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its Member States.

Status: Partly Free

Total Score: 51/100 (0 = Best, 100 = Worst)

Population: 6,374,616
Internet Penetration: 20.3%
Social Media/ICT Apps Blocked: Yes
Political/Social Content Blocked: No

Bloggers/ICT Users Arrested: Yes

Freedom in the World Status: Not Free

Key Developments, June 1, 2017 – May 31, 2018

- The Libyan Post Telecommunications and Information Technology Company, which had splintered amid the ongoing conflict, was formally reunified in early 2018; it began holding meetings and announced a number of new ICT infrastructure projects (see Availability and Ease of Access and ICT Market).
- In June 2017, mobile and landline service was restored in Sirte after militants from the socalled Islamic State were driven from the coastal town last year (see Restrictions on Connectivity).
- At least two individuals were arrested for criticizing public officials on social media (see Prosecutions and Detentions for Online Activity).

Introduction:

Internet freedom improved this year in Libya thanks to improved access and no intentional restrictions to connectivity. However, at least two individuals were arrested for expressing political opinions online, and access to Facebook was disrupted after the coverage period.

Libya remained plagued by a weak and fragmented central government. Foreign intervention, rival governments, and various militias have prevented the consolidation of power and legitimacy needed for governing. The Presidency Council, tasked with forming a new "Government of National Accord" after UN-sponsored peace talks, has been unable to exercise full control of state ministries based in Tripoli. Meanwhile, its legitimacy has been harmed by a refusal of the House of Representatives, based in the Eastern city of Tobruk, to ratify the UN peace plan and endorse

the new government. While there have been tentative steps toward reconciliation between political and military leaders, violence between cities, tribes, and ideological factions continues to hinder progress.

In June 2017, mobile and landline service was restored in Sirte after the Islamic State (IS) was ejected from the coastal town by armed groups loosely affiliated with the internationally recognized government based in Tripoli. However, connectivity was again restricted following the coverage period, when Facebook was temporarily blocked in Tripoli and several other cities in September 2018. Separately, the Libyan Post Telecommunications and Information Technology Company (LPTIC) formally reunified in early 2018; it began holding meetings and announced a number of new ICT infrastructure projects.

The national crisis and lack of rule of law have had a devastating effect on internet freedom in Libya. Prior to the revolution, the regime of the late Muammar Qadhafi targeted opposition news websites, particularly after the lifting of UN sanctions in 2003 that led to increased access to surveillance and filtering equipment. 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. However Libya's online journalists, bloggers, and activists have increasingly practiced some degree of self-censorship due to continued instability, increasing threats, violence, and enforced disappearances over the past years. Nevertheless, the power of the internet as an organizing tool was underlined in several recent campaigns.

Obstacles to Access:

Internet access has been badly affected by the ongoing conflict, as electricity outages and physical damage to infrastructure have limited connectivity. However, the quality of service for those who can access the internet has improved recently. The majority of the ICT sector remains monopolized by state-owned entities. The LPTIC, which had splintered amid the conflict, was formally reunified in early 2018 and announced several new ICT infrastructure projects.

Availability and Ease of Access

Power and telecommunications services remain unstable across the country, with frequent cuts and stoppages due to high demand, infrastructure damage, coercion by armed groups, unauthorized construction, sabotage, and theft of ICT equipment. Despite attempts to reach a solution, there is no consensus between Libya's two opposing institutions, based in Tripoli and Tobruk, respectively, on how to rebuild infrastructure on a national scale.

While figures vary widely, internet penetration appears to be increasing in Libya. Of some 6.7 million Libyan residents, [1] 20 percent are internet users, according to 2016 statistics from the International Telecommunications Union – their most recent numbers. [2] However, other studies have estimated much higher usage rates. *Kenyan Wall Street* reported that Libya had a 42 percent internet penetration rate in mid-2016, [3] while Internet World Stats estimated that penetration rate was closer to 59 percent by the end of 2017. [4]

The apparent rise in users may be correlated to better 3G coverage and the introduction of 4G LTE in some major cities. Additionally, in March 2018, the state-owned internet provider introduced 4G portable WiFi routers in several major cities. However, the announcement was met with some backlash online from users who considered the price too high, compared to similar services in other developing countries. [6]

Earlier, in 2016, Libya Telecom and Technology (LTT) reduced the cost of its "MyFi" boxes – portable WiMax receivers that function as an on-the-go wireless connection; WiMax subscribers

make up a large portion of wireless subscriptions in the country. [7] Broadband was introduced in 2007, although the number of fixed broadband subscriptions declined every year between 2010 and 2015, when it stood at just under one subscription per every 100 inhabitants. [8] The rate ticked up slightly in 2016, at 2.68 subscriptions per 100 inhabitants.

Mobile phone use is ubiquitous, with just under 11 million mobile subscriptions in Libya, representing a penetration rate of 169 percent, according to statistics released in early 2017. 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 of Libya's operators are still owned by the state-run LPTIC. As of mid-2017, 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.

The government-owned mobile network operator and data provider Almadar Aljadid, based in Tripoli, launched its evolved High Speed Packet Access (HSPA+) network in a number of cities in late 2017. Plans range from 3 GB per month for LYD 30 (US\$20); to 10 GB per month for LYD 80 (\$60). With a Facebook service subscription, customers may choose a weekly package of 1 GB at a cost of LYD 5 (US\$4), or a monthly plan with 3 GB for LYD 15 (US\$11). The cost of a home internet connection in 2017 ranged from LYD 10 (US\$7) per month to LYD 30 (US\$22), after initial connection fees. Higher-quality ADSL subscriptions cost between LYD 20 (US\$15) and LYD 95 (US\$72). And the new LTT 4G modems launched with a subscription cost LYD 35 (\$US26) for a 10 GB data plan, LYD 60 (US\$45) for 20 GB, and LYD 75 (US\$57) for a 30 GB plan. For comparison, Libya's gross domestic product (GDP) per capita, when calculated on a per month basis, was US\$670 in 2017, according to the World Bank.

In January and February 2018, subsidiaries of the LPTIC attended a meeting for the first time since 2014. Participants discussed strategies for further development of the ICT sector, including the development of a NetCo (National Telecoms Company) that will be responsible for operating and maintaining infrastructure. The LPTIC head in March 2018 announced that the body, which had splintered into faction loyal to Libya's rival governments during the conflict, had reunified, and would begin work on infrastructure projects worth US\$1.7 billion. [16]

In April 2017, Libyana Mobile Phone deactivated foreign subscribers' cell phones, reportedly over concerns that criminals and radical groups were using Libyana services that were registered to foreign migrants passing through the country in order to organize. Libyana said it would allow foreign residents to reactivate their SIM cards if they were able to produce a valid visa and passport. [17] Al-Madar, the other mobile operator in the country, has taken similar action.

Restrictions on Connectivity

Libya has witnessed repeated shutdowns to internet service due to vandalism and politically motivated attacks on telecommunications infrastructure. However, no restrictions to connectivity or social media and communication platforms were recorded during the coverage period. Although, a few restrictions to connectivity occurred following the reporting period.

In June 2018, the Tobruk-based government reported that damage to a fiber-optic cable had contributed to an internet shutdown in parts of eastern and central Libya that lasted 16 hours; it was unclear by what means the cable was damaged. [18]

Separately, in September 2018, Facebook was temporarily blocked in Tripoli and several other cities. The blockage took place as militant groups clashed in the capital and elsewhere; the LPTIC said that a lack of security had caused the outages, but did not elaborate. [19]

Additionally, in June 2017, the LPTIC was able to restore mobile and landline services in Sirte; the services had been disconnected after IS had seized control of the city in 2015. Militants had destroyed communications infrastructure before being driven from the town in late 2016. 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 Libya, [20] although LPTIC stated that traffic was rerouted within a few days. [21] IS also disabled all phone networks in Sirte, banned satellite dishes, and regularly confiscated personal cell phones to check their contents. [22]

For example, in July 2016, armed protesters stormed the offices of the mobile phone companies LTT and Libyana in Tripoli, demanding that operators shut down cell service to the entire city of Misrata. Protestors claimed the move came as retaliation after Misratan militias allegedly forced GECOL, the national electricity utility, to redirect power from Tripoli to Misrata, resulting in power outages sometimes lasting 15 hours per day in the capital. [23] A similar incident occurred in January 2017, when protesters stormed the headquarters of mobile phone company Almadar, demanding service be cut to Misrata for similar reasons. [24]

In a case of vandalism, large areas of southern Libya were cut off from their LTT-provided mobile and internet connections in February 2017 after the theft of copper and other infrastructure equipment. [25]

ICT Market

The state-run LPTIC, 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. 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. LPTIC owns two mobile phone providers, Almadar and Libyana, while a third provider, Libya Phone, is owned by LTT.

LPTIC has been affected by the country's political crisis and de facto split. Separate offices were established in Malta (representing the Tobruk government) and Tripoli (representing the Tripoli government). However, the LPTIC announced in January 2017 that divisions between its board of directors had been resolved in a court case, a ruling that was upheld the same year. In March 2018, the LPTIC head announced that the body had reunified. [27]

LPTIC in March 2018 announced that it would consolidate its six nonmobile subsidiaries into a single telecommunications company, and launch a variety of projects to improve connectivity and access to services in Libya. The company also said it had signed a contract worth around US\$80 million with the Saudi Arabia-based company Arabsat for the provision of satellite backup services. [28]

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). [29]

There were several developments within the mobile market during the coverage period. Libyana launched the country's first LTE network; the Central Bank of Libya launched a mobile-payment service; and the telecommunications company Hatif Libya prepared to expand fixed wireless service in western Libya. Additionally, authorities sought assistance from the International Telecommunications Union to develop a telecom regulatory framework. The Ericsson and Nokia Networks were contracted to establish a national mobile broadband network, while Alcatel-Lucent

signed a contract with the Libyan International Telecommunications Company (LITC) to build a subsea cable system that would link Tripoli and Benghazi. [30]

Regulatory Bodies

Libya's regulatory environment is plagued by ongoing disputes over the country's political governance. The ICT regulator is the General Authority of Communications and Informatics (GACI), formerly known as the General Telecom Authority (GTA). During the Qadhafi era, decisions on licensing were made by the government-controlled GPTC (now the LPTIC). After the revolution, the transitional government established the Ministry of Communications and Informatics to oversee the country's telecommunications sector. Officially, the ministry runs the sector through two main bodies: LPTIC and GACI. GACI is nominally 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.

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, which has been drafted but not yet implemented, [32] also aims to create an independent Telecommunication Regulatory Authority (TRA) to oversee the industry. [33]

In June 2017, the Appeals Court in Tripoli ruled that LPTIC chairman Faisal Gergab and his management team were the sole legitimate representatives of LPTIC; the ruling is final and cannot be appealed. Gergab is backed by the internationally recognized, Tripoli-based Government of National Accord (GNA). The decision granted Gergab and his management team control of the holding company's subsidiaries, and the LPTIC's main offices in Tripoli. [34] Earlier, in 2017, the United Nations released a report expressing concern that the split in the LPTIC's leadership had left it susceptible to politicization and could permit the misappropriation of funds. [35]

Limits on Content:

While the online media landscape opened suddenly after the fall of Qadhafi, the subsequent battle for leadership of the country and accompanying lawlessness fostered self-censorship, harassment, and threats against journalists and online commentators, and a scarcity of high-quality reporting. Facebook is an important news source for many Libyans; many government bodies post official statements directly to their Facebook pages. The platform has also been used by activists to organize.

Blocking and Filtering

The blocking of websites for partisan reasons has been infrequent in the post-Qadhafi era, though many pornographic websites are inaccessible. The most prominent instance of politically motivated blocking since the Qadhafi era was seen in early 2015 with the temporary blocking of the news site *al-Wasat* by the LPTIC. The move came in apparent response to *al-Wasat*'s criticism of militia groups affiliated with the Tripoli-based government. [36]

YouTube, Facebook, Twitter, and international blog-hosting services were freely available during the coverage period. However, in September 2018 – following the reporting period – Facebook was temporarily blocked in Tripoli and several other cities while fighting between militant groups was taking place. The LPTIC cited poor security for the blockage, but declined to elaborate. Previously, in April 2015, Facebook was reportedly inaccessible for a few hours in some areas of Tripoli. The 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. [38]

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." Prior to the war, "indecency" was prohibited by law but sexually explicit sites were not typically blocked. However, blocks of such material have been enforced in the post-Qadhafi era. Almost a million pornographic websites were blocked in 2013 by the Libya Telecom and Technology (LTT). It has not unblocked the content, perhaps due to the conservative outlook of some political factions vying for influence in the future of Libya. In February 2014, the LTT blocked an additional set of pornographic sites, and mistakenly blocked the Wordpress.com domain for a few days.

Officials have yet to formulate regulations outlining when sites may be blocked. In practice, the procedures for doing so are opaque. Officially, all regulations from the Qadhafi era remain valid. When accessing a banned website, users are shown a message from the service provider 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

While the online media landscape opened suddenly after the fall of Qadhafi, the subsequent battle for leadership of the country and accompanying lawlessness have fostered negative trends such as self-censorship, verbal harassment of journalists and online commentators, and a lack of quality reporting.

The 2011 revolution brought a notable increase in the number of bloggers writing within Libya, many of whom expressed hope for the future, discussed political activism, and voiced criticism of authorities. More recently, Libya's bloggers have increasingly practiced some degree of self-censorship due to continued instability, increasing threats, and violence against journalists over the past years. Many parties to the ongoing conflict have made clear their hostility to critical and independent journalism, and those who voice dissent, criticism of militia groups or leaders, or other controversial views (such as religious commentary) risk retaliation. Press freedom groups have documented many cases of disappearances, abduction, and torture of journalists (see Intimidation and Violence). In a reflection of the extreme risk of speaking out in Libya, most of the families of these journalists request not to be publicly identified. [40]

Moreover, activists and journalists seeking to cover the ongoing clashes between militia groups also risk being injured or killed, and there is no authority capable of legally holding perpetrators accountable. Journalists continue to leave Libya rather than risk their lives by reporting within its borders. [41]

Even though users have faced legal and other consequences for expressing their opinions on social media, some people, according to media reports, say they are unafraid of criticizing authorities on a public platform, because the public nature of such posts can discourage retaliation. One official

said, "I feel safe criticizing [high-level officials] through my Facebook, because I'm doing so transparently through a personal platform. It becomes harder for them to touch you without compromising themselves." [42]

Even as self-censorship increases, [43] the online media landscape still remains much more diverse than under the Qadhafi regime. Many Libyans get their news through hundreds of Facebook pages dedicated to national and local news. [44] Some of these pages are affiliated with professional television, radio, or print news outlets, while others lack professional standards or operate largely as propaganda outlets for warring parties. These citizen-journalism pages are opaque about their methodology, ownership, editorial policy, or publishing guidelines. [45]

Google was the most visited website in the country, followed by YouTube and then Facebook. Facebook serves as the main source of news about Libya for a large number of users inside and outside the country. [46]

Digital Activism

Nevertheless, the power of the internet as an organizing tool was underlined in several recent campaigns. In March 2018, young activists from across the country joined a Facebook page called "The March 30th Movement," which called for peace and the reunification of Libya. A demonstration took place in Tripoli late that month under the movement's auspices. [49] Separately, in October 2017, activists used Facebook to organize a clean-up campaign in a public square in Benghazi that had for three years been used as a military zone. [50] And, in early 2017, there was a swift online backlash to the police's confiscation of books from a truck as it passed through a checkpoint near Al Marj. The police deemed the books – mostly novels by American and European authors – to threaten the "moral religious fabric of society." The online criticism of police prompted several organizations, including the Ministry of Culture, to denounce the seizure, and police the following day appeared on television to recant their charges. [51]

Cyber security training is becoming more common in Libya, as users seek to protect themselves and their information in the absence of digital rights legislation. [52]

While social media has been harnessed for good causes in Libya, many have also used the power of social media to target people, organizations, and events that they do not approve of or agree with – a particularly worrying form of online bullying that can have far reaching consequences in a country without laws or security.

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 the press are guaranteed by Libya's Draft Constitutional Charter, released by the Libyan Transitional National Council in September 2011. [53] 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. International press freedom groups continue to call for constitutional protections for press freedom, to no avail. [54]

Several repressive Qadhafi-era laws remain on the books due to the absence of significant legal reforms in the country since the revolution. These include measures carrying 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. [55] 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. Meanwhile, perpetrators of crimes against journalists and activists have enjoy impunity.

Prosecutions and Detentions for Online Activities

While reports of arrests in response to online activity are uncommon, at least two such instances took place during the coverage period. In September 2017, the Information and Antiterrorism Room of Dignity Operation in Benghazi arrested local resident Ashraf Al-Maghrabi in connection with his Facebook posts criticizing the city's administration. He was held in detention for a week.
[56] Separately, security forces in Al-Marjj arrested radio personality Hussein Rajab after he criticized the eastern military governor, Abdelraziq Al-Nathori, on his Facebook page. [57] He was apparently released following an intervention by officials from a nearby town.

Surveillance, Privacy, and Anonymity

There are generally not onerous registration requirements or restrictions on anonymous communications in Libya. The surveillance capabilities and activities of domestic intelligence agencies are unclear, as is the LPTIC's involvement in any such activity. There are concerns that powerful surveillance tools left over from the Qadhafi era may have been reactivated. 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.

Following the arrest of Ashraf Al-Maghrabi in September 2017 over his posts on Facebook, the body that arrested him – Benghazi's Information and Antiterrorism Room – warned social media activists that it was watching their activity and suggested that they could be arrested for disturbing national security. [60]

The Qadhafi regime had direct access to the country's DNS servers and engaged in widespread surveillance of online communications. Sophisticated equipment from foreign firms such as the French company Amesys, [61] 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. [62]

Intimidation and Violence

The breakdown of the rule of law and the growing influence of militias have resulted in a worrying uptick in politically motivated threats and violence against journalists and activists since the 2011 war. Human rights defenders, activists, and social media bloggers have been physically attacked, detained, threatened, harassed, and disappeared by armed groups, some of whom are affiliated with the state authorities, in Tripoli and elsewhere in Libya.

While no bloggers or activists were reportedly killed for online activism during the coverage period, there were cases of harassment, intimidation, and enforced disappearances. Meanwhile, politically motivated killings from previous years have resonated and discouraged unfettered online expression. In June 2017, Khalid Eltabib, a social media activist, was kidnapped by unknown gunmen in Tripoli. At the end of the coverage period, his fate was unclear, though there were no reports suggesting he had been killed. Abdelmoez Banoon, a prominent political and civil rights activist and blogger in the post-2011 uprising period, has been missing since his abduction in July 2014, in front of his home in Tripoli, by unidentified armed men linked to the Fajr Libya alliance. In September 2016, an armed group linked to the GNA's Interior Ministry abducted Jabir Zain, a Tripoli-based human and civil rights activist and blogger, from a café in the capital, and subsequently forcibly disappeared him. His whereabouts remain unknown. [65]

Various actors have also harnessed the power of social media to threaten, attack, and smear activists and others. For example, in late 2014 anonymous users set up a Facebook page featuring the names, photos, and addresses of Benghazi activists and calling for their assassination and kidnapping. The page was taken down after online activists reported it. [66]

Technical Attacks

Websites are highly vulnerable to cyberattacks in Libya, with prominent news sites employing protection measures against distributed denial-of-service (DDoS) attacks. Anti-militia Facebook pages have been 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.

There have been some efforts by civil society actors, the government, and others to raise awareness of and to prevent technical violence. For example, in February 2018, civil society actors and the Education Ministry organized an awareness-raising program aimed at educating children, parents, and caregivers on responsible use of the internet. [67] Earlier, in August 2017, delegates from over a dozen countries met in Benghazi for a cybersecurity conference focusing on internet use by terrorist groups. [68]

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