold to account their secretariats and executive and supervisory people's committees (Act No. 1, art. 1)

### **Non-basic (district) people's congresses**

11. These are administrative units composed of a number of basic people's congresses, depending on reach, geographical location and number of inhabitants. The district people's congress, which has a secretariat to run its sessions, is responsible for compiling and formulating decisions and recommendations adopted by the basic people's congresses within its scope and for subsequently referring them to the General People's Congress for action. It is also responsible for referring decisions of an executive nature to the competent district authorities for implementation.

### **The General People's Congress**

12. The General People's Congress brings together the basic people's congresses, people's committees, trade unions, federations and occupational associations. Its function is to formulate the laws and decisions enacted by the basic people's congresses and to issue regulations and decisions regulating its activity.

### **Administrative structure**

13. The administrative structure in the Libyan Arab Jamahiriya is typified by its democratic, grass-roots and decentralized character. The people's committees are the tool

for implementing the decisions of the people's congresses and are answerable to the People's Congress that selected them. They are regarded as administrative committees whose role is confined to implementing the laws, policies and decisions promulgated by the basic people's congresses and to managing public projects and facilities.

### **C. General legal framework guaranteeing the protection of human rights**

#### **Judicial and administrative authorities with jurisdiction in matters relating to human rights**

##### *Judicial structure*

14. The judicial system in the Libyan Arab Jamahiriya is based on the unity of the judiciary and the multiplicity of court levels. It is centred on fundamental principles, namely the independence of the judiciary, equality before the law, equality before the courts and the openness of proceedings.

15. The principle of the independence of the judiciary in the Jamahiriya is based on respect for human rights, operationalization of the law, equal application of the law to all and prevention of all forms of arbitrariness and tyranny. Courts in the Jamahiriya are diverse, ranging from civil and criminal courts to other courts with jurisdiction over personal status matters. All of the courts mentioned are classified into magistrates' courts, courts of first instance and courts of appeal and are located throughout the regions of the Libyan State. At the apex of the Libyan judicial system is the Supreme Court or Court of Cassation. Civil, commercial, criminal and personal status appeals are heard before its divisions and it has a division with jurisdiction to consider the legitimacy and constitutionality of laws. Legal principles are pronounced by the Supreme Court and are binding on all courts and other authorities in Libya. In accordance with one of the principles pronounced by the Court, application of the provisions of international conventions to which Libya is a party is mandatory. In other words, they are on a par with domestic legislation, which all courts and executive authorities are bound to respect and observe.

16. In Libya, a legal aid system was created in 1981 and is embodied in the People's Advocacy Department, which is competent to undertake on a pro bono basis the defence of citizens before all courts and the Department of Public Prosecutions in any type or level of proceedings or case brought by or against them.

17. Court rulings in Libya are based on a system of legislation governing relations in society, namely the Civil Code, the Code of Criminal Procedure, the Marriage and Divorce (Rules and Effects) Act No. 10 of 1984, the Code of Civil and Commercial Procedures and the Penal Code. All of these laws were put in place in order to protect and prevent compromise or violation of human rights of all kinds.

### **III. General measures of implementation (arts. 4, 42 and 44, para. 6)**

18. The Convention on the Rights of the Child was one of the international conventions ratified by the Libyan Arab Jamahiriya pursuant to Act No. 2 of 1991. In conformity with the binding principle pronounced by the Supreme Court to the effect that the Jamahiriya is under obligation to implement the provisions of international conventions that it ratifies, the provisions of any international convention with respect to which a ratifying law is promulgated are tantamount to a legislative instrument that must be applied.

19. Upon such ratification by a law promulgated by the General People's Congress, which is the legislative authority in the Jamahiriya, a convention becomes part of the domestic legislation and its provisions are binding on all. Any interested party is entitled to use it in litigation or invoke its provisions before the courts.

20. Even though some of it predates the Convention, Libyan legislation is by and large entirely in keeping with the principles expounded in the latter, which is because the provisions of this legislation are built on the Islamic sharia. Any discrepancies that may exist in some provisions are now being rectified for inclusion among the bills to be submitted to the basic people's congresses for approval.

21. As to available remedies in the event that rights recognized in the Convention are violated, they have already been described in the second periodic report (CRC/C/93/Add.1) and are in accordance with the methods of legal protection prescribed on the basis of the varying nature of these rights, whether relating to civil, criminal, administrative or personal status matters.

#### **Steps taken to adopt a comprehensive national strategy for children modelled on the Convention**

22. Stemming from its concern for the best interests of the child, the Libyan Arab Jamahiriya seeks to ensure that children's rights are incorporated into the overall objectives of the general strategy of the Libyan development programme and the service fields and programmes offered.

23. In an effort to sustain the improvement of living standards for Libyan citizens and achieve economic and social security, the development programme for 2008–2012 was prepared. Its general strategy is based on overall objectives, in particular:

(a) The creation of conditions and an economic, social and institutional climate conducive to the achievement of economic diversification;

(b) A move towards the efficient investment of available human, material and administrative assets and resources, in addition to the elimination of all wastage of those resources;

(c) A development shift towards increasing production in view of its linkage with a higher living standard, and towards economic restructuring and adjustment and rationalization of the use of available resources;

(d) Restructuring, reorganization and reorientation of the education system in order to ensure acquisition of the scientific and technological skills needed to keep pace with the constant developments in the world;

(e) An ongoing commitment on the part of the State to deliver basic health services and guarantee immunization coverage, as well as reorganize and improve the quality of the health sector;

(f) Reorganization of the social security network (retirement and social solidarity) in line with the latest techniques for promoting security and social peace and protecting individuals against the adverse repercussions and effects of economic and social changes in the context of measures for restructuring and broadening the base of participation;

(g) Strengthening the efficiency of institutional performance;

(h) The creation of an economic climate and a legal infrastructure to ensure the adjustment needed for positive interaction between the national and global economies;



(i) Action to prepare a workforce capable of rising to the responsibility of development and growth, and of coping ably and constructively with technical, productive, administrative and marketing developments;

(j) The achievement of balanced and comprehensive spatial development.

24. The human development sectors (health and environment, social affairs, education and scientific research, employment and vocational training, and culture) are seeking to achieve the following sectoral objectives:

(a) To pursue the education policy in place for the basic and intermediate stages, which is designed to provide instruction in fundamental science, impart knowledge and improve the quality of education, as well as ensure an appropriate teaching environment. To that end, the aim is to reduce the density of pupils per classroom to 25 by the end of the development programme by maintaining and developing the 3,000 existing schools and increasing the number of classrooms to 9,000;

(b) To cater for the growing number of students of both sexes in higher education, estimated to reach approximately 450,000 by 2012, by bringing 27 university complexes into operation and training 10,000 teaching faculty members;

(c) To develop and further the technical skills of the national workforce in order to enhance its productive and competitive capabilities on the labour market, and to bring into operation and complete, maintain and equip a total of 1,316 training centres;

(d) To improve the quality of health services in the areas of prevention, treatment and recovery by:

(i) Maintaining and developing public and specialist hospitals in order to bring the number of beds to 22,500, reaching an average of 38 beds per 10,000 persons;

(ii) Reducing the average number of citizens per general practitioner and consultant doctor from 659 in 2006 to 600 in 2012, and from 6,610 to 5,000 per dentist and from 6,234 to 5,000 per pharmacist over the same period;

(iii) Improving management, developing the health system, accrediting medical laboratories and testing medical equipment for accuracy;

(e) To promote public awareness, self-development and affirmation of belonging by establishing a number of cultural complexes and main district libraries;

(f) To develop cultural and information circles and update their methodology by establishing four information complexes and two theatres in Tripoli and Benghazi, and by maintaining and developing cinema venues;

(g) To renovate and complete the sports cities in Tripoli, Benghazi and Sebha, maintain district sports centres and stadiums, and create a number of public open spaces, women's training centres and youth hostels.

Added to these are the key aims of the infrastructure, production and service sectors, all of which seek to deliver essential services and guarantee the rights of all citizens, whether adult, young, male or female.

**Departments with jurisdiction in the areas covered by the Convention and steps taken to ensure the effective implementation of their activities and monitor progress**

25. The development programme for 2008–2012 is implemented through general people's committees covering the various sectors (human development, infrastructure, production and services), people's committees being the executive authority of the State. Implementation is through the general departments of these committees and their

counterpart offices in the district people's committees. The General People's Committee for Social Affairs accordingly implements its development programme (particularly where children are concerned) through the Child Welfare Department, the Women's Affairs and Family Welfare Department, the Planning Department, the Awareness and Social Education Department, the Social Institutions Department and the Special Needs Welfare Department, which is attached to the General Social Solidarity Fund Authority.

26. The General People's Committee for Education and Scientific Research likewise implements its development goals through the competent departments, in particular the Basic Education Department, the Intermediate Education Department, the Participatory Education Department and the Home Education Department, as well as through the Teaching and Training Curricula Centre and the Office for Educational Technologies and Buildings.

27. The General People's Committee for Health and Environment implements its programmes through the Primary Health Care Department, the Awareness and Social Education Department, the Planning Department and the National Centre for the Prevention and Control of Communicable and Endemic Diseases.

28. With respect to the *modus operandi* of these departments, each of them is responsible for attending to the matters within its purview by working in cooperation and coordination with other departments in the same sector (general departments and also counterpart offices at the district level) and with various departments in other sectors.

29. As to monitoring mechanisms, the body chiefly responsible for them is the Secretariat for Legal Affairs and Human Rights at the Secretariat of the General People's Congress, which is competent to undertake the following:

(a) Draft laws and regulations proposed by the Secretariat of the General People's Congress and review laws to be tabled before the basic people's congresses;

(b) Disseminate laws and regulations drafted in the General People's Congress, oversee publication of the Official Gazette and the Code of Procedures, consider complaints and grievances from individuals and organizations concerning measures that violate their rights and freedoms, and coordinate with the relevant authorities in order to put in place and follow up appropriate solutions;

(c) Supervise the preparation of periodic reports on human rights in the Jamahiriya for submission to the relevant committees of regional and international organizations;

(d) Prepare for seminars, gatherings and congresses on legal affairs and human rights in the Jamahiriya and participate in those held abroad, in coordination with the relevant authorities;

(e) Oversee the legal committees formed by the General People's Congress or its Secretariat, seek assistance from technical committees and provide advice concerning the General People's Congress.

30. The people's monitoring bodies established by the General People's Congress are responsible for following up the implementation of decisions adopted by congresses and for preparing a follow-up report describing any shortcomings or failures on the part of the executive organs, which is submitted to the basic people's congresses for the necessary decisions or recommendations.

### **The National Human Rights Committee**

31. This is a public body with a corporate personality and financial autonomy. Constituted pursuant to General People's Committee Decision No. 557 of 2008, it is competent to undertake the following:

(a) Examine human rights files, establish the processes for handling them, propose appropriate solutions according to the circumstances and refer them to the competent authorities for implementation;

(b) Examine reports by national and international bodies on the human rights situation in the Jamahiriya, formulate general rules for responding to them, approve responses prepared by the competent authorities and refer them to the General People's Committee for External Communication and International Cooperation for the necessary action;

(c) Propose measures for the promotion and protection of human rights in order to prevent violations, develop remedies for any human rights violations that do occur and notify the competent authorities in order to redress the situation in conformity with the law;

(d) Express an opinion on bills relating to human rights;

(e) Examine conventions and draft conventions on human rights, express an opinion as to the signature and ratification of, or accession to, such conventions and take the necessary measures to publish them in the Official Gazette, in coordination with the relevant authorities;

(f) Examine human rights conventions in order to prepare legislative proposals for harmonizing national legislation with the provisions of such conventions and undertake scientific studies and research with a view to elaborating a human rights act;

(g) Receive and examine complaints and reports of human rights violations and refer them to the competent authorities for them to assume charge of the necessary legal procedures in that regard.

32. Despite the fact that it has been functioning for a short period of time only and is modestly resourced, this Committee has received and investigated a number of complaints and made contact with the relevant authorities to ensure that the complainants obtain their rights in accordance with the law.

### *The Libyan-Arab Human Rights Committee*

33. This is a non-governmental organization (NGO) that endeavours to study and disseminate the concepts and principles of human rights and fundamental freedoms; raise public awareness in the interest of strengthening and instilling respect for those rights and freedoms; and uphold those rights and freedoms by tackling human rights violations, engaging in fact-finding, dispatching observer missions, publishing their reports and adopting all means for preventing the occurrence of violations and dealing with their consequences.

### *The Gaddafi Human Rights Association*

34. This NGO is an association of the Gaddafi International Charity and Development Foundation. Its main objectives are to seek protection of and respect for the human rights and fundamental freedoms of all individuals in society; to address attempts to defy, violate or tamper with those rights and freedoms; to instil and implement the principles and precepts set forth in the Great Green Document, the Universal Declaration on Human Rights and the two International Covenants on the human rights and principles provided for in basic laws and international instruments; and to defend by all peaceful and legitimate

means any individual whose rights are violated or whose fundamental freedoms are undermined or who is subjected to any form of repression, injustice or torture.

35. The Association's work has included efforts to improve conditions in correctional and rehabilitation institutions and obtain the release of a number of prisoners. It has followed up on such prisoners and helped them to integrate into society. In cooperation with the Embassy of the United Kingdom and the International Bar Association, it also organized a training course on the subject of the right to a fair trial. This course included an examination of international fair trial standards and such consequential rights as access to a lawyer, an open hearing, appeal and prompt trial. It also covered the methods for dealing with particular groups of suspects, such as children below legal age, women, and persons with a mental disability, and for gathering information about trial observation and potential abuse, spelling out in addition the functions of the judge, the public prosecutor and the defence lawyer.

36. A training course was organized in conjunction with the International Bar Association on the role of the legal observer, the aim of which was to train well-qualified nationals to serve as human rights observers in the Jamahiriya. A number of researchers, human rights activists and law graduates took part in the course.

37. Key programmes and activities undertaken by the Association to give effect to children's rights involve giving talks and holding open gatherings on the Convention for pupils attending schools located within reach of the Association; disseminating bulletins and leaflets containing information and advice on human rights in general and children's rights specifically; and participating in local and Arab activities relating to children's rights.

38. An expert committee was also established to develop an educational curriculum on children's rights, which will be piloted in two schools, one in Tripoli and the other in Benghazi.

39. The Association is also undertaking a comprehensive study on the situation of children of Libyan women married to non-Libyans with the aim of eliminating the difficulties faced by these children, particularly with respect to nationality and education. Experts from the Association are currently engaged in preparing a proposal for presenting children's cultural programmes through the media.

*Measures taken to ensure systematic information-gathering on children*

40. A guide to the national information system was developed pursuant to the Information and Documentation System Act No. 4 of 1990, which determines the nature and contents of this system, providing as it does that its purpose is to furnish, process and analyse all data, statistics and documents. The guide serves to facilitate the flow of information and make it accessible to State agencies so that, in the light of the indicators provided, they can take sound decisions with respect to steering and planning their activities and formulating essential programmes for implementation and follow-up in the interest of the economic, social and political advancement of society.

41. Sectoral information and documentation centres have been established and are seen as key adjuncts to the General Information Authority operating through the national information network. Each sector has an information and documentation centre for monitoring and collecting data, information and statistics specific to that sector, including information on child-related matters.

42. The numerous surveys and studies conducted against that background in years past contributed to the information on the situation of children in the Jamahiriya in all areas of their lives. Of those undertaken during the period 2002–2008, the most important were the:

- Household expenditure survey (2002)

- Second multi-indicator cluster survey (2003)
- Economic and social survey (2003)
- Serological survey (2005)
- General population census (2006)
- School health survey (2007)
- National family health survey (2008)
- Assessment study on youth justice in the Jamahiriya (2008)
- Assessment study on social institutions (2008–2009) (in progress)

43. These surveys and studies provided data and information on the situation of children in the Jamahiriya, particularly with respect to health, education, demography, social welfare and protection. Information nevertheless remains lacking in other aspects, notably in matters relating to violence against children, abuse and sexual exploitation. Efforts to make up for this lack are under way in that the Centre for Social Studies is conducting a number of studies and surveys.

### Budget allocations

44. The State is responsible for spending resources from the public purse on the production and service sectors of the national economy, in which context some of its general budget items are allocated to spending on child-related matters. A portion of the budget of each child-related sector is therefore either directly or indirectly earmarked for child-related matters. The General People's Committee for Health and Environment, for instance, allocates part of its budget to spending on programmes and services for mothers and children, especially in the areas of reproductive health and inoculation.

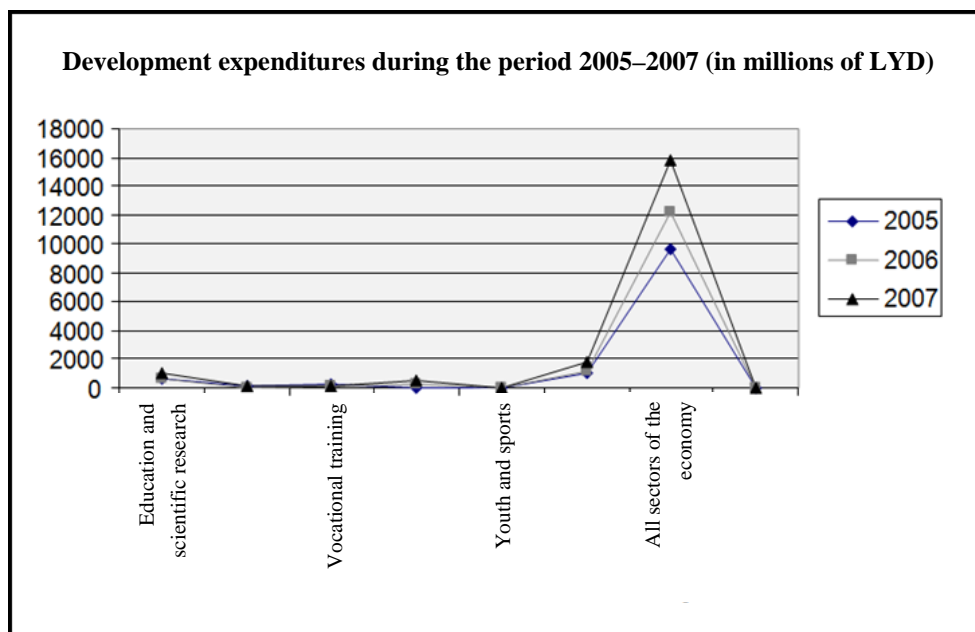
45. The General People's Committee for Social Affairs allocated some of its budget items to establishing centres for the early detection of disability, complexes offering comprehensive social care, training and retraining centres for persons with disabilities and centres providing social and psychological services, as well as items in support of children's programmes at home and abroad. The General Social Solidarity Fund Authority also allocated part of its budget to spending on social care homes.

Table 1

### Development expenditures during the period 1995–2007

(in millions of Libyan dinars (LYD))

<i>Sectors</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>Total</i>
Education and scientific research	216.1	741.6	307.1	498.4	655.4	651.3	1 036.6	<b>4 116.5</b>
Information	13.9	52.0	5.4	64.5	78.0	14.3	96.2	<b>272.3</b>
Vocational training					198.7	142.8	192.3	<b>533.8</b>
Health and social security	135.7	397.1	326.1	249.1	21.9	277.1	459.6	<b>1 866.6</b>
Youth and sports				20.9	32.2	36.4	45.5	<b>135</b>
All human development sectors	365.7	1 139.0	638.6	832.9	996.2	1 121.9	1 830.2	<b>6 924.2</b>
All national economy sectors	1 359	3 706	2 530	3 581	9 597	12 216	15 780	<b>48 769</b>
Percentage of total human development sectors	26.9	30.7	28.3	233.0	10.4	9.2	11.6	<b>14.7</b>



#### Dissemination of the Convention

46. With respect to dissemination of the Convention, the different sectors, as well as NGOs and civil-society institutions, seek to disseminate the principles of the Convention on the Rights of the Child by all possible means. Measures employed to that end have included the following:

- Publishing the ratification of the Convention in the Official Gazette No. 20 of 1991
- Organizing various workshops, meetings and seminars on the children's rights enunciated in the Convention
- Introducing and discussing children's rights in local newspaper pages dedicated to the subject and edited with the participation of children
- Presenting television and radio programmes on the subject
- Printing leaflets, posters, magazines and booklets containing articles of the Convention, which were circulated to persons working with children
- Organizing several training courses on the application of the Convention on the Rights of the Child, which were delivered by an international expert and supervised by the United Nations Children's Fund (UNICEF), with participants comprising a large number of social workers, particularly those working with children, in addition to NGOs, religious clerics and young scouts
- Teaching human rights as a subject in all of the Jamahiriya's law colleges and police academies and schools, at the Higher Institute of the Judiciary, in humanities, education and teacher-training colleges, and at the basic and intermediate levels of education; providing instruction for students in the Great Green Document on Human Rights, which contains provisions clearly respecting those rights; and addressing human rights topics through such other subjects as Islamic education
- Ensuring that some aspects of school activity (music, art and drama) are focused around various children's rights
- Running art competitions on children's rights

- Devoting school radio programmes to information on the Convention, a subject additionally discussed in the parent councils periodically convened in educational institutions

47. NGOs are also active in disseminating the Convention. Key programmes and activities undertaken by NGOs in this area include the following:

- The Down's Syndrome Association participated in a seminar on the theme of children's rights and the duties of society, organized by the Gaddafi International Charity and Development Foundation, at which it presented a working paper on the right of education for persons with Down's syndrome
- The Waatasemu Charity Association contributed by holding a number of talks and workshops providing an introduction to the Convention for persons working with children, together with a full explanation of the Child Protection Act No. 5 of 1997
- The Society for Disabled Children organized an education and awareness seminar on giving effect to the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities
- The Amal Charitable Society for the Welfare of Orphans, in cooperation with the Arab Council for Childhood and Development, held a workshop entitled "Towards the development of national standards for children who have lost parental care"

48. The Public Scout and Girl Guide Movement also plays a role in disseminating the Convention, having undertaken the following:

- It held an induction course to familiarize the boy scout and girl guide leadership with the provisions of the Convention, with the participation of the Director of the UNICEF Office in the Jamahiriya
- It disseminated the Convention in all regions of the Jamahiriya through members of the Movement and by distributing posters and leaflets to all scout groups
- It conducted sensitization campaigns in educational institutions and family venues, where it circulated a booklet containing the articles of the Convention
- In cooperation with the Higher Committee for Children, it organized a workshop to familiarize scout officials from all over the Jamahiriya with the provisions of the Convention

The Movement has also devoted substantial attention to implementing the Convention in practice, incorporating it into its activities and programmes for its members.

### **Preparation of the report**

49. Concerning the method used to prepare this report, a committee was formed under the chairmanship of the General People's Committee for Social Affairs, with a membership comprising representatives of child-related sectors (health, education and scientific research, justice, public security, planning and finance, the General Social Solidarity Fund Authority, university professors, child experts and various NGOs working with children). The following was carried out:

- Each member submitted a report on matters relating to his sector and these reports were then collated
- A committee was set up to draft the report in accordance with the periodic reporting mechanism
- After the final draft of the report had been prepared, it was submitted to a number of competent officers and child experts in the various sectors

- The report was approved after being discussed in two workshops (Tripoli and Benghazi) attended by officials from the sectors involved in preparing the report, competent officers, experts, NGOs and children themselves
- While being prepared, the report received coverage in the local press and various radio programmes

#### **IV. Definition of the child (art. 1)**

50. The second periodic report should be consulted with respect to the definition of the child. Concerning the amendment of domestic laws to bring them into line with the provisions of the Convention, a bill has been drafted to amend the Mobilization Act by raising to 18 years the age of persons called up for deployment in a transition from a state of peace to a state of war, as well as the Child Protection Act, article 1 of which defines a child as “A male or female child under 18 years of age”. The bill also contains several new provisions derived largely from international conventions and has been submitted to the people’s congresses for consideration.

- Sexual consent: The offences of sexual intercourse and rape are dealt with in articles 407 and 408 of the Penal Code, which provide for the punishment of any person who has sexual intercourse with or rapes a child under 18 years of age, even if it is consensual.
- Inheritance: The right of inheritance is not subject to any specific eligibility or age requirement. As to the disposal of an inheritance, the rule is that a young person who is incapable of discernment may not dispose of his assets before attaining majority, which is 18 years. If he does so and his disposals were beneficial, they may be permitted, and if they were detrimental to him, they are deemed invalid. In the case of disposals that are neither beneficial nor detrimental, they may be invalidated in the interest of the young person. A will made in favour of an unborn child is also valid.
- Conclusion of property ownership deals and the establishment or membership of associations: These are subject to satisfaction of the eligibility requirement, specified as the attainment of 18 years of age.
- Attendance of school religion classes: The Holy Koran is the law of society in the Jamahiriya and religious instruction is studied from the first years in the different levels of education as a core subject of no less importance than other subjects.
- Consumption of alcohol and controlled substances: It is considered an offence to drink, consume, possess, procure, manufacture, handle or provide alcohol, and the perpetrator of such an offence is liable to the penalties prescribed in the Alcohol Prohibition Act No. 4 of 1994. If the perpetrator is a minor under 14 years of age, he is not criminally responsible. The judge may, however, take appropriate preventive measures in his regard. If he is over 14 and under 18 years of age, the penalty is reduced by two thirds.

51. As to other controlled substances, such as tobacco, for example, the Jamahiriya has taken the measures required for compliance with the international conventions that prohibit smoking. Article 10 of General People’s Committee Decision No. 206 of 2009 on combating smoking, tobacco and tobacco derivatives provides that: “The sale of tobacco products and derivatives to anyone under 18 years of age shall be prohibited. In all circumstances, the distance between premises licensed to sell tobacco and the nearest educational institution or sports or social club shall be not less than 500 metres.” A bill to prohibit and regulate smoking has also been drafted and is to be presented to the general



people's congresses. Article 22 of the Medical Liability Act also provides that medications may not be dispensed other than in accordance with a doctor's prescription, with the exception of medications that the health and environment sector is permitted to dispense without a prescription.

#### **Disparity in legislation between young women and men, including in matters relating to marriage and sexual consent**

52. Libyan legislation makes no distinction between boys and girls. There are no laws for boys and others for girls; whatever applies to males applies to females, without distinction. Article 1 of the Cabinet Decision concerning the primary school regulations provides that education at the primary level is a right and duty of boys and girls. It is free in all schools established by the State, as is the preparatory stage. With respect to marriage, both parties must be over 18 years of age to qualify and, pursuant to article 2 of the Marriage and Divorce (Rules and Effects) Act No. 10 of 1984, no young man or woman may be coerced into marriage against his or her will. Nor may a guardian prevent his ward from marrying a spouse of her choice.

53. As to the subject of sexual consent, it has already been mentioned at the beginning of this report. Articles 407 and 408 concerning sexual intercourse and rape apply to both males and females alike; they punish anyone who has sexual intercourse with or rapes a child under 18 years of age, even if it is consensual.

#### **Age of puberty as the criterion in criminal law and differing application of the criterion to boys and girls**

54. In the criminal law of the Jamahiriya, the criminal liability age is calculated on the basis of the age of majority, which is 18 years, and not the age of puberty. Consequently, there is no difference between boys and girls on that score. This subject has already been mentioned at the beginning of this report.

## **V. General principles**

### **A. Non-discrimination (art. 2)**

55. The provisions of constitutional laws such as the Promotion of Freedom Act and the Great Green Document on Human Rights in the Jamahiri Era apply to adults and young persons alike.

56. As to the extent to which children of Libyan women married to non-Libyans enjoy the same rights as other Libyan children, there is now a nationality bill pursuant to which the children of Libyan women married to aliens enjoy all of the same rights and privileges as other Libyan children.

57. Our domestic legislation, moreover, is concerned with all categories in society and special legislation has been developed to promote the protection of certain categories. In the case of the category of persons with disabilities, for example, the Disabled Persons Act No. 5 of 1987 provides that they are entitled to such equipment as they need to enable them to regain their mobility. The Act also provides that basic education is a right and duty of persons with special needs. Persons with disabilities are educated in residential homes or in their own special institutes or schools if it is difficult for them to be integrated with the able-bodied. They have the right to medical, psychological and social rehabilitation. Article 24 of the same Act furthermore exempts disabled persons from taxation with respect to any work that they do. The lawmaker also took care to ensure that full social care is provided

for all categories, particularly children born out of wedlock, who are guaranteed all rights and privileges under our legislation, as will be discussed later in our report.

## **B. Best interests of the child (art. 3)**

58. We first wish to affirm that the bulk of our legislation since the 1950s has been concerned with the best interests of the child. In addition are a number of provisions not mentioned in our previous report. Under article 381 of the Code of Civil and Commercial Procedures, for example, a judge is permitted to issue a summary order, with or without security, in matters relating to the setting of temporary maintenance payable, any custody allowance due and a breastfeeding allowance, and to housing and the delivery of a young person into the care of the mother.

59. Article 3 of the Health Act No. 106 of 1973 also provides that: "The Ministry of Health shall provide full preventive health services and treatment for young people such as to ensure that the new generation is sound in body, mind and soul." Article 447 of the Code of Criminal Procedure provides that if a man and his wife are both convicted, the sentence against one of them may be deferred until the other is released if they are supporting a young person under 18 years of age.

60. With respect to how primary consideration is given to the best interests of the child in the family, school and social settings, in addition to the information contained in the previous report is the fact that the General People's Committee for Education and Scientific Research is constantly working to realize the interests of the child through the programmes and projects that it implements with the aim of developing the education system. These programmes will be mentioned as part of the discussion on education.

61. The General People's Committee promulgated a number of decisions in favour of persons with disabilities at its meeting held on the occasion of the International Day of Persons with Disabilities on 3 December 2008, in particular:

- General People's Committee Decision No. 665 of 2008 approving certain provisions concerning the education of persons with disabilities, which placed the education of this group within the purview of the General People's Committee for Education and Scientific Research
- General People's Committee Decision No. 666 of 2008 establishing a National Council for the Care of Persons with Disabilities, which is composed of the Secretary of the General People's Committee; the Secretaries of the General People's Committees for Social Affairs, Health and Environment, Education, and Labour and Transport; the Secretary of the League of Persons with Disabilities; the Secretary of the Federation of Associations for Persons with Disabilities; the Secretary of the General Sports Federation for Persons with Disabilities; the Secretary of the Management Committee of the General Social Solidarity Fund Authority; the Secretary of the Management Committee of the Public Institution for Housing and Utilities; and the Chairperson of the Youth and Sports Council

62. This National Council's main areas of authority include those of monitoring the various types of services provided for persons with disabilities; dealing with problems and difficulties entailed in delivering the services prescribed for persons with disabilities in accordance with the laws and legislation; coordinating among the various sectors, institutions, organizations, agencies and associations involved in delivering services for persons with disabilities and enabling each of them to play their required role; developing programmes and policies to prevent disability and integrate persons with disabilities into society; and reviewing and working to develop laws and legislation on persons with disabilities, as well as proposing necessary amendments.

- General People’s Committee Decision No. 667 of 2008 adding certain categories of disabled persons under 18 years of age to those specified under article 12 of the Basic Allowances Act No. 6 of 1985. These categories are:
  - (a) Children with one or more amputated or paralysed limbs;
  - (b) Children who are blind or have extremely low vision;
  - (c) Children with mild or moderate mental impairment.

63. With regard to training for professionals working in the field of children’s rights, each child-related sector has a training scheme for its personnel, including those working with children. The General People’s Committee for Education and Scientific Research, for instance, has run several training and further training courses for school head teachers, teachers and education inspectors in order to improve and advance their skills so that they are able to perform their tasks to the fullest.

64. Through the Medical Specializations Council, the General People’s Committee for Health and Environment has run a number of training courses for doctors — in particular paediatricians — and medical auxiliaries.

65. Through the Higher Institute of the Judiciary, the General People’s Committee for Justice has run training courses in youth justice and international humanitarian law for members of the judiciary, specifically judges, public prosecutors and advocates.

### C. The right to life, survival and development (art. 6)

66. The guarantee of the right to life, survival and development is essentially dealt with in the Holy Koran, which is regarded as the law of society in the Jamahiriya and prohibits the killing of children for any reason. Provision for these rights is made in such constitutional laws as the Great Green Document on Human Rights. The previous report also mentioned most of the legislation in which provision is made for safeguarding these rights. Other provisions include article 115 of the Health Act No. 106 of 1973, which provides that: “A doctor shall refrain from prescribing anything liable to cause abortion in a pregnant woman, unless he believes it necessary in order to save her life.”

67. Article 436 of the Code of Criminal Procedure also provides that the death penalty cannot be carried out on a pregnant woman until two months after her delivery.

68. Article 444 further provides that enforcement of a custodial penalty against a woman in the sixth month of her pregnancy may be delayed until she delivers her child.

69. As to measures taken to ensure the registration of child deaths and cause of death, they are described in the second periodic report.

70. Given the small number of child suicide cases (as confirmed by statistics), there are no specific prevention measures in place.

Table 2

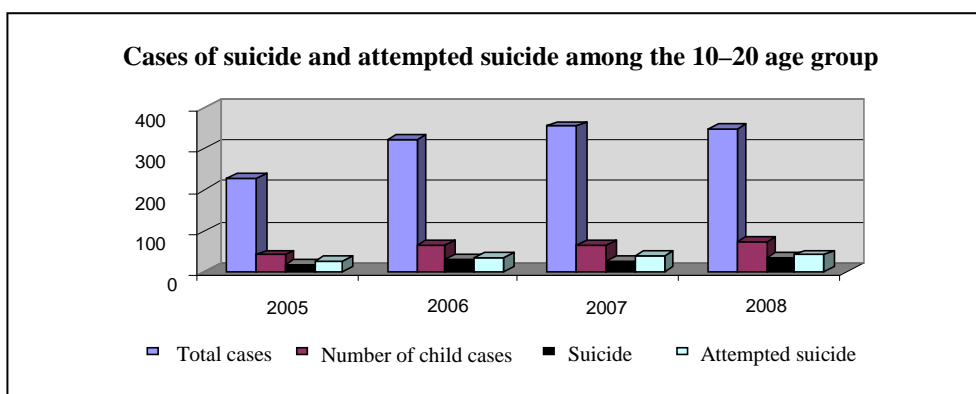
**Cases of suicide and attempted suicide among the 10–20 age group**

Year	Total cases	Number of child cases	Suicide		Attempted suicide			
			Male	Female	Male	Female		
2005	229	41	16	25	10	6	9	16
2006	323	63	29	34	14	15	8	24
2007	355	65	25	40	16	9	11	29

Year	Total cases	Number of child cases			Suicide		Attempted suicide	
					Male	Female	Male	Female
2008	347	74	33	41	22	11	14	27

Source: General People's Committee for Public Security, *Annual crime report*, 2005–2008.

71. Suicide cases in the 10–20 age group accounted for 17 per cent of total suicide cases in 2005, 19.5 per cent in 2006, 18 per cent in 2007 and 21 per cent in 2008. Although these percentages are small, it is apparent that the number of suicide cases is constantly rising, having increased from 16 in 2005 to 65 in 2007 and 74 in 2008. Cases of suicide are higher among males than females. Attempted suicides are also continually rising, having increased from 16 in 2005 to 40 in 2007 and 41 in 2008. Cases of attempted suicide are higher among females than males.



#### D. Respect for the views of the child (art. 12)

72. The right of the child to express his or her views freely is guaranteed under the constitutional legislation, as previously mentioned in the second periodic report. To this can be added the fact that children have the right to express their views and discuss matters concerning their life at school in face-to-face meetings among parents, teachers and students at which problems are examined and remedies suggested for dealing with them. Directives issued by the Judicial Inspectorate furthermore state that any interrogation of young people must be conducted with sensitivity, in a non-intimidating environment and by members of the public prosecution themselves. No violence must be used in communicating with them and nor are they required to respond instantaneously; it is instead left for them to say what they wish of their own accord and a gentle conversation appropriate to their age is then pursued.

### VI. Civil rights and freedoms (arts. 7, 8, 13, 17 and 37 (a))

73. The second periodic report deals with the majority of the civil rights and freedoms enjoyed by children in the Jamahiriya. We therefore refer to that report, together with the additional information below concerning names.

#### Name and nationality (art. 17)

74. Every child in the Jamahiriya has the right to have his or her own name. All children, without distinction, are registered with the Civil Status Office. Children born out of wedlock and foundlings are also afforded special protection under the Civil Status Act

No. 36 of 1978, article 6 of which provides that records may not be removed from civil registration offices, that their contents are confidential and that they may be examined only on the basis of a decision issued by a judicial or investigating authority. The appointed judge or investigator must go to examine the records at the office where such records are kept. In addition, as part of the efforts to raise public awareness, a committee was established to compile a list of names and their meanings. Directives were also issued stating that unseemly names would not be registered in the interest of safeguarding the child's right to an appealing name.

## **VII. Family environment and alternative care**

### **A. Parental guidance (art. 5)**

75. The second periodic report addressed this article at length, having stated that the Marriage and Divorce (Rules and Effects) Act No. 10 of 1984 dealt with the rights of children and parents and with the issue of responsibility for children in the event of divorce. Act No. 17 of 1992 regulating the affairs of minors provides that both parents have legal guardianship. If that proves impossible, it is the child's female relatives who have legal guardianship on the basis of their order of inheritance and closeness. If none of the minor's relatives is suitable to assume guardianship, the court appoints another guardian that it deems suitable. This Act also sets out the duties of a legal guardian and the circumstances in which legal guardianship is removed from the person entitled to exercise it.

76. Matters relating to parents' responsibilities (art. 18, paras. 1 and 2) and separation from parents (art. 9) were similarly covered in detail in the second periodic report.

77. In addition to the information provided concerning family reunification (art. 10), the reunification programme takes care of bringing families back together, especially those comprising children of Libyan fathers and alien mothers. Initiated by the Higher Committee for Children, this programme is still continuing, under the supervision of the General People's Committee for Social Affairs, through the Waatasemu Charity Association. As a result of the efforts by those in charge of this programme to eliminate the problems involved in mothers seeing their children, one of its volunteers was appointed as a Member of the British Empire (MBE), an honour awarded by the Queen of the United Kingdom of Great Britain and Northern Ireland for voluntary work this year.

78. Concerning the illicit transfer and non-return of children abroad (art. 11) and recovery of maintenance for the child (art. 27, para. 4), there is nothing new to be added to the information provided in the second periodic report.

### **B. Children deprived of their family environment (art. 20)**

79. Pursuant to Act No. 20 of 1998, the General Social Solidarity Fund Authority is in charge of the process of supervising and monitoring residential social care institutions for children who are orphaned or without social support and who are prevented by circumstance from living with their natural families. It is also responsible for the welfare and guidance of boys and girls in conflict with the law. This process is carried out through the Social Institutions Department, which provides care and shelter for children who have no guardian and who are without social support or are prevented by circumstance from living with their natural families. It also delivers educational, social and psychological programmes for these children to ensure that they have a decent life in the institution and to prepare them for integration into society. Lastly, it provides after-care services for those

who are too old to live in, which continue until they marry and settle down outside the institution.

80. The Social Institutions Department is also responsible for monitoring kafalah, hosting and after-care programmes; following up sports, cultural and educational activities and programmes; preparing training plans; evaluating and seeking to improve the human resources working in social institutions; and studying and proposing solutions to problems.

81. Social care institutions provide these children with accommodation and various other services. In education, for instance, they enrol children on the basis of their academic level in schools, institutes and universities, both public and private, and scholarly achievements are followed up by each institution's own school monitoring unit. These institutions also encourage their children to enrol in various year-round training courses in such subjects as Koran memorization, computing and Internet use, English language, Arabic calligraphy and music. In addition, they provide educational, psychological and social services, typically cultivating the soul and teaching such tenets of religion as prayer, fasting, courteousness and leading by example. These institutions also strive to integrate their children into society by ensuring that they attend and participate in social events.

82. There are 20 social institutions located throughout the Jamahiriya. These institutions are classified by age group into children's care homes, boys' care homes, girls' care homes and hostels.

#### **Children's care homes**

83. These are social institutions offering accommodation for children between the ages of birth and 18 who are without social support. Providing all of the services that children need during their various stages of growth, these homes cater to the following groups: children of an unknown father or parents; children orphaned of their father whose mother is unable to support and care for them; children orphaned of their mother whose father is unable to support and care for them; children subjected to neglect, deprivation and homelessness as a result of their parents' divorce; children whom it is feared will be subjected to neglect, abuse or sexual harm owing to the illness of one or both parents; children subjected to psychological deprivation owing to abnormality on the part of one or both parents; children with one or both parents in prison, leading to fears about deprivation, homelessness or abuse; and children referred by the judicial or security authorities for temporary accommodation purposes.

84. There are five social care institutions for children, located as follows:

Table 3

#### **Number of residents in children's homes in 2008**

<i>Name of home</i>	<i>Number of residents</i>
Tripoli Children's Care Home	182
Misratah Children's Care Home	108
Benghazi Children's Care Home	52
Baida' Children's Care Home	28
Marj Children's Care Unit	34

*Source:* Annual report of the General Social Solidarity Fund Authority for 2008.

Table 4  
Breakdown of residents in children's home throughout the Jamahiriya by age group and gender for the years 2000–2008

Years	12 and over		11–12		9–10		7–8		5–6		3–4		1–2		Under 1		Total
	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	
2000	3	0	2	1	6	9	2	7	10	5	9	21	7	21	16	24	143
2001	3	1	6	9	2	5	3	4	10	14	6	24	15	15	11	7	135
2002	7	6	54	11	12	9	20	18	18	29	7	34	28	36	31	32	352
2003	5	2	3	2	5	7	11	19	17	31	17	37	23	43	21	36	279
2004	9	4	1	6	4	10	14	17	8	42	20	31	23	13	23	31	256
2005	9	4	0	8	3	3	18	27	9	27	13	26	20	37	28	42	274
2006	6	3	11	30	14	31	14	24	9	19	14	29	18	31	24	29	306
2007	7	0	9	22	12	27	18	29	9	29	8	24	21	43	24	34	316
2008	12	3	9	25	11	28	16	27	13	25	13	27	19	36	23	39	326
Percentage of total by year																	
2000	2.1	0.0	1.4	0.7	4.2	6.3	1.4	4.9	7.0	3.5	6.3	14.7	4.9	14.7	11.2	16.8	100
2001	2.2	0.7	4.4	6.7	1.5	3.7	2.2	3.0	7.4	10.4	4.4	17.8	11.1	11.1	8.1	5.2	100
2002	2.0	1.7	15.3	3.1	3.4	2.6	5.7	5.1	5.1	8.2	2.0	9.7	8.0	10.2	8.8	9.1	100
2003	1.8	0.7	1.1	0.7	1.8	2.5	3.9	6.8	6.1	11.1	6.1	13.3	8.2	15.4	7.5	12.9	100
2004	3.5	1.6	0.4	2.3	1.6	3.9	5.5	6.6	3.1	16.4	7.8	12.1	9.0	5.1	9.0	12.1	100
2005	3.3	1.5	0.0	2.9	1.1	1.1	6.6	9.9	3.3	9.9	4.7	9.5	7.3	13.5	10.2	15.3	100
2006	2.0	1.0	3.6	9.8	4.6	10.1	4.6	7.8	2.9	6.2	4.6	9.5	5.9	10.1	7.8	9.5	100
2007	2.2	0.0	2.8	7.0	3.8	8.5	5.7	9.2	2.8	9.2	2.5	7.6	6.6	13.6	7.6	10.8	100
2008	3.7	0.9	2.8	7.7	3.4	8.6	4.9	8.3	4.0	7.7	4.0	8.3	5.8	11.0	7.1	12.0	100

### Boys' and girls' care homes

85. These are social institutions providing accommodation and care for boys and girls who are referred from children's homes after they turn 18 and whose social and family circumstances have prevented them from receiving adequate care. The aim is to prepare them to face life and contend with its challenges.

86. There are five care institutions for boys and girls, which are located throughout the Jamahiriya, as illustrated in table 5 below.

Table 5  
Number of residents in boys' and girls' care homes in 2008

Name of home	Number of residents
Tripoli Boys' Care Home	60
Misratah Girls' Care Home	20
Benghazi Boys' Care Home	36
Tripoli Girls' Care Home	40
Benghazi Girls' Care Home	36

Source: Ibid.

**Hostels**

87. These are additional social institutions offering temporary lodging for young men who have no guardian or who are too old to be accommodated in boys’ homes. Lodging is provided to residents for a period of up to five years or until they marry and is conditional on their employment. There are two such hostels, one in Tripoli where there are currently 36 residents and another in Benghazi where there are currently 25 residents.

**Education and guidance centres for both sexes**

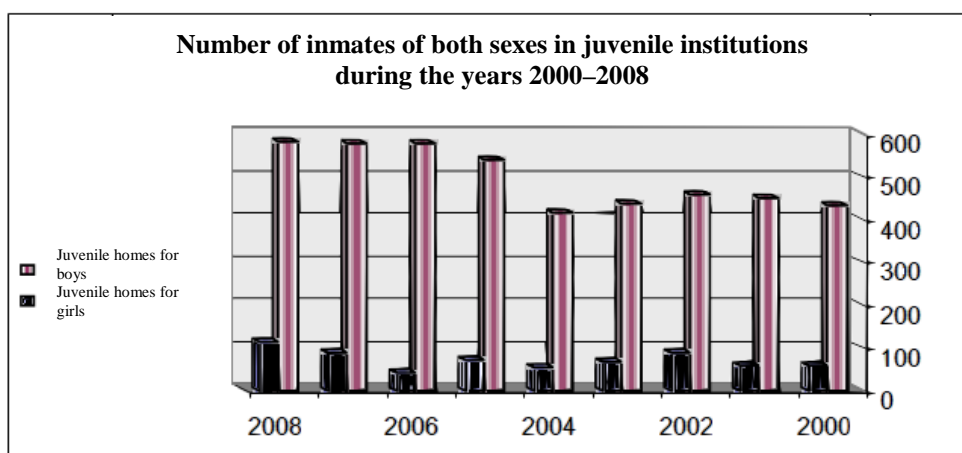
88. These are social education institutions accommodating under-18s who are remanded in custody pending investigation, ordered into detention or serving a fixed-term sentence. These institutions have two accommodation sections: one for custody and one for detention. There are five institutions — two of them for girls — catering to this group.

Table 6

**Number of inmates of both sexes in juvenile institutions during the years 2000–2008**

<i>Institution</i>	2000	2001	2002	2003	2004	2005	2006	2007	2008
Juvenile homes for boys	432	448	458	436	414	538	578	577	582
Juvenile homes for girls	59	57	89	68	55	70	42	89	111
<b>Total</b>	<b>491</b>	<b>505</b>	<b>547</b>	<b>504</b>	<b>469</b>	<b>608</b>	<b>620</b>	<b>666</b>	<b>693</b>

Source: Ibid.



**C. Kafalah (adoption) (art. 21)**

**Kafalah programmes**

89. A key distinguishing feature of the Islamic sharia is that it governs social relations by affirming the spirit of cohesion and solidarity among the individuals in society, as well as cooperation among them in times of good and bad. Within this framework, our society is based on the philosophy that a child is brought up by the mother. As to those who are without family or shelter, society is their guardian. Accordingly, the General People’s Committee issued Decision No. 453 of 1985 concerning the kafalah regulations, which are intended to enable families who satisfy the conditions to provide care under the kafalah system for children living in these institutions. These conditions are as follows:

- The family must be Libyan and Muslim.



- The family must be composed of two spouses.
- Neither spouse must be over 50 years of age.
- The family's economic circumstances must be such as to allow fulfilment of the child's essential needs.
- Accommodation must meet health requirements.
- The spouses must corroborate their wish to provide care under the kafalah system by means of an application signed by both of them and expressing their desire to do so.
- Kafalah neither establishes kinship nor gives rise to the effects of kinship. If a child's paternity is established by a final and enforceable ruling, his caregiver must surrender him to his kin.
- A family wishing to provide kafalah must submit documentary evidence of family status, good conduct and a clean criminal record, state of health and freedom from chronic or transmissible disease, after which the family is vetted in order to ascertain its social and financial situation and its ability to care for a child under the kafalah system.

90. The categories of children in these institutions who may be cared for under the kafalah system are those whose parents are unknown, those whose father is unknown and who have been given up by their mother, and orphans who have no relatives entitled to serve as guardians.

91. The social institution regulations also permit kafalah to be ended in the following circumstances:

- If it is clear that the child is receiving inadequate care and attention from the adoptive family where any of the above conditions are lacking
- If either spouse dies and the other wishes to end kafalah
- If the family wishes to end kafalah or the adopted child expresses a wish for the kafalah to end because he or she is unable to adjust to the adoptive family and the Social Service Bureau has been unable to eliminate the causes of the child's complaint

92. In the context of following up the kafalah programme and developing the mechanisms for kafalah, a committee of experts specializing in this field was assigned to review all matters relating to the programme and its implementing mechanisms. The committee considered the following aspects:

- (a) The negative and positive sides of the kafalah regulations issued by Decision No. 453 of 1985;
- (b) The document cycle currently in place with respect to kafalah;
- (c) The follow-up mechanism currently in place.

93. The committee concluded that action should be taken to:

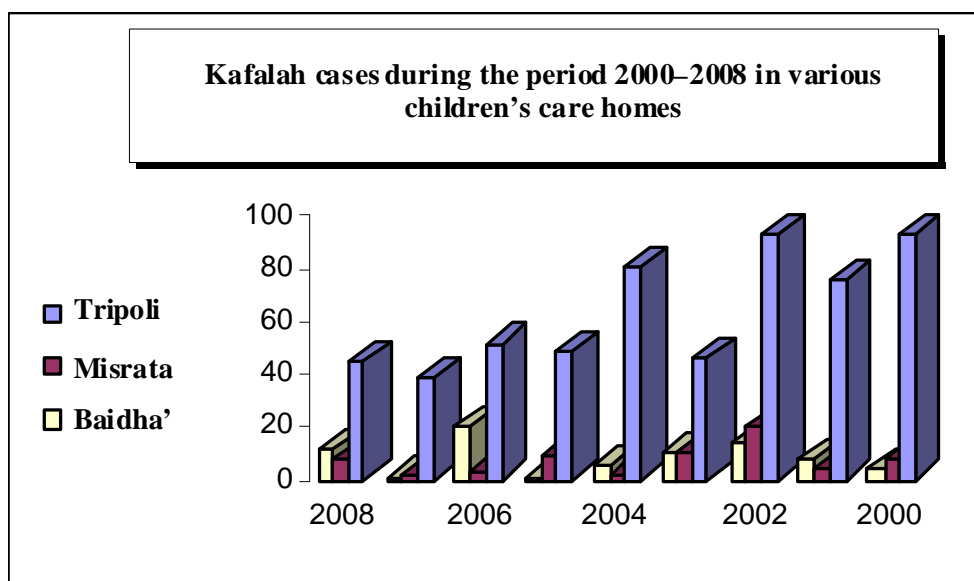
- (a) Submit a proposal for amendment of the kafalah regulations;
- (b) Develop a vision for creating a kafalah follow-up unit with branches;
- (c) Develop a new vision for the document cycle pertaining to the kafalah programme;
- (d) Conduct a comprehensive social survey of children in kafalah care in order to determine their socio-economic status;

(e) Focus on information matters and raise public awareness of the kafalah programme.

Table 7

**Number of kafalah cases in various children’s care homes during the period 2000–2008**

Year	2000	2001	2002	2003	2004	2005	2006	2007	2008
Tripoli	92	76	92	46	81	48	51	38	44
Misratah	8	4	20	10	2	9	3	2	8
Baida’	4	8	14	10	5	1	20	1	11
<b>Total</b>	<b>104</b>	<b>88</b>	<b>126</b>	<b>66</b>	<b>88</b>	<b>58</b>	<b>74</b>	<b>41</b>	<b>63</b>



**Hosting programme**

94. The hosting system is intended to promote social solidarity and help boys and girls in various social institutions to develop a sense of self and integrate into society by placing them with families who are willing to host them. The regulations promulgated by General People’s Committee Decision No. 454 of 1985 set out the conditions to be met by host families, namely:

- The family must be an Arab Muslim family resident in the Jamahiriya
- Families with children of approximately the same age as the host child will be given priority
- The hosting period is to last no longer than one year
- Widows and divorced women living in a family setting may host a child from a children’s home
- Host families may not move house until they have notified the home in which the child is resident

#### **D. Periodic review of placement (art. 25)**

95. All social institutions and centres for persons with special needs that are involved in housing children deprived of their family environment provide the integrated services that children need. These services include periodic health check-ups for children at on-site medical clinics offering medical services for residents and supplied with most essential drugs, first-aid items, medical apparatus, equipment and instruments. Run by qualified teams of doctors and assistants, these clinics coordinate with public hospitals and private clinics in cases where there is a need for other services that are unavailable at the institution. This is done through the Health-Care Unit of the General Social Solidarity Fund Authority, which in turn periodically supervises these clinics. It also monitors immunization programmes, regularly performs full medical checks on residents every six months and cooperates with the health and environment sector concerning treatment for some cases outside the Jamahiriya. It should be noted that these services are provided in all boys' and girls' homes, without distinction.

#### **E. Abuse and neglect (art. 19)**

96. Legislative measures to protect children against various types of violence and abuse were described in the second periodic report.

97. With respect to complaint procedures, a helpline number (1515) was recently set up to receive complaints about violence against women and children. This helpline is under the supervision of the Waatasemu Charity Association.

98. Studies on violence against children and child abuse are inadequate. Given the importance of this subject, however, a number of campaigns have been conducted to raise awareness of the effect of violence on children and to prevent its occurrence. Seminars and workshops covering that same ground have also been run by all relevant official institutions and NGOs. In 2005, for example, a seminar on violence against children, which had "No to violence" as its theme, was organized under the supervision of the Human Rights Association in Benghazi, with sponsorship provided by the Higher Committee for Children. This seminar aimed to:

- Highlight the legal, social and economic aspects of the issue of violence against children
- Define the concept of violence against children, as well as the types and causes of such violence and the places where it occurs
- Evaluate the mechanisms for prevention and for protecting children against violence, as well as the extent to which justice serves child victims of violence, and how their recovery and reintegration is achieved
- Identify the plans and programmes pursued in tackling violence against children
- Create opportunities for dialogue and the airing of ideas among a group of child protection specialists and professionals as a preliminary to elaborating the plans and strategies needed to tackle violence against children

99. Working groups were also formed with a view to achieving the objectives of the seminar. These groups, some of which were composed of children, discussed a number of the subjects aired.

100. This seminar produced a number of recommendations, in particular efforts to:

- Draft a children’s bill to serve as an authoritative reference for all child-related matters, including protection for children against all forms of violence, means of ensuring that they receive justice, and rehabilitation for victims
- Create effective prevention and protection mechanisms to ensure that children are not subjected to violence, as well as mechanisms for pursuing and arresting perpetrators of violence against children, bringing them to justice and preventing their escape from punishment, while also increasing the penalty to which they are liable and precluding any suspension of its enforcement at the time of sentencing
- Establish a juvenile police unit staffed by such specialists as social workers, psychologists, education experts, legal scholars and individuals concerned with children’s affairs
- Establish a unit to receive complaints about violence, abuse and exploitation involving children and to monitor wrongdoings against children in general and those with special needs in particular
- Coordinate official and non-governmental efforts to combat violence against children and establish a community partnership for tackling violence against children at all domestic, regional and international levels
- Establish training courses for persons working directly or indirectly with children in order to familiarize them with the Convention on the Rights of the Child
- Take advantage of the grass-roots education mechanisms available, in particular popular storytelling

## **VIII. Basic health and welfare (arts. 6, 18, paras. 3, 23, 24, 26 and 27, paras. 1–3)**

### **A. Children with disabilities (art. 23)**

101. The Libyan Arab Jamahiriya has achieved tangible progress in terms of care for persons with disabilities aimed at developing their capabilities and in terms of its concern for and commitment to legislation and policies that safeguard the right of persons with disabilities to a decent life. This it has done by expanding and developing the number of education, health and social services so that these persons can become self-reliant, join in working and integrate into society.

102. The Jamahiriya directed its attention to prioritizing the rights, needs and aspirations of persons with disabilities, accordingly issuing a decision in 1970 to form a committee tasked with studying the affairs of persons with disabilities and proposing ways and means of ensuring their care. An institute for the rehabilitation of hearing- and speech-impaired persons was also established in 1972.

103. The Jamahiriya proposed to the international community that the theme of the International Year for Disabled Persons should be “full equality”. On 16 December 1976, the General Assembly of the United Nations accordingly adopted its resolution 31/123 proclaiming the year 1981 International Year for Disabled Persons. In 1979, the National Committee for the Care of Disabled Persons was established and, in order to guarantee the rights of persons with disabilities, the Disabled Persons Act No. 3 of 1981 was promulgated, followed by the Disabled Persons Act No. 5 of 1987.

104. In accordance with these laws, a number of regulations, decisions, work directives, circulars and regulations concerning the implementation, amendment and addition of

certain articles relating to the benefits established for disabled persons were issued, in particular: General People's Committee Decision No. 41 of 1990 issuing regulations governing some of the benefits established for disabled persons; General People's Committee Decision No. 207 of 2006 adding speech- and hearing-impaired persons under 18 years of age to the groups provided for in General People's Committee Decision No. 92 of 1995, in accordance with Act No. 16 of 1985; General People's Committee Circular No. 22 of 2006 concerning implementing procedures for application of the provisions of the Disabled Persons Act No. 5 of 1987 and the regulations issued pursuant thereto; General People's Committee Decision No. 281 of 2006 approving the issuance of regulations governing some of the benefits established for disabled persons (education for disabled persons/training and rehabilitation/suitable employment for qualified or rehabilitated persons); General People's Committee Decision No. 26 of 2005 adding the speech- and hearing-impaired to the categories enjoying the benefit of reduced fares on public transport; General People's Committee Circular No. 3035 of 2008 concerning the allocation of 5 per cent of qualified personnel to persons with disabilities; General People's Committee Decision No. 664 of 2008 fixing the remuneration for home help services provided to disabled persons; General People's Committee Decision No. 665 of 2008 placing the education of persons with disabilities within the purview of the General People's Committee for Education; General People's Committee Decision No. 666 of 2008 establishing a National Council for the Care of Persons with Disabilities; and General People's Committee Decision No. 667 of 2008 adding certain categories of disabled persons under 18 years of age to those specified under article 12 of the Basic Allowances Act No. 16 of 1985.

105. In conformity with the above laws and decisions, a department was established within the structure of the General Social Solidarity Fund Authority to deal with the affairs of persons with disabilities. Its job is to attend to disability issues and the welfare of persons with disabilities and to oversee the centres and schools catering to such persons.

106. Attached to this department are sections for dealing with the affairs of disabled persons. These sections are located in the Authority's district branches, of which there are 16 in the Great Jamahiriya.

#### **Prevalence and breakdown of child disabilities**

107. The total number of disabled persons in the Great Jamahiriya who are registered with the General Social Solidarity Fund Authority amounted to 73,892, according to statistics for 2008.

108. The total number of disabled children registered with the General Social Solidarity Fund Authority, also according to statistics for 2008, amounted to 13,145, representing 17.7 per cent of the total number of disabled persons, 58 per cent of them males and 42 per cent of them females.

109. Of these, 46.2 per cent suffer from various types of developmental delay, 38.16 per cent suffer from a physical or motor disability, 10.2 per cent suffer from a hearing impairment and 6.4 per cent from a visual impairment.

#### **Services and activities provided for children with disabilities**

110. The number of institutions working in the field of special education throughout the Jamahiriya amounts to 59 centres and schools specializing in the care, rehabilitation and education of persons with specific types of disability, under supervision from the Disabled Affairs Department of the General Social Solidarity Fund Authority.

111. The numbers of children benefiting from the services provided by the General Social Solidarity Fund Authority in special education centres and schools and motor rehabilitation centres are as follows:

- 65 in residential centres for the development of mental abilities
- 469 attending centres for the development of mental abilities
- 649 attending schools for the development of mental abilities
- 279 live-in pupils at centres for the visually- and hearing-impaired
- 633 day pupils at centres for the visually- and hearing-impaired
- 545 residents at centres for persons with multiple disabilities

Table 8

**Number of centres for disabled persons, schools for the speech- and hearing-impaired and schools for the development of mental abilities**

<i>No.</i>	<i>Authority branch</i>	<i>Number of centres and schools</i>
1	Tripoli	6
2	Misratah	5
3	Al-Marqab	4
4	Al-Jufrah	1
5	Sahl al-Jifarah	4
6	Al-Jabal al-Gharbi	3
7	Al-Nuqat al-Khams	3
8	Sawf al-Jin	3
9	Al-Zawiyah	3
10	Al-Wahat	3
11	Al-Jabal al-Akhdar	2
12	Darnah	2
13	Al-Butnan	3
14	Fezzan	5
15	Al-Fatih Social Care Complex in Al-Marj	3
16	Central region	2
17	Benghazi	7
<b>Total</b>		<b>59</b>

Table 9

**Number of centres and schools and number of live-in and day pupils**

<i>Centre or school</i>	<i>Number of centres and schools</i>	<i>Day pupil section</i>			<i>Live-in section</i>		
		<i>Males</i>	<i>Females</i>	<i>Total</i>	<i>Males</i>	<i>Females</i>	<i>Total</i>
Centres for the development of mental abilities	16	734	384	<b>1 118</b>	25	11	<b>36</b>
Centres for the rehabilitation of disabled persons	13	6 966	7 751	<b>14 653</b>	1 132	1 097	<b>2 229</b>
Centres for the care and rehabilitation of persons with multiple disabilities	5	30	11	<b>41</b>	88	114	<b>202</b>

Centre or school	Number of centres and schools	Day pupil section			Live-in section		
		Males	Females	Total	Males	Females	Total
Centres for the care and rehabilitation of mentally disabled persons	1	6	4	10	66	49	115
Centres for persons with special needs	3	45	37	82	95	76	171
Schools for the speech- and hearing-impaired	14	356	277	633	-	-	-
Centres for the education and rehabilitation of the speech- and hearing-impaired	5	380	307	687	183	96	279
Physiotherapy centres	2	3 249	3 004	6 253	-	-	-
<b>Total</b>	<b>59</b>	<b>11 766</b>	<b>11 775</b>	<b>22 577</b>	<b>1 589</b>	<b>1 443</b>	<b>3 032</b>

Table 10  
Causes of disability by age group (0–18 years)

Region	Congenital disorder	Birth complication	Non-immunization	Disease	Accident	War aftermath	Fire
Al-Butnan	724	8	0	87	36	1	4
Al-Jabal al-Akhdar	610	21	2	51	19	1	2
Al-Wahat	230	14	0	27	8	0	1
Benghazi	1 685	69	4	212	46	1	4
Central region	396	12	1	49	12	1	0
Al-Jufrah	160	19	0	20	3	0	0
Fezzan	385	17	4	47	9	0	3
Misratah	1 185	18	3	118	34	0	3
Sawf al-Jin	196	7	0	34	17	0	2
Al-Naqqazah	374	7	0	29	10	0	0
Tripoli	1 928	77	4	424	71	0	2
Al-Zawiyah	1 053	62	7	179	45	1	7
Al-Jabal al-Gharbi	739	27	1	73	25	2	5
Al-Nuqat al-Khams	382	21	0	54	21	0	0
Darnah	118	25	0	8	5	1	1
Sahl al-Jifarah	587	28	1	96	21	0	2
<b>Total</b>	<b>10 752</b>	<b>432</b>	<b>27</b>	<b>1 508</b>	<b>382</b>	<b>8</b>	<b>36</b>

Table 11  
Types of disability by age group (0–18 years)

Region	Blindness	Visual impairment	Speech impairment	Hearing impairment	Developmental delay	Paralysis	Amputation	Cerebral palsy
Al-Butnan	8	53	50	24	274	102	10	330
Al-Jabal al-Akhdar	10	21	47	13	351	113	5	114
Al-Wahat	5	15	17	7	114	37	3	43
Benghazi	49	81	192	45	1 064	197	21	547
Central region	9	10	41	5	251	79	2	56

<i>Region</i>	<i>Blindness</i>	<i>Visual impairment</i>	<i>Speech impairment</i>	<i>Hearing impairment</i>	<i>Developmental delay</i>	<i>Paralysis</i>	<i>Amputation</i>	<i>Cerebral palsy</i>
Al-Jufrah	6	39	15	7	64	31	3	31
Fezzan	6	14	51	5	162	99	6	85
Misratah	21	61	157	13	691	229	11	215
Sawf al-Jin	4	22	24	3	140	34	1	43
Al-Naqqazah	11	9	38	2	196	75	5	82
Tripoli	38	65	212	41	1 131	244	29	727
Al-Zawiyah	21	20	104	29	642	211	17	247
Al-Jabal al-Gharbi	20	32	65	27	429	113	11	152
Al-Nuqat al-Khams	12	35	37	3	193	64	3	101
Darnah	3	3	14	1	73	32	3	15
Sahl al-Jifarah	15	20	41	8	300	116	10	188
<b>Total</b>	<b>237</b>	<b>599</b>	<b>1 106</b>	<b>233</b>	<b>6 077</b>	<b>1 777</b>	<b>140</b>	<b>2 976</b>

Table 12  
Degrees of parental consanguinity by age group (0–18 years)

<i>Degree of consanguinity</i>								
<i>Branch</i>	<i>None</i>	<i>Patrilateral only</i>	<i>Matrilateral only</i>	<i>Bilateral</i>	<i>Parallel cousins only</i>	<i>Patrilateral cross-cousins</i>	<i>Matrilateral cross-cousins</i>	<i>Bilateral cross-cousins</i>
Al-Butnan	434	181	73	4	215	0	0	0
Al-Jabal al-Akhdar	336	143	61	8	105	1	0	0
Al-Wahat	92	49	38	4	58	0	0	0
Benghazi	1 251	338	117	9	292	2	3	0
Central region	146	125	55	2	106	0	0	0
Al-Jufrah	55	58	37	2	36	0	0	0
Fezzan	119	150	57	6	70	0	0	0
Misratah	750	285	230	5	157	1	0	2
Sawf al-Jin	120	72	21	1	73	0	0	0
Al-Naqqazah	125	134	38	6	104	0	0	0
Tripoli	1 361	514	379	30	277	1	0	0
Al-Zawiyah	612	379	220	10	223	1	1	1
Al-Jabal al-Gharbi	280	237	126	9	161	1	0	0
Al-Nuqat al-Khams	126	136	56	2	124	0	0	0
Darnah	94	13	7	0	28	0	0	0
Sahl al-Jifarah	228	158	114	5	171	1	1	0
<b>Total</b>	<b>6 114</b>	<b>2 972</b>	<b>1 739</b>	<b>103</b>	<b>2 200</b>	<b>8</b>	<b>5</b>	<b>4</b>



Table 13  
Gender by age group (0–18 years)

Branch	Males		Females		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Al-Butnan	533	40.05	374	3.75	907	6.90
Al-Jabal al-Akhdar	390	2.97	294	2.24	684	5.20
Al-Wahat	140	1.07	101	0.77	241	1.83
Benghazi	1 154	8.78	968	7.36	2 122	16.14
Central region	240	1.83	194	1.48	434	3.30
Al-Jufrah	101	0.77	87	0.66	188	1.43
Fezzan	238	1.81	164	1.25	402	3.06
Misratah	794	6.04	591	4.50	1 385	10.54
Sawf al-Jin	182	1.38	105	0.80	287	2.18
Al-Naqqazah	262	1.99	145	1.10	407	3.10
Tripoli	1 518	11.55	1 045	7.95	2 563	19.50
Al-Zawiyah	853	6.49	594	4.52	1 447	11.01
Al-Jabal al-Gharbi	494	3.76	320	2.43	814	6.19
Al-Nuqat al-Khams	246	1.87	198	1.51	444	3.38
Darnah	78	0.59	64	0.49	142	1.08
Sahl al-Jifarah	403	3.07	275	2.09	678	5.16
<b>Total</b>	<b>7 626</b>	<b>58.01</b>	<b>5 519</b>	<b>41.99</b>	<b>13 145</b>	<b>100.0</b>

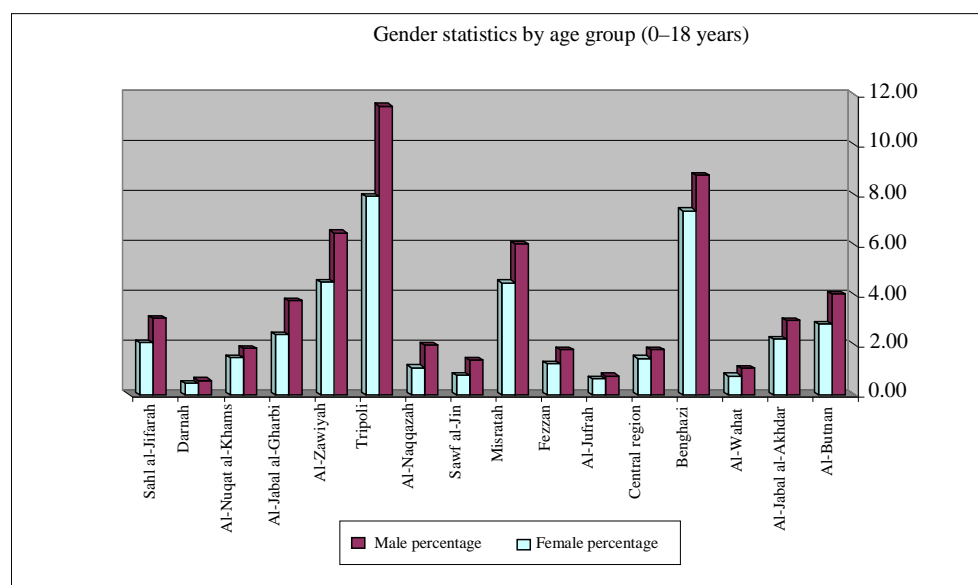


Table 14  
**Breakdown of itemized equipment and supplies provided for children with disabilities  
 in the year 2007–2008**

Branch	Computer laboratories	Chairs		Desks		Sign-language dictionary (part 1)	Sign-language dictionary (part 2)
		Single	Twin	Teacher's	Blackboard		
Benghazi	2	70	70	10	10	360	360
Al-Jabal al-Akhdar	0	30	30	7	7	140	140
Darnah	0	20	20	4	4	50	50
Al-Butnan	0	20	20	4	4	80	80
Al-Jufrah	0	20	20	0	0	0	0
Al-Wahat	0	20	20	0	0	30	30
Al-Fatih Complex	0	20	20	0	0	110	110
Tripoli	2	60	60	10	10	860	860
Al-Zawiyah	0	30	30	8	8	235	235
Al-Nuqat al-Khams	0	20	20	7	7	60	60
Sahl al-Jifarah	0	30	30	7	7	0	0
Al-Jabal al-Gharbi	0	20	20	7	7	50	50
Al-Marqab	0	30	30	8	8	180	180
Sawf al-Jin	0	20	20	7	7	50	50
Misratah	0	30	30	7	7	310	310
Fezzan	0	30	30	7	7	135	135
Central region	0	30	30	7	7	60	60
<b>Total</b>	<b>4</b>	<b>500</b>	<b>500</b>	<b>100</b>	<b>100</b>	<b>2 710</b>	<b>2 710</b>

Table 15  
**Itemized equipment provided for children with disabilities during the period 2006–2008**

No.	Item	Wheelchairs	Item	Crutches and walkers
1	Self-propelled wheelchair	980	Children's underarm crutch	400
2	Bathtub chair	400	Children's forearm crutch	500
3	Children's wheelchair	1 200	Cane	500
4	Wheelchair for children with multiple disabilities	550	Children's walkers	200
5	Wheelchair and crutch	550	Children's medical bed	250
6	Electric wheelchair	20		
	Hearing aids	9 700		

112. Medical dressings are also provided free of charge on a monthly basis to families with more than one disabled child.

#### **Economic benefits for children with disabilities**

113. Children with disabilities receive a basic monthly allowance of LYD 130, in conformity with the Basic Allowances Act No. 16 of 1985. According to the statistics and

findings available at the Department for Disabled Persons' Affairs of the General Social Solidarity Fund Authority, there were 9,752 children with disabilities aged under 18 at the end of 2008 and the total allowances paid to them amounted to LYD 1,484,543.

#### **Participatory events (regional and international) for children with disabilities**

114. Children with disabilities participate in regional and international sports, as well as in the Libyan Special Olympics. In brief, the key events in which they have taken part are:

- The Special Olympics World Summer Games, held in 1999 in North Carolina in the United States of America, where one competitor took part in the swimming event
- The Third Regional Games, held in 2002 in Lebanon, where one competitor took part in the swimming event
- The Special Olympics World Summer Games, held in 2003 in Ireland, where seven competitors took part in the five-a-side football event
- The Fourth Regional Games, held in 2004 in Tunisia, where 17 competitors took part in the swimming, strength and five-a-side football events
- The Fifth Regional Games, held in 2006 in the United Arab Emirates, in which 30 competitors took part in the weightlifting, swimming and five-a-side football events
- The Special Olympics World Summer Games, held in 2007 in Shanghai, China, where 21 competitors took part in the five-a-side football, weightlifting, swimming and strength events
- The Sixth Regional Games, held in 2007 in Abu Dhabi in the United Arab Emirates, where 33 competitors took part in the weightlifting, seven-a-side football, table tennis, swimming and strength events
- The Special Olympics World Winter Games, held in 2009 in Idaho in the United States of America, where 19 competitors took part in the speed skating and ice hockey events
- Competitor events in the Libyan Special Olympics are: weightlifting, swimming, strength, five- and seven-a-side football, table tennis, basketball, speed skating and ice hockey

#### **Programmes to be implemented in 2009**

(a) The eighth meeting of centres and schools for the speech- and hearing-impaired in April 2009, which has now taken place;

(b) A workshop and training programmes on autism, in cooperation with WHO, which took place in April 2009;

(c) Training courses for personnel working at centres and schools for the care and rehabilitation of the disabled, to be held in July and August 2009;

(d) Coordination with the General People's Committee for Education and Scientific Research with respect to article 8 of General People's Committee Decision No. 281 on opening annexes to public schools housing classrooms for those with disabilities, this by establishing training courses for teachers in the schools targeted for integration;

(e) A scientific seminar and a workshop on the rehabilitation of disabled persons, in cooperation with the relevant authorities;

(f) Supply of apparatus and equipment for persons with disabilities;

(g) Follow-up of the implementation of General People's Committee Decision No. 664 of 2008 on home help services;

(h) Follow-up of the implementation of General People's Committee Decision No. 665 of 2008 on placing the education of persons with disabilities within the purview of the General People's Committee for Education;

(i) Follow-up of the implementation of General People's Committee Decision No. 667 of 2008 on award of the basic allowance to the following categories:

- (i) Children with one or more amputated or paralysed limbs;
- (ii) Children who are blind or have extremely low vision;
- (iii) Children with mild or moderate mental impairment.

115. A nose, ear and throat clinic was opened in April 2008 after it had been completed and supplied with state-of-the-art facilities and equipment, such as:

- (a) A nose, ear and throat examination room;
- (b) Audiometry for children below the age of 3;
- (c) Tympanometry;
- (d) Evoked response audiometry;
- (e) An ear-mould laboratory;
- (f) A hearing-aid programming and maintenance room;
- (g) Rooms specially equipped for the treatment of speech defects.

116. During a meeting held to coincide with the International Day of Persons with Disabilities on 3 December 2008, the General People's Committee for Social Affairs presented to the General People's Committee a set of proposals for improving the situation of persons with disabilities, including action to:

(a) Adopt administrative and legal measures, monitor the authorities responsible for implementing the provisions of the regulations on facilitating access for disabled persons to public places, issued in 1981, and make any necessary amendments to these regulations;

(b) Create a special education department with responsibility for supervising and monitoring affairs relating to special education for disabled persons, as is the practice in a number of countries;

(c) Bring vocational training for disabled persons under the Employment and Vocational Training Department, in accordance with the provisions of General People's Committee Decision No. 281 of 2006 approving the issuance of regulations governing some of the benefits established for disabled persons pursuant to the Disabled Persons Act No. 5 of 1987;

(d) Apply the provisions of article 32 of the implementing regulations of the Basic Allowance Act No. 16 of 1985, which provides that a woman who is incapacitated may not be denied the basic allowance after marriage, and amend all decisions that are in conflict with those provisions;

(e) Link the basic allowance to certain categories of children with disabilities who are under 18 years of age;

(f) Give disabled persons priority access to public housing and provide them with household disability aids;

- (g) Cater to the health of persons with disabilities and treat any attendant complications, such as infections, ulcerations or other conditions;
- (h) Organize facilities and necessary support for disabled persons to obtain equipment, gadgets and other aids demanded by their particular disability and meeting high-quality international standards;
- (i) Devote attention to the problems of disabled persons in general;
- (j) Exempt disabled persons in employment from payment of income tax, jihad (national defence) tax and other levies and charges to help towards meeting the additional expenses incurred as a result of their disability;
- (k) Establish a centre for the prevention and early diagnosis of disabilities and treatment of related complications such as inflammation, ulcers and other diseases;
- (l) Amend the Disabled Persons Act No. 5 of 1987, taking into consideration the following:
  - (i) Proposals submitted by disabled persons' alliances;
  - (ii) Administrative changes in the law;
  - (iii) The Arab Labour Convention No. 17 of 1993 concerning the Rehabilitation and Employment of the Disabled;
- (m) Promote information technology programmes for the blind and visually impaired to enable them to keep up with developments and use the Internet and electronic mail;
- (n) Encourage individual and participatory employment for disabled persons;
- (o) Provide opportunities for persons working in disability care and rehabilitation to attend courses at home and abroad, as well as make fact-finding visits to Arab and foreign institutions;
- (p) Benefit from organizations working in education and rehabilitation for disabled persons and from agreements concluded with the Jamahiriya by using them to advantage in disabled care and rehabilitation programmes.

117. On the basis of these recommendations, the General People's Committee issued a number of decisions, including Decision No. 666 of 2008 establishing a National Council for the Care of Persons with Disabilities, Decision No. 665 of 2008 approving certain provisions concerning the education of persons with disabilities, and Decision No. 664 of 2008 fixing the remuneration for home help services provided to persons with disabilities.

## **B. Health and health services (art. 24)**

118. On the basis of the national strategy for health for all by all, General People's Committee Decision No. 11 of 2004 reorganizing primary health-care services was issued, providing in article 1 that: "Primary health care is essential health care based on methods and techniques that are safe and sound in practice, socially acceptable, and accessible to all individuals and families in Libyan society. They are an integral part of the comprehensive social and economic development of society and are the front line of contact for individuals and families with the national health service, bringing health care as close as possible to where people live and work. They are the first element in a continuous process of health care."

119. This Decision stipulates the services that must be included as part of primary health care, namely information, social and health education, healthy food and good nutrition, safe

and clean water, sanitation, improvement and cleaning of the environment, maternal and childcare, family planning, inoculation, prevention and control of communicable and non-communicable diseases, first aid, treatment of common ailments and diseases, supply of essential medicines, school health, mental health, occupational health, and social and health care for older persons.

120. These services are provided by primary health-care facilities, typically community clinics and primary health-care centres and units, of which there are 1,389, in addition to 24 centres for communicable disease control.

121. Building further on the achievements made in the health field, the coverage of primary health-care services is now 100 per cent in both urban and rural areas.

#### **Trend in health indicators**

- The proportion of newborns weighing over 2.5 kilograms is 96 per cent
- The proportion of children of appropriate weight for age is 95 per cent
- The infant mortality rate is 21.5 per 1,000
- The under-five mortality rate is 27.5 per 1,000
- The maternal mortality rate is 4 per 10,000 live births
- The overall average life expectancy is 72.2 years
- The average life expectancy for women is 73 years
- The average life expectancy for men is 72 years
- The proportion of births attended by skilled personnel is 99.5 per cent
- The proportion of pregnant women receiving antenatal care is 96 per cent
- The proportion of married women aged between 15 and 45 and using contraceptive methods is 54 per cent

122. The highest proportion of immunization against the diseases targeted in the national immunization programme for children was 100 per cent for the tuberculosis vaccine at birth. The lowest proportion was 98 per cent for the remaining vaccines, namely poliomyelitis, tetanus, diphtheria, pertussis, hepatitis B, haemophilus influenzae type B (Hib), and measles, rubella and mumps (MMR). The proportion of pregnant women immunized against tetanus was 45 per cent.

Table 16  
**Indicators for coverage of primary health-care services**

<i>Indicator</i>	<i>Percentage</i>
Proportion of population covered by primary health-care services	100
Urban areas	100
Rural areas	100
Children immunized with the pentavalent vaccine	98
Children immunized against poliomyelitis	98
Children immunized against MMR	98
Children immunized against hepatitis B	98
Pregnant women immunized against tetanus	45
Population with access to potable water	98

<i>Indicator</i>	<i>Percentage</i>
Population with access to sanitation facilities	95
Pregnant women receiving medical care	96
Births attended by skilled personnel	99
Neonates under the care of trained professionals	94
Married women using contraceptive methods	54

Table 17  
**Health status indicators**

<i>Indicator</i>	<i>Unit of measurement</i>	<i>Value</i>
Proportion of neonates weighing 2.5 kilograms or over	Percentage	96
Children of appropriate weight for age	Percentage	95
Infant mortality rate per 1,000 live births	Rate	21.5
Under-five mortality rate per 1,000 live births	Rate	27.5
Maternal mortality rate per 1,000 live births	Rate	4

Table 18  
**Current national immunization schedule (effective since 1 January 2007)**

<i>No.</i>	<i>Age at immunization</i>	<i>Type of immunization</i>	<i>Dose number</i>
1	Birth	BCG vaccine Poliomyelitis Hepatitis B	Birth dose Zero dose Birth dose
2	2 months	Pentavalent vaccine comprising: • Hepatitis B • Tetravalent bacterial vaccine • Hib Poliomyelitis	First dose   First dose
3	4 months	Pentavalent vaccine comprising: • Hepatitis B • Tetravalent vaccine • Hib Poliomyelitis	Second dose   Second dose
4	6 months	Pentavalent vaccine comprising: • Hepatitis B • Tetravalent vaccine • Hib Poliomyelitis	Third dose   Third dose
5	12 months	MMR	Basic dose
6	18 months	MMR Tetravalent vaccine Poliomyelitis	Final dose Booster dose Booster dose

<i>No.</i>	<i>Age at immunization</i>	<i>Type of immunization</i>	<i>Dose number</i>
7	6 years or on entrance to school	Bivalent vaccine Poliomyelitis Meningococcal meningitis	Booster dose Booster dose
8	12 years or seventh grade	Poliomyelitis	Booster dose
9	15 years or ninth grade	Tetanus and diphtheria (adult dose)	Booster dose

123. The National Centre for the Prevention and Control of Communicable and Endemic Diseases is responsible for the implementation of national immunization programmes. A number of infectious diseases, such as poliomyelitis, neonatal tetanus and measles, have been eliminated. Rubella and mumps are also under control.

124. The Centre additionally oversees the implementation of national expanded campaigns, such as:

- The campaign run from 2005 to 2006 to ensure immunization against measles and rubella, as a result of which the Jamahiriya achieved measles- and rubella-free status, and to strengthen immunity against poliomyelitis and improve control of hepatitis B
- The immunization campaign run from 2005 to 2006 and from 2007 to 2008 to strengthen immunity against hepatitis B (particularly among age groups not previously immunized) and also to keep the Jamahiriya poliomyelitis-free

125. In order to build immunity and achieve the goal of freedom from and eradication of the diseases targeted by the expanded immunization programme, the Centre implemented a number of programmes and measures, including:

- The introduction of new vaccines into the national immunization programme, specifically vaccines against Hib, which causes child meningitis, and the pentavalent vaccine consisting of five types of vaccine administered to children in one syringe, which dispenses with the need for four further syringes and also saves the child from having so many needle pricks
- Implementation of a safe-syringe programme by using auto-disposable (AD) syringes, which can be used only once and are automatically disabled after use, the Libyan Arab Jamahiriya being one of the first countries to employ this technique
- Use of safe waste receptacles for the disposal of syringes and sharp implements employed in immunization sessions in order to protect staff against the risk of exposure to infection during the course of their work
- Upgrading of cold-storage facilities through a large purchase of refrigerators and freezers for distribution to all immunization centres

126. Owing to the effectiveness of the programmes implemented by this Centre, successes have been achieved with respect to several other communicable diseases, such as leishmaniasis and hepatitis B, the incidence of which stood at 2.18 per cent, according to the national serological survey conducted in 2007. The same applies to hepatitis C, the incidence of which was 1.19 per cent, and to the acquired immunodeficiency syndrome (AIDS) virus, the prevalence of which, according to the same source, was 0.13 per cent. It is worth mentioning that 297 AIDS cases were notified to the Centre's Epidemiology and Surveillance Section in 2008. Only 170 of these AIDS patients were Libyan and Libyans in the under-20 category amounted to just 24 children.



127. No cases of cholera, poliomyelitis, diphtheria or neonate or adult tetanus were recorded in the Jamahiriya during 2008.

128. In 2007, 117 cases of measles were recorded and the number of AIDS cases stood at roughly 240, while cases of pulmonary tuberculosis amounted to 772 and of meningitis to 56, as illustrated in the following table.

Table 19  
**Indicators for various communicable diseases in 2007**

<i>Disease</i>	<i>Unit of measurement</i>	<i>Number</i>
Poliomyelitis	Number	0
Measles	“	117
Pulmonary tuberculosis	“	772
Diphtheria	“	0
Tetanus	“	0
Neonate tetanus	“	0
AIDS	“	240
Meningitis	Number	56
Prevalence of the hepatitis B virus	Percentage	2.18
Prevalence of the hepatitis C virus	“	1.19
Prevalence of the AIDS virus	“	0.13

129. Preventive medical services and treatment are comprehensively provided for children of all age groups, as well as for other citizens, at health facilities of all levels countrywide, as illustrated in the following table.

Table 20  
**Indicators for public health facilities and equipment**

<i>Indicator</i>	<i>Value</i>
Hospitals	96
Number of beds	20 289
Polyclinics	37
Health centres	535
Health units	820
Beds per 10,000 citizens	37
Health facilities per 10,000 citizens	2.6
Computerized tomography (CT) scanning	27
Magnetic resonance imaging (MRI)	14
Angiography	8
Radiotherapy	4

130. There are also modern centres providing tertiary treatment for children, such as the Paediatric Hospital in Tripoli and the Fatih Hospital for Paediatric Medicine and Surgery in Benghazi. Tertiary treatment is also provided in public hospitals, including the Tripoli and Butnan Medical Centres, the Green Hospital in Tripoli, the Cardiac Hospital in Tajura', the Eye Hospital in Tripoli and the Benghazi Medical Centre, which is currently being equipped and is expected to open in September 2009. Specialist preventive services are

furthermore provided by such facilities as the National Centre for the Prevention and Control of Communicable and Endemic Diseases, as well as the Misratah General Hospital and the Ibn Sina Teaching Hospital in Sirte.

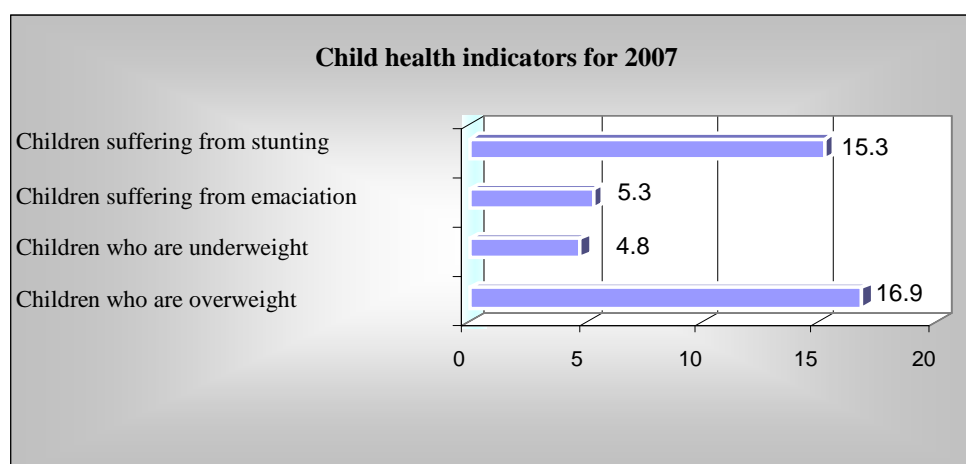
131. Private or non-governmental facilities also play a part in providing treatment at all levels of service for children and adults, particularly in major towns, as illustrated in table 21, which shows that the private sector has started to engage effectively in delivering treatment to citizens.

Table 21

**Non-governmental facilities and equipment**

<i>Indicator</i>	<i>Value</i>
Inpatient clinics	67
Number of beds	1 433
Outpatient clinics	268
Dental clinics	159
Laboratories	166
Diagnostic centres	3
Pharmacies	1 543
CT scanning	15
MRI	8

132. Statistics from the Libyan Family Health Survey of 2007 indicate that the proportion of malnutrition is lower in the Jamahiriya than in some other Arab States. Regrettably, 16.9 per cent of children are overweight, 4.8 per cent are underweight, 5.3 per cent suffer from emaciation and 15.3 per cent from stunting.



133. The use of rehydration fluids to combat diarrhoea is now widespread throughout the Jamahiriya, which has reduced complications from acute diarrhoea. Some 46.9 per cent of children suffering from diarrhoea received treatment with rehydration fluids or a home-prepared solution.

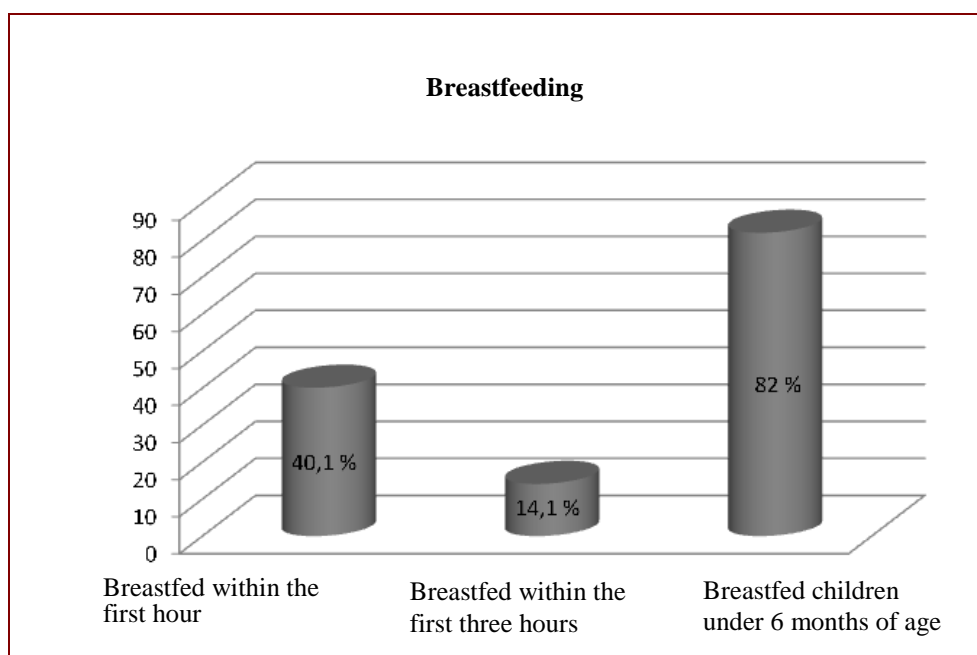
**School health**

134. To complement the school health programme for 1999–2009, a number of surveys were conducted with the aim of improving the standard of health among school students and protecting them against the potential health risks posed by, inter alia, accidents,

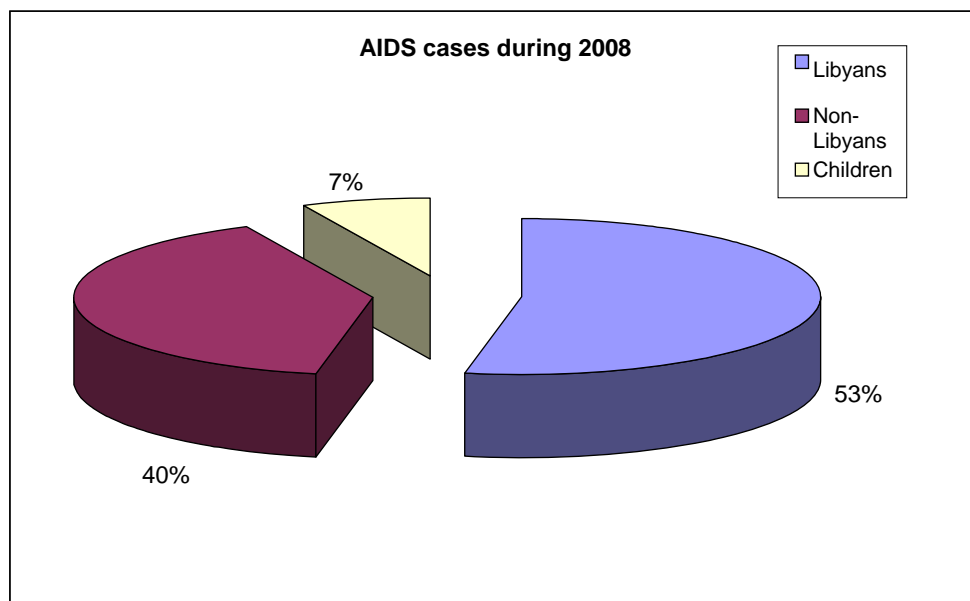
environmental hazards, the smoking epidemic, narcotic drugs and modern-day diseases, which will be dealt with later. School immunization campaign days were also organized in collaboration with the National Centre for the Prevention and Control of Communicable and Epidemic Diseases, and a prevention campaign targeting students in educational institutions is being conducted in the interest of formulating a working strategy to improve dental services. The campaign involves carrying out full dental checks on pupils from all age groups in the basic and intermediate levels of education, which amounts to over 1 million children. The strategy will then be formulated on the basis of the reports and indicators produced from the campaign.

### Breastfeeding

135. Breastfeeding is extremely common in the Jamahiriya; findings show that 9 out of every 10 infants born between 2002 and 2006 were breastfed. As to timing, the breastfeeding began directly after birth. Indeed, findings have shown that some 40.1 per cent of infants were breastfed immediately within the first hour of birth and 14.1 per cent within the first three hours of birth. The proportion of breastfed children under 6 months of age amounted to 82 per cent. A special committee or child-friendly hospital initiative was established to take charge of the health awareness and education programme and a number of hospitals have been identified to implement the programme of the National Breastfeeding Committee.



136. With respect to the human immunodeficiency virus and AIDS among both the general population and children, the number of reported cases during 2008 was just 297, broken down by nationality as follows: 170 cases of Libyans and 127 cases of non-Libyans. There were just 24 cases among children.



137. The AIDS Control Department at the Centre for the Prevention and Control of Communicable and Epidemic Diseases is engaged in various activities to prevent this disease:

(a) In conjunction with the Higher Institute of the Judiciary and members of judicial organs, namely court presidents, heads of public prosecution offices and lawyers, it is endeavouring to prepare a legal framework to guarantee the rights of persons living with the AIDS virus and combat stigma and discrimination;

(b) As part of the joint programme of cooperation with the United Nations Development Programme (UNDP), it organized several workshops, including: an AIDS workshop for religious clerics and mosque preachers to raise their awareness of the AIDS problem and motivate them to engage in confronting it; and a workshop for young leaders aimed at training outstanding youngsters in leadership positions for voluntary AIDS work;

(c) A workshop for persons living with AIDS to enhance their capacities in the area of psychological and social support and help, as well as motivate them to set up and run self-help groups;

(d) An AIDS workshop for media personnel;

(e) The Department has also run various training courses:

(i) A training course for AIDS instructors aimed at social workers in educational institutions;

(ii) A course in psychological and social counselling for social workers and psychologists in health facilities to enable the delivery of medical care and social and psychological support for persons living with AIDS;

(iii) An AIDS training course for youth leaders, run in association with the National Youth Welfare Association;

(iv) A basic preparatory course for health teams in caring for pregnant women living with the virus;

(v) A basic preparatory course for pregnant women living with the virus;

(f) The Department has similarly delivered a number of talks to target audiences that included educational institutions, social institutions, social workers employed in educational institutions, young people attending youth camps, the College of Medicine, colleges for police officers, and armed people's units;

(g) It has printed various educational leaflets, posters, booklets and brochures covering: essential information on the AIDS virus and preventive measures; a guide to measures following exposure to the disease; the part behaviour plays in spreading the disease; healthy nutrition for persons living with AIDS and pregnant women; counselling; and voluntary testing;

(h) It provides counselling for patients and monitors their treatment through communicable disease clinics;

(i) It organizes scientific meetings for social workers employed in the education sector in various districts of the Jamahiriya, in conjunction with the Education and School Activity Department of the General People's Committee for Education.

138. As part of catering to all groups of children, notably those with serious infectious diseases, and providing them with access to services, particularly in matters of accommodation and psychological recovery, the schemes to be implemented by the General People's Committee for Social Affairs under its development programme for 2008–2012 include the establishment of 22 centres offering protection and social support, in addition to a further 22 centres offering social and psychological services.

### **Adolescent health**

139. Indicators for adolescent health in the Jamahiriya can be extrapolated from some of the surveys conducted in recent years. We are working hard on preparations for a comprehensive study of adolescent health issues to be conducted during the coming year (2010).

#### *I. Health survey of school students (13–15 years)*

140. In February 2007, a school health survey was carried out in 50 schools at which the levels covering the target ages of 13 to 15 years are taught, meaning the seventh, eighth and ninth grades of basic education. This stage corresponds to the start of adolescence. A total of 2,242 pupils of both sexes took part in the survey.

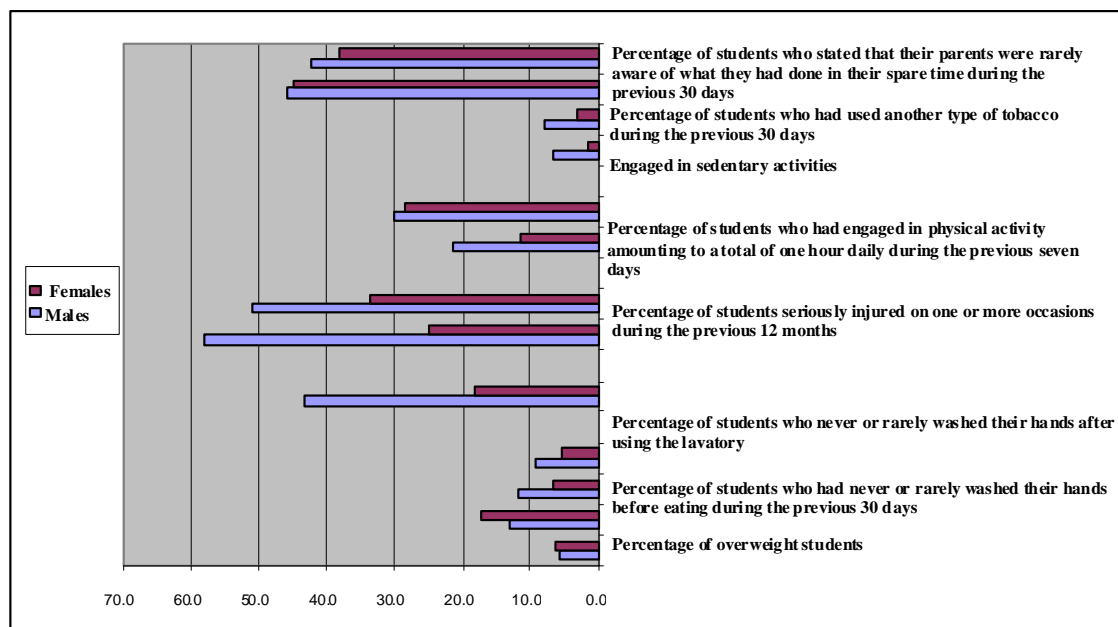
141. Carried out in cooperation with WHO and the United States Centers for Disease Control and Prevention, this was the first survey to be conducted in the Jamahiriya on this subject. With a view to obtaining accurate data on behaviour in areas other than health and on protection factors among students in the 13–15 age group, it covered the following aspects:

- Nutritional behaviour
- Personal hygiene
- Violence and unintentional injuries
- Tobacco use
- Relevant AIDS knowledge
- Physical activity
- Protection factors

Table 22  
**Key findings of the health survey of school students (13–15 years)**

<i>Item</i>	<i>Overall</i>	<i>Males</i>	<i>Females</i>
Percentage of overweight students	6.1	5.8	6.5
Percentage of students at risk of being overweight	15.5	13.6	17.4
Percentage of students who had never or rarely washed their hands before eating during the previous 30 days	9.2	11.7	6.6
Percentage of students who never or rarely washed their hands after using the lavatory	7.6	9.3	5.7
Percentage of students subjected to physical assault on one or more occasions during the previous 12 months	30.7	43.2	18.2
Percentage of students involved in physical fights on one or more occasions during the previous 12 months	41.5	58.0	25.0
Percentage of students seriously injured on one or more occasions during the previous 12 months	42.2	50.9	33.5
Percentage of students who had engaged in physical activity amounting to a total of one hour daily during the previous seven days	16.6	21.5	11.6
Percentage of students who engaged in sedentary activities for three hours or more during an average day	29.4	30	28.5
Percentage of students who had smoked cigarettes on one day or more during the previous 30 days	4.0	6.7	1.5
Percentage of students who had used another type of tobacco during the previous 30 days	5.6	7.9	3.0
Percentage of students who stated that others had smoked in their presence during the previous seven days	45.2	45.8	44.7
Percentage of students who stated that their parents were rarely aware of what they had done in their spare time during the previous 30 days	40.2	42.2	38.2

**Findings of the health survey of school pupils (13–15 years)**



*II. Survey on tobacco use among young people (2003)*

142. The findings of this cluster survey, which was conducted in two phases among young school students in the 13–15 age group, can be summarized as follows:

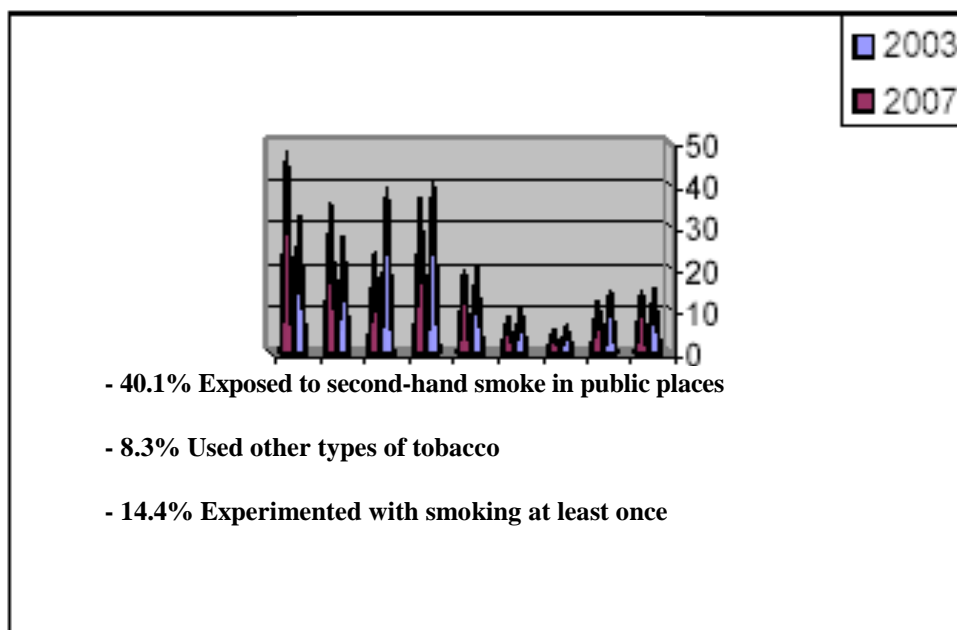
- 14.8 per cent of students had experimented with smoking at least once
- 14.6 per cent of students were currently smoking one type of tobacco
- 5.9 per cent of students were currently smoking cigarettes
- 10.6 per cent of students were using other types of tobacco (12.5 per cent of boys and 8.1 per cent of girls)
- 19.8 per cent of non-smoking students said they might take up smoking during the course of the year
- 40.3 per cent of students were exposed to second-hand smoking at home (environmental smoking)
- 38.7 per cent of students were exposed to second-hand smoking in public places
- 27 per cent of students had purchased cigarettes in shops without the sale being refused on grounds of their age
- 32 per cent of students had one or both parents who were smokers

*III. Survey on tobacco use among young people (2007)*

143. The findings of this cluster survey, which was conducted in two phases among young school pupils in the 13–15 age group, can be summarized as follows:

- 14.4 per cent of students had experimented with smoking at least once (22.1 per cent of boys and 5.8 per cent of girls)
- 12.4 per cent of students were currently smoking one type of tobacco (17.1 per cent of boys and 7.2 per cent of girls)
- 5.2 per cent of students were currently smoking cigarettes (8.7 per cent of boys and 1.1 per cent of girls)
- 8.3 per cent of students used other types of tobacco (10.2 per cent of boys and 6.5 per cent of girls)
- 19.2 per cent of non-smoking students said they might take up smoking during the course of the year
- 36.9 per cent of students were exposed to second-hand smoking at home (environmental smoking)
- 40.1 per cent of students were exposed to second-hand smoking in public places
- 23.3 per cent of students had purchased cigarettes in shops without the sale being refused on grounds of their age
- 35.1 per cent of students had one or both parents who were smokers
- 72.2 per cent of the total number of pupils who were smokers wanted to give up smoking
- 47.5 per cent had been taught during the previous year

### Smoking among young people (13–15 years)



#### IV. *National Family Health Survey, 2007*

144. This survey was conducted in association with the Pan-Arab Family Health Project of the League of Arab States. Among others, its aim was to acquire data on the practices and attitudes of young people concerning reproductive health and to gauge the extent of their knowledge about sexually transmissible diseases (STDs), including HIV/AIDS.

145. The survey targeted young people in the 15–24 age group. Of the 3,237 who participated, 1,460 were males and 1,777 were females, all mostly living with their families at the time of the survey.

146. The results of the survey showed that 86.4 per cent of young people believed themselves to be in good health and that some 29 per cent believed that their health had improved in comparison to the previous year.

147. Concerning knowledge of STDs, the results showed that 92.5 per cent of young people had heard of them and that roughly 97 per cent knew about AIDS.

148. As to their knowledge about the signs of puberty, most young men and women knew about them, but the percentage was higher among females than among males and likewise higher among young people in the 20–24 age group than among those in the 15–19 age group.

#### V. *National serological survey*

149. This survey consisted of an epidemiological study of the prevalence of hepatitis B and the AIDS virus in the Jamahiriya in the year 2004–2005, the aim being to supply a database that could be consulted by policymakers, decision makers and service providers in the field of health with a view to improving the services offered. The survey sample, which amounted to 65,000 individuals, included the following age groups:

(a) Children in the under-school-age group (0–5 years): through maternal and childcare centres, other health-care units, and kindergartens;



(b) The pre-university age group (6–19 years): comprising those in basic and intermediate educational institutions;

(c) The university age group: comprising students at universities and university colleges;

(d) The remaining social groups: comprising teachers of both sexes and personnel working in clinics, health centres, hospital outpatient clinics, inpatient clinics, private medical clinics and administrative services.

150. The results concerning the hepatitis B virus showed a total infection rate of 2.2 per cent, with 1,431 out of 65,768 persons infected. Children were the least affected group, as a vaccine offering protection against hepatitis B has been administered immediately after birth to all babies in the Jamahiriya since 1993.

151. With respect to the hepatitis C virus, the results showed that the total number of infected persons amounted to 780 out of 65,768, bringing the total infection rate to 1.2 per cent. Infection was commonest among the over-30s. The number of persons infected with the AIDS virus amounted to only 90, producing a rate of 0.13 per cent.

152. Essentially, it can be observed from this study that:

(a) The prevalence of infection with the hepatitis B, C and AIDS viruses is relatively low among the Libyan general public;

(b) The most commonly affected are those in the active ages and the least affected are the younger ages. The results confirm a relationship between age and infection in the case of all three diseases, with the incidence of infection increasing as a function of age.

153. We should also like to mention with respect to adolescent health, in particular teenage pregnancy, that the Marriage and Divorce (Rules and Effects) Act No. 10 of 1984 stipulates a marrying age of 20 for both sexes. Consequently, early marriage in the Jamahiriya is extremely rare. It can also be observed from the above-mentioned survey that STD awareness rates are high among individuals, which is attributable to the effectiveness of the awareness and education campaigns organized by all of the relevant authorities.

154. The Jamahiriya has devoted a great deal of attention to enhancement of the environment, particularly in the home, by providing drinking water sources, kitchen cooking facilities and sanitation. With respect to drinking water supply, the findings of the national family health survey of 2008 showed that the public water grid is the main source of drinking water in both rural and urban areas of the Jamahiriya; approximately 54.26 per cent of households are supplied by the public grid, 11.14 per cent by private wells, 2.19 per cent by purification plants, 22.93 per cent by cisterns and 9.46 per cent by other sources.

155. Concerning sanitation, 44.74 per cent of households are connected to the public network, 54.3 per cent to private tanks and 0.51 per cent to other systems.

156. As for cooking, it is done mostly by gas, with 97.18 per cent of homes using gas facilities, 2.31 per cent electricity and 0.51 per cent other means.

157. The programmes of the General Environment Authority include a development programme and a national programme for improvement of the environment, which is seen as a groundbreaking step for evaluating the current environmental status of the Jamahiriya, establishing scientific principles and developing executive action programmes through centralized plans and projects for all districts and sectors with a view to improving the current environmental status.

158. The main justifications for this programme are as follows:

- (a) The emergence of various problems that led to a decline in the Jamahiriya's environmental status owing to mistreatment of the environment and the irrational use of environmental resources;
- (b) A rise in pollution levels as a result of economic and social growth;
- (c) The failure of earlier transformation plans to take into account the environmental dimensions of the different development plans;
- (d) The low level of attention paid to environmental education and improving the skills level of personnel engaged in work to improve the environment;
- (e) Lack of grass-roots and non-governmental involvement in the promotion of programmes to improve and conserve the environment.

159. This programme is aimed at:

- (a) Assessing the current environmental status and identifying pollution indicators;
- (b) Incorporating environmental dimensions and considerations into the development plans of all sectors in order to achieve sustainable development;
- (c) Creating an integrated national plan for protection and conservation of the environment;
- (d) Elaborating a national plan for tackling environmental disasters;
- (e) Bringing in and training national personnel specializing in different fields of environment who are capable of preparing and implementing projects that serve the purposes of environment and sustainable development;
- (f) Creating an integrated waste management system;
- (g) Developing environmental legislation that is compatible with and achieves the requirements of the environment plan.

#### **Miscellaneous health indicators**

160. To accomplish these objectives, projects and plans were formulated as follows: a pollution monitoring and detection project; a project for the development of legislation and international cooperation; an integrated environmental management project; an integrated solid waste management project; an environmental education and awareness project; a project for an environmental emergency plan; an integrated coastal management project; a nature protection and anti-desertification project; and an energy and alternative energy project.

Table 23

#### **Health expenditure indicators for 2007**

<i>Indicator</i>	<i>Value</i>
Percentage of general budget allocated to the health sector	7.5
Average gross domestic product (GDP) expenditure on health	2.7
Total per capita health expenditure in dollars	306
State health expenditure as a percentage of total health expenditure	80
Health sector budget per capita in dollars	239
Percentage of out-of-pocket expenditure on health	20

161. We note from the above table that the health sector allocation amounted to 7.5 per cent of the State's general budget and that the average health expenditure amounted to only 2.7 per cent. This was due to the lack of any centralized distribution and expenditure during that particular year. State health expenditure as a percentage of the total stood at 80 per cent and the remaining 20 per cent was out-of-pocket. The health sector budget per capita was US\$ 239.

Table 24

**Indicators for human resources in public health facilities**

<i>Indicator</i>	<i>Value</i>
Physicians	9 286
Dentists	14 760
Pharmacists	1 049
Nurses and midwives	32 332
Physicians per 10,000 inhabitants	17
Dentists per 10,000 inhabitants	2.7
Pharmacists per 10,000 inhabitants	2
Nurses and midwives per 10,000 inhabitants	50

162. We note from the above table that for every 10,000 inhabitants there is an average of 17 physicians, 2.7 dentists, 2 pharmacists and 50 nurses and midwives.

Table 25

**Various medical services in 2007**

<i>Indicator</i>	<i>Value</i>
Number of admissions	588 212
Number of surgical procedures	90 791
Number of deliveries	147 981
Number of kidney failure cases	2 116
Number of dialysis machines	681
Number of kidney transplants since 2004	166

163. We note from the above table that the number of deliveries was 147,981. No information is available on the number or percentage of Caesarean births and premature births in 2007.

Table 26

**Demographic indicators according to the census of 2006**

<i>Indicator</i>	<i>Value</i>
Surface area	1 770 500
Number of Libyan inhabitants	5 298 152
Number of males	2 298 513
Percentage of males	50.73
Number of females	2 610 639
Percentage of females	49.27
Percentage of urban dwellers	85

<i>Indicator</i>	<i>Value</i>
Crude birth rate	20.3
Crude mortality rate	2.6
Population growth rate	1.8
Percentage of inhabitants aged under 15	31.06
Percentage of inhabitants aged 65+	4.24
Dependency ratio as a percentage	58
<b>Total fertility rate as a percentage</b>	<b>5.2</b>

164. We note from the above table that one of the key demographic indicators is the percentage of urban dwellers, amounting to 85 per cent of inhabitants, and that the percentage of both genders in the population is roughly equal. The crude birth rate is 20.3 per 1,000 inhabitants, the crude mortality rate is 2.6 per 1,000 inhabitants, the proportion of inhabitants aged under 15 is 31 per cent and the proportion of inhabitants aged 65 and over is 4 per cent. The dependency ratio is 58 per cent and the total fertility rate is 5.2 per cent.

### **C. Social security and childcare services and facilities (arts. 18, para. 3, and 26)**

165. In addition to the information set forth in the Jamahiriya's periodic report, we should like to draw attention to the in kind and cash benefits provided to those in social institutions, as exemplified below.

#### **Basic allowances**

166. In accordance with General People's Committee Decision No. 4 of 1996, those in social institutions receive a basic allowance as pocket money in order to create in them a sense of the self-reliance and self-confidence found among their peers in the community. In the case of those living in children's care homes, the full amount of the allowance is deposited in a bank. As for those living in girls' and boys' homes, 50 per cent of the allowance is paid in cash and the remainder is deposited in their personal accounts held at commercial banks. The amount of the basic allowance rose from LYD 60 to LYD 90 and ultimately to LYD 130 for individuals, to LYD 180 for eligible two-person households and to LYD 220 for eligible households composed of three persons or more, pursuant to General People's Committee Decision No. 277 of 2006.

#### **Marriage, housing and furnishing allowances**

167. Complementing the humanitarian role undertaken by social institutions concerning those without social support, other allowances and services are provided for such persons in an effort to integrate them into society and help them to marry and form natural families like others. These include a marriage allowance, a housing allowance and a furnishing allowance.

#### *Marriage allowance*

168. When individuals living in social institutions reach marrying age and, in the same way as others like them in the community, express the desire to marry, a technical committee established pursuant to Decision No. 4 of 2007 issued by the Secretary of the Management Committee of the General Social Solidarity Fund Authority, which is composed of expert members, assumes the task of considering their marriage from the point

of view of eligibility, potential and compatibility. It also endeavours to complete the marriage procedures on their behalf. Prospective marriage partners are furthermore paid an allowance amounting to LYD 5,000.

#### *Housing allowance*

169. In an effort to provide independent housing for all prospective marriage partners, a dedicated committee was formed by Decision No. 478 of 2007 of the Secretary of the Management Committee of the General Social Solidarity Fund Authority. It is tasked with seeking to provide housing for prospective couples in accordance with the terms and conditions established in that respect. The couples themselves choose the accommodation and the committee then considers whether it meets the required conditions. Care is taken to ensure that the homes for these categories are purchased in different areas in order to satisfy the principle of social integration into the community.

170. The committee also conducts follow-ups after the partners are married by continuing to visit them at home to check on their circumstances and help them in resolving problems and attempting to overcome any difficulties they might encounter.

#### *Furnishing allowance*

171. This entails the payment of an allowance of LYD 3,000 to be spent on furnishing the home.

Table 27

#### **Allowances received by those living in social institutions**

<i>Branch</i>	<i>Furnishing allowance</i>	<i>Marriage allowance</i>	<i>Persons obtaining housing</i>	<i>Other allowances</i>
Tripoli	31	38	26	63
Misratah	9	8	8	2
Benghazi	20	27	22	6
Al-Jabal al-Akhdar	1	1	1	5

#### *Other allowances*

172. These include financial assistance provided to persons either living in social institutions or being cared for in families. They are disbursed on the basis of testing to identify social needs, such as costs of medical treatment, studying and so on.

### **D. Standard of living (art. 27, paras. 1–3)**

173. The population's standard of living is determined on the basis of economic performance level and the social justice policies in place. At current prices, GDP grew from LYD 21,618,700 in 2001 to LYD 80,629,900 in 2006 and the compound growth rate to 30.1 per cent. During this period, the population growth rate was 1.83 per cent, pointing to a highly efficient economic performance. Discounting the impact of the rise in crude oil prices, GDP for non-oil-related economic activities at fixed prices rose from LYD 13,996,600 in 2001 to LYD 20,751,200 in 2006 and the compound growth rate to 8.2 per cent.

174. As a result of this growth in economic performance, GDP per capita at fixed prices grew from LYD 6,330 in 2001 to LYD 8,150 in 2007.

Table 28  
Average income per capita compared with GDP per capita

<i>Year</i>	<i>Average income per capita in LYD</i>	<i>Total population (1,000 inhabitants)</i>	<i>GDP at fixed prices (2003 = 100) in millions of LYD</i>
2001	6 330	<b>5 248.7</b>	33 239.7
2002	6 202.5	<b>5 337.3</b>	33 104.5
2003	6 883.7	<b>5 427.4</b>	37 360.7
2004	7 178.8	<b>5 159.5</b>	39 622.1
2005	7 760.9	<b>5 613.0</b>	43 561.6
2006	8 150	<b>5 657.7</b>	46 123.0

175. In the context of achieving social justice, the income distribution gap between the different social groups in the community has narrowed. Indeed, data from the household expenditure survey for the years 1992/93 and 2002/03 show an income disparity ratio that is characteristically moderate with respect to the national mean and among the population as a whole, with the Gini coefficient approaching zero at the national level and in the regions. The typical income disparity among the regions of the Jamahiriya is also moderate or negligible; in 1992/93, for instance, it was 3.2 in Tripoli, compared with 2.9 in Sebha in the south and 3.1 in Al-Jabal al-Gharbi. In 2002/03, this disparity fell to 2.4 in Tripoli, Benghazi and Sebha, compared with 2.1 in Al-Jabal al-Akhdar and Sirte and 2.0 in Al-Zawiyah.

Table 29  
Data from the household expenditure survey for the years 1992/93 and 2002/03

<i>Region</i>	<i>1992/93</i>		<i>2002/03</i>	
	<i>Gini coefficient</i>	<i>Ratio of top fifth to bottom fifth</i>	<i>Gini coefficient</i>	<i>Ratio of top fifth to bottom fifth</i>
Al-Jabal al-Akhdar	0.1857	2.4	0.1542	2.1
Benghazi	0.2064	2.8	0.1787	2.4
Gulf of Sirte	0.2051	2.8	0.1461	2.1
Tripoli	0.2200	3.2	0.1824	2.4
Al-Zawiyah	0.1801	2.4	0.1534	2.0
Al-Jabal al-Gharbi	0.2217	3.1	0.1670	2.3
Sebha	0.2145	2.9	0.1770	2.4
National mean	0.2086	2.8	0.1697	2.3

176. As part of efforts to improve income levels for small traders, small farmers, housewives and jobseekers, the Rural Bank was established to enable access for these population groups to modest financial resources. The following table shows the soft loans provided by the Rural Bank during 2008 in terms of sector and geography.

Table 30  
**Rural lending by beneficiary category and district in 2008**

<i>Beneficiaries by loan type</i>							
<i>District</i>	<i>Improvement of income level</i>			<i>Beneficiaries by gender</i>			<i>Total value in LYD</i>
	<i>Individual loans</i>	<i>Participatory loans</i>	<i>Jobseekers' loans</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	
Tripoli	606	260	137	299	704	<b>1 003</b>	<b>4 533 580.08</b>
Benghazi	828	180	32	705	335	<b>1 040</b>	<b>3 559 431.99</b>
Al-Jabal al-Akhdar	126	35	17	122	56	<b>178</b>	<b>697 270.39</b>
Misratah	441	138	7	385	201	<b>586</b>	<b>2 160 495.19</b>
Al-Marqab	324	74	40	323	115	<b>438</b>	<b>1 680 002.70</b>
Sahl al-Jifarah	119	101	9	140	89	<b>229</b>	<b>1 131 559.05</b>
Al-Zawiyah	260	57	9	216	110	<b>326</b>	<b>1 300 176.65</b>
Sebha	236	200	0	271	165	<b>436</b>	<b>1 435 610.30</b>
Al-Butnan	204	35	33	195	77	<b>272</b>	<b>1 058 539.07</b>
Darnah	358	105	53	327	189	<b>516</b>	<b>1 978 864.32</b>
Al-Marj	377	126	60	353	212	<b>563</b>	<b>2 387 402.37</b>
Ajdabiya	74	212	16	176	126	<b>302</b>	<b>1 258 661.59</b>
Sirte	31	298	105	295	139	<b>434</b>	<b>2 569 459.60</b>
Al-Nuqat al-Khams	147	58	10	166	49	<b>215</b>	<b>991 836.72</b>
Nalut	121	24	18	101	62	<b>163</b>	<b>647 094.77</b>
Al-Jabal al-Gharbi	158	113	3	198	76	<b>274</b>	<b>1 345 460.25</b>
Al-Jufrah	219	348	53	361	259	<b>620</b>	<b>2 406 741.73</b>
Wadi al-Shati'	159	148	31	209	129	<b>338</b>	<b>1 228 541.49</b>
Murzuq	234	209	9	269	183	<b>452</b>	<b>1 506 707.39</b>
Wadi al-Hayet	206	None	1	125	82	<b>207</b>	<b>624 459.64</b>
Al-Kufrah	2	12	4	13	5	<b>18</b>	<b>129 135.62</b>
Al-Wahat	12	16	12	27	13	<b>40</b>	<b>218 766.58</b>
Ghat	55	37	1	54	39	<b>93</b>	<b>354 766.58</b>
<b>Total</b>	<b>5 297</b>	<b>2 786</b>	<b>660</b>	<b>5 330</b>	<b>5 413</b>	<b>8 743</b>	<b>35 203 259.15</b>

177. That apart, the fair application of socio-economic policies is evident in other indicators that can be extrapolated by examining development and administrative budget spending by region and volume of public spending across the regions. Data on administrative spending, for instance, plainly show that the per capita share is roughly equal. Per capita expenditure is also noticeably rising in the remote and most disadvantaged desert regions, as well as in Al-Jufrah and Fezzan.

Table 31  
**Administrative budget spending (allocations) by district (region) for the current year**

<i>Name of region</i>	<i>Number of inhabitants (thousands)</i>	<i>Percentage</i>	<i>Total proposed allocation (in thousands of LYD)</i>	<i>Percentage</i>	<i>Per capita expenditure (LYD)</i>	<i>Relative distribution of per capita expenditure (percentage)</i>
Al-Butnan	207 613	4.1	52 558	4.5	253	6.3
Al-Jabal al-Akhdar	430 394	8.5	154 968	10	360	9
Sahl Benghazi	550 901	11	138 521	9.3	249	6.2
Central	167 062	3.3	55 395	3.7	331	8.3
Al-Wahat	194 824	4.1	28 882	2	148	4
Al-Jufrah	40 331	0.1	19 520	1.3	483	12.1
Sawf al-Jin	74 987	1.4	20 586	1.3	270	7
Misratah	555 644	11	90 236	6	162	4
Al-Marqab	273 733	5.4	98 726	7	360	9
Tripoli	1 079 905	21	326 440	22	302	7.7
Al-Zawiyah	773 191	15	225 605	15	291	7.3
Al-Jabal al-Gharbi	381 288	7.5	131 104	9	343	8.6
Fezzan	328 919	6.4	137 964	9.3	419	10.5
<b>Total</b>	<b>5 058 792</b>	<b>100</b>	<b>1 480 505</b>	<b>100</b>	<b>292 659</b>	<b>100</b>

178. In terms of development, vast sums have been allocated from the public purse to the districts for the development of decentralized public facilities and services. In addition to this are the production and service projects managed and supervised by the centralized sectors, as illustrated by the data in the following tables.

Table 32  
**Development expenditure at district level for the period 2000–2005 (in millions of LYD)**

<i>District</i>	<i>2000</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
Al-Butnan	20.7	22.4	57	6.2	36.9	41.7
Darnah	35.5	35.5	64.7	10	54.4	63.1
Al-Jabal al-Akhdar	40.3	49.5	69.9	6.9	46.1	53.6
Al-Marj	25	37.6	38.8	4.9	37.3	50.2
Benghazi	101.4	121.9	104.4	15.6	129	136.4
Al-Wahat	28.9	25.8	56.5	7.6	39.9	58.5
Al-Kufrah	13.3	10.6	20.6	2.9	14.8	17.8
Sirte	39.8	45.8	71.3	6.4	34.2	39.8
Al-Jufrah	9.6	9	34.2	1	16.3	19.2
Misratah	50.5	46.4	120.4	6	81	90.5
Al-Marqab	71.8	76.4	146.1	15.2	106	124.8
Tripoli	156.8	153.9	266.6	30.9	186.4	205.3
Al-Jifarah	37.8	38.6	72.5	12.8	71.1	79
Al-Zawiyah	32.8	41.5	54.3	6	39.2	46.7
Al-Nuqat al-Khams	63.3	63.7	108.2	8.1	75.6	86.4



<i>District</i>	<i>2000</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
Al-Jabal al-Gharbi	44	54.4	101.2	8.1	89.6	87.2
Nalut	17.5	21.1	51.2	4.9	48.9	64.8
Sebha	25.5	28.5	39.8	3.5	24.8	41
Wadi al-Shati'	15.3	15.6	36.8	5.1	26	31.6
Murzuq	18.6	18.5	29.5	5.9	26.6	32.3
Wadi al-Hayat	15.2	18.7	26	2.7	18.1	22
Ghat	9.1	5.9	14.4	0.8	14.8	12.3
<b>Overall total</b>	<b>877.7</b>	<b>922.2</b>	<b>1 634.4</b>	<b>171.5</b>	<b>1 277.1</b>	<b>1 404.2</b>

179. A wealth distribution programme is being implemented with a view to improving living conditions for Libyan families with limited incomes, ending their reliance on basic allowances and social security benefits, and ensuring their essential needs in terms of housing, clothing, education, medical treatment and drugs so that they can live decent lives. The programme is targeted at limited-income families, whose living-standard needs were established by the social survey, the idea being to raise their income through sharing in the communal wealth and having access to investment returns.

180. The Centre for Social Studies is also conducting a comprehensive survey of Libyan households, which is a national programme aimed at building an integrated social database to assist the study of socio-economic and health conditions in order to learn about, quantify and classify Libyan households as a basis for distributing the wealth among Libyan citizens. It will also assist the design of social policies by effectively helping to build the Jamahiriya's socio-economic and health policies, identify the services needed by village and town dwellers, explore their resource needs and determine the situation of the target beneficiaries.

181. The General Social Solidarity Fund Authority is responsible for social solidarity arrangements, including cash benefits, such as the basic allowance for persons with limited income or without social support, aid and grants, and family and housing allowances for benefit recipients, and also including benefits in kind, such as social care for children who have no guardian, health care, education, housing and care for those with disabilities. It is additionally responsible for the social security of non-nationals living in the Jamahiriya.

182. As a result of the appreciable growth in economic performance during this period, living conditions have improved enormously for Libya's inhabitants in numerous areas of life, as shown by the following indicators.

Table 33

**Indicators of the living conditions of the population in Libya**

<i>No.</i>	<i>Indicator</i>	<i>Year</i>	<i>Utilization rate</i>
1	Average per capita GDP (LYD)	2006	8 150
2	Life expectancy at birth (males and females)	2007	72.5
	Males	2007	73
	Females	2007	73
3	School enrolment rate among the school-age population	2006	81.9
	Males	2006	81.2
	Females	2006	82.7
4	Functional literacy rate among the adult population (total)	2006	88.5

<i>No.</i>	<i>Indicator</i>	<i>Year</i>	<i>Utilization rate</i>
	Males	2006	93.7
	Females	2006	82.1
5	Neonatal mortality rate	2007	10.8
6	Infant mortality rate	2007	17.6
7	Under-five mortality rate	2007	20.1
8	Maternal mortality rate per 1,000 live births	2007	4
9	Percentage of breastfed children	2007	93.5
10	Average duration of breastfeeding (in months)	2007	11.7
11	Crude birth rate	2007	20.3
12	Crude mortality rate	2007	2.6
13	Population growth rate	2007	1.8
14	Number of physicians per 1,000 citizens	2007	17
15	Number of dentists per 10,000 citizens	2007	2.7
16	Number of pharmacists per 10,000 citizens	2007	2
17	Number of health technicians per 10,000 citizens	2007	50
18	Percentage of general budget allocated to the health sector	2007	7.5
19	Average GDP spending on health	2007	2.7
20	Total per capita expenditure on health (LYD)	2007	306
21	Percentage of households living in accommodation of three rooms or more	2005	88.4
22	Percentage of owner-occupier households	2007	93.3
23	Percentage of households using the public electricity grid as their main source of lighting	2007	99.8
24	Dwelling occupancy rate (households per dwelling)	2006	1.1
25	Average number of persons per room	2007	1.6
26	Average number of persons per bedroom	2007	2.7
27	Percentage of homes with cement or tiled flooring	2007	99.3
28	Percentage of households with an inside lavatory	2007	98.4
29	Percentage of households with an indoor kitchen	2007	97.7
30	Percentage of households living in a clean dry area	2007	89.2
31	Percentage of households possessing a television	2007	97
32	Percentage of households possessing a cooking stove	2007	96
33	Percentage of households possessing a refrigerator	2007	95
34	Percentage of households possessing a television satellite dish	2007	92
35	Percentage of households possessing a mobile telephone	2007	75
36	Percentage of households possessing a private vehicle	2007	62
37	Percentage of households possessing a landline telephone	2007	26
38	Percentage of households possessing a computer and an Internet connection	2007	27
39	Percentage of households possessing a water heater	2007	86.5
40	Percentage of households possessing an electric washing machine	2007	82.3
41	Percentage of households possessing air conditioning	2007	50.4

## **IX. Education, leisure and cultural activities (arts. 28, 29 and 31)**

### **A. Education, including vocational training and guidance (art. 28)**

183. The second periodic report of the Libyan Arab Jamahiriya dealt with the legislative framework for guaranteeing the right of the child to education. We therefore refer to the content of that report and emphasize that the legislation concerned is largely consistent with the principles of the Convention and seeks to achieve the best interests of the child. We should like to underline the following:

(a) The right of education for all citizens, without discrimination as to sex, colour, language, religion or belief;

(b) Free compulsory education for all children of both sexes at the basic education level;

(c) The provision of all educational services and facilities by the State, free of charge, at all levels of education, beginning with the establishment of educational institutions and the supply of all essential teaching and training equipment, teachers and other services. The State also assumes the costs incurred throughout any period in which students are sent abroad to complete their higher education;

(d) The guarantee to make education accessible to all members of society and to ensure the proximity of schools to children's homes in all areas, even those which are remote, in addition to which there is now a university in every town and a college in every area neighbouring a town;

(e) Arabic is the official language of the Jamahiriya and is therefore the language of instruction at all levels of education, with living languages used in the areas and fields of study that so require;

(f) The right to choose education and appropriate knowledge without guidance or coercion;

(g) The educational system in the Jamahiriya comprises three levels, namely:

(i) The basic education level: lasts nine years, is for children aged between 6 and 15 years, and is compulsory;

(ii) The intermediate (secondary) level: lasts three years and is similarly free but non-compulsory;

(iii) Higher education level: comprises universities and higher institutes and is accessible to all males and females, on the basis of the aptitude and capability of each student.

184. The Jamahiriya has made great strides forward in the basic, intermediate and higher levels of education, which is reflected not only in the numbers of students, teachers, schools, centres, institutes and universities located in all towns and villages of the Jamahiriya but also in the large numbers of graduates in all areas of specialization. Illiteracy rates among the Libyan people have also fallen noticeably and gender distinction in the education and learning processes has been eliminated (as will be discussed later).

185. Records show a rapid fall in illiteracy among the population aged 15 and over, from 73 per cent in 1964 to 31.6 per cent in 1984, 18.7 per cent in 1995 and 11.5 per cent in 2006. In terms of gender, it fell among males from 56.7 per cent in 1964 to 10.5 per cent in 1995 and 6.2 per cent in 2006, while among females it fell from 90.9 per cent to 28.2 per cent and then to 16.9 per cent over the same period.

Table 34  
**Percentage fall in illiteracy among the Libyan population (15 years and over) by gender**

Gender	1964	1984	1995	2006
Male	56.8	18.5	10.5	6.2
Female	90.9	47.2	27.2	16.9
<b>Total</b>	<b>73</b>	<b>31.6</b>	<b>18.7</b>	<b>11.5</b>

Source: Final results of the general population censuses for the years under study.

186. With respect to young persons in the 10–19 age group, illiteracy has been virtually eliminated, having fallen to below 1 per cent in 2006.

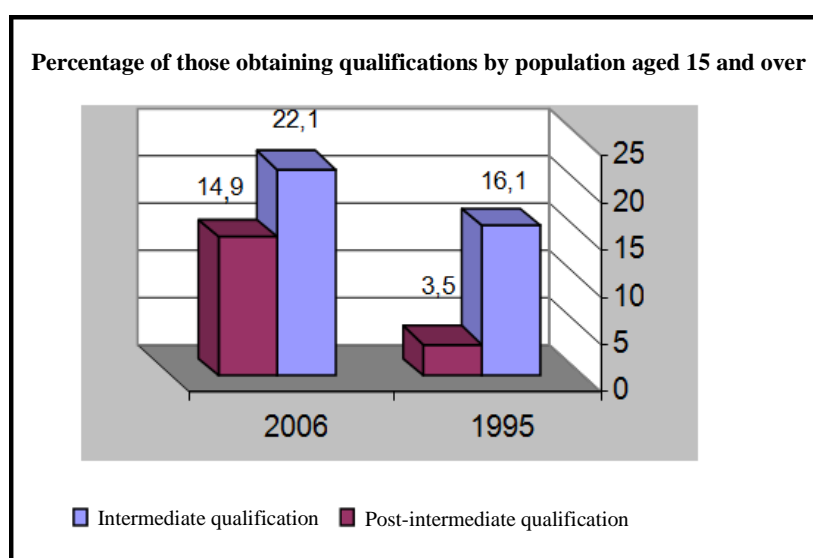
Table 35  
**10–19 age group by educational level, 2006**

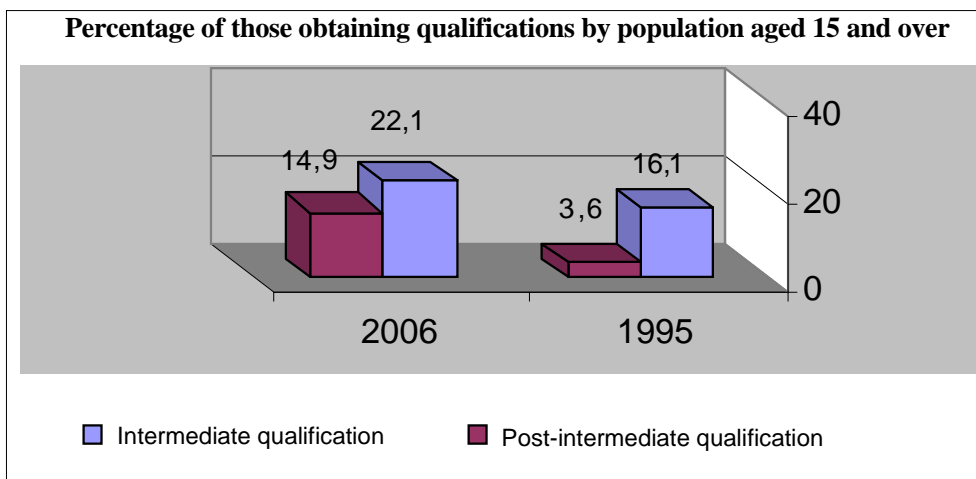
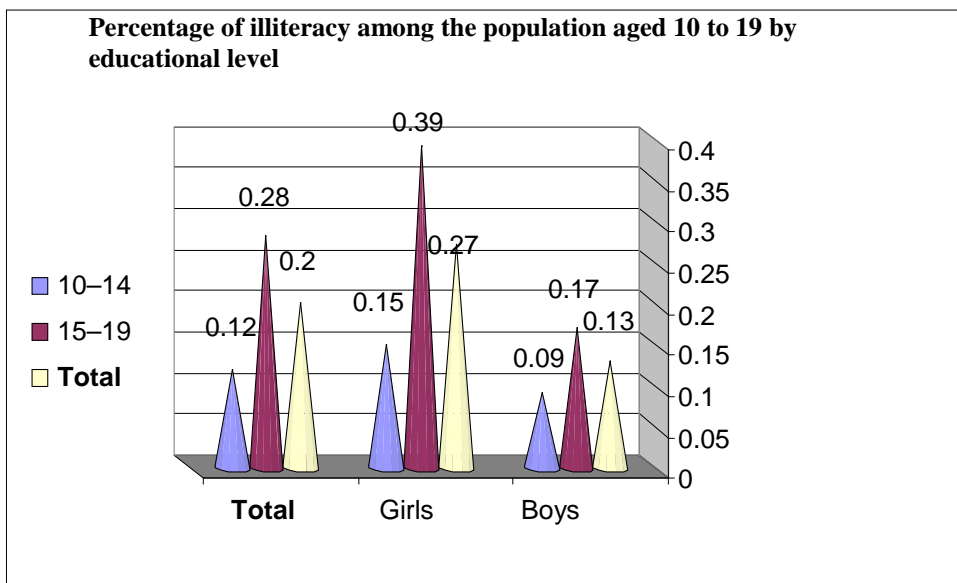
Age group	Population			Literacy			Illiteracy percentage		
	Males	Females	Total	Males	Females	Total	Males	Females	Total
10–14	277 270	265 623	<b>542 893</b>	237	402	<b>639</b>	0.09	0.15	<b>0.12</b>
15–19	290 568	282 458	<b>573 026</b>	502	1 104	<b>1 606</b>	0.17	0.39	<b>0.28</b>
<b>Total</b>	<b>567 838</b>	<b>548 081</b>	<b>1 115 919</b>	<b>739</b>	<b>1 506</b>	<b>2 245</b>	<b>0.13</b>	<b>0.27</b>	<b>0.20</b>

Source: General People’s Committee for Education.

187. The fall in the illiteracy rate is matched by a noticeable rise in the percentage of those qualified with a certificate of basic education or higher; the final results of the general population census of 2006 indicated that 14.85 per cent of the total Libyan population aged 15 and over had a post-intermediate (higher) qualification, whereas in 1995 the figure was 3.54 per cent.

188. Those obtaining a secondary-level qualification or higher (intermediate institutions) amounted to 22.12 per cent of the total Libyan population aged 15 and over. This percentage was no more than 16.08 per cent in 1995.





189. Among the student-age population (6 to 24 years), the percentage of school enrolment manifestly increased; the final results of the general population census show that it stood at 33.3 per cent in 1964, rising to 64 per cent in 1973, 69.9 per cent in 1984, 75 per cent in 1995 and 81.9 per cent in 2006.

190. This percentage rose to 82.7 per cent for females, whereas for males it fell to 81.2 per cent, according to the final results of the general population census of 2006. It also rose appreciably to 98.5 per cent among the 13-15 age group. School enrolment among the 6-15 age group reached 98 per cent in 2007.

Table 36  
Trend in school enrolment rates by population group and gender for the years 1990–2006

Type of group	Libyan population of student age and numbers enrolled in education	1990			2006		
		Males	Females	Total	Males	Females	Total
Urban dwellers	<b>Total population number</b>	<b>921 704</b>	<b>897 134</b>	<b>1 818 838</b>	<b>1 241 330</b>	<b>1 202 267</b>	<b>2 443 597</b>
	Numbers enrolled in education	720 626	668 486	<b>1 389 112</b>	880 118	821 355	<b>1 701 473</b>
	Enrolment rates (percentage)	78.18	74.55	<b>76.39</b>	79.9	76.1	<b>78</b>
Rural dwellers	<b>Total population number</b>	<b>162 771</b>	<b>157 553</b>	<b>320 324</b>	<b>194 551</b>	<b>189 512</b>	<b>384 063</b>
	Numbers enrolled in education	124 519	111 748	<b>236 267</b>	152 078	137 161	<b>289 239</b>
	Enrolment rates (percentage)	76.5	70.93	<b>73.76</b>	78.2	72.4	<b>75.3</b>
<b>Total</b>	<b>Total population number</b>	<b>10 841 475</b>	<b>1 835 066</b>	<b>2 139 162</b>	<b>1 296 184</b>	<b>1 268 626</b>	<b>2 564 810</b>
	<b>Numbers enrolled in education</b>	<b>845 145</b>	<b>780 534</b>	<b>1 620 679</b>	<b>1 032 196</b>	<b>958 516</b>	<b>1 990 712</b>
	<b>Enrolment rates (percentage)</b>	<b>77.93</b>	<b>74.01</b>	<b>76</b>	<b>79.6</b>	<b>75.6</b>	<b>77.6</b>

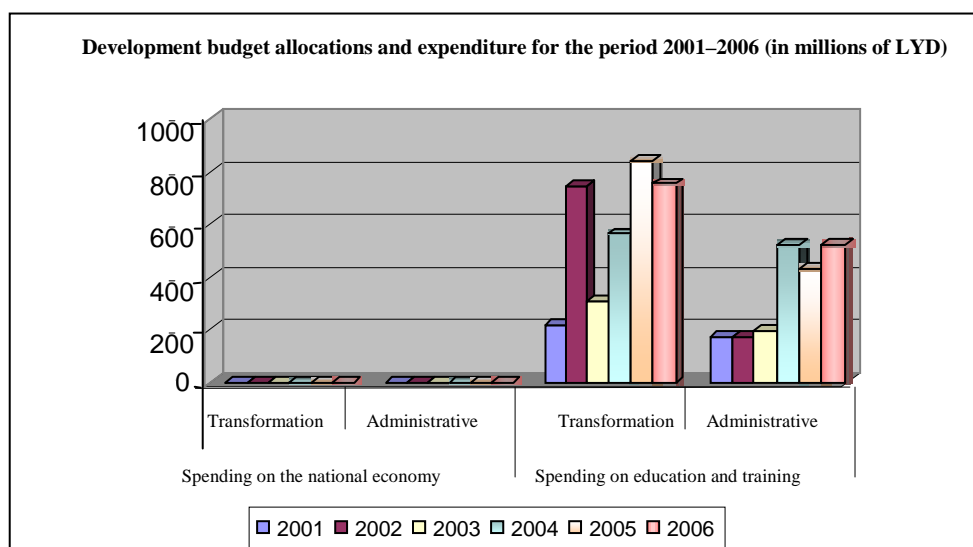
Source: Results of the general population census, 1995 and 2006.

191. Total administrative spending on education and training from the State's general budget amounted to LYD 2,011,700 during the period 2001–2006, or 5.8 per cent of the State's total administrative budget, and LYD 3,411,700 on development, or 11.5 per cent of the State's total development spending during the same period.

Table 37  
Development budget allocations and expenditure for the period 2001–2006 (in millions of LYD)

Year	GDP at fixed prices	Spending on the national economy			Spending on education and training		
		Transformation	Administrative	Total	Transformation	Administrative	Total
2001	30 648 200	1 539	3 596 600	<b>5 135 600</b>	316 100	180	<b>386 100</b>
2002	30 138 700	3 706	4 210 400	<b>7 916 400</b>	741 600	174 500	<b>916 100</b>
2003	34 040 900	2 530	3 577 700	<b>6 107 700</b>	307 100	196 400	<b>503 500</b>
2004	35 477 800	3 581	5 722 000	<b>9 309 000</b>	560 400	518 400	<b>1 078 800</b>
2005	39 277 600	9 597	8 442 800	<b>18 039 800</b>	837 800	431 700	<b>1 269 500</b>
2006	41 831 900	8 772	8 888 100	<b>17 660 100</b>	748 700	520 700	<b>1 269 400</b>

Source: General People's Committee for Planning, *Schedule of development budget allocations and expenditures*, 1970–2006, and GDP data for the years under study; Central Bank of Libya, *Annual report*, 2001 and 2006.



192. The following tables show the number of pupils, teachers and classrooms at the basic education level.

Table 38

**Indicators of the trend in basic education during the period 1995/96–2006/07**

Academic year	Number of students	Number of classrooms	Classroom density	Number of teachers	Teacher-to-pupil ratio
1994/95	1 306 300	58 186	25	108 284	12.2
1995/96	1 365 000	59 078	23.1	135 120	10.1
1998/99	1 161 315	54 372	21	143 439	8.1
2000/01	1 202 899	48 817	24.6	182 164	6.6
2004/05	1 007 175	50 839	19.8	210 281	4.5
2005/06	1 088 120	50 751	21.4	227 485	4.8
2006/07	1 047 421	37 256	28	193 198	5.4

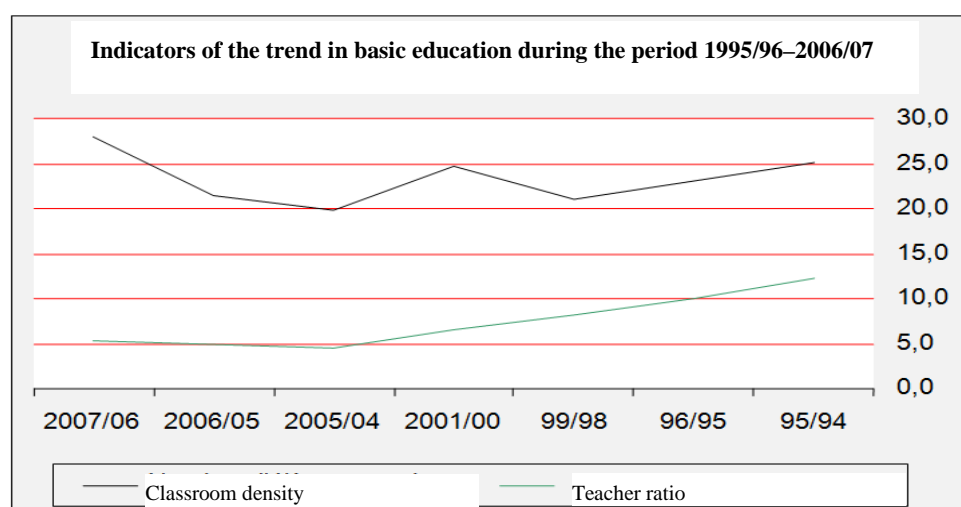
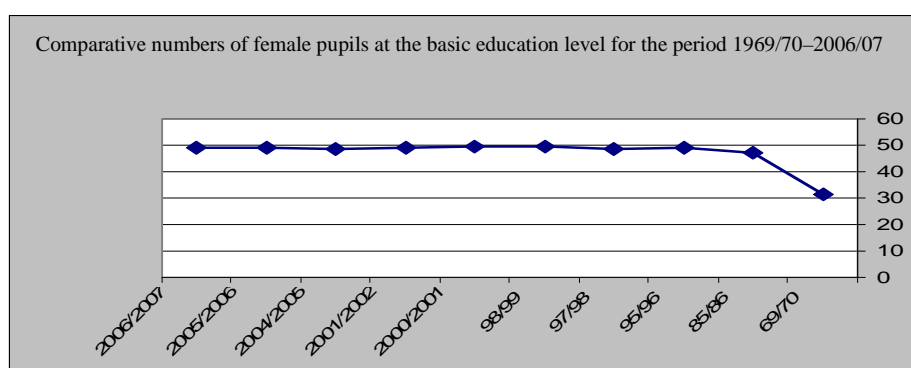


Table 39

**Comparative numbers of female and male pupils at the basic education level during the period 1969/70–2006/07**

<i>Academic year</i>	<i>Overall total of boys and girls</i>	<i>Number of girls</i>	<i>Percentage of girls to the overall total</i>
1969/70	<b>347 162</b>	109 754	31.6
1985/86	<b>1 036 446</b>	489 045	47.2
1995/96	<b>1 460 442</b>	715 617	49.0
1997/98	<b>1 214 975</b>	589 485	48.5
1998/99	<b>1 160 315</b>	576 676	49.7
2000/01	<b>1 176 843</b>	582 621	49.51
2001/02	<b>1 172 051</b>	572 807	48.9
2004/05	<b>1 082 397</b>	526 437	48.6
2005/06	<b>1 088 120</b>	522 264	48.9
2006/07	<b>1 047 421</b>	512 822	49.0



193. Concerning secondary education, the general level was converted into a specialized level pursuant to General People's Committee Decision No. 165 of 2006 concerning the reorganization of secondary education. Every secondary school accordingly comprises all or some of the following departments: a basic science department, an engineering science department, a biology department, a social science department, a languages department and an economic science department.

Table 40

**Number of specialized departments and number of students (male and female) in 2005/06**

<i>No.</i>	<i>Specialized departments</i>	<i>Number of pupils</i>		
		<i>Boys</i>	<i>Girls</i>	<i>Total</i>
1	Secondary-level basic science	13 952	37 163	<b>51 115</b>
2	Secondary-level biology	28 894	67 568	<b>96 452</b>
3	Secondary-level engineering science	40 044	6 890	<b>46 934</b>
4	Secondary-level economic science	27 593	15 436	<b>43 029</b>
5	Secondary-level social science	35 904	74 356	<b>110 260</b>
6	Secondary-level arts and media	515	566	<b>1 081</b>
<b>Total</b>		<b>146 902</b>	<b>201 979</b>	<b>248 881</b>



Table 41  
**Comparative number of female students to students (male and female) at the secondary level of education during the period 1995/96–2006/07**

<i>Academic year</i>	<i>Number of students (male and female)</i>	<i>Number of female students</i>	<i>Percentage of female students to total number</i>
1995/96	201 275	130 901	54
1997/98	217 548	124 644	57
1998/99	244 070	141 560	58
2000/01	284 004	157 800	55.6
2001/02	295 552	162 718	55.1
2004/05	337 091	189 808	56.3
2005/06	348 881	201 979	57.9
2006/07	231 898	133 806	58.0

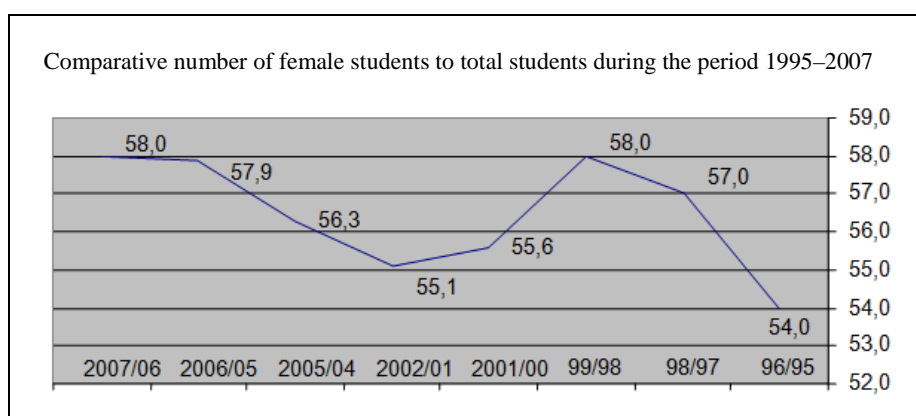


Table 42  
**Number of pupils at specialized secondary levels during the period 2006/07–2008/09**

<i>Department</i>	<i>2006/07</i>	<i>2007/08</i>	<i>2008/09</i>
Basic science	45 538	33 283	31 793
Biology	88 637	49 042	37 657
Engineering science	51 762	37 788	35 025
Social science	68 966	28 740	22 196
Economic science	44 508	36 257	38 612
Languages	33 691	51 145	52 188
Arts and media	526	165	-
<b>Total</b>	<b>333 628</b>	<b>236 690</b>	<b>207 471</b>

194. As to higher education, there are currently 14 universities and 6 higher technical institutes located in different regions of the Jamahiriya. A total of 363,312 students of both sexes were in attendance at these establishments during the academic year 2008/09.

195. The proportion of females accounts for over 59 per cent of students in higher education. They are concentrated in the specializations of medicine and the humanities,

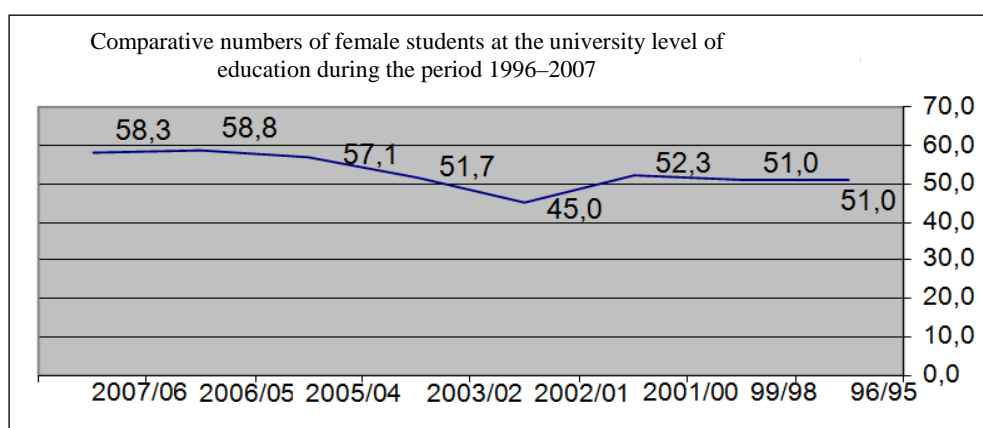
with a small number specializing in engineering. The proportion enrolled in higher (university) education, however, amounts to about 6.1 per cent of the population.

Table 43

**Number and percentage of female university students to total number of students during the period 1995/96–2006/07**

<i>Academic year</i>	<i>Total number of students (boys and girls)</i>	<i>Number of girls</i>	<i>Percentage of girls to total number</i>
1995/96	136 274	69 499	51.0
1998/99	165 447	83 640	51.0
2000/01	257 914	134 901	52.3
2001/02	276 744	124 398	45.0
2002/03	222 975	115 276	51.7
2004/05	256 722	146 652	57.1
2005/06	240 830	141 551	58.8
2006/07	231 762	135 230	58.3

*N.B.:* The data for 2001/02 comprises statistics for public universities only.



196. Although part of the education system and despite their importance in children's lives, kindergartens (preschool level) are not counted among the levels of schooling.

197. Kindergartens do not fall firmly under any specific sector. Currently, they are under the education sector, notwithstanding the issuance of a decision to place them within the purview of the social services sector, one of the aims of which is to promote enrolment in kindergartens and make them private, without including them on the educational ladder.

198. In 2005, there were 320 kindergartens (public and participatory) attended by 22,246 boys and girls.

#### **Training and vocational training**

199. Training and vocational training are regarded as an integral part of the education system in the national economy. They are among the tools and avenues for preparing, training and enhancing the skills of the workforce in different areas of specialization and fields of employment. Training and vocational training are divided into two levels.

### Intermediate training

200. This is designed to build a skilled workforce to assist in various economic activities. There are currently 384 vocational centres, at which 81,628 trainees were enrolled and 15,614 instructors and training assistants employed during the training year 2008/09. The vocational areas covered by these centres include: farming, engineering, the electricity trade, electronics, mechanics, building and construction, sea fishing and computing.

### Advanced (higher) training

201. This is designed to build a workforce with advanced technical skills in various economic activities. There are currently 98 higher centres, at which 58,224 trainees were enrolled and 4,004 instructors employed during the training year 2008/09. The areas covered by these centres include: traditional industries, the electricity trade, mechanics, electronics, computer technology, building and construction, arts technology, administration and finance, heavy machinery, the hotel industry, medicine, textiles, agriculture, the chemical and biological pesticide industry, seafaring, water affairs, sea fishing, refrigeration and air conditioning, occupational safety and industrial technology.

Table 44

#### Number of intermediate and higher vocational centres and number of trainees enrolled in 2008/09

<i>Number</i>	<i>Intermediate centres</i>	<i>Higher centres</i>
Centres	384	97
Trainees	81 628	58 224
Instructors	11 814	4 004
Assistant instructors	3 800	-
Administrative personnel	8 799	7 250

*Source:* General People's Committee for Labour, Employment and Training, Vocational Centres Department.

202. Given the importance of this type of education and vocational training, policies for its development were put in place as part of the development programme of the Employment and Vocational Training Department for 2008–2012. With respect to vocational training, these policies underlined measures to:

(a) Establish guidance in the different specialized areas and levels of education and training in accordance with scientific standards and studies, the requirements of employment facilities and the needs of society, and balance them with personal wishes and preferences;

(b) Attend to the development of vocational training institutions in all specialized areas, provide their personnel with the essentials for operation and practical training, motivate their graduates for entrance to the labour market through a flexible mechanism for making opportunities available to them, and update and refine their curricula as required by new developments;

(c) Improve the vocational training standard of instructors by establishing training and continuous training courses to keep them abreast of latest developments in their field of specialization, and boost training by devoting attention to teaching and applied training methods, taking into account the specific return from these courses;

(d) Expand the establishment of modern vocational training institutions and electronic mechanisms for direct and distance training in order to cater to the numbers of

students wishing to train and to those who have either never been in education or who have dropped out at various stages;

(e) Standardize the criteria, principles and rules relating to training courses and apply international training standards and measures to training and curriculum development;

(f) Seek assistance from establishments with local and global expertise for domestic benefit, whether in student training or in skills improvement for instructors;

(g) Promote the potential of the private sector to contribute to the training process;

(h) Disseminate awareness programmes throughout the media in order to promote interest in training, foster the importance of occupations and trades as remunerative and productive activities, and propagate a culture of initiative and effective management.

203. The employment and vocational training sector is seeking to realize these training-related policies through general, quantitative and qualitative objectives. In short, the general objective is to establish intermediate and advanced training centres supplied with the latest equipment in conformity with international standards, and to maintain and develop existing centres and increase their intake capacity through the addition of new training workshops satisfying the requirements. The quantitative and qualitative objectives are as follows:

- To develop 349 intermediate and advanced training centres
- To maintain 373 training centres
- To establish and equip 294 new intermediate and advanced training centres
- To train 272,000 trainees at the intermediate level and 198,000 at the advanced level
- To improve the skills of current trainers, of whom there are 12,006
- To train new instructors, of whom there are expected to be 15,498, for the duration of the plan
- To disseminate a culture of hard work and improve performance and productivity standards through field studies and public opinion surveys
- To formulate plans to benefit from the seasonal employment of students, particularly those in higher education

204. In order to achieve these objectives, the development programme aims to implement schemes to carry out the following:

I. Establish and equip new training institutions and maintain existing ones;

II. Develop training institutions specializing in computing in order to enhance the outputs from intermediate and higher educational institutions and bring them to a level that qualifies them to compete on the international job market;

III. Prepare the instructors needed in various technologies, occupations and trades. The aim of this scheme is to train approximately 80 per cent of instructors at home and 20 per cent abroad by means of the country's training institutions and the assistance of qualified instructors from abroad. Under the scheme, which is to be implemented over five years, occupational training will be provided for a total of 27,504 individuals in the following areas: building and construction, mechanics, the electricity trade, electronics, seafaring, the hotel industry and farming;

IV. Update training curricula by reviewing existing curricula and reformulating them in line with the approved training policy and by reviewing current examination methods in order to update them in line with the new curricula. This is to be done with the assistance of international institutions and establishments with expertise in the field of curriculum development, such as the United Nations Educational, Scientific and Cultural Organization (UNESCO), ILO and the Arab Centre for Human Resources Development of the Arab Labour Organization.

205. We wish to point out that in the period intervening between the submission of the periodic report and the preparation of this report, major new developments occurred in the education system that we should like to discuss at some length.

206. The Jamahiriya's achievements in the field of education and its efforts to develop the education system coincided with a number of adverse factors that had a substantial impact on that system. Chief among these was the focus on quantity rather than quality, with the result that thousands of graduates were unable to find work or job opportunities. Similarly, the random horizontal proliferation of education and training institutions led to a decline in the standard of outputs from these institutions. The General People's Committee for Education therefore sought to evaluate the current education system and elaborate policies with a view to developing a modern education system that keeps pace with the advances occurring in education worldwide and takes into account the imperatives of socio-economic development and the demands of the labour market.

207. Various objectives were therefore established and efforts are being made to achieve them in the related development programmes for 2008 to 2012. These objectives are to:

- (a) Meet the demands of the socio-economic change under way in the Jamahiriya;
- (b) Keep abreast of scientific and technical developments and improve the quality of the outputs from education and training institutions;
- (c) Achieve a degree of consistency between the available material and human resources and realize the right of the individual to choose the education and training for which he is suited;
- (d) Achieve a high amount of economically efficient spending on education and training institutions;
- (e) Satisfy the demands of the employment market for a trained technical workforce capable of replacing foreign labour and performing their jobs with the requisite skill and efficiency;
- (f) Achieve high rates in the area of human resources development;
- (g) Eliminate the negative consequences of the random horizontal spread of education and training institutes;
- (h) Achieve the requirements for the development of education identified in the Plan of Action for the Second Decade of Education for Africa.

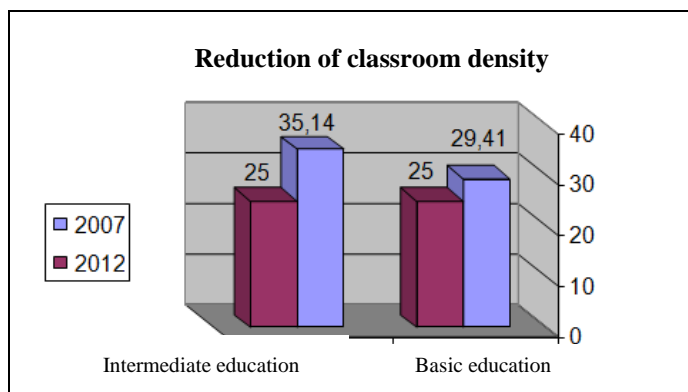
208. This is to be done by accomplishing the following qualitative objectives:

- (a) Enhance the quality of educational curricula and plans;
- (b) Improve and develop the administration of educational institutions;
- (c) Increase the number of classrooms in basic education from 36,790 in 2007 to 47,315 by 2012, and in intermediate education from 9,493 in 2007 to 14,548 by 2012, in order to keep pace with the rise in number of enrolling students;

(d) Reduce classroom density in basic education from 29.41 students per classroom in 2007 to 25 by 2012, and in intermediate education from 35.14 in 2007 to 25 by 2012;

(e) Increase the involvement of the participatory sector in higher education in terms of number of educational institutions, pupils, classrooms and teachers;

(f) Step up training courses in order to develop the human capacities of those employed in the sector.



209. During the period 2006–2008, a number of programmes and projects were implemented as a first step towards the achievement of these objectives, including in particular:

#### I. School buildings development

210. This programme aims to:

(a) Maintain and refurbish 800 schools annually;

(b) Construct new schools offering full scientific, cultural and sports facilities in order to promote improvement in the quality of the educational process by all means, as well as provide leisure amenities and a conducive environment for teachers and students, ultimately achieving a density of not more than 25 students per classroom in a two-phase operation:

(i) Phase I: Construction of 3,000 classrooms in congresses with a high density of students per classroom;

(ii) Phase II: Construction of 9,000 classrooms in all congresses in order to achieve a density of 25 students per classroom.

#### Implementing measures

211. By the start of the current year, the following had been carried out:

(a) Full maintenance work was performed on 1,874 modern institutions in various districts at a cost of LYD 473,238,210;

(b) Blueprints were designed for modern school buildings suited to coastal, mountain and desert climates and environments, culminating in six high-specification designs with respect to which cost estimates and quantities were approved by the competent authorities;

(c) Contracts worth a total of LYD 619,387,899 were awarded for the construction of 179 schools (3,000 classrooms) from modern blueprints in congresses where classroom density is high;

(d) Preparations are under way for the construction of 466 schools (9,000 classrooms) in most of the basic people's congresses with a view to achieving a classroom density of not more than 25 students per classroom;

(e) Buildings were designed and erected to particular specifications for accommodating the Examinations Department, the sector's printing shop and educational satellite channels;

(f) Maintenance work was conducted on the buildings housing the Teachers' Training Centre.

## II. Education personnel development and teacher training

212. This programme aims to:

(a) Review personnel in educational institutions in order to achieve quality outputs and efficient spending;

(b) Train teachers in modern educational curricula;

(c) Improve the skills of education inspectors, administrators, social workers and laboratory technicians in educational institutions.

213. The following has thus far been carried out:

(a) Measures for the development of educational personnel have been adopted;

(b) Arrangements have been made for functional personnel to deal with some of the adverse factors by ensuring as a matter of priority that the job of teaching is performed by the highest qualified and most knowledgeable experts in the subjects taught, who must have been engaged in the profession for the past three years;

(c) The introduction of functional personnel has been emphasized as a measure designed to enhance the administrative performance level, realize a set of objectives relating to the organization of work, identify responsibilities, dispense with the need for foreign personnel, improve incomes and create genuine productive work opportunities;

(d) There is still a need to reduce the number of teachers in all districts to correspond with the numbers in education and permit a salary rise for employed teachers;

(e) In the context of measures for the development of functional personnel, several new posts are to be introduced, in particular for an expert in each of the following subjects: Arabic language, Islamic education and the social sciences in every school; an expert in mathematics and science in basic and secondary schools; an activities coordinator in every school; and a home-education coordinator in schools with which more than 25 home-taught pupils are associated.

Table 45

### Number employed in the education sector by previous and current functional personnel

<i>Previous personnel</i>					<i>Current personnel</i>				
<i>Teaching</i>	<i>Administrative</i>	<i>Technical</i>	<i>Service</i>	<i>Total</i>	<i>Teaching</i>	<i>Administrative</i>	<i>Technical</i>	<i>Service</i>	<i>Total</i>
333 821	34 431	18 851	19 085	<b>406 188</b>	161 171	18 722	31 303	12 213	<b>223 409</b>

Source: General People's Committee for Education, *Annual report*, 2008.

### Teacher training

- A general centre and branch training centres have been established in a number of districts for training human resources in educational institutions within their geographical reach
- The regulations governing education inspections have been amended to improve their efficiency and performance
- Legislation governing the principles and terms for the selection and appointment of school head teachers and for the comprehensive testing of intermediate school head teachers has been put in place with the aim of selecting and appointing those who stand out among them
- A specialist German company (Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ)) has been engaged to assist with the design and development of programmes for operationalizing school administrations, training teachers and linking educational institutions with their social environment
- In cooperation with the Islamic Educational, Cultural and Scientific Organization (ISESCO), two Arab regional workshops — one on electronic books and another on officers in charge of teacher training programmes in the field of information science in education — have been organized
- Specialist training courses have taken place, including: refresher courses, methodological courses, career-change courses, computer literacy courses and other courses for improving the performance standard of teachers, administrators, inspectors and all personnel in the education and scientific research sector

Table 46

#### Number of trainee teachers and education sector personnel

No.	Course	Number of trainees	Course	Number of trainees
1	Administrative and financial affairs	43	Teachers of science and mathematics	21 953
2	School management	879	English and French	7 067
3	English-language teachers and inspectors	38	Skills improvement	4 906
4	Technology inspectors	194	Educational training	16 521
5	Financial systems operators	44	Career change	770
6	Social workers	1 836	Education inspection	9 332
7	Education training	6 693	Computer studies	17 663
8	Career change	770		
9	Laboratory attendants	176		
10	Office secretaries	260		
11	Refresher courses	13 205		
12	French (outside the Jamahiriya)	48		
13	Education inspection	969		
14	Computer studies	10 000		
15	International licence	3 900		
16	International certificate in computer studies	450		
17	Participatory education	9		
18	Examinations	89		
<b>Total</b>		<b>39 603</b>		<b>78 212</b>

Source: Ibid.



### III. *Development of educational curricula*

214. This programme aims to:

- (a) Develop the cultural and scientific curricula;
- (b) Develop curricula components assimilating modern scientific technologies and employing new teaching methods that promote creativity, innovation and a departure from rote-learning.

215. The following measures have been taken to implement these aims:

- (a) Academic curricula and plans have been modified, with expert assistance from the Arab League Educational, Cultural and Scientific Organization (ALECSO) and ISESCO;
- (b) A prospective study of the future of education in the Jamahiriya to 2025 has begun and its outputs will be used to develop curricula and all components of the education process;
- (c) Mathematics, science and English-language curricula of notably proven success in other countries were adapted to local requirements following a study of effective education curricula in Arab and non-Arab countries.

216. A higher committee of 16 education experts has been established, together with a subcommittee of 130 education experts specializing in different fields, in order to prepare and develop academic curricula and plans. Targets and syllabuses have been prepared for Arabic language, Islamic education, history, geography and mass education, as have materials for activities at the basic education level. A competition for composing books on these subjects has been announced.

217. In accordance with the decision to restructure the specialized secondary education system, which now comprises six specialized departments, these committees reviewed and developed the previous syllabuses and prepared new and up-to-date items after examining the experiences of various other countries. In conjunction with experts from ALECSO, the academic syllabuses for this level were divided into core syllabuses for each department, support syllabuses and cultural syllabuses covering the subjects of human rights and the environment.

### IV. *Equipment of educational institutions*

218. This programme aims to:

- (a) Equip educational institutions with modern school and office furniture manufactured to high specifications;
- (b) Supply visual aids and other essential teaching materials;
- (c) Supply essential materials and tools for school activities.

219. To achieve these aims, the following was carried out during the years 2006–2008:

- (a) Supply of teaching materials and visual aids to educational institutions;
- (b) Supply of school and office furniture and white boards to the majority of educational institutions, amounting to 815 items of school furniture, 134,415 twin chairs, 42,500 single chairs, 1,400 teacher's desks, 13,650 metal cupboards, 44,604 white boards and 3,600,000 marker pens;
- (c) Supply and installation of 2,704 science laboratories and 994 items of laboratory furniture;

- (d) Supply of essential items for sports, art and music activities, including 180 school theatres;
- (e) Printing and supply of school textbooks;
- (f) Supply of 3,720 first-aid units;
- (g) Supply, fitting and stocking of 1,289 school libraries.

The total cost of supplying educational equipment and essentials amounted to LYD 67,648,439.

V. *National computing project*

220. The aim of this project is to supply, install and operate 4,730 integrated computer laboratories in educational institutions, as well as to supply educational and applied programmes.

221. Within that framework, the Educational Technologies Office was established. Specializing in the area of applications and the educational uses of modern technologies, it is responsible for implementing and managing projects relating to the use of cutting-edge technologies in all aspects of education, learning, training and management.

222. A pilot e-learning project was implemented in six schools in the districts of Tripoli and Al-Jifarah. The project included training for mathematics and English teachers, the supply and installation of equipment in the target schools and the preparation of technical specifications for e-book equipment.

223. The target number of 4,730 computer laboratories was supplied at a cost of LYD 197,270,190 and 3,413 of these have been installed.

VI. *Launch of the educational satellite channel bundle*

224. This entails the launch of four educational satellite channels, the aim being to make lessons simpler, compensate for the shortage of quality teachers in some schools, provide distance training for teachers and screen cultural, sensitization and educational programmes to reinforce the curricula.

225. To that end, premises for these channels were completed and fitted with the latest equipment. These channels have started broadcasting on a pilot basis.

VII. *Home education*

226. This is a new system of providing or supplying educational services. In use since the mid-1980s, it is an educational system aimed at achieving freedom of learning and teaching and is targeted at children of an early age. The family itself assumes responsibility for teaching its own children, without enrolling them in an educational institution.

227. In order to promote and regulate home education as part of the education system, General People's Committee Decision No. 544 of 2007 governing the home education programme created a special department to attend to home education affairs and established an annual grant amounting to LYD 800 for families of pupils registered for home education in order to encourage eligible parents or carers to register their children for study under the home education system. As a result, the number of pupils registered for home education rose from 5,417 in 2006 to 13,750 in 2008.

VIII. *Examinations development*

228. Through efforts to develop the types and methods of educational examinations and introduce online examinations, the ways and means of assessing, measuring and examining

performance have developed over recent years in line with scientific developments and modern education trends. New regulations on schooling and examinations have also been promulgated.

229. An online examination system was successfully piloted for the secondary school certificate during 2008 and work is under way to apply it for the present year's final certificate of basic education.

230. Technical specifications have also been drawn up for online examination centres, which have been supplied with equipment. A total of 89 teachers who set and mark examinations have been trained in how to use the online system and the processes of examination, grade monitoring and certification are gradually being automated. The human resources needed to oversee examinations and the results are also being trained.

*IX. Development of textbook production*

231. This programme is designed to develop and improve the local production of textbooks, ensure that all educational institutions have libraries, foster scientific research and promote the publication, writing and distribution of textbooks.

232. To that end, a public competition to write textbooks for all school year levels was announced at the beginning of the current year and we look forward to the participation of all university professors, experts, mentors and teachers with writing abilities and skills. To encourage participation in this competition, awards of up to LYD 20,000 or LYD 30,000 have been approved.

*X. Regulation and promotion of participatory education*

233. This system is designed to enable the establishment of educational institutions (at the levels of kindergarten, basic education and specialized secondary education) by individuals, partnerships or education companies with appropriate scientific and educational qualifications so that they can provide educational services, in return for payment, to those who so wish. The system is subject to the Jamahariya's current rules, laws and regulations governing participatory work in the field of education.

234. In order to regulate participatory educational institutions, guarantee their quality, ensure their compliance with national standards and encourage existing educational companies and partnerships to offer their services under this system, various regulations and decisions governing participatory educational institutions have been promulgated. A department has also been established to attend to the affairs of these institutions, monitor their programmes and policy implementation and alleviate any difficulties that they encounter. Support has additionally been provided for institutions already involved in participatory education; they have been supplied with school and office furniture and laboratories and are permitted to use educational buildings free of charge.

235. The number of participatory educational institutions is currently 508, of which 357 are for basic education, 33 for secondary education and 118 for both levels. Studying in these institutions are 82,720 pupils at the basic education level and 20,044 at the secondary education level.

236. Training courses have been run for directors of participatory education schools, as well as courses on teaching the latest mathematics and science curricula for a total of 1,543 teachers of those subjects.

Table 47  
Trend in participatory education and training during the period 2001–2007

Level	2001/02			2006/07		
	Institutions	Pupils	Teachers	Institutions	Pupils	Teachers
Kindergarten	118	2 594	134	123	-	-
Basic education	330	30 370	2 068	475	84 644	13 159
Intermediate education	195	9 579	1 689	151	10 679	1 123
University education	122	16 557	288	-	-	-

Source: Ibid.

237. Pursuant to General People's Committee Decision No. 79 of 2007 approving various provisions concerning the dissemination and promotion of participatory education, a sophisticated participatory education model is being implemented in 11 educational institutions (part of the public school system) in the districts of Tripoli and Al-Jifarah, where 5,712 students are being taught by 429 teachers. If this model is successful, it will be rolled out in all districts. State-of-the-art online learning systems have also been installed in six of these institutions and approved as a model to be rolled out in all educational institutions in the Jamahiriya.

#### XI. Development of education mapping

238. This programme aims to use geographic information systems (GIS) for remapping education and dispersing basic and secondary education schools in order to create an appropriate educational environment in accordance with a map that responds to requirements, without any wastage of human or material resources. A further aim through this programme is to establish the specializations at the secondary education level and divide students among them in a way that satisfies the needs of the employment market and prevents any increase in the number of graduates seeking work.

239. In order to achieve these objectives, the following has thus far been carried out:

- (a) An integrated GIS laboratory has been supplied and installed;
- (b) A field survey of all districts in the Jamahiriya has been conducted and efforts are under way to introduce GIS data for use in reviewing the education map;
- (c) The number of specialized secondary schools has diminished from 1,150 to 798 through closures and mergers of schools with a low student density and buildings not fit for purpose;
- (d) The number of basic education schools with a low pupil density or dilapidated buildings has diminished through mergers with schools in the geographical vicinity.

240. In the past three years, the flaws in guiding students towards particular areas of specialization at the secondary level have been rectified and the rules for student enrolment in secondary education have come to be respected.

Table 48  
**Trend in percentage distribution of students enrolled in specialized secondary education departments**

<i>Specialization</i>	<i>Academic year</i>				
	<i>2004/05</i>	<i>2005/06</i>	<i>2006/07</i>	<i>2007/08</i>	<i>2008/09</i>
Biology	28	27.7	26.1	21.5	18
Social science	31.7	31.7	17.4	14.3	11
Basic science	15.4	14.6	12.5	14.3	15
Engineering science	13.4	13.4	16.1	15.8	17
Economic science	11.2	12.3	14.0	14.7	14
Languages	-	-	13.9	18.8	25
Arts and media	0.3	0.3	-	0.1	-
Islamic science	-	-	-	0.5	-
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

*Source:* Ibid.

241. In addition to these programmes, preparations are being made to connect schools to a modern information and communication network in order to automate administration and documentation and roll out online learning programmes across the board.

242. In an effort to integrate persons with special needs into the community and enable them to study in mainstream schools in the same way as their peers, General People's Committee Decision No. 665 of 2008 approving certain provisions concerning special needs education was promulgated to entrust responsibility for the education of persons with disabilities to the General People's Committee for Education and establish within the structure of the education sector a special department for dealing with the affairs of persons with special needs, which aims to integrate members of this group with the necessary learning capacity into mainstream schools. This department has been constituted and is now in the process of preparing its workplan.

243. In order to cater to gifted children and offer them care and guidance, the Fatih Centre for Gifted Children was established. This is a specialist scientific institution devoted to the education of gifted students at the basic and intermediate levels. In addition to the formal curriculum, it delivers selected scientific curricula geared to the abilities of these children and is fully resourced in terms of laboratories equipped with the latest scientific apparatus and materials, educational aids and communication facilities by which everything new and useful in the world is conveyed and circulated to students at the Centre.

244. Each year, students at the Centre have achieved a success rate of 100 per cent in the general certificate examinations taken at the end of basic and secondary education. Several of them also have also come top in these examinations, with marks of over 98 per cent.

245. In order to ensure that all children enjoy their right to education even if they are in difficult circumstances, in particular that of being hampered by illness from pursuing their studies as normal, a school has been established in the Tripoli Medical Centre for child in-patients suffering from tumours.

246. This school began operating in the 2005/06 academic year. The number of pupils at the basic education level amounted to 21 during that year, 26 in 2006/07, 29 in 2007/08 and 24 in 2008/09.

Table 49  
**Number of pupils studying at the Tripoli Medical Centre school**

<i>Grade</i>	<i>2005/06</i>	<i>2006/07</i>	<i>2007/08</i>	<i>2008/09</i>
First	3	4	2	3
Second	3	3	4	2
Third	4	2	-	3
Fourth	2	3	1	1
Fifth	1	-	3	4
Sixth	2	2	2	4
Seventh	3	2	4	1
Eighth	2	4	2	2
Ninth	1	6	11	4
<b>Total</b>	<b>21</b>	<b>26</b>	<b>29</b>	<b>24</b>

247. Reflecting the concern for school health, especially at the basic education level, and the efforts to deliver specialist health services to ensure that students are in good physical and mental health, numerous programmes have been implemented as part of a school health action plan, in particular health education programmes, most notably those described below.

#### **The “health-promoting schools” programme**

248. This programme is designed to improve the health of pupils and school personnel in particular and of society as a whole in general by creating a safe and healthy school environment, imparting and developing know-how about health and healthy habits to members of the school community, and strengthening ties and cooperation between the school community and society at large. This programme is being implemented in collaboration with the World Health Organization (WHO) and an initial phase was piloted in the 2006/07 academic year in eight schools in the Tripoli district.

#### **Health awareness campaign for young schoolgirls**

249. Preparations are in progress for this campaign, which is targeted at teenage girls with the aim of raising their awareness of their own health and providing them with reliable and easily understood scientific information concerning the physiological and psychological changes experienced by young girls in puberty and ways of dealing with these changes. It is also intended to give them information, advice and guidance on good nutrition and personal hygiene during the puberty stage and help mothers to provide young girls with sound health information at that time. This campaign will include educational talks of a scientific nature given by women experts and specialists, as well as a straightforward guide entitled “Girl talk ... puberty and changes”.

250. A number of educational programmes have been implemented in addition, such as:

- A campaign on the theme of “Religion, health and advice”, conducted in conjunction with the General Authority for Awqaf and Zakat Affairs in 2007 in 50 educational institutions variously located in the five districts of Al-Zawiyah, Tripoli, Al-Marqab, Misratah and Sirte, sensitizing a total of 55,902 girls and boys at the basic and intermediate levels of education, with participation from 15 religious preachers

- Courses to raise awareness of oral and dental care under the banner of “For a brilliant smile”, from which a total of 587 teachers and 14,017 pupils in the first tier of basic education benefited
- AIDS training in 2007 for 25 biology teachers in nine districts, namely Al-Zawiyah, Al-Jabal al-Gharbi, Sebha, Ghat, Tripoli, Darnah, Al-Butnan, Sirte and Misratah, in cooperation with WHO and the National Centre for the Prevention and Control of Communicable and Endemic Diseases, in addition to a course for first-aid personnel, which was attended by 28 participants from 11 districts
- As part of the celebrations marking Tripoli as the Capital of Islamic Culture, a symposium on “Television and its effects on children and teenagers”, held in collaboration with the Childcare Department of the General People’s Committee for Social Affairs
- A number of health surveys of students in educational institutions at the basic and intermediate levels, notably: a survey of spinal deformities, a medical survey of pupils with low vision and a comprehensive survey of all diseases and disabilities
- Follow-up of the vaccination campaigns carried out by the National Centre for the Prevention and Control of Communicable and Endemic Diseases

251. In order to foster respect in pupils for the natural environment and raise their environmental awareness in general, the General Environment Authority elaborated an environmental education and awareness project as part of the national programme to improve the environment. This project seeks to introduce environmental education into the various levels of schooling, from kindergarten upwards, and to disseminate environmental awareness among the different segments of society in the interest of achieving sustainable development and conserving resources.

#### **Project rationale**

- The need for individuals to acquire the knowledge, habits and attitudes required for protection and improvement of the environment
- Absence of a relationship between sensitivity to the environment, knowledge acquisition and the ability to resolve problems with respect to pupils of all ages
- Lack of the environmental awareness and culture required for protection and conservation of the environment

#### **Project objectives**

- To build the knowledge needed to recognize how environmental systems work and what environmental problems are
- To shape individual and collective behaviour in the interest of interacting with environmental systems and helping to protect and improve them
- To build skills and aptitudes for resolving environmental problems
- To develop an affinity for the environment among the different segments of society
- To promote the concept of environment and a sense of responsibility for its preservation

**Implementing tools and mechanisms**

- Mobilization of the Centre for Environmental Education and the Environment Office for the purpose of preparing scientific programmes to train competent personnel for teaching environmental curricula in educational institutions
- Environmental student camps aimed at cultivating positive attitudes towards the environment in all educational institutions
- An environmental awareness week for schools, including the staging of workshops and exhibitions in all educational institutions
- Preparation and training for media personnel to become specialists in the field of environmental information
- Emphasis on the pivotal role of national cultural and media institutions in spreading environmental awareness
- Deployment of religious programmes for raising environmental awareness, in conjunction with the General Authority for Awqaf and Zakat Affairs, given the close relationship between environmental ethics and religious teachings
- Environmental competitions (poetry, drawing, musical activities, photography, handicrafts and drama activities)

252. In order to put it into practice in schools, the environmental awareness programme initiated over six years ago by the General Environment Authority was developed as a national project, known as the National Project for Environmental Education, under the banner of “Learning about, from and for the environment”. This project essentially encapsulated a doctoral dissertation by Dr. Sakinah bin Amir.

253. This project seeks to build environmental citizenship in school pupils at the basic education level by way of the following objectives:

- (a) Develop environmental citizenship in children and young people;
- (b) Integrate environmental education concepts into the school curricula in the Jamahiriya;
- (c) Provide training for local school head teachers and teachers interested in environment issues and for personnel in charge of activities for children and young people in order to drive forward the project programme;
- (d) Deliver integrated environmental projects using extracurricular activities aimed at environmental responsibility and citizenship;
- (e) Promote development of the school and local environments.

254. Application of the project is based on the implementation of an integrated educational and information programme in a group of basic education schools, which are being transformed into a hub for environmental awareness centres tasked with maintaining the local environment, disseminating knowledge and raising environmental awareness in the interest of producing the responsible environmental behaviour that will ultimately instil environmental citizenship. This is done through a series of environmental activities encouraging pupils to devise sustainable solutions to current and future environmental problems and help them to bring environmentally-friendly management to bear in their schools. The project comprises the following three phases.



### **The preparatory phase (2005–2008)**

#### *Phase I of the project (2009–2010)*

255. During this initial phase, steps will be taken to define the project, choose the target schools, develop and supply manuals for teachers and children, organize a training workshop for instructors, set up and equip a green environmental corner and organize an environmental camp for the purpose of selecting a group of children to implement the programme. A radio programme will also be produced and a children's environmental newspaper published. The programme is to be rolled out in the target schools at the start of the 2009/10 academic year. At the end of this phase, the expected outcomes are: improvement of the environmental status of 12 schools (6 in the district of Tripoli and 6 in the district of Benghazi) and of their surrounding environment as a result of various extracurricular activities and projects; training of 36 teachers and supervisors initially, including directors of the target schools, as local educators and instructors; cultivation of knowledge and behaviour benefiting 280 children from throughout the classes in the target schools; printing and supply of three environmental guides (for teachers and for children in the 6–12 and 13–15 age groups); and environmental awareness-raising in six residential districts in the vicinity of the target schools, as well as improvement of the environmental status of those districts.

#### *Phase II (2009–2010)*

256. At the end of this phase, the expected outcomes are: rollout of the experiment to include six schools in each of five other regions, namely Al-Jabal al-Akhdar, Al-Butnan, Al-Jabal al-Gharbi, Ghadarmis and Sebha, making a total of 30 schools; addition of the kindergarten and secondary levels to the project; NGO participation in the project; and the establishment of a mobile environmental library and a mobile environmental theatre.

257. The main components of this project include:

- (a) A study of the current environmental status and surrounding environment of the target schools;
- (b) A study and evaluation of the content of school syllabuses for environmental education and proposals for operationalizing them;
- (c) Environmental management of the target schools;
- (d) Environmental projects;
- (e) Environmental school media;
- (f) Environmental scientific experiments;
- (g) Environmental games and competitions;
- (h) An environmental library;
- (i) An environmental theatre.

258. The Authority also embarked on creating an educational environmental park in the region of Al-Mayah to serve as a natural workshop for environmental education. This idea will later be rolled out in all districts of the Jamahiriya as a tool for promoting environmental education.

259. Various civil-society organizations play a part in raising environmental awareness among school pupils. The National Committee for Voluntary Youth Action, for instance, engages in this type of activity; it has mounted cleanliness, environmental improvement and

coastal cleaning campaigns, run camps for improving the environment to coincide with World Environment Day and organized national tree-planting campaigns in schools.

260. The Committee has also been involved in the maintenance and cleanliness of all district schools, implemented a programme “The voluntary teacher” aimed at all pupils in basic education throughout the districts, and organized school health and safety courses.

261. In the context of efforts to educate and raise awareness among pupils in basic and intermediate education with a view to building a society of healthy human beings displaying exemplary morals and good behaviour, the Committee implemented an ongoing national programme to sensitize and provide guidance for tomorrow’s generation. The programme was conducted in three phases, the first of which comprised pupils in the first to fourth years of basic education in all institutions of learning. This phase was launched during the first half of the 2007/08 academic year. The second phase comprised pupils in the fifth and sixth years of basic education and was launched after the half-year holiday in the 2007/08 academic year. The third phase was implemented during the current 2008/09 academic year and targeted students in the seventh to ninth years of basic education.

## **B. Leisure, recreation and cultural activities (art. 31)**

262. The competent authorities have devoted considerable attention to children’s culture and leisure, culminating in a series of programmes and activities, including but not limited to.

### **Gardens, parks and recreation areas**

263. The concerned authorities have sought to provide a number of parks and gardens for children, including recreation parks in Al-Shatt and Darnah, a funfair at Tripoli International Fairground and a funfair at Tripoli Hall, in addition to recreation areas in other cities, such as the Budzirah park in Benghazi, the special children’s club in Tripoli, Abi Sittah square in Tripoli and the Olympic Park.

### **Freedom to participate in cultural life and the arts**

264. There is serious and continuing interest in children’s culture and the opportunity for children to participate in cultural life and learn many of the arts, which will shape their talents and bring out their creativity to form the backbone of their personality. In this connection, there are several programmes and plans in place in the Libyan Arab Jamahiriya, including:

#### *Visual (television) programmes*

(a) *Amal al-ghad*: A wide-ranging programme providing information and entertainment through song, dance, expressive drawing, plays and games (weekly);

(b) *Zuhur al-hayat*: An entertainment programme based on developing and bringing out children’s talents in the fields of visual presentation, illustration and singing, with a number of children ending up as presenters of other children’s programmes and on various radio stations (weekly);

(c) *Atfal al-ja’izah al-kubra*: An educational programme involving competitions, presented by an alternating group of children and providing scientific, historic and religious information (weekly);

(d) *Muntada al-atfal*: An entertainment programme involving competitions (weekly);

- (e) *Hikayati*: A programme designed to bring out, herald and develop talents, with each episode covering a talent success story (weekly);
- (f) *Turath wa ajyal*: A programme showcasing the cultural heritage of ancient games and folk tales in particular (seasonal daily during Ramadan).

#### *Audio programmes*

- (a) *Hikayah wa ghinayah*: An educational entertainment programme presented by a group of children in which tales with a moral message are told with the accompaniment of song (weekly);
- (b) *Atfal al-shababiyah*: A live programme aired on the youth radio channel and presented by children that gives a round-up of children's activities and hears from its child listeners (weekly);
- (c) *Hikayah wa ughniyah wa fazurah*: (weekly);
- (d) *Taht al-`ishrin*: A live talk show aired on the youth radio station and presented by a 14-year-old child in which legal and media experts, doctors, psychologists, social workers and teenagers chat and children and teenagers have the opportunity to call in and talk to programme guests;
- (e) *Jannat al-ma`rifah*: (one month a year);
- (f) *Al-Jamahiriyyun al-sighar*: A live chat programme presented by a group of children who talk with guests and listeners and take part in decision-making that concerns them as children. It is aired (weekly) on the Tripoli local radio station and each year is turned into a daily programme during the month of Ramadan;
- (g) There are children's programmes with different names on all local radio stations throughout the entire Jamahiriya.

#### *Children's theatre*

*The Faraj Qanaw* children's theatre, the Sanabil theatre and school theatre troupes all stage children's plays performed by adults, children and puppets.

#### *Children's magazines, newspapers and publications*

- (a) *Al-Amal*: A monthly magazine published by the General Press Authority;
- (b) *Hubb al-rumman*: A fortnightly magazine published by Al-Ghad Media Services;
- (c) *Mu'tamar al-saghir*: A monthly magazine published by the Centre for Green Book Studies;
- (d) *Basmah*: A Braille magazine published by the Benghazi Association for the Blind;
- (e) *Manarat al-tufulah*: A fortnightly magazine published by the General People's Committee for Social Affairs.

#### *Children's pages in Libyan newspapers and magazines*

<i>Qurina</i> (newspaper):	Weekly page
<i>Akhbar Benghazi</i> (newspaper):	Weekly page
<i>Al-Jalis</i> (magazine):	Four pages monthly

*Al-Shatt* (newspaper): Weekly page

*Al-Manarah* (newspaper): Weekly page

*Competitions, festivals and participatory activities*

(a) The Jamahiriya’s international children’s drawing competition: Held in Tripoli in April of each year, with drawing entries from children in every country of the globe;

(b) The children’s poetry festival: Held periodically in order to unveil poetic talents, with child poets from all regions of the Jamahiriya taking part;

(c) The “Children Speak” symposium: Convening at various dates and times, the symposium serves as a medium for informing children of their rights as set forth in the Convention on the Rights of the Child. Children in the Jamahiriya are involved in many children’s and participatory activities in various towns.

**X. Special protection measures (arts. 22, 32–36, 37 (a) and (d), 38, 39 and 40)**

**Children in emergency situations**

**A. Refugee children (art. 22)**

265. We refer to the content of the second periodic report.

**B. Children in armed conflicts (art. 38)**

266. This article does not apply to the Jamahiriya owing to the fact that there are no armed conflicts.

**C. Children in conflict with the law (art. 40)**

**Children under the Juvenile Affairs Department**

267. In view of the particularities of dealing with juveniles in the sense that they are not mature, the Jamahiriya was concerned to ensure their care and protection and guarantee their rights by incorporating into Libyan legislation special rules applicable to members of this group of young people who commit criminal acts punishable by law. The aim of so doing is to correct and rehabilitate such juveniles in the interest of securing their reintegration into society. Although promulgated many decades ago, this legislation sought to consider the best interests of this group of children, respecting their dignity and humanity and guaranteeing their rights to the greatest extent possible.

268. The starting point for considering those best interests is to embrace the legal principle whereby no person can be punished for carrying out acts that are not prohibited, as affirmed in article 1 of the Penal Code: “There is no crime and no punishment without a law.” Pursuant to this provision, no child or adult can be indicted for having carried out acts that are not prohibited by law.

269. Similarly, the penalties prescribed by law for any offence cannot be imposed other than pursuant to a court order. An accused person, whether a child or adult, is therefore innocent until proven guilty.

270. Article 325 of the Code of Criminal Procedure provides that: “Any measure of which an accused minor must be informed shall, to the extent possible, be notified to his parents or guardian.” Article 321 provides that every accused person appearing before a juvenile court must have a lawyer to defend him and that the court must appoint a lawyer for that purpose if he has failed to choose one. This provision clearly respects the guarantees of the right of defence of juvenile suspects, which is an essential safeguard to be observed in juvenile cases, particularly those involving criminal offences.

271. The Libyan lawmaker has taken care to ensure that juveniles are tried before a juvenile court, which is a division of the magistrates’ court. Magistrates’ courts are decentralized and located throughout the Jamahiriya with the aim of bringing justice closer to litigants. This is a measure that undoubtedly benefits and serves juvenile justice and facilitates the trial of juveniles in their home region by dispensing with the need to take them to courts situated a long way from where they live (art. 316).

272. Juvenile courts have jurisdiction to order preventive measures with respect to juveniles and are competent to try accused minors aged between 14 and 18 (art. 317). Out of consideration for frame of mind these juveniles and in order to spare their feelings and ensure that they are not overawed by the court, juvenile hearings are held in chambers and are not attended by members of the public other than the juvenile’s relatives, representatives of the Secretariat of Justice and charitable associations concerned with juvenile affairs. This is a privilege guaranteed by law in that it provides for the confidentiality of juvenile trial proceedings and determines who is entitled to attend the court hearings (art. 323).

273. The use of coercion, torture or duress against an accused person, whether an adult or a minor, is prohibited by law under all circumstances. Pursuant to article 324, the court may hear witnesses outside the presence of a minor and must not deliver a verdict of guilt unless he has been given to understand the substance of the testimony against him. Consequently, this article contains essential provisions concerning the rules to be observed at juvenile trials, in particular those of ensuring that an accused minor is not present when witness testimony against him is being heard and that the witnesses themselves are not placed in the awkward situation of giving testimony in the presence of the juvenile. These rules are without prejudice to the principle that the verdict must be pronounced in open court in accordance with the principle that legal proceedings must be conducted in public.

274. Article 274 provides that “Appeals in juvenile cases shall be made to the competent division of the court of first instance and must be heard promptly.” This provision hence determines the division for hearing appeals against verdicts delivered in juvenile cases, namely a division of the court of first instance with jurisdiction to do so. It also urges the earliest possible decision on the appeal so that the juvenile is not harmed by a long drawn-out trial. The consideration afforded by the legislator to the matter of specialized juvenile courts — whether courts of first instance or courts of appeal or second instance — gives merit to Libyan legislation.

275. Pursuant to article 325, a juvenile’s parents or guardian also have the legal capacity to use all of the prescribed means of contesting a judgement issued against the juvenile.

276. Access to the services of an interpreter is among the principles laid down in Libyan legislation. The Department of Public Prosecutions and the competent court must seek the services of a sworn interpreter in all instances where litigants do not know Arabic, which is the official language of the courts. This principle is applied in all types of court. As to

respect for the privacy of a juvenile, it is guaranteed and in place at all stages of the proceedings.

277. The care taken by the Libyan legislator is plainly evident with regard to children who commit punishable criminal acts; articles 79 to 82 of the Penal Code are dedicated to provisions concerning child suspects and the Code of Criminal Procedure devotes 15 of its articles to offences perpetrated by juveniles, beginning with article 316 and ending with article 330. Article 319 on criminal proceedings, for instance, provides that: "With respect to misdemeanours and criminal offences, the minor's social circumstances, the environment in which he was raised and his motives for committing the offence must be investigated before he is sentenced. For that purpose, assistance may be provided by competent public servants, physicians and experts." In accordance with this provision, a minor's trial takes place only after his social circumstances have been examined by persons competent to do so. A juvenile court may not sentence an accused child unless the case file includes their report.

278. The authorities responsible for operation of the juvenile justice system in the Jamahiriya, each within its own jurisdiction, are police stations, public prosecution offices, courts and juvenile homes providing education and guidance.

279. As to determining the minimum age at which children are not criminally liable, article 80 of the Penal Code provides that: "A minor under 14 years of age is not criminally liable. The judge, however, may take appropriate protection measures if he was over 7 years of age at the time when he perpetrated the act considered to be an offence by law." By way of this article, the legislator established a fundamental and essential principle, namely that criminal liability is ruled out in the case of anyone under 14 years of age, the irrebuttable presumption being that no one at that early age is endowed with the capacity of discernment or of exercising willpower.

280. For those over 14 and under 18 years of age, article 81 of the Penal Code provides that: "A minor who was over 14 and under 18 when he committed the offence and who was endowed with the capacity of discernment and of exercising willpower shall be held criminally liable. However, the penalty imposed on him shall be reduced by two thirds. If a criminally responsible young person commits an act that carries the death penalty or life imprisonment, those penalties shall be commuted to a term of imprisonment of not less than 5 years. A convicted minor shall serve his sentence in a facility reserved for criminally liable juveniles, where he shall be subjected to a special regime of education and guidance designed to serve as a deterrent and to prepare him to become an honest member of society." In this article, the legislator has dealt with the age range during which he believes that, even if they are to be held liable for their criminal actions and must be appropriately deterred, minors should not be treated in accordance with the scale by which adults are treated. A minor is therefore deemed not to have full responsibility, but rather diminished responsibility, and the judge is consequently required to deal with him on that basis insofar as he is compelled to reduce by two thirds the prescribed penalty for the offence committed, be it a serious, lesser or hybrid offence. If the offence committed is a serious indictable offence carrying either the death penalty or life imprisonment, he is required to commute those penalties to a term of imprisonment of not less than 5 years. The juvenile must serve his sentence in a juvenile facility (a juvenile education and guidance centre) and be subjected to a special regime that combines both deterrence and correction.

281. It is clear from the above that the judicial measures adopted with respect to juveniles uphold the full guarantee of human rights in general and children's rights in particular with a view to the correction of children accused of committing criminal acts.

282. In all juvenile measures, the legislator has made provision for the circumstances and social situation of juveniles at the evidence-gathering stage and during investigation, trial and enforcement of sentence or preventive measures.

283. Similarly, penalties handed down to juveniles are not simply intended to restrict their liberty but are aimed at their correction and rehabilitation for reintegration into society. The legislator therefore endeavoured to ensure that juveniles serve sentence in a juvenile education and guidance centre providing direction in keeping with the public interest, guaranteeing a sound education and devoting attention to their interests, talents and leisure pursuits so that they achieve a well-rounded personality (article 1 of Decision No. 20 of 1973 regulating juvenile guidance and education centres).

284. To that end, juvenile guidance and training centres assume the task of training juveniles in occupations and trades that are matched as closely as possible to their interests and background and are relevant to the surrounding environment, under the supervision of qualified instructors. The aim is to rehabilitate these juveniles and teach them vocational and trade skills that will promote their integration into society when they leave the centre (arts. 13 and 14). Mindful of the right of juveniles to education, the legislator affirmed the need for them to pursue their studies within the centre, in accordance with the curricula prescribed for their level of attainment.

285. Juvenile education and guidance centres also provide medical, recreational, sports and cultural facilities for their juvenile inmates.

286. In the context of efforts to develop the juvenile justice system in place in the Jamahiriya, a study to assess the status of juvenile justice was conducted as part of a project for the development of criminal justice in the Great Jamahiriya, which is being implemented by the Regional Office for the Middle East and North Africa (ROMENA) of the United Nations Office on Drugs and Crime (UNODC).

287. This study was conducted in 2008 by a team comprising national experts from bodies working in the field of juvenile justice, namely the General People's Committee for Public Security, the General People's Committee for Justice and the General People's Committee for Social Affairs.

288. This study comprehensively assessed the juvenile justice situation in the Jamahiriya with respect to:

- (a) Substantive laws relating to the protection of children and juvenile offenders;
- (b) Procedures followed in dealing with juvenile offenders at the arrest and evidence-gathering stages;
- (c) Procedural laws relating to the trial of juvenile offenders;
- (d) Juvenile trial practice in the Jamahiriya;
- (e) Conditions at juvenile education and guidance centres.

(A copy of the study is annexed hereto.)

289. The main conclusions drawn by this study were that:

(a) The pieces of juvenile-related legislation enumerated by the study are so diffuse as to be difficult to grasp fully and consequently to apply readily and easily. It would be useful to enact a law combining all of these disparate pieces of legislation and to supplement them with any necessary regulations and amendments;

(b) Although Libyan legislation makes provision for juvenile courts, they are to all intents and purposes non-existent, apart from one juvenile court and one public prosecution office with juvenile jurisdiction in Tripoli, and no members of the Department

of Public Prosecutions or any judges are competent in the area of juvenile trials. Similarly, there are no police with the necessary competence and no rules governing the juvenile arrest procedure;

(c) Libyan legislation does not clearly specify the kinds of measures imposed on juveniles but simply provides for preventive measures as a whole, without designating the scope and type of measure. It would be useful to categorize precisely the types of protective measures (educational and corrective) that can be imposed on juveniles on the basis of their age and the nature of the offence and to specify their duration for ease of reference by the judge, who can then readily apply them, far removed from any suspicion of arbitrariness or poor discretion;

(d) Libyan legislation does not embrace the system of alternatives to custodial measures and should pursue that course in that it is in the interest of juveniles to do so;

(e) Neither in the legislation nor in practice is any attention devoted to aftercare programmes aimed at the reintegration of juvenile offenders into society;

(f) There is a clear failure to ensure that the supervising judge and social monitor play active roles;

(g) There is no system for the segregation of juveniles in police detention and segregation is inadequate in the custodial sections of juvenile education and guidance centres, which is prejudicial to the best interests of the juvenile;

(h) The juvenile justice system in place in our country fails to accord due attention to reconciliation aimed at ruling out, as far as possible, the juvenile's prospect of a formal trial, notwithstanding that the legislator has provided options for amicable settlement with respect to criminal matters under the jurisdiction of a magistrates' court or, in other words, less serious and minor offences;

(i) The building design of present juvenile education and guidance centres does not comply with fit-for-purpose specifications, in addition to which vital equipment and materials are lacking and there are scant material and human resources available for deployment in rehabilitating juveniles and developing their skills. It is consequently difficult for social service offices to perform their functions with respect to achieving ongoing contact between juveniles and their relatives and conducting field studies. Juveniles are also short of medical and psychological care while serving sentence or subjected to measures. Nor is sufficient attention paid to enrolling juveniles in school and monitoring their acquisition of knowledge.

290. On the strength of these findings, the study made a number of recommendations, in particular:

- Adopt a system of alternative measures, such as obliging juveniles to perform work in public entities and other similar establishments, as provided in the Model Law on Juvenile Justice and following the example of all comparable legislation
- Categorize the types of measures (educational and corrective) that can be imposed on juveniles on the basis of their age and the nature of the offence so that judges can easily and readily apply them, without arbitrariness
- Work on establishing a specialized police body to combat and control juvenile crime, with the focus on how to deal with juveniles in the interest of pre-empting crime and gathering the necessary evidence of crimes that occur, which includes surveillance, investigation, stop, search and arrest, statement-taking and referral to the Department of Public Prosecutions



- Provide special treatment for juveniles under police arrest by confining them in specific rooms where they are segregated from adults
- Ensure that names and photographs of juvenile offenders are not posted in police stations, except in the cases permitted by law, in view of the adverse consequences for the juveniles in that event
- Work through concerned education and training institutions to create a safe and secure culture among arresting officers for dealing with juveniles
- Devote attention to continuous specialist training for members and officers of the police who deal with juvenile affairs and seek to establish a dedicated training institute for members of the juvenile police
- Establish in the division of every juvenile magistrates' court a special public prosecution office competent to conduct investigations, bring criminal proceedings and request preventive measures in juvenile cases
- Introduce a specialized curriculum for members of judicial bodies and assistants of theirs working in the field of juvenile justice
- Ensure, wherever possible, that a juvenile's guardian and a social worker are present when a juvenile is being questioned by the Department of Public Prosecutions
- Ensure that penal legislation is amended to guarantee that juvenile suspects cannot be remanded in custody except in connection with serious crimes carrying a penalty of not less than 1 year's imprisonment
- Set a fixed period of confinement for juveniles in the category of those who are not criminally liable or are in conflict with the law or at risk, provided that an extension may be considered by a competent judge
- Incorporate into the legislation clear and specific procedural rules for monitoring the implementation of penalties and measures ordered with respect to accused or at-risk juveniles and make use of the Model Law on Juvenile Justice, which contains legislative and procedural rules covering the provision of care and attention for juveniles after sentencing, whether by handing them over to their parents or placing them in an institution dedicated to the provision of juvenile care by trained personnel, in accordance with a statutory mechanism
- Combine the disparate pieces of legislation relating to juveniles into a single piece of legislation promulgated in accordance with the principles established by the United Nations in the Convention on the Rights of the Child and all other relevant international instruments, as previously mentioned in this report
- Establish joint coordination and cooperation with respect to correction and guidance for juveniles in the centres and authorities responsible for that area (justice, public security and social affairs)
- Seek to establish juvenile education and guidance centres in the vicinity of the juvenile courts in the rest of the country, along the lines of the centre located in Tripoli
- Seek to create a database linking all relevant institutions (security – public prosecution offices – courts – juvenile centres, etc.) in order to serve the best interests of juveniles and promote development of the juvenile justice system
- Underline the importance of a social worker's presence at police stations, public prosecution offices and courts by establishing permanent social service offices in main court offices, as laid down in legislation

- Transfer juveniles who turn 18 before their sentence expires, or with respect to whom deterrence has evidently succeeded, to a special section of the juvenile centre, as provided in article 82 of the Libyan Penal Code
- Establish suitable facilities in the more distant and remote regions where juveniles in those regions can be held in temporary custody until their cases are decided
- Separate the women's protection centre (social home) from the juvenile girls' education and protection centre in Tripoli in order to prevent the juveniles from mixing with adults
- Finalize the promulgation of standardized regulations for the running of centres in conformity with the legislation relating to juveniles
- Create a mechanism for coordination with the competent authorities concerning the approval of certificates for the training courses periodically held for inmates so that they can use them beneficially when they leave
- Support centres by providing the wherewithal for them to encourage juveniles to pursue their education, in coordination with the concerned authorities
- Devote attention to continuous specialist training for personnel at the centres, in particular social workers, psychologists and the like, ensure an adequate supply of teachers and training instructors and improve their employment conditions
- Staff centres with medical teams such as to guarantee good health-care delivery to inmates
- Devote attention to follow-up care for juveniles after they leave the centres in order to determine the extent to which they have benefited from the programmes provided, relinquished the life of vagrancy and lawlessness and returned to society whole and free of all social ills
- Encourage centres to devote attention to social field studies relating to juveniles and their environment and circumstances, and provide the resources needed for them to achieve their objectives
- Establish a national authority for juveniles in conflict with the law or at risk to work on coordinating national efforts for their benefit, in cooperation with specialized central departments concerned with juvenile affairs to be established in the General People's Committee for Public Security, the General People's Committee for Justice and the General People's Committee for Social Affairs, with each of them striving to discharge all of the functions within their purview concerning the juvenile justice service
- Organize compulsory training and encourage specialization for all persons involved in juvenile cases, including the police, the judiciary, social workers and personnel at juvenile education and guidance centres
- Promote the establishment of civil-society institutions concerned with juvenile affairs and take an interest in their published reports on the subject
- Focus on sensitization and preventive education programmes for all groups and institutions within the community in an effort to forestall or minimize crime

291. After the presentation of this study to United Nations drugs and crime experts, a workshop for national and international experts was held in July 2008. This workshop concluded that a comprehensive integrated action plan should be elaborated for the purpose of developing the juvenile justice system in the Jamahiriya.

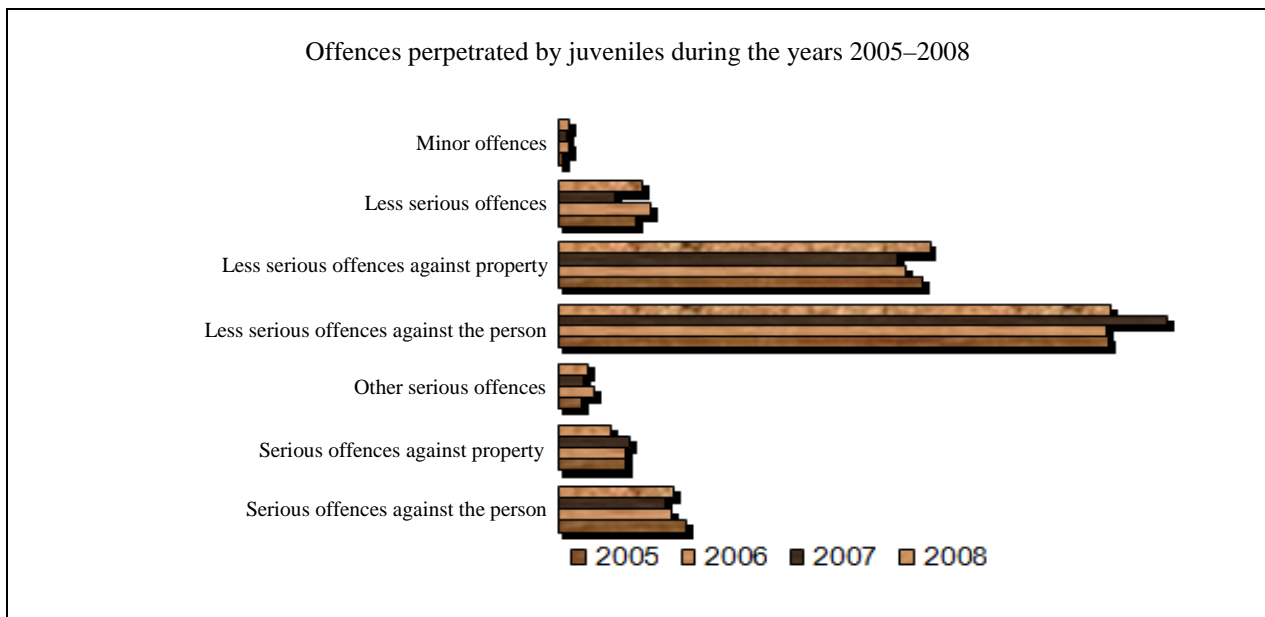
292. To that end, a project was formulated for developing the justice system in the Jamahiriya. This project seeks to accomplish the following goals:

- Operationalize the provisions of the current Libyan legislation and draft the amendments needed to align it more closely with the international instruments and laws on juvenile justice in order to secure the best interests of the child
- Bring down the number of juveniles in conflict with the law who are in closed facilities by incorporating reconciliatory justice and educational measures into the legislation and create a mechanism for operationalizing them
- Create in the General People's Committee for Justice a permanent and effective coordination and follow-up mechanism equipped with all of the tools and resources needed to follow up juvenile cases and ensure that the performance of the authorities working in the field of juvenile justice is such as to guarantee the best interests of the child
- Develop public prosecution offices, court and police divisions so as to ensure a protective climate for juveniles in conflict with the law, at-risk children and child victims of crime
- Develop juvenile care institutions of all kinds so that they are qualified to receive juveniles
- Reintegrate juveniles in conflict with the law into Libyan society when they are released
- Create a system of social and judicial protection for at-risk children and child victims
- Enhance the skills of all personnel in the juvenile justice system in the Jamahiriya
- Increase awareness among national authorities and civil society concerning the administration of juvenile justice

293. The draft of this project is being finalized by UNODC ROMENA and will be presented to the General People's Committees relevant to juvenile justice (the General People's Committees for Justice, Public Security, and Social Affairs), with implementation set to begin in early 2010 and last five years.

Table 50  
Offences perpetrated by juveniles during the years 2005–2008

<i>Type of offence</i>	2005		2006		2007		2008	
	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>
Serious offences against the person	88	10.5	158	9.4	153	8.8	207	9.5
Serious offences against property	48	5.6	94	5.7	101	5.7	97	4.4
Other serious offences	16	1.9	52	3.1	35	2.0	53	2.4
Less serious offences against the person	380	45.2	758	45.0	864	49.9	991	45.4
Less serious offences against property	252	30.0	481	38.5	482	27.9	667	30.6
Other less serious offences	55	6.5	127	7.5	81	4.7	148	6.8
Minor offences	3	0.4	15	0.9	14	0.8	20	0.9
<b>Total</b>	<b>841</b>	<b>100</b>	<b>1 685</b>	<b>100</b>	<b>1 730</b>	<b>100</b>	<b>2 183</b>	<b>100</b>



**Table 51**  
**Activity of the juvenile prosecution office at the magistrates’ court in 2006 and 2007**

Year	2006		2007	
	Number	Percentage	Number	Percentage
Carried over	99	11.45	236	27.25
Incoming	766	88.55	630	72.75
<b>Total</b>	<b>865</b>	<b>100</b>	<b>866</b>	<b>100</b>
Disposed of	629	72.72	724	83.60
Outstanding	236	27.28	142	16.40

**Statistics showing the activity of the juvenile prosecution office at the magistrates’ court in 2007**

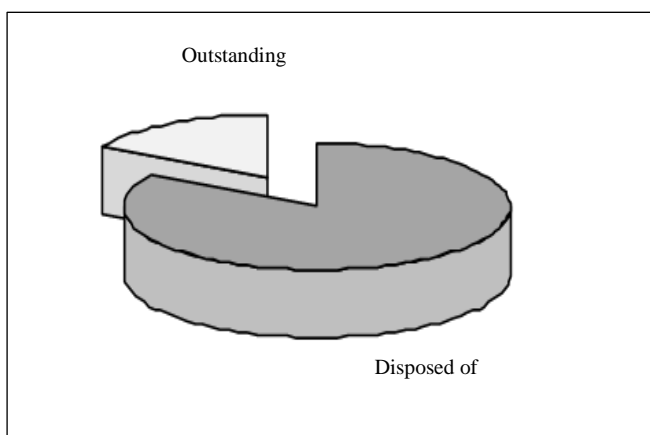


Table 52  
**Activity of the juvenile magistrates' court in 2006 and 2007**

<i>Type of activity</i>	<i>2006</i>		<i>2007</i>	
	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>
Carried over	651	52.08	1 050	61.87
Incoming	599	47.97	647	38.13
<b>Total</b>	<b>1 250</b>	<b>100</b>	<b>1 697</b>	<b>100</b>
Disposed of	200	16.00	302	17.80
Outstanding	302	84.00	1 395	82.20

Table 53  
**Statistical summary for 2006 and 2007**

<i>Body</i>	<i>Juvenile education and guidance centres</i>			
	<i>Police</i>	<i>Juvenile prosecution office</i>	<i>Juvenile court</i>	<i>Juvenile education and guidance centres</i>
2006	1 074	766	2 063	143
2007	1 139	630	1 753	130

#### **D. Children in situations of exploitation, including physical and psychological recovery and social reintegration (art. 39)**

294. Further to the information contained in the Jamahiriya's second periodic report concerning child employment, the Jamahiriya acceded in 2000 to the ILO Convention No. 182 of 1999 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. We should also like to emphasize that:

(a) Libyan legislation attaches importance to the question of child employment, having established various rules to protect children and guarantee that they are not exploited in any way;

(b) Young persons may not be employed or permitted entrance to workplaces before the age of 15;

(c) Young persons between the ages of 15 and 18 may be employed in certain industries and activities that are not damaging to their health or physically dangerous or strenuous, such as underground mining, quarrying and smelting;

(d) Young persons may not be employed for more than six hours a day, interspersed with a break, are not employed between 8 p.m. and 7 a.m., and may not work overtime or on feast days;

(e) It is prohibited to employ children in any activity other than for the purpose of education and vocational training, in accordance with the child's wishes.

295. In order to affirm the guarantee that children will not be exploited, General People's Committee Decision No. 46 of 2009 regulating domestic service was issued. Article 11 of the Decision states that: "No one under eight years of age may be engaged to provide domestic services."

296. General People's Committee Decision No. 632 of 2008 concerning the regulations on the examination statutes for the basic and secondary education levels also provides that

students who experience difficulty in their studies must be directed to the competent vocational training centres.

297. Studies conducted on child labour affirm that the percentage of child workers in the Jamahiriya is extremely low. Indeed, the national family health survey of 2007 established that the proportion of child workers aged 5 to 15 amounted to 1.8 per cent during the week prior to the survey. It should be noted that the survey was conducted during the summer holidays.

### **E. Drug abuse (art. 33)**

298. Libyan legislation emphasizes the protection of children from the scourge of narcotic drugs. A number of programmes have been implemented through official institutions and NGOs in order to address and combat the drug phenomenon, raise awareness and offer drug counselling, guidance and treatment.

299. To that end, a national strategy to combat the illicit use of narcotic drugs and psychotropic substances was promulgated pursuant to General People's Committee Decision No. 150 of 1996. The strategy is built on three core areas: combating the supply of drugs; arresting, prosecuting and investigating criminal gangs and bringing them to justice; and awareness, education, treatment and rehabilitation.

300. As a result of these efforts, the percentage of drug offences generally fell during 2007. Current awareness programmes include a drug prevention campaign under the banner of "Drug prevention is everyone's responsibility", which is sponsored by the Gaddafi International Charity and Development Foundation, the Libyan National Association for Drug Control, the Agency for the Control of Narcotic Drugs and Psychotropic Substances, UNDP and the General Authority for Awqaf and Zakat Affairs. This prevention campaign aims to sensitize the public to the danger of this problem through talks at social care and service institutions, mosques and armed people's training centres to raise prevention awareness. It is focused on determining the extent of the drug problem in Libyan society and identifying the kinds of drugs used and their physical, psychological, social, economic, educational, cultural and political consequences for individuals and society, as well as on the edicts of the Islamic religion concerning alcohol and drugs.

### **F. Sexual exploitation and sexual abuse (art. 34)**

301. With respect to harsher penalties for the sexual exploitation and abuse of children in particular, emphasis is placed on the information set forth in the Jamahiriya's second periodic report.

302. The purely Islamic character of Libyan society is well known. Sexual exploitation and abuse are consequently deemed to be reprehensible practices that are not only spurned but are also prohibited by religion. Individuals are thus brought up to reject and combat these practices and all institutions and members of the community endeavour to tackle and fight them wherever they exist. It is therefore reasonable for us to say that sexual exploitation and abuse do not constitute a phenomenon in Libyan society, instead occurring only as isolated cases that are rarely repeated as time goes by.

303. This is confirmed by the statistics on offences involving indecency and rape contained in the annual crime report published by the General People's Committee for Public Security:

- Of the total of 2,183 general offences committed by juveniles during 2008, 129, or roughly 6 per cent, were offences involving indecency and rape

- Of the total of 2,077 general offences committed by juveniles during 2007, only 106, or 5 per cent, were offences involving indecency and rape
- Of the total of 1,685 general offences committed by juveniles during 2006, only 63, or roughly 4 per cent, were offences involving indecency and rape
- Of the total of 841 general offences committed by juveniles during 2005, 110, or 13 per cent, were offences involving indecency and rape

Table 54

**Offences involving indecency and rape committed by juveniles during the years 2005–2008**

<i>Year</i>	<i>Sex</i>	<i>Age</i>	<i>Intercourse under duress and threat</i>	<i>Consensual intercourse</i>	<i>Forcible rape</i>	<i>Consensual rape</i>	<i>Abduction for the purpose of committing carnal acts</i>	<i>Indecent acts</i>	<i>Indecent exposure to a woman</i>	<i>Total</i>
2008	Male	Over 14	36	17	24	11	9	7	3	<b>107</b>
		Under 14	9	3	3	0	0	1	0	<b>16</b>
	Female	Over 14	1	23	0	6	2	5	0	<b>37</b>
		Under 14	1	1	0	1	0	0	0	<b>3</b>
2007	Male	Over 14	26	6	24	6	7	7	1	<b>77</b>
		Under 14	4	3	0	0	0	2	2	<b>11</b>
	Female	Over 14	6	14	1	4	0	2	0	<b>27</b>
		Under 14	0	0	1	0	0	0	0	<b>1</b>
2006	Male	Over 14	39	15	15	4	0	2	3	<b>78</b>
		Under 14	3	3	2	3	0	0	0	<b>11</b>
	Female	Over 14	1	13	2	3	0	0	0	<b>19</b>
		Under 14	0	0	0	2	0	0	0	<b>2</b>
2005	Male	Over 14	22	15	17	10	5	3	2	<b>74</b>
		Under 14	25	23	22	17	13	4	2	<b>106</b>
	Female	Over 14	2	6	4	4	0	0	0	<b>16</b>
		Under 14	0	0	0	1	0	0	0	<b>1</b>

**G. Sale, trafficking and abduction of children (art. 35)**

304. Libyan legislation and current laws in the Jamahiriya prohibit the sale, trafficking and abduction of children, as previously stated in the second periodic report.

**H. Other forms of exploitation (art. 36)**

305. The Jamahiriya's second periodic report dealt with such forms of exploitation as begging and theft. With respect to this article, we should like to mention in addition the legislation and measures adopted by the Jamahiriya to combat illegal migration. Article 19 bis of Act No. 2 of 2004 amending provisions of Act No. 6 of 1987 regulating the entry, residence and departure of aliens in Libya provides that:

“Without prejudice to any harsher penalty imposed under any other law, a person is liable to a term of imprisonment of not less than one year and a fine of not less than 1,000 dinars if, with the direct intention of procuring material or non-material benefit for himself or a third party, he performs any of the following acts:

“(a) Engages in the smuggling of migrants by any means;

“(b) Prepares, supplies or is in possession of forged travel documents or identity cards for migrants;

“(c) Arranges for or directs other persons to perform any of the acts provided for in this article.

“In all cases, an order shall be issued for confiscation of the proceeds of the offence and of sums and instruments used in or intended for use in the commission of the offence.”

306. The Jamahiriya has concluded a number of international agreements to combat illegal migration and has established departments with competence in that area.

## **I. Children belonging to a minority (art. 30)**

307. This article does not apply to the Jamahiriya, as it has no minorities.



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