

Libya

	2015	2016		
Internet Freedom Status	Partly Free	Partly Free	Population:	6.3 million
Obstacles to Access (0-25)	20	20	Internet Penetration 2015 (ITU):	19 percent
Limits on Content (0-35)	12	13	Social Media/ICT Apps Blocked:	No
Violations of User Rights (0-40)	22	25	Political/Social Content Blocked:	Yes
TOTAL* (0-100)	54	58	Bloggers/ICT Users Arrested:	Yes
			Press Freedom 2016 Status:	Not Free

* 0=most free, 100=least free

Key Developments: June 2015 – May 2016

- Telecommunications services have been regularly disrupted due to vandalism and technical disruptions. In the coastal town of Sirte, Islamic State militants disabled all phone networks and banned satellite connections (see **Restrictions on Connectivity**).
- Two people were arrested for social media posts criticizing the military or police units, including blogger Ali Asbali, who was imprisoned for 120 days (see **Prosecutions and Detentions for Online Activities**).
- Disputes over political legitimacy have filtered into the digital sphere, with competing governments reportedly taking over each other's online accounts (see **Technical Attacks**).

Introduction

Internet freedom declined in Libya due to increased polarization in online media and the unprecedented arrest of two bloggers in Benghazi.

The situation in Libya was tenuous over the coverage period, with an ongoing political crisis, fighting between armed militias, and the Islamic State group securing a stronghold in the coastal town of Sirte. A new unity government—the Government of National Accord (GNA)—was formed in January 2016 after a series of UN-sponsored talks between two competing governments. The Tripoli-based government is linked to the General National Congress (GNC), a legislative body that had been elected in 2012 and unilaterally reinstated itself in 2014 after rejecting the outcome of Libya's June 2014 elections. The other government was based in the eastern cities of Tobruk and Beida and linked to the House of Representatives (HOR), the legislative body that was elected in those June 2014 elections. UN-sponsored talks to form the GNA unity government partly succeeded in reducing violence between the competing governments.¹ However, while the GNA received some degree of domestic support and international recognition and managed to establish a presence in the capital Tripoli, spoilers linked to both competing factions refused to respect the legitimacy of the new government. On January 25, 2016 HOR crucially voted to reject the GNA.² The GNA's authority failed to penetrate large swaths of territory, which remained outside of all formal state and government control. Amid this vacuum, the Islamic State consolidated a stronghold in the coastal city of Sirte and fighting continued during part of the coverage period in the southern region between Touareg and Tebu tribes.³ General lawlessness and violence between local tribes, militias, and gangs continued in pockets around the country.⁴

The national crisis has had a devastating effect on internet freedom in Libya. Prices for internet connections and SIM cards have soared due to limited availability and difficulties transporting goods within the country. Telecommunications services have been regularly disrupted due to attacks on power stations, the destruction of infrastructure or the theft of supplies, and the shutting down of networks—in the case of Sirte, which is under Islamic State rule. In one striking example, an armed militia stole 500 telegraph poles from trucks belonging to the national electric utility and took the drivers hostage.⁵ Marking one of the most significant instances of online censorship since the revolution, the news site *al-Wasat* was blocked in February 2014 in response to its articles against the GNC and GNC-affiliated militias. Since then, *al-Wasat's* online site has been subject to cyberattacks,⁶ while print copies of *al-Wasat's* newspaper were reportedly seized by soldiers aligned with the self-proclaimed Libyan National Army (LNA)⁷, a group led by retired general Khalifa Haftar and

1 Feras Bosalum and Ahmed Elumami, "Libya Parties agree to more talks; two factions call ceasefire," *Reuters*, January 16, 2015, <http://www.reuters.com/article/us-libya-security-idUSKBN0KP0VL20150116>.

2 "Libya parliament rejects UN-backed unity government," *Al Jazeera*, January 25, 2016, <http://www.aljazeera.com/news/2016/01/libya-parliament-rejects-backed-unity-government-160125160858643.html>.

3 Rebecca Murray, "In a Southern Libya Oasis, a Proxy War Engulfs Two Tribes," *Vice News*, June 7, 2015, <https://news.vice.com/article/in-a-southern-libya-oasis-a-proxy-war-engulfs-two-tribes>.

4 Rebecca Murray, "African Migrants in Libya Face Kidnapping, Torture, and Robbery on Smuggling Route to Europe," *Vice News*, May 8, 2016 <https://news.vice.com/article/african-migrants-in-libya-face-kidnapping-torture-and-robbery-on-smuggling-route-to-europe>.

5 Sami Zaptia, "GECOL reports theft of 500 telegraph poles by armed militias," *Libya Herald*, April 12, 2016, <https://www.libyaherald.com/2016/04/12/gecol-reports-theft-of-500-telegraph-poles-by-armed-militias/>.

6 "RSF urges Libya's new Prime Minister to protect media freedom," *RSF*, March 31, 2016, updated May 19, 2016, <https://rsf.org/en/news/rsf-urges-libyas-new-prime-minister-protect-media-freedom>.

7 "RSF deplores censorship of Libyan weekly Al Wassat," *RSF*, May 12, 2016, <https://rsf.org/en/news/rsf-deplores-censorship-libyan-weekly-al-wassat>.

linked to the HOR. The overall lack of rule of law has contributed to an environment in which militias routinely violate basic human rights with impunity. Numerous bloggers and activists have been killed since the revolution, while others have been attacked and/or held hostage by militias.⁸ Meanwhile, in an unprecedented case, blogger Ali Asbali—who had criticized LNA general Khalifa Hafter in his online posts—was reportedly held in Benghazi's Gernada prison for four months by unidentified men in military uniforms.⁹ The polarized, fraught environment has led many activists and social media users to self-censor.

Historically, access to the internet was limited to the elite. Thousands of cybercafes sprang up after 2000, however, eventually offering cheap internet to both urban and rural users.¹⁰ Over the following decade, the state telecom operator reduced prices, invested in a fiber-optic network backbone, and expanded ADSL, WiMax, and other wireless technologies throughout the country.¹¹ In its initial stages, there were few instances of online censorship in Libya.¹² However, it was not long until the regime of Muammar Qadhafi began to target opposition news websites, particularly after the lifting of UN sanctions in 2003 led to increased access to surveillance and filtering equipment.¹³ Since the overthrow and death of Qadhafi in 2011, the country has witnessed a flurry of self-expression, resulting in an increase in news sites and massive growth in Facebook use.¹⁴ However, the 2011 civil war and subsequent fighting has taken a heavy toll on the country's information and communications technology (ICT) sector, damaging infrastructure and sidelining an earlier US\$10 billion development plan that had been set to be complete by 2020.¹⁵ Laws that once prohibited criticism of the revolution that brought Qadhafi to power have been changed to outlaw criticism of the 2011 revolution that removed him. In short, significant obstacles to access remain in the country and numerous violations against user rights were witnessed over the coverage period.

Obstacles to Access

Internet access has been badly affected by the ongoing conflict. Electricity outages and physical damage to infrastructure have limited connectivity, as well as the media blackouts imposed by Islamic State militants. Quality of service remains poor and the ICT sector remains monopolized by state-owned entities. Nonetheless, there has been an increase in the number of internet users, particularly among youth.

Availability and Ease of Access

Internet penetration has traditionally been very low in Libya. According to figures from the Interna-

8 Amnesty International Annual Libya report 2015/2016, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/libya/report-libya/>.

9 "Missing blogger and friends in Benghazi jail," *Libya Herald*, May 4, 2016. <https://www.libyaherald.com/2016/05/04/missing-blogger-and-friends-in-benghazi-jail-report/>.

10 The Arabic Network for Human Rights Information, "Libya: The Internet in a conflict zone," 2004, <http://bit.ly/1GpLE4I>.

11 Henry Lancaster, *Libya – Telecoms, Mobile and Broadband*, Budde Comm, July 10, 2015, accessed August 21, 2013, <http://bit.ly/1Qwy3Lq>.

12 Doug Saunders, "Arab social capital is there – it's young and connected," *The Globe and Mail*, March 5, 2011, <http://bit.ly/1GdIIro>.

13 OpenNet Initiative, "Libya," August 6, 2009, <http://opennet.net/research/profiles/libya>.

14 Intelligent Positioning. "Libya is World's fastest growing country on Facebook," November 21, 2011, accessed May 13, 2015, <http://bit.ly/1CyJuP>.

15 Lancaster, *Libya – Telecoms, Mobile and Broadband*.

tional Telecommunication Union, internet penetration improved to 19.02 percent at the end of 2015, up from 14 percent five years earlier.¹⁶ Some 350 telecommunications towers in 19 different locations provide WiMax and other internet services. WiMax subscribers make up the majority of total subscriptions in the country according to the latest data published by the government, with some 448,135 subscribers compared to 149,963 subscribers for ADSL and 76,885 for LibyaPhone.¹⁷ Broadband was introduced in 2007, although the number of fixed broadband subscriptions has declined every year since 2010 and now stands at just under 1 subscription per every 100 inhabitants in 2015.¹⁸ Since July 2014, WiMax service has been unstable in many parts of the country, especially in Benghazi and other cities in the east, partly due to the destruction of WiMax towers during fighting.¹⁹

Mobile phone use is ubiquitous, with just under 10 million mobile subscriptions in Libya, representing a penetration rate of 157 percent.²⁰ Prices dropped precipitously after the introduction of a second mobile provider in 2003, resulting in greater affordability and opening the market to competition, although both operators are still owned by the state-owned Libyan Post Telecommunications and Information Technology Company (LPTIC). By 2013, the price of a prepaid SIM card from the main provider, Libyana, was LYD 5 (US\$ 4), compared to LYD 1,200 (US\$ 873) in 2003. Smartphones and 3G connectivity have been available since 2006, though the prohibitive cost of compatible handsets impedes their wider dissemination.²¹ The service from Almadar, another mobile company, has been unreliable in the eastern part of the country since the 2011 revolution.

Similarly, the cost of a home internet connection remains beyond the reach of a large proportion of Libyans, particularly those living outside major urban areas. A dial-up internet subscription cost LYD 10 (US\$ 7) per month, an ADSL subscription was LYD 30 (US\$ 22) for a 20 GB data plan,²² and WiMax service was LYD 30 (US\$ 22) for a 15 GB data plan, after initial connection fees.²³ By comparison, Libya's gross domestic product (GDP) per capita, when calculated on a per month basis, was only US\$ 387 in 2015.²⁴ The price of one of the high-end WiMax receiver devices decreased in 2014 from 220 (US\$ 160) LYD to 190 LYD (US\$ 138)²⁵ and a lower-end USB receiver device costs 90 LYD (US\$ 66). WiMax modems are in short supply, resulting in high prices for second-hand devices sold on the site Open Souk, Libya's online marketplace.²⁶

Many foreign and Libyan organizations and individuals in need of reliable internet service have been driven towards two-way satellite internet technology. As two-way technology has become more popular, connection fees and equipment costs have lowered. Prices were recently at US\$ 525 for the

16 International Telecommunication Union, "Percentage of Individuals Using the Internet," 2000-2015, <http://bit.ly/1cblxxY>.

17 Data about internet users in Libya on: LPTIC, Facebook page, accessed May 10, 2015, <http://on.fb.me/1LnX6MM>.

18 International Telecommunications Union, "Fixed (wired-) broadband subscriptions," 2015, <http://bit.ly/1cblxxY>.

19 "The disruptions of the Internet services in Libya," [in Arabic] *Alwasat News*, accessed May 13, 2015, <http://bit.ly/1PGIUGq>.

20 International Telecommunications Union, "Mobile-cellular subscriptions," 2011, <http://bit.ly/1cblxxY>.

21 "Libyana Introduces 3G Services for First Time in Libya," *The Tripoli Post*, September 26, 2006, <http://bit.ly/1GHB7ME>.

22 Libya Telecom & Technology, "Libya A.D.S.L: Packages & Price," accessed October 5, 2016, <http://www.ltt.ly/en/personal/adsl/index.php?c=63>.

23 Libya Telecom & Technology, "Libya Max: Libya Max 400," accessed October 5, 2016, <http://www.ltt.ly/en/personal/wimax/index.php?c=55>.

24 The World Bank, "GDP per capita (current US\$)," accessed October 4, 2016, <http://data.worldbank.org/indicator/NY.GDP.PCAPCD>.

25 Libya Telecom & Technology, "Reduction in MyFi Prices", accessed October 5, 2016, <http://www.ltt.ly/news/d.php?i=239>.

26 See Open Sooq, <http://ly.opensooq.com/>; or Opensooq, Facebook Company Page, <http://on.fb.me/1PtWjgm>.

hardware, while a monthly subscription costs US\$ 121 for a fast connection, depending on the number of users.²⁷

Most people access the internet from computers in their homes and workplaces, with mobile phones being the next most common point of access. The cybercafe industry was decimated in many parts of Libya; instead, cafes and restaurants partner with local internet businesses to offer Wi-Fi hotspots with different data plans. The adult literacy rate was last recorded at 91 percent and a wide range of websites and computer software is available in Arabic.²⁸ However, limited computer literacy, particularly among women, has been an obstacle to universal access.

The Libyan civil war significantly disrupted the country's telecommunications sector. There have been few improvements to ICT equipment since the Qadhafi era, prompting frustrated Libyans to create the Facebook page titled, "I hate Libyan Telecom and Technology," which has attracted over 24,000 followers.²⁹ Upgrades have been proposed in an effort to respond to demands for increased capacity, such as the laying of the European Indian Gateway and Silphium submarine cables³⁰ (construction appeared to have begun on the Silphium cable by mid-2016),³¹ the construction of additional WiMax towers,³² the creation of Wi-Fi hotspots, the installation of a long distance fiber-optic cable within the country,³³ and the development of next-generation broadband.³⁴ Although there have been many announcements of partnerships between Libyan telecommunication companies and foreign companies, such as Alcatel Lucent³⁵ and Samsung,³⁶ the status of these contracts are unknown, reflecting the lack of transparency in the Libyan ICT sector.

According to Akamai, Libya has the world's lowest average connection speed at 0.7 Mbps.³⁷ ICT experts say this is due to poor infrastructure, a lack of quality of service (QoS), technology constraints, and a continued lack of regulations. Furthermore, broadband is not widely available, bandwidth limitations exist for fixed-line connections, wireless users face slower speeds due to heavy congestion during peak hours, and there is a general lack of resources and personnel to perform maintenance and repairs.

Restrictions on Connectivity

Libya witnessed repeated shutdowns to internet service due to vandalism, technical disruptions, and efforts to cut the flow of information. The Islamic State (IS), which built a stronghold in the

27 See Giga, <http://www.giga.ly/>; or Giga, Facebook page, <https://www.facebook.com/Giga.ltd> or <https://www.facebook.com/Giga.ltd/photos/a.411508128898799.86518.407758202607125/1123252627724342/?type=3&theater>

28 "The World Factbook," <https://www.cia.gov/library/publications/the-world-factbook/fields/2103.html>.

29 See I hate Libya Telecom and Technology (LTT), Facebook Business Page, <https://www.facebook.com/ihateltt>.

30 "The Activation of The New Upgraded Submarine Cable System between Libya and Italy," *The Tripoli Post*, December 25, 2011, <http://bit.ly/1jACXK6>.

31 LPTIC Facebook Post, July 16, 2016, <https://www.facebook.com/LPTIC/photos/a.612688788829160.1073741828.612651818832857/980954825335886/?type=3&theater>.

32 "ZTE suggest Libya will boast nationwide WiMax network by Aug-13," *TeleGeography*, January 24, 2013, <http://bit.ly/1G6o1hd>.

33 "Italian Company to Install Fiber-Optic Network," *Libya Business News*, September 29, 2012, <http://bit.ly/RbnhMm>.

34 Tom Westcott, "Improving Libya's Internet Access," *Business Eye, Libya Herald*, February 2013, 18, <http://bit.ly/1LOQhHm>.

35 Callum Paton, "Alcatel Lucent to install high-speed internet link between Benghazi and Tripoli," *Libya Herald*, January 28, 2014, <http://bit.ly/1MBHnMc>.

36 Jamel Adel, "Internet services to get a boost with Al-Madar/Samsung agreement," *Libya Herald*, April, 16, 2015, <http://bit.ly/1LbiB3o>.

37 Akamai, "State of the Internet: Q1 2016," <https://www.akamai.com/uk/en/multimedia/documents/state-of-the-internet/akamai-state-of-the-internet-report-q1-2016.pdf>.

coastal town of Sirte, has targeted communications infrastructure for destruction. In August 2015, IS reportedly damaged a cable in Sirte that effectively cut off internet, landline, and some mobile phone communications linking eastern and western Libya³⁸, but LPTIC said traffic was rerouted within a few days.³⁹ IS also disabled all phone networks in Sirte, banned satellite dishes, and regularly confiscated personal cell phones to check their contents.⁴⁰ Power and telecommunication services remain unstable across Libya, with increasingly frequent cuts⁴¹ due to increasing demand, infrastructure damage, and even blackmail by militias seeking to extract concessions from different administrations, such as the case of a militia cutting off electricity to secure the release of one of its leaders.⁴² Illustrating this dangerous environment, employees of GECOL, the national electricity utility, repaired war-damaged cables in an active war zone and under sniper fire.⁴³ In early March 2016, the LTT announced that widespread disruption to internet connectivity in the west of Libya had been caused by a damaged undersea cable.⁴⁴

ICT Market

The state-run Libyan Post Telecommunications and Information Technology Company (LIPTC), formerly the General Post and Telecommunications Company (GPTC), is the main telecommunications operator and is fully owned by the government. In 1999, the GPTC awarded the first internet service provider (ISP) license to Libya Telecom and Technology (LTT), a subsidiary of the state-owned firm.⁴⁵ Since the fall of the regime, 25 ISPs and 23 VSAT operators have been licensed to compete with state-owned ISPs. Many are based in Tripoli and have strong ownership ties to the government.⁴⁶ LIPTC owns two mobile phone providers, Almadar and Libyana, while a third provider, Libya Phone, is owned by LTT.

There has been a noticeable increase in the number of companies and agencies working to provide alternative methods to connect to the internet, such as through satellites (VSAT).⁴⁷ On the other hand, there have been few developments within the mobile market. Although there were plans to put Almadar on the stock exchange and to issue the country's first tender for a private mobile license, the country has yet to witness any significant liberalization in the sector.⁴⁸

38 "IS stops phone communications between west, east and south Libya: report," *Libya Herald*, August 26, 2015, <https://www.libyaherald.com/2015/08/26/is-stops-phone-communications-between-west-east-and-south-libya-report/>.

39 LPTIC Facebook statement, August 29, 2015. <https://www.facebook.com/LPTIC/posts/805337812897589>

40 "We feel we are cursed": Life under ISIS in Sirte, Libya," Human Rights Watch, May 18, 2016, <https://www.hrw.org/report/2016/05/18/we-feel-we-are-cursed/life-under-isis-sirte-libya>.

41 Sami Zaptia, "Electricity sector failing to meet demand despite huge investments over years," *Libya Herald*, April 25, 2016, <https://www.libyaherald.com/2016/04/25/electricity-sector-failing-to-meet-demand-despite-huge-investments-over-years/>.

42 Saber Ayyub, "Khoms military leader released after electricity to Tripoli cut," *Libya Herald*, March 14, 2016, <https://www.libyaherald.com/2016/03/14/khoms-military-leader-released-after-electricity-to-tripoli-cut/>.

43 Adam Ali, "Benghazi GECOL engineers work on under risk of sniper fire," *Libya Herald*, July 17, 2015, <https://www.libyaherald.com/2015/07/17/benghazi-gecol-engineers-work-under-sniper-fire/>.

44 Saber Ayyub, "Damaged internet sea cable fixed by tomorrow says LTT," *Libya Herald*, March 6, 2016, <https://www.libyaherald.com/2016/03/06/damaged-internet-sea-cable-fixed-by-tomorrow-says-ltt/>.

45 United Nations Economic Commission for Africa, "The Status of Information for Development Activities in North Africa," (paper presented at the twentieth meeting of the Intergovernmental committee of experts, Tangier, Morocco, April 13-15, 2005) <http://bit.ly/1X4OiAG>; OpenNet Initiative, "Internet Filtering in Libya - 2006/2007," <http://bit.ly/1LbkQDM>; "Telecoms in Libya," [in Arabic] Marefa, accessed August 30, 2012, <http://bit.ly/1jAL3Cu>.

46 Lancaster.

47 Satellite Providers, "Internet Providers in Libya," accessed July 12, 2015, <http://www.satproviders.com/en/list-of-all-services/LIBYA>.

48 Reuters, "Mobile operators Libyana to be floated," *Libya Business News*, September 18, 2013, <http://bit.ly/1VT5nuV>.

Regulatory Bodies

Libya's regulatory environment remains very unclear given ongoing disputes over the country's political governance. During the Qadhafi era, decisions on licensing were made by the government-controlled GPTC (now Libyan Post Telecommunications and Information Technology Company, LPTIC).⁴⁹ After the revolution, the transitional government established the Ministry of Communications and Informatics to oversee the country's telecommunications sector. The ministry runs the sector through two main bodies: LPTIC and the General Authority of Telecommunications and Informatics (GATI), formerly the General Telecom Authority (GTA). GATI is responsible for policymaking and regulations, while LPTIC is a holding company for all telecommunications service providers in the country. Libya's top-level domain, ".ly," falls under the responsibility of LTT. Registrations are handled by Register.ly⁵⁰ on behalf of NIC.ly.⁵¹

In 2014, the Ministry of Communications and Informatics appointed a committee to draft a new Telecommunication Act to set standards for the sector and replace the existing regulations surrounding ICTs. The act will also aim to create an independent Telecommunication Regulatory Authority (TRA) to oversee the industry.⁵²

Limits on Content

Limits on content are rare in Libya. The lifting of restrictions in 2011 resulted in a diverse online media landscape and an improved market for online advertising. Facebook, in particular, has become an important news source for many Libyans; many government bodies post official statements directly to the social network. Nonetheless, the quality of the content published on these platforms remains poor and highly polarized. Decades of oppressive rule and the continued threat posed by militias has contributed to some degree of self-censorship among users, particularly on sensitive subjects.

Blocking and Filtering

After several years of openness, the first instance of politically motivated blocking since the Qadhafi era was seen in early 2015 with the blocking of *Alwasat*.⁵³ The news site, which published views against the GNC and its military wing, Libya Dawn, was blocked on February 10, 2015 by the LTT, apparently due to a legal order from a court in Tripoli. An announcement revealing the blocking order was not made until April 2015, when LPTIC posted a statement to its Facebook page saying that their website had been hacked by a group of "outlaws" that issued the decision to block *Alwasat* incorrectly and in violation of freedom of expression.⁵⁴ Human rights activists and social media users protested the decision using the hashtag "#No2FajrCensorship" on the occasion of World Press Freedom Day on May 3, 2015. Although the official blockage of *Alwasat* appears to have ended, cyberat-

49 Ministry of Justice, "the establishment of the GPTC," [in Arabic] accessed July, 9, 2015, <http://bit.ly/1OSyXk3>.

50 Register.ly, <http://register.ly>.

51 NIC, <http://nic.ly/ar/index.php>.

52 The Ministry of Communication and Informatics, *Libyan National Frequency Plan*, accessed July, 10, 2015, <http://bit.ly/1Llbcwk>.

53 See "Organizations and media figures and human rights condemns blocking" [in Arabic] *Alwasat News*, April 8, 2015, accessed May 11, 2015, <http://bit.ly/1G6sEbk>.

54 See Explanation about blocking "Alwasat News" on LPTIC, Facebook Post, February 25, 2015, <http://on.fb.me/1GdNeGm>; LPTIC's Statement regarding the blockage of Facebook in Tripoli, LPTIC, Facebook Post, [Arabic] February 22, 2015, <https://goo.gl/PWAIG2>; In English, <https://goo.gl/iFDX1g>.

tacks against the website have continued.⁵⁵

YouTube, Facebook, Twitter and international blog-hosting services are freely available. Some pornographic websites have been blocked since the end of the civil war based on a decision made by an ad hoc Temporary Steering Committee formed after the fall of Qadhafi and the liberation of Tripoli.⁵⁶ Prior to the war, “indecent” was prohibited by law but sexually explicit sites were never blocked. The LTT has not unblocked the content, perhaps due to the conservative outlook of some political factions vying for influence in the future of Libya. A 2006 law mandates that websites registered under the “.ly” domain must not contain content that is “obscene, scandalous, indecent or contrary to Libyan law or Islamic morality.”⁵⁷

In February 2014, LTT blocked an additional set of pornographic sites and mistakenly blocked the Wordpress.com domain for a few days. It was unblocked following requests from Libyan bloggers.⁵⁸ On April 18, 2015, Facebook was reportedly inaccessible for a few hours in some areas of Tripoli. LPTIC denied responsibility for the interruption, instead releasing a statement reiterating its commitment to free speech and insisting that the interruption had been caused by armed groups taking control of the LTT.⁵⁹

There is little transparency and no legal framework related to the blocking of websites in Libya, as regulations have yet to be formulated. Officially, all regulations from the Qadhafi era remain valid. When accessing a banned website, users are shown a message from the authorities noting that the site has been blocked.

Content Removal

Authorities do not frequently request private providers or intermediaries to delete content. Rather, there are coordinated efforts to “report” Facebook pages for deletion, particularly for political views against militias. Separately, many Qadhafi-era government webpages containing information on laws and regulations from before the uprising are inaccessible, as is the online archive of the old state-run Libyan newspapers. Some of these websites may have become defunct after the officials running them were ousted or hosting fees were left unpaid, but others were likely taken down deliberately when the revolutionaries came to power.

Media, Diversity, and Content Manipulation

After a sudden opening of the online media landscape after the fall of Qadhafi, negative trends such as self-censorship, verbal harassment, and a lack of quality reporting now characterize Libya’s online sphere. The 2011 revolution brought a notable increase in the number of bloggers writing within Libya, particularly on issues related to political activism, hope for the future, and government criti-

55 “RSF urges Libya’s new prime minister to protect media freedom,” Reporters Without Borders, March 31, 2016, updated May 19, 2016. <https://rsf.org/en/news/rsf-urges-libyas-new-prime-minister-protect-media-freedom>.

56 Libya Herald, “LTT blocks pornographic websites,” *Libya Business News*, September 13, 2013, <http://bit.ly/1k5Iwki>

57 OpenNet Initiative, “Internet Filtering in Libya - 2006/2007,” <http://bit.ly/1LbkQDM>; “Regulations,” Libya ccTLD, accessed August 30, 2012, <http://nic.ly/regulations.php>.

58 Libyan Internet users reporting inaccessibility to their WordPress blogs; Nezar Abudayna, Twitter Post, February 10, 2014, 1:19PM, <http://bit.ly/1X4QVT3>; Abdulrazig Almansori, Facebook Post [in Arabic], February 10, 2014, <https://goo.gl/gOwxdf>.

59 See LPTIC’s Statement regarding the blockage of Facebook in Tripoli, LPTIC, Facebook Post, [Arabic] February 22, 2015, <https://goo.gl/PWAlG2>; In English, <https://goo.gl/iFDX1g>.

cism. However, a sizable number of Libyan bloggers, online journalists, and ordinary citizens continue to practice some degree of self-censorship due to continued instability and increasing threats and violence against journalists over the past years.⁶⁰ Social taboos such as mass allegations of sexual abuse by soldiers or conflicts between warring tribes and rival cities are off-limits. Online commentators also shy away from expressing religious opinions for fear of being marked as an atheist or a Shiite sympathizer, both of which can be life-threatening. Many commentators avoid criticizing the 2011 revolution, General Haftar, and various heads of local militias mainly out of fear of retribution from armed groups and nonstate actors.

Despite the growth in self-censorship, the online media landscape remains much more diverse than under the previous regime, with few dominant news providers and several privately owned outlets. However, political conflicts and polarization have spilled over into the digital sphere. Many of Libya's online outlets have clear political agendas and lack quality journalism and professionalism, instead publishing incitement and propaganda. The low levels of reliability and credibility have made it difficult for many to find neutral and objective sources of news about Libya.⁶¹

The online advertising market has grown slowly and websites related to the Amazigh (whose language was banned under Qadhafi) and other minorities have flourished.⁶² Interestingly, Facebook is often the platform of choice for city and even government officials to publish updates and official communication. The social networking site was third most visited website in the country after Google and YouTube and has become the main source of news about Libya for a large number of users inside and outside the country.⁶³

Digital Activism

Over the past years, Libyans have used Facebook and Twitter to mobilize around a variety of causes. Recent campaigns include supporting peace and moves toward a unity government, promoting social justice causes, defending freedom of expression and commemorating individuals murdered for their activism.⁶⁴ Since 2014, Libyan activists have promoted democratic values, campaigned against incitement, and dismissed propaganda on Facebook. Most of these campaigns started and spread through hashtags, reflecting the impact of hashtag activism on creating change in Libya. For example, the hashtag #مالسلايل_ايبي (Libya toward peace) and Facebook page called for an end to the long-running civil war and sparked a national campaign.⁶⁵ There was also the campaign #دوسملا_عيقوتل_معن (Yes to signing the draft) which built pressure on political representatives from the two warring governments to sign a UN-backed agreement that would build toward a government of national accord.⁶⁶

60 Reporters Without Borders, "2013 World Press Freedom Index: Dashed Hopes After Spring," accessed in March 2013, <http://bit.ly/1bMr3Xz>.

61 See Mohamed Eljarh, "The State of Journalism and Media in the New Libya," *Middle East Online*, January 12, 2012, <http://bit.ly/1G6txQZ>.

62 Tracey Shelton, "Libya's media has its own revolution," *Global Post*, March 18, 2012, <http://bit.ly/1OwCwh3>.

63 Alexa, "The Top Sites in Libya," accessed October 4, 2016, <http://www.alexa.com/topsites/countries/LY>.

64 Brave New Libya (blog), "Hashtag activism, from the Digital World to the streets of Libya (Part II)," August 5, 2015. <https://bravenewlibya.wordpress.com/tag/lt/>.

65 Brave New Libya (blog), "Hashtag activism, from the Digital World to the streets of Libya (Part II)," August 5, 2015. <https://bravenewlibya.wordpress.com/tag/lt/>; see also Facebook page "Libya Toward Peace" <http://bit.ly/2duu6JG>.

66 Brave New Libya (blog), "Hashtag activism, from the Digital World to the streets of Libya (Part II)," August 5, 2015. <https://bravenewlibya.wordpress.com/tag/lt/>.

Violations of User Rights

Amid the ongoing constitutional crisis and weak rule of law, there were flagrant violations of users' rights in the country. Several online journalists have faced threats, detention, kidnappings, and in some cases violent attacks from militias. Armed factions carried out attacks with impunity, while appropriate oversight of the country's surveillance apparatus remained shrouded in doubt.

Legal Environment

Freedom of opinion, communication, and press are guaranteed by Libya's Draft Constitutional Charter, released by the Libyan Transitional National Council in September 2011.⁶⁷ However, delays in the drafting of a constitution and the general absence of law enforcement have contributed to weak rule of law in the country.

Several Qadhafi-era laws remain on the books due to the absence of any significant legal reform in the country since the revolution, such as harsh punishments for those who publish content deemed offensive or threatening to Islam, national security, or territorial integrity. A law on collective punishment is particularly egregious, allowing the authorities to punish entire families, towns, or districts for the transgressions of one individual.⁶⁸ Because of their vague wording, these laws can be applied to any form of speech, whether transmitted via the internet, mobile phone, or traditional media.

When new laws have been passed, changes have been cosmetic. In February 2014, the GNC amended Article 195 of the penal code to outlaw any criticism of the 2011 "February 17 Revolution" or its officials, as well as members of the GNC,⁶⁹ using similar language to that used to outlaw criticism of Qadhafi's "Al-Fateh Revolution."⁷⁰ The judiciary has gained in independence since 2012, when, in a landmark decision, the Supreme Court of Libya declared a law that criminalized a variety of political speech unconstitutional.⁷¹ More recently, however, state bodies remain subject to pressure from a variety of armed militias.

Prosecutions and Detentions for Online Activities

In a new occurrence, this year witnessed at least two instances of bloggers detained for criticizing the military or police forces. In March 2016, unidentified men in military uniforms detained and interrogated blogger Ali Asbali.⁷² Asbali had written about the rise in kidnappings and extrajudicial killings in the country and criticized LNA General Khalifa Haftar in his online posts. He was reportedly

67 Libyan Transitional National Council, "Draft Constitutional Charter for the Transitional Stage," September 2011, <http://bit.ly/1RIRpvc>.

68 IREX, *Media Sustainability Index – Middle East and North Africa 2005*, (Washington D.C.: IREX, 2006), 36, <http://bit.ly/1GdOOrH>.

69 Reporters Without Borders, "Free expression in new Libya approached with same draconian Gaddafi-era law," IFEX, February 19, 2014, <http://bit.ly/1RbDNYw>.

70 Amnesty International, "Three years on, Gaddafi-era laws used to clamp down on free expression," ReliefWeb, February 12, 2014, <http://bit.ly/1hF31SQ>.

71 Human Rights Watch, "Libya: Law Restricting Speech Ruled Unconstitutional," June 14, 2012, <http://bit.ly/1jpemlu>.

72 "Asbali: During the 120 days in prison, from the moment of my arrest and until my release, I did not know the reason," *AlWasat News*, August 6, 2016. <http://alwasat.ly/ar/mobile/article?articleid=113936>.

kept in Benghazi's Gernada prison for 120 days until he was released in July 2016, without any legal charges ever being leveled against him.⁷³

On May 2, 2016, Al Senoussi Boujnah was arrested in Benghazi for criticizing the local police Criminal Investigations Unit in a Facebook post. A police official stated Boujnah was accused of insulting and defaming the institution. He was released after two days.⁷⁴

Surveillance, Privacy, and Anonymity

Uncertainties remain over the actions of domestic intelligence agencies in the new Libya. LPTIC's involvement in political and security affairs remains vague among many Libyans, though it has made efforts to communicate better through increased press access and frequent press releases on its Facebook page.⁷⁵

A July 2012 report from the *Wall Street Journal* indicated that surveillance tools leftover from the Qadhafi era had been restarted, seemingly in the fight against loyalists of the old regime.⁷⁶ Others suspect that these tools were activated to target those with an anti-Islamist agenda. During an interview on al-Hurra TV in March 2012, the Minister of Telecommunications stated that such surveillance had been stopped because the interim government wanted to respect the human rights of Libyans. An organization representing IT professionals in Libya refuted his remarks in an online statement, saying telecom sector employees had confirmed that the surveillance system was reactivated.⁷⁷ Its status in 2015 was unclear. Given the lack of an independent judiciary or procedures outlining the circumstances under which the state may conduct surveillance, there is little to prevent the government, security agencies, or militias who have access to the equipment from abusing its capabilities.

The Qadhafi regime had direct access to the country's DNS servers and engaged in widespread surveillance of online communications. State of the art equipment from foreign firms such as the French company Amesys,⁷⁸ and possibly the Chinese firm ZTE, were sold to the regime, enabling intelligence agencies to intercept communications on a nationwide scale and collect massive amounts of data on both phone and internet usage. Correspondents from the *Wall Street Journal* who visited an internet monitoring center after the regime's collapse reportedly found a storage room lined floor-to-ceiling with dossiers of the online activities of Libyans and foreigners with whom they communicated.⁷⁹

Intimidation and Violence

The breakdown of the rule of law and the growing influence of militias has resulted in a worrying

73 "Missing blogger and friends in Benghazi jail," *Libya Herald*, May 4, 2016. <https://www.libyaherald.com/2016/05/04/missing-blogger-and-friends-in-benghazi-jail-report/>.

74 "Criminal investigation releases Al Senoussi Boujnah," *Libya24*, May 4, 2016, <http://www.libya24.tv/news/35899>.

75 "LPTIC confusion and political in fighting, chairman abroad since summer," *Libya Herald*, January 29, 2015, <http://bit.ly/1Phs4tM>.

76 Margaret Coker and Paul Sonne, "Gadhafi-Era Spy Tactics Quietly Restarted in Libya," *Wall Street Journal*, July 2, 2012, <http://on.wsj.com/1jpeCY2>.

77 Libya Telecom & Technology, Facebook post [in Arabic], March 31, 2012, 7:16am, <http://on.fb.me/1LN9G5n>.

78 Ivan Sigal, "Libya: Foreign Hackers and Surveillance," *Global Voices Advocacy*, October 26, 2011, <http://bit.ly/1k5L2qv>.

79 Paul Sonne and Margaret Coker, "Firms Aided Libyan Spies," *Wall Street Journal*, August 30, 2011, <http://on.wsj.com/1KwJDg>.

uptick in politically motivated threats and violence against journalists and activists.⁸⁰ Several incidents—such as the killing of civil society Abdel Basset Abu al-Dhahab in a car bomb in Derna in March 2016,⁸¹ or the kidnapping of the Hamza Ahmed Abdel-Hakim, the rapporteur of the Libyan National Commission for Human Rights, in Tripoli in December 2015⁸²—have weakened freedom of expression over the past year, with the results spilling over online.

Tension and conflict has resulted in an overall increase in online hate speech, defamation, harassment, and even death threats. Militias and extremists continue to use Facebook to target and silence activists.⁸³ For example, in late 2014 anonymous users set up a Facebook page featuring the names, photos, and addresses of Benghazi activists calling for their assassinations and kidnapping. The page was taken down after online activists reported it.⁸⁴

Technical Attacks

Websites are highly vulnerable to cyberattacks in Libya, with prominent news sites such as *Libya Herald* employing protection measures against distributed denial-of-service (DDoS) attacks. Anti-militia Facebook pages were consistently hacked or closed down after mass reporting by users, a significant concern given that most Libyans consider Facebook to be their main source of news.

Libya's political turmoil has spilled over into the digital arena. For example, the official website of the Prime Minister, pm.gov.ly, was taken over by the GNA's Presidency Council from the prime minister of the former Tripoli-based National Salvation Government, even though the latter declared his government was still operational.⁸⁵ The takeover of the official website also occurred at a time when the Tobruk-based HOR had not yet voted to accept the authority and legitimacy of the GNA—when a vote was eventually held, the HOR decided *not* to accept the authority of the GNA.

80 Human Rights Watch, "Libya: Investigate Killing Political Activist," July 26, 2013, <http://bit.ly/1LP2Kel>.

81 "Tributes and anger over 'assassination' of Libyan activist," *Middle East Eye*, March 17, 2016, <http://www.middleeasteye.net/news/anger-after-assassination-veteran-libyan-activist-516081195>.

82 "Human Rights activist freed by Tripoli militia," *Libya Herald*, July 8, 2016 <https://www.libyaherald.com/2016/07/08/human-rights-activist-freed-by-tripoli-militia/>.

83 Nadia Burnat, "The attempt to silence Libya's activist generation," *Middle East Eye*, February 13, 2015, accessed on 13 May 2015, <http://bit.ly/1GHFuY0>.

84 See Radio France Internationale, "Mysterious Facebook 'hit list' causes uproar in Libya," Soundcloud, 4:02, <http://bit.ly/1MBU2Pt>.

85 See "Serraj takes over Ghwell's website while Thinni's goes off the air," *Libya Herald*, April 7, 2016, <https://www.libyaherald.com/2016/04/07/serraj-takes-over-ghwells-website-while-thinnis-goes-off-the-air/>; also see Statement by Government of National Accord posted on pm.gov.ly on April 7, 2016, <http://bit.ly/2bwnB1c>