



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

Distr.  
GENERAL

CEDAW/C/LIB/1  
18 February 1991

ENGLISH  
ORIGINAL: ARABIC

---

Committee on the Elimination of Discrimination  
against Women (CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 18 OF THE CONVENTION

Initial reports of States parties

LIBYAN ARAB JAMAHIRIYA

STATUS OF WOMEN IN THE GREAT SOCIALIST PEOPLE'S LIBYAN ARAB JAMAHIRIYA

Introduction

As the Socialist People's Libyan Arab Jamahiriya has acceded to the Convention on the Elimination of All Forms of Discrimination against Women, and in implementation of article 18 thereof, it pleases the Libyan Arab Jamahiriya to present its first report in reply to the questions contained in the guidelines for assessment of the status of women issued by the Follow-up Committee on Women's Rights, regarding political, judicial, administrative, educational, health, security, economic, social and legislative measures applicable in the Jamahiriya for the benefit of women.

Attention is drawn at the outset to the fact that women in the Libyan Arab Jamahiriya enjoy full equality with men. Under Islamic legislation in force in the country, no differentiation may be made between men and women in so far as human rights are concerned. Islam guarantees equal human rights for men and women, because humanity as created by God consists of both male and female.

As willed by God, women in the Libyan Arab Jamahiriya enjoy full human, political, existential and social rights, as well as the right to acquire property and earn legitimate income, and to buy and sell, litigate, settle and dispose of whatever they own, regardless of the amount, by way of spending, donating or bequeathing.

Women have the right to accept or refuse marriage. The Holy Quran has sanctified the role of woman as affectionate mother, friendly sister, gracious and loyal wife, educator of future generations, judge, lawyer, physician, nurse, social guide, industrial and agricultural worker, and official representative of her country on equal terms with her male colleagues in many international meetings, conferences and organizations and in People's Offices, and also as members of the armed and public security forces.

In today's Libyan Arab Jamahiriya, by virtue of applicable laws and regulations - mainly the Great Green Chart on Human Rights, which confirms woman's equality with man in all human activities, women are able to enjoy their rights, without distinction, on an equal footing with men. For instance, women have the right to education, work, equal pay, promotion to all executive, administrative and political posts; the right to acquire property and dispose of it freely; the right to choose and divorce their husbands; and the right to participate in Government and share the responsibilities of authority at the grass-roots level. The information included in this report reflects women's enjoyment of human rights and respect, both morally and physically, on an equal footing with men.

REPORT OF THE SOCIALIST PEOPLE'S LIBYAN ARAB JAMAHIRIYA ON MEASURES TAKEN  
AND LAWS AND REGULATIONS APPLICABLE WITH REGARD TO ELIMINATION  
OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

CHAPTER I

1.1 Geographic and population features

The Libyan Arab Jamahiriya is situated in the middle of North Africa, between parallels of latitude 18° and 23° north, and parallels of longitude 9° and 25° east; and is bounded on the east by Egypt and the Sudan, on the west by Tunisia and Algeria, and on the south by Chad and Niger. It borders the southern Mediterranean coast for 1,800 kilometers, and has a total area of 1,775,500 square kilometers. Thus, it is the fourth largest country in Africa, after the Sudan, the Congo and Algeria.

CHAPTER II

2.1 General national economic conditions

The national economy has made great achievements in various areas as a result of using oil revenues in economic and social projects as well as in the fields of agricultural and industrial production, energy and roads, all of which contribute to creating an economy based on resources other than the dwindling and unstable oil resources.

The economic crisis which the world has experienced since the early 1980s has had a direct effect on oil markets, whose prices have fallen to their lowest level.

Additionally, the policy of oil marketing, price stability and limited production has aggravated the crisis and directly affected the earnings of oil producing countries, including the Libyan Arab Jamahiriya. The country's gross domestic product (GDP) at current earning factor costs was estimated at 7,235.5 million Libyan dinars for the year 1989. Available estimates indicate an improvement in the contribution of non-oil economic activities to GDP, increasing from 36.9 per cent in 1970 to 72.9 per cent in 1989. On the other hand, the contribution of oil and natural gas production has decreased from 63.1 per cent in 1970 to approximately 37.1 per cent in 1989, at current earning factor costs.

In order to achieve a balanced economic development in all sectors and regions, and secure a substantial base for development, the national economy was supported by firm investments amounting to more than 28,429 million dinars during the period 1970-1988.

Available data show that the average per capita income in relation to GDP increased from 642 dinars in 1970 to 1,572 dinars in 1989, at a composite annual growth rate of 4.9 per cent. 1/

---

1/ One Libyan dinar is approximately worth \$3.34.

Table 1

Population of the Libyan Arab Jamahiriya by age group and  
 relative distribution by sex, in 1990

Age group	Estimated population in mid-1990			Relative distribution by sex in each group		
	Males	Females	Total	Males	Females	Total
1-14	997,000	967,700	1,964,700			
%	49.54	50.02	49.77	50.75	49.25	100.00
15-59	964,260	892,800	1,835,400			
%	46.83	46.15	46.50	51.36	48.64	100.00
16 and over	73,100	74,000	147,100			
%	3.63	3.83	3.73	49.69	50.31	100.00
Total	2,012,700	1,934,500	3,947,200			
%	100.00	100.00	100.00	50.99	49.01	100.00

Sex ratio: 104 males to 100 females

Table 2

Population distribution ratio, and relative distribution by  
 agglomeration and sex in urban and rural areas  
 in the years 1973 and 1984

Type of agglomeration	1973			1974 Initial results		
	Males	Females	Total	Males	Females	Total
Number	719,934	624,393	1,344,326	1,476,405	1,280,475	2,756,880
% Urban	60.40	59.05	59.77	76.27	75.24	75.79
Number	471,919	432,991	904,910	459,215	421,363	880,608
% Rural	39.60	40.95	40.23	54.73	54.76	28.21
Number	1,191,853	1,057,384	2,241,277	1,935,650	1,701,838	3,637,488
% Total	100.00	100.00	100.00	100.00	100.00	100.00

Table 3

Population density in the Libyan Arab Jamahiriya in 1990:  
 2.2 persons per km<sup>2</sup>

Annual net rate of population growth during the period 1973-1984	Urban	Rural	Total
	6.7%	(0.2)%	4.5%
Estimated average age for 1990	Males	Females	Total
	20.22	20.13	20.18

Table 2 shows increases in migration from rural to urban areas in the years 1973 and 1984.

### CHAPTER III

#### 3.1 Political and legal systems

Since 1 September 1969, the date of the Revolution, sovereignty has been turned over to the people according to the Constitutional Declaration of 11 December 1969, which provides in article 1 that Libya is a free democratic Arab republic; that its people are sovereign and form part of the Arab nations; that its goal is overall Arab unity; that, territorially, it is part of Africa; and that it is to be called the Libyan Arab Republic.

However, since the declaration of 2 March 1977 establishing the people's authority, the political system in the Jamahiriya has been based on the people's authority in accordance with article 3 of the above declaration, which provides that the people's direct authority is the basis of the political system in the Socialist People's Libyan Arab Republic. Authority belongs to the people alone; and such authority is practised, as determined by law, through people's congresses and committees, trade unions and associations and the people's general congress.

### CHAPTER IV

#### 4.1 Religion

Article 2 of the Constitutional Declaration of 11 December 1969 specifies that Islam is the religion of the State and Arabic its official language, and that the State protects the freedom of religious belief as traditionally practised.

Thus the dominant religion in the country is Islam. Nevertheless, the State respects all other religions and guarantees freedom of religious belief for all residents of the country.

### CHAPTER V

#### 5.1 Institutions promoting women's development and welfare

The General Federation of Women's Development and Welfare, together with the Association of Arab Women, the Libyan Arab Family Association, the Libyan Arab League for Social Defence of the Family against Crime and Delinquency, are the forerunners of organizations promoting women's development and welfare.

Women in the Libyan Arab Jamahiriya do not suffer from any sort of discrimination. This is guaranteed by all the laws, in particular the Great Green Charter for Human Rights, which confirms the equality of men and women in all human activities and indicates that differentiation between the sexes is a gross injustice that nothing can justify.

Accordingly, the Libyan Arab Jamahiriya acceded to the Convention on the Elimination of All Forms of Discrimination against Women on 16 May 1989, with effect as from 15 June 1989.

This confirms equality of men and women in every respect. Furthermore, since the Great Revolution of 1 September, Libyan women have been called upon to join every activity and given the opportunity to participate in politics and hold senior Government posts. Every legal obstacle preventing women from entering the political arena has been removed. Today's women participate on equal terms with men in People's Congresses which constitute the instrument of legislation and include all Libyan nationals, males and females alike. Women also are members of the People's committees (executive authority) and have taken many important measures which have reinforced the position of Libya's women, such as:

1. The issuance of the Great Green Charter for Human Rights, which provides for the respect of basic human rights for both men and women.
2. The establishment in 1988 of the Centre for Documentation, Research and Studies relating to Arab Women.
3. The establishment in 1989 of the Libyan Arab Family Association.
4. The establishment in 1989 of the Libyan Arab League for Social Defence of the Family against Crime and Delinquency.
5. Entry of Libyan women into the judiciary and the legal professions.
6. Appointment of Libyan women to senior Government posts.

## CHAPTER VI

### (Articles 1, 2, 3, 4 and 5)

#### 6.1 General political measures and legal or provisional measures aimed at elimination of discrimination in order to secure women's development and welfare

In Libyan society, there are no obstacles or traditions preventing women's progress and development. In fact, the Holy Koran considers both sexes as equal in rights, for men and women alike play an important role in society and the family. Certain measures have been taken to reinforce equality between sexes, such as the promulgation of Law 8 for the year 1989 regarding women's right to hold judicial positions and amendment of school curricula in order to eliminate schoolbook stereotyping of the roles of men and women, and show that each sex has its particular role to perform in society. By tradition and law, and as confirmed by Shari'ah, the male is the head of the family. As women are physically different from men, Labour Law 58 for the year 1970 has given working women certain privileges in view of their health conditions, physical constitution and social function. Such privileges include:

1. Exemption from hard and dangerous work in such places as iron and steel plants;
2. Exemption from work for more than 48 hours a week between 8 p.m. and 7 a.m., except in such conditions and activities as are appropriate to a woman's nature.

Concerning tasks performed by boys and girls at school or at home, there is essentially no difference except where natural disposition and habits are concerned. Both parents share in children's care, be they males or females.

In case of divorce, the mother is entrusted with the custody of the children. Article 62 [para. (b)] of Law 10 for the year 1984, which regulates marriage and divorce matters, provides that:

In case of marriage, the right to custody of the children shall be shared by both parents. If they separate, custody goes to the mother, then to her mother, then to the father, then to his mother, then to the female relatives of the child whose degree of consanguinity precludes marriage to them, preference being given to the female relative of both sides, then to the male relatives of the child whose degree of consanguinity precludes marriage to them.

## CHAPTER VII

### 7.1 Exploitation of women

The Holy Koran prohibits the exploitation of women by way of prostitution. This is an offence punishable by Law 70 for the year 1973 concerning adultery and amending certain penal clauses. Adultery is a crime under Libyan legislation. Article 407 [para. (4)] provides for imprisonment, for a period not exceeding five years, of anyone who consentingly fornicates with another person. Article 408 of the Penal Code provides for imprisonment of anyone who consentingly commits an indecent act with another person. Articles 415 and 416 thereof also provide for specific sanctions against anyone who incites or forces a female to engage in prostitution, or exploits prostitutes or makes a living out of prostitution, or leases a house or other premises offering alcoholic beverages and prostitution.

The law also punishes the exploitation of women at the international level and the facilitation of such exploitation. Moreover, the law prohibits artificial insemination so as to protect and preserve kinship.

## CHAPTER VIII

### Article 7

#### 8.1 Political and public life

The political system in the Libyan Arab Jamahiriya is founded on the people's authority based on people's congresses. Law 9 for the year 1984

regulates people's congresses. Article 2 thereof stipulates that Libyan nationals and nationals of other Arab countries who have completed their 16th year of age may become members of people's congresses. However, male and female students who have completed the basic stage of education are exempted from the condition of age.

Membership of people's congresses is guaranteed for both sexes on equal terms, and there are no requirements such as the ability to read and write. Women can become candidates for any post, and Libyan women have in fact filled many posts, such as Secretary of the People's Committee for Public Education (Minister of Education), Assistant Secretary for the People's General Congress (Deputy Speaker of Parliament), several posts of Assistant Secretary for Municipal People's Committees (Deputy Chief Provincial Executive). Women have the same right as men to join trade unions and associations, and no obstacles preclude them from full participation in political and public life. Many initial actions have been taken to ensure that women take part in preparing and implementing development plans at all levels. Such actions include:

- (1) Female basic people's congresses are set up to discuss all matters relating to internal and external policies, development plans, annual budgets and follow-up reports on various projects. By attending sessions of these congresses, women actually take part in making decisions concerning development plans in various fields;
- (2) The Secretariat that organizes and runs the sessions of the female basic people's congresses consists of women;
- (3) Women's associations throughout the country deal with matters relating to the development of women's capacities in various fields;
- (4) Women are motivated in a variety of ways to take part in all economic and social activities, and are given priority of employment in certain posts, even restricting such employment to women;
- (5) Many educational training and service facilities are established to assist women in entering various work areas that are appropriate to their natural capacities.

Women in the Libyan Arab Jamahiriya are not subject to any kind of discrimination or any infringements of their rights because of their political activities. No political concentration camps exist in the country, at the time of writing of this report.

## CHAPTER IX

### Article 8

#### 9.1 Official representation and participation in international organizations

The Libyan Arab Jamahiriya has urged Libyan women to represent their country at the international level. There are Libyan women now filling the diplomatic posts of attaché, third secretary, second secretary, first secretary and chancellor.

In the People's Office for External Relations and International Cooperation (Ministry of Foreign Affairs) 10 per cent of the officials are women filling political and administrative posts in the following countries:

1. Political posts

Geneva = 2  
Sweden = 1  
Damascus = 1  
Brussels = 1

2. Administrative posts

Islamabad = 1  
Annaba = 1  
Rome = 1  
Seoul = 1

Despite the fact that women have only recently entered this field, they have proven their ability and receive every encouragement and support. No obstacles prevent women from representing their country abroad.

CHAPTER X

Article 9

10.1 Nationality

Men and women in the Libyan Arab Jamahiriya have the same rights with respect to obtaining, changing, keeping or replacing their nationalities. Nothing prevents women from practising these rights, and a woman's nationality rights are not affected if she marries a man who is not a Libyan national, in case he changes his nationality. She loses her nationality only if she chooses to obtain her husband's nationality and the law of nationality of her husband's country allows her to obtain his nationality.

The right to nationality is determined by lineal connection to father and mother. Minor children are allowed to travel on their mother's passport if issued by the competent authorities and with the agreement of both parents. The law permits a wife to travel abroad without her husband's consent.

The law permits the inclusion of the names of children in the passport of either the father or the mother without the consent of one or the other, provided that the passport is issued by the competent authorities in the country.

## CHAPTER XI

### Article 10

#### 11.1 Basic, intermediate and advanced education

The educational system in the country, in its various ramifications, is based on the principle that every person has the right to knowledge and learning. In fact, there are a great many schools, teachers, courses and other educational facilities.

Equal opportunities for learning are available for both sexes, together with unified curricula and competent teachers. There is no distinction whatsoever between male and female. Data relating to various stages of learning reflect the percentages of females in educational institutions and show that the number of females at certain stages exceeds the number of males.

#### 11.2 Kindergartens

Children between the ages of four and six are admitted to kindergartens, where they acquire the elementary knowledge qualifying them to start the first year of basic education.

#### 11.3 Basic education

This is the first stage of education, during which male and female students between the ages of six and fifteen gradually progress to the next stage. It provides the main broad foundation for youth education. Much care has been given to the construction of new schools to match the steadily increasing number of pupils at this stage. This has made it necessary to set up a mixed system for the first link of this stage in most schools of basic education. The general education policy emphasizes the unity of curricula, teaching structures and school facilities.

Up to 1988/1989, 42,763 classes were established, and the number of pupils increased to 1,193,637. The percentage of female students at this stage was 47 per cent and that of female teachers 59.5 per cent. It should be pointed out that the number of pupils in each class ranges from 25 to 30; and in view of the fact that education is compulsory, schools in cities and villages have been crowded with male and female students.

#### 11.4 Intermediate education

This is the second stage consisting of education in secondary schools, teachers' colleges and agricultural institutes. For the year 1988/1989, 95,576 male pupils and 49,744 female pupils were enrolled in secondary schools. There were 7,198 male and female teachers, females accounting for 26 per cent. The number of male and female students in agricultural institutes was 4,594 for the year 1989/1990. Of these 45 were females.

The number of teachers' college students of both sexes in the year 1989/1990 was 29,929, with females accounting for 63.5 per cent, while the proportion of female teachers in those colleges was 20 per cent.

Attached to this chapter are statistical tables for the basic and intermediate stages, showing the numbers of students, teachers and classes in the period 1970-1989.

### 11.5 Advanced education

In 1954-1955, the Libyan University was established at Benghazi (currently Qar Junus), its first school being that of arts and education. In 1957, the School of Economics and Commerce was added to it; and in the same year, the School of Sciences was established at Tripoli, later becoming the nucleus of al-Fatih University. In 1962, the Law School was established at Benghazi; and in 1966, the School of Agriculture was set up at Tripoli. In 1967, the Libyan University took over the School of Technical Studies and the Teachers' school, previously established at Tripoli in cooperation with UNESCO. The former was renamed the Engineering School and the latter the Teachers' College.

Following the 1969 Revolution, universities grew in number and specialization. A school of human medicine was set up at Benghazi in 1970; and in the same year, all the schools of the Islamic University at Baida were combined to form the School of Arabic and Islamic Studies, which became part of the Libyan University at Benghazi. <sup>1/</sup>

In 1972, the School of Petroleum Engineering and Mining was founded at Tripoli. In 1973, due to the long distance between Tripoli and Benghazi and the steadily increasing number of college students, the Libyan University was split into two independent entities: one located at Tripoli and consisting of the schools founded at Tripoli and Sabha, and the other located at Benghazi and consisting of the schools existing at Benghazi and al-Baida in Jabal al-Akhdar.

In the scholastic year 1973-1974, the School of Human Medicine was established at Tripoli.

In 1975, the School of Pharmacy was founded at Tripoli; and in 1976, the School of Veterinary Medicine and the College of Education were founded at Tripoli and Sabha, respectively.

In April 1976, the University of Tripoli was renamed Al-Fatih University, and the curricula of both Qar Yunus and Al-Fatih universities were expanded following the establishment of many new schools and specialized departments, such as the Department of Mines and Mining at Misratah in 1983; the College of Education at Zawiyah, the School of Accounting at Gharyan in Jahal al-Akhdan, and the University of Sabha in 1983; 'Umar al-Mukhtar University for Agricultural Sciences at al-Baida in 1985; the School of Agriculture at Sabha in 1987; and other colleges and specialized institutes in various

---

<sup>1/</sup> The Islamic University, founded in the early 1960s, consisted of three schools: Jurisprudence, Shari'ah and Language. These schools admitted graduates of such religious institutes as al-Baida and al-Asmari at Zlaiten, and al-Jughbah and Ahmand Pacha at Tripoli.

cities. In the academic year 1989-1990, there were 12 universities with a variety of specializations, in addition to 10 colleges and specialized advanced institutes the details of which are shown in the attached table, which indicates that the total number of teaching staff at universities and advanced institutes is 2,391, of which 107 are Libyans (10 females), 682 are Arabs (14 females) and 298 are foreigners (2 females).

The table also shows that the total number of Libyan, Arab and foreign students of both sexes is 47,739, the females consisting of 6,075 Libyans, 192 Arabs and 16 foreigners.

Statistics relating to the stages of basic and intermediate education

Educational stage	School year	Number of schools	Number of classes	Number of students		Total	Class size	Number of Teachers	Classes	Percentage increase	
				Males	Females					Students	Teachers
Basic stage	70-71	1,496	12,705	250,155	135,236	385,418	3-30	14,808	73	57.3	93.4
	74-75	2,326	21,985	346,583	259,761	606,344	6-27	28,643			
	79-80	3,551	29,785	437,903	370,225	808,128	1-27	43,569	35.5	33.3	52.1
	84-85	4,309	38,194	541,381	480,884	1,022,275	4-29	63,725	28	26.5	46
	88-89	4,547	42,763	631,161	562,476	1,193,637	9-27	77,424	21.5	6.4	21.4
Secondary stage	70-71	30	299	7,082	1,258	8,260	3-29	874			
	74-75	68	550	11,729	2,951	14,680	7-26	1,571	2.3	77.7	79.7
	79-80	155	1,139	26,236	9,448	35,684	3-31	2,875	107.1	143.1	83.5
	84-85	237	2,342	46,100	30,944	76,944	9-32	5,488	105.6	59.6	90.9
	88-89	300	2,922	95,832	49,744	95,576	7-32	7,198	24.8	24.2	31.2

Statistics relating to the advanced education stage and containing data on teaching staff, students and graduates, as well as the number, location and specialization of universities and institutes

University or Institute	Members of teaching staff							Academic year 1989-1990					Academic year 1988-1989				
	Libyans			Arabs		Foreigners		Students					Graduates				
	M	F	Total	M	F	M	F	Total	Libyans	Arabs	Foreigners	Grand total for students	Libyans	Arabs	Foreigners	Total	
1. Qar Yunus University - Benghazi				129		90		219	7,677	2,727						646	
2. Al-Fatih University - Tripoli	448			96		22		566	2,509	1,034	234	60	8	4		3,849	
3. Sabha University - Sabha	49			94		13		156								3,500	
4. Arab Medical School - Benghazi	82			14		136		232								2,483	
5. Al-Fatih Medical School								184	1,890	1,697	101	117	5	2		3,812	
6. "Green Banner" Engineering School	181			31		11		223								2,011	
7. Seventh of April University								94								3,143	
8. 'Umar al-Mukhtar University	40	10		57	3			110	1,200	300						1,500	
9. Qar Yunus University - Sirte	8			13				21	145	21						166	

Statistics relating to the advanced education stage and containing data on teaching staff, students and graduates, as well as the number, location and specialization of universities and institutes (continued)

University or Institute	Members of teaching staff								Academic year 1989/1990						Academic year 1988-1989							
	Libyans				Arabs				Foreigners				Students		Grand total for students	Libyans		Arabs		Foreigners		Total
	M	F	M	F	M	F	Total	M	F	M	F	M	F	M		F	M	F	M	F		
10. "Brilliant Star" University - al-Buraigah			41		5		46	746			3			749	102						102	
11. Al-Nasir International University - Tripoli	170		47				217							5,922								
12. Open University - Tripoli	2						2							4,350								
13. Advanced Institute of Physical Education for Boys	4		19				23	128			5			133	107						107	
14. Advanced Electronics Institute - Bani Walid	17		10		18	1	46	371	2	2				375	68						68	
15. Advanced Technical Institute - Burak	13		20	1	2		36	244		16				260	52	1					53	
16. "Al-Quds" Advanced Institute for Basic Sciences	24		29		1		54							482	92	8					100	

Statistics relating to the advanced education stage and containing data on teaching staff, students and graduates, as well as the number, location and specialization of universities and institutes (continued)

University or Institute	Academic year 1989/1990													Academic year 1988-1989						
	Members of teaching staff							Students						Graduates						
	Libyans		Arabs		Foreigners			Total	Libyans		Arabs		Foreigners		Grand total for students	Libyans		Arabs		Foreigners
M	F	M	F	M	F	M	F		M	F	M	F	M	F		M	F	M	F	
17. Mechanical and Electrical Advanced Institute	12		16	1			29	286		37				323	81					81
18. School of Accounting - Ghazyan	37		19			1	57	1,249		61		1		1,311	6					6
19. Advanced Institute of Physical Education - Zawiyah	3		1	9			13		176					176	85					85
20. Advanced Institute of Veterinary and Agricultural Sciences				8			8	69	26	1	1			97						
21. Advanced Teacher Training Institute - Zlaiten	17		12				29	430	92	34	14	2		572						
22. Advanced Institute for Animal Husbandry - Sirte				26			26	243		4				247	186		6			192
<b>Total</b>	<b>1,107</b>	<b>10</b>	<b>682</b>	<b>14</b>	<b>298</b>	<b>2</b>	<b>2,391</b>	<b>17,187</b>	<b>6,075</b>	<b>498</b>	<b>192</b>	<b>16</b>	<b>6</b>	<b>47,739</b>	<b>760</b>	<b>149</b>	<b>9</b>	<b>3</b>		<b>2,255</b>

CHAPTER XII

Article 11

13.1 [sic.] Employment

Under applicable legislation, men and women have equal opportunities in employment, promotion, yearly allowances and leaves, as well as all other employment advantages. Thus, Civil Service Act 55 for the year 1976 in article II defines an employee as a person of either sex who fills any of the positions specified in Schedule 1 attached thereto.

Article I of Act 15 for the year 1981 regarding salary scales for national workers provides that the object of the Act is to establish the principle of equal pay for equal work so as to fulfil the needs of those concerned and reward them according to their performance and production.

In article III, the Act states that its provisions apply to all nationals employed by the parties designated therein, etc.

Article 31 of the Libyan Labour Act No. 58 for the year 1970 provides that employers may not recruit workmen for less than the fixed minimum wage, and may not make any distinction between men and women if work conditions and nature are the same.

Article I of General People's Committee decision 258 for the year 1989, concerning the training and development of Libyan Arab women, provides that work in various fields is a duty of women capable of work as equals of men, and that women have priority in filling the posts specified in the schedule attached thereto. Article II requires all employers to employ women in various fields, such as local security and traffic police forces, administrative work in Courts and Public Prosecutor's offices, etc.

Article V of the above decision provides that information and cultural agencies and institutions shall, in cooperation with the parties concerned, undertake activities leading to the training and employment of women and prepare intensive information programmes designed to acquaint women with the occupational training programmes and employment opportunities and the advantages of training and work available to them.

The latest estimates for 1990 indicate that 17.7 per cent of the workforce consists of females. By law and tradition, women are not excluded from any professions or position except those which require hard and dangerous work or are not compatible with woman's nature. Moreover, there are professions and positions for which priority is given to women, or which are even restricted to women as far as possible. A housewife performing domestic work is not considered a member of the workforce.

Unpaid farm work is considered an activity contributing to the gross national product of the country. While the retirement age is 65 for men employed by corporations and public establishments, and 62 for those employed in administrative units, the retirement age for women is 60 and may be reduced to 55 at the working woman's request or in case of employment in certain positions and professions, as determined by the authorities concerned. Women contribute to social security at the same rates as men.

The widow of a pensioner continues to benefit from her late husband's pension and women have the same rights as men in the areas of old-age assistance, pension privileges, disability benefits, occupational training, promotion and retirement, paid annual leave and all other employment privileges. Social Security Act 3 for the year 1980 and regulations relating to its implementation are applicable to men and women alike.

Women have the right to a maternity leave without risk of losing their jobs, seniority or social allowances. They continue to receive their wages while on maternity leave, and there are no known cases of refusal by employers to comply with this rule. On childbirth, women receive a grant of 25 dinars (\$75), in addition to 4 dinars (\$12) as monthly allowance from the fourth month of pregnancy until the birth of the child.

In case of pregnancy, the law prohibits termination of services or refusal to grant maternity leave. Nor may women's services be terminated if they wish to marry. In point of fact, there are no known cases of termination on these grounds.

Laws are designed to ensure more care for women during pregnancy and on childbirth, by providing the necessary health care in mother and child homes. There are homes catering for children at mothers' workplaces and the State provides financial assistance for maintaining these homes. The care provided by these homes is adequate. Employers with a workforce comprising over 50 working women are required to provide such care for all their children, as well as special rest periods for breast-feeding.

## CHAPTER XIII

### Article 12

#### 12.1 [sic.] Women and health services

The Revolution paid special attention to the area of health, believing that the human being is the essential element and underpinning of development. Many health facilities were established to provide curative and preventive services, in addition to educational institutes for training medical and auxiliary personnel. Women were not left out, in the belief that they constitute one half of society and are no less responsible or influential than men. A great deal of health care was allotted to women in health institutions under medical and auxiliary medical supervision, and women were urged to enter the medical field. This report contains statistics showing the development of women's activities in various health fields since independence.

The Revolution was also concerned with providing health care to all nationals freely and fairly throughout all urban and rural areas. All

necessary measures were taken to secure equality of men and women in obtaining medical services provided by basic health care units and centres, medical pools, and general and specialized hospitals. Up to 1989, a total of 860 basic health care units, including mother and child-care homes, had been established. Each unit serves a total population of 3,000 in the fields of prevention and referral to specialized centres. They constitute the first level of communication between members of the public and the national health system, and provide the following services:

1. Care for mothers, children and pregnant women

Such care is provided to pregnant women and children from childbirth until school age, in addition to creating health and nutritional awareness and following up the treatment of chronic diseases, etc.

2. Medical and health care pools

There are 18 pools, each serving an agglomeration of from 50,000 to 60,000 people. They provide specific and specialized treatment, in addition to school health and immunization services as well as health education and supervision of health units providing medical treatment.

3. General hospitals

There are 51 general hospitals providing clinical services to patients referred to them by medical pools and basic health-care units.

4. Specialized hospitals

There are 26 specialized hospitals providing clinical services for chest and heart patients, as well as accident victims and childbirth cases, etc.

5. Tuberculosis centres

There are 22 centres for observation of lung diseases and referral of patients to the institutions concerned.

6. Trachoma control centres

There are 28 centres.

7. Dental clinics

There are 130 clinics. In addition to preventive and curative services, the health sector provides rehabilitation services at two centres, one located at Tripoli and the other at Benghazi, in addition to a sanatorium for the mentally retarded at Sawani, a poliomyelitis institute and an old-age sanatorium.

The workforce performing services at health institutions consist of:

(a) Medical professionals:

- Physicians: 2,095 Libyans\* and 3,132 non-Libyans;
- Dentists: 348 Libyans and 112 non-Libyans;
- Pharmacists: 562 Libyans and 89 non-Libyans.

(b) Medical assistants:

- General nurses: 5,445 Libyans, of which 1,039 are males; and 1,845 non-Libyans;
- Assistant nurses: 6,687 Libyan females;
- Community health workers: 625 Libyan females;
- Oral health technicians: 100 Libyan females;
- Assistant pharmacists: 1,392 Libyans, of which 653 are females;
- Laboratory technicians: 996 Libyans, of which 463 are females; and 187 non-Libyans;
- Health inspectors: 891 male Libyans;
- X-ray technicians: 428 Libyans, of which 50 are females; and 292 non-Libyans;
- Physiotherapy technicians: 110 Libyans, of which 81 are females;
- Dental technicians: 247 male Libyans and 17 non-Libyans;
- Medical equipment maintenance technicians: 93 Libyans;
- Nutrition specialists: 99 Libyans;
- Midwives: 1,823 Libyans.

Main causes of death:

1. Heart and arterial diseases;
2. Respiratory system diseases;
3. Diarrhoea;
4. Tumours;
5. Urinary system diseases;
6. Digestive system diseases;
7. Diabetes;
8. Pre-partum and post-partum disorders.

---

\* Of which 597 are females.

There are no statistical data separately for males and females, although the death rate among mothers was 0.9 per thousand in 1984.

The death rate among infants was 3.18 per thousand live births in 1989. The main causes of death among infants and children are: pre-partum and post-partum disorders; underweight; diarrhoea; measles.

The average age for females was 20.13 and for males 30.22. The birth and death rates of the total population in 1988 were 43 per thousand and 3.8 per thousand respectively.

The proportion of women who benefited from health care before delivery was 76 per cent, and there are no statistical data concerning the average number of live children per woman. Contraception is illegal and its use is not widespread.

The legal and cultural impediments which stand in the way of family planning by women are embodied in article 18 of the Medical Responsibility Act No. 17 of 1986, which reads as follows:

"No action or intervention to limit procreation may be undertaken, unless it is agreed to by the two partners and is not detrimental to society's interests, and provided it is ordered by a competent medical commission for reasons of extreme necessity in the case of those physically deformed or mentally retarded, or in order to protect the wife's life if it is really endangered by pregnancy or childbirth".

Only in cases of family planning, the husband's approval is required for making use of health services.

Abortion is illegal. Article 19 of the Medical Responsibility Act provides that:

"Abortion or foetus killing shall be allowed only in order to save the mother's life".

Abortion is provided free of charge at hospitals for the purpose of saving the mother's life. All health services are also provided free of charge to all members of the public. Circumcision of girls is not practised in the Libyan Arab Jamahiriya, Section II of Chapter III of the Penal Code defines offences against the family and provides for penalties.

This is in addition to 6,687 female assistant nurses who had graduated up to the end of 1989.

(a) Nursing personnel:

1. Male and female nurses	5,468
2. Oral health technicians, female	100
3. Community health technicians, female	<u>625</u>
	<u>6,193</u>
4. Female assistant nurses	6,687

(b) Assistant technicians:

All specializations: 4,495 assistant medical technicians.

(c) The intermediate-level health institutes which prepare the workforce required for the facilities run by the People's General Health Secretariat are listed in the following table:

Numbers of graduates from health institutes in  
 the country and abroad, up to the end of 1989

Specialization	In the country			Abroad boys only	Grand Total
	Boys	Girls	Total		
Nurse	1,016	4,426	5,445	23	5,468
Laboratory technical	533	463	996		996
Assistant pharmacist	739	653	1,392		1,392
Health inspector	891		891		891
X-ray technician	378	50	428	43	471
Physiotherapy technician	92	18	110	131	241
Community health worker		625	625		625
Oral health technician		100	100		100
Dental technician				247	247
Equipment maintenance technician				93	93
Nutrition specialist				99	99
Vital statistician				46	46
Health management specialist				19	19
<b>Total</b>	<b>3,649</b>	<b>6,338</b>	<b>9,987</b>	<b>701</b>	<b>10,688</b>

Male and female students enrolled in  
health institutes for the year 1989-1990

There are 45 intermediate-level health institutes (33 for girls and 12 for boys). In 1989-1990, there were 7,052 students (1,583 males and 5,469 females) enrolled in these institutes for the 3-year course. A breakdown of these numbers is given below:

<u>Field of specialization</u>	<u>Females</u>	<u>Males</u>
1. General nurse	4,788	
2. Psychiatric nurse		267
3. Community health	658	
4. Laboratory technician	23	325
5. Assistant pharmacist		565
6. X-ray technician		333
7. Physiotherapy		75
8. General health inspector	_____	<u>218</u>
Total	5,469	1,583

In 1989-1990, 686 students, all males, were enrolled in the 3-year course at the Misrata Advanced Institute for Medical Technicians.

CHAPTER XIV

Article 13

14.1 Social and economic aid

A married woman may obtain housing and non-housing loans; however, the husband's approval is required for a housing loan.

As married women, wives can obtain family, housing and other allowances. Non-married women also can obtain such allowances.

There are no laws preventing women from participating in recreational, cultural and sporting activities or any other form of social life.

CHAPTER XV

Article 14

15.1 Rural women

The country has gone far in establishing rural development centres, of which there are 120. Up to the end of 1989, a total of 6,827 women had joined these centres, and 2,839 of these women have graduated with qualifications in domestic sciences and are engaged in bringing awareness and education to rural families and agglomerations, in addition to training and teaching in rural development centres.

The main contributions of these centres are programmes for literacy, housekeeping, sanitary awareness, agricultural training, religious instruction, knitting and embroidery. These programmes aim at training housewives and increasing their economic efficiency in the fields of housekeeping; child care; nutritional and sanitary education; house gardening; raising of cattle and poultry; and rural, domestic and agricultural industries.

No statistics concerning death rates among rural women are available. The death rate for mothers in general is 0.9 per thousand, and the average age of females is 14.13. The nutritional standard is the same for rural and non-rural women. The proportion of females making use of health care before delivery is 76 per cent, which is the same percentage as that for urban women.

All rural women are treated equally, whether they be married, unmarried, widows, divorcees or incapable of producing offspring. Health services offered to rural women are similar to those offered to urban women (there are no family planning services in the country). Rural women's work consists of raising poultry, sheep, cattle and bees; growing vegetables and flowers; engaging in agricultural and traditional industries; knitting and making traditional and simple garments; and also performing domestic services such as cooking, washing, child care and other activities. Women are entitled to make use of the land. There are no specific statistics concerning farming work performed by women. The State gives rural women, individually and collectively, the right to set up self-help societies. This right is not restricted to families. Rural women participate in public and sports activities and festivities, as well as in programmes designed to create sanitary, educational and social awareness. There are no customs or traditions preventing women from participating in the above-mentioned activities. Rural women can make use of agricultural marketing facilities. Agricultural development plans are designed in such a way as to attract women's participation.

No statistics are available yet concerning enrolment of rural females in various primary, secondary and college institutions. Also no statistics are yet available concerning agricultural aid and loans offered to women in rural areas. No female self-help cooperatives exist in rural areas.

## CHAPTER XVI

### Article 15

#### 16.1 Equality before the law

Libyan legislation states that all nationals have equal rights and dignity before courts of law, and any measure or proceeding which is not in conformity with that principle shall be considered absolutely null and void.

Woman is equal to man before courts of law, where she may be a plaintiff or a defendant. She has the right to defend herself, and female lawyers may defend their clients. There is no jury system in the country. Parties to a litigation can call women as witnesses. A woman's testimony is just as good as a man's testimony under the law.

Women have the same right as men to make use of the services available, obtain legal aid, conclude contracts of any type, and manage real estate and corporations without their husband's approval, as women are considered financially independent from their husbands and there is nothing which prevents them from practising their legal rights or which limits such rights.

A woman, by mutual agreement with her husband, has the right to choose the location of her domicile.

## CHAPTER XVII

### Article 16

#### 17.1 Marriage and family law

Family relations are subject to Law No. 10 of 1984 regarding marriage and divorce and the implications thereof under Islamic Shari'ah. This law guarantees a woman's right to choose her husband and enter into marriage as she pleases after consulting her legal guardian. Marriage age for both sexes is 20 years; however, the court may, at its discretion, allow marriage before that age for counselling reasons. At 20, a person becomes competent to initiate legal action concerning marriage and its implications. Marriage and divorce are to be recorded in the court's registers. Marriage is confirmed by an official document or a court order.

Law No. 26 of 1986 requires the authorities concerned with documents of marriage and divorce and certification thereof to transmit such documents to the Civil Registrar within seven days following the date on which they are prepared, so that they may be entered in the Special Register, as provided for under articles 28, 29, 30 and 31 of the above-mentioned law. Islamic Shariah stipulates the payment of a dowry, which varies from one contract to another. Husband and wife have equal rights but different responsibilities.

Polygamy is permitted only within a very limited framework. The polygamous husband has to be fair, giving his time and care equally to his wives. The wife has the obligation to perform domestic and family duties and secure a relaxing environment for her husband. The decision to beget children is taken by mutual consent. The wife has the right to obtain appropriate information and services relating to family planning, with her husband's approval and according to the provisions of the Medical Responsibility Act.

Law No. 10 of 1984 concerning marriage and divorce is the law governing cases of wife abuse.

Both husband and wife share in the decision regarding their children's education. Custody of minor children is determined by law and women are entitled to have custody.

Adoption of children is illegal. The wife has the right to manage and dispose of real estate acquired in the course of marriage. She also has the right to choose the type of work or occupation, and to acquire, manage and dispose of real estate.

Law No. 10 of 1984 regulates divorce and its implications and gives the right to both husband and wife to sue for divorce. After divorce, custody of the children goes to the father and tutelage to the mother. If the father dies, both custody and tutelage go to the mother.

In custody matters, the practical consequences are the same as provided for by law. The husband has the obligation to meet the costs of food, clothing and housing of wife and children, and carry out orders for payment of the children's expenses as provided for by law.

The wife is entitled to alimony throughout the prescribed waiting period in the case of divorce by the husband. In case of divorce by the wife, she has the obligation to pay compensation and relinquish all her rights in accordance with articles 39, 51 and 71 of Law No. 10 of 1984.

Concerning properties, the wife is financially independent of her husband. Therefore, each of them is the owner of his/her property during marriage and after divorce. A widow and her daughters have the right to inherit both land and real estate in accordance with Shari'ah.

Being heirs, the widow and her daughters may not be included in the husband's will. According to Shari'ah, a male child receives double the share of a female child. There are no statistics concerning families, poor or otherwise, headed by women. Such cases are practically non-existent, and if they exist, their number is insignificant.

## CHAPTER XVIII

### Annexes

1. Decision of People's General Committee to establish a commission to write this report.
2. Names of the commission members who wrote this report.
3. Copies of laws and regulations benefiting women in the Libyan Arab Jamahiriya.

Annex 1

Decision of the People's General Committee to establish a commission to write this report.

Annex 2

Names of the commission members who wrote this report\*

1. Muhammad 'Ahd al-Fattah al-Zahra: representing the People's General Committee Secretariat for Justice.
2. Mahmud as-Saglul: representing the People's General Committee Secretariat for Justice.
3. Muhammad Salim al-Saghamari: representing the People's General Committee Secretariat for Agriculture and Agricultural Reform.
4. Su'ad Shud Albah Ash-Shalabi: representing the People's Office for External Relations and International Cooperation.
5. Zainubah Sha'biau: representing the People's General Committee Secretariat for Health.
6. 'Ahd as-Salam aj-Jawadi: representing the People's General Committee Secretariat for Planning.
7. Salih al-Mirghani: representing the People's General Committee Secretariat for Professional Qualification and Training.
8. Misbah Husain Miftah: representing the People's General Committee Secretariat for Education.
9. Ahmad al-Jiryu: representing the People's General Committee Secretariat for External Relations and International Cooperation.
10. Mubarakah 'Adalah: representing the Women's Federal Association in the Libyan Arab Jamahiriya.
11. Zahra ash-Shinaiwi: representing the Social Security Fund.

---

\* The Commission held 15 full meetings and 7 lower-level meetings to write this report during the period 21 July - 5 November 1990.