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Freedom of the Press 2014 - Libya

Status change explanation: Libya declined from Partly Free to Not Free due to the impact of the deteriorating security situation on journalists and other members of the press, who suffered a spate of threats, kidnappings, and attacks in 2013, often at the hands of nonstate actors. There was also an increased use of Qadhafi-era penal and civil codes to bring defamation cases against journalists, with one reporter facing up to 15 years in prison for alleging judicial corruption.

Although the overthrow of longtime leader Mu'ammar al-Qadhafi led to a dramatic opening in the political and media environments in 2011, conditions for press freedom in Libya deteriorated in 2013. The new Libyan government—composed of the legislative assembly, or General National Congress (GNC), and a cabinet headed by Prime Minister Ali Zeidan—failed to establish security and the rule of law. Various semiautonomous militias, which control different parts of the country, continued to assert themselves, employing increasingly violent tactics and contributing to an unstable operating environment for journalists, especially in the restive eastern city of Benghazi.

In September, after a long delay, the High National Election Commission announced that it would hold elections in early 2014 for the Constituent Assembly, the body tasked with drafting a permanent constitution. The governing legal document during 2013 remained the Draft Constitutional Charter for the Transitional Stage, adopted during the 2011 civil war, which guarantees several fundamental human rights. For example, Article 13 stipulates “freedom of opinion for individuals and groups, freedom of scientific research, freedom of communication, liberty of press, printing, publication and mass media.” While these provisions are a positive start, they do not fully reflect international standards for freedom of expression. The charter does not explicitly abolish censorship or include the right to seek, receive, and impart information and ideas. It does not cover all types of expression and methods of communication, nor does it grant the rights in question to every person.

In 2013, authorities used Qadhafi-era laws to lodge defamation charges against several members of the press. Jamal al-Hajji, a leading writer, commentator, and political activist, was convicted of defamation in December after accusing six prominent individuals of being Qadhafi loyalists and “agents” of the West during a February television interview. Four of the individuals filed a civil defamation suit, and the general prosecutor brought criminal defamation charges. On December 31, a Tripoli court convicted al-Hajji of criminal defamation and sentenced him to eight months in jail with labor. It also imposed civil damages of 400,000 dinars (\$320,000). In a separate case, Amara Abdallah al-Khitabi, editor of the newspaper *Al-Umma*, was charged in early 2013 with “insulting of constitutional or popular authorities.” He had been detained in December 2012 for publishing a list of more than 80 judges who were allegedly involved in corruption. His case had yet to be resolved at the end of 2013. If convicted, he faces up to 15 years in prison.

In the absence of clear rules regarding media licensing and regulation, responsibility for state-owned media rests with the reestablished Ministry of Information. The Agency for Support and Encouragement of the Press was tasked with organizing and "supporting" state-owned media. Libyan journalists have formed a number of competing associations and unions, such as the General Union for Libyan Journalists and the Libyan National Media Union. Journalists who entered the profession during or after the 2011 conflict reported that they were being treated unequally and excluded by those who worked under the previous regime, and some new journalists were allegedly barred from joining the unions.

Under the Qadhafi regime, journalists worked in a climate of fear and self-censorship. After the revolution, Libyan media experienced unprecedented freedom, without clear regulations or set "red lines." Although journalists are still able to cover the news more freely than before 2011, they faced many challenges in 2013. Those who report on sensitive issues such as tribal tensions, Islamic militant groups, political infighting, and the spread of arms, as well as journalists who criticize the interim government or the movement that overthrew al-Qadhafi, risk legal action or extralegal retaliation. Journalists have been known to self-censor out of fear of reprisals; television news host Mahmoud al-Sharkasy stated that he had become less critical in his reporting on militia groups after he received numerous threats.

In 2013 there was a marked increase in violence against journalists, who faced kidnapping, physical attacks, and generally more dangerous conditions in the field. According to the Committee to Protect Journalists (CPJ), one journalist was killed in connection with his work during the year. The death occurred in November, when militiamen from the city of Misrata opened fire on demonstrators in Tripoli, injuring several journalists and killing photojournalist Saleh Ayyad Hafyana of the Fassato News Agency. In August, Azzedine Kousad, a presenter for the Libyan satellite television station Libya al-Hurra, was killed in Benghazi when three gunmen opened fire on his car, but the shooting could not be definitively linked to his work as a journalist. Similarly, in December unknown assailants shot and killed Radwan Gharyani, the owner of Tripoli FM, a radio station that primarily broadcasts Western music.

Among other violent incidents, three television journalists were abducted by unidentified armed men in separate incidents in April, and one of them was tortured, according to CPJ. In August, Khadija al-Amami, the bureau chief of the television station Libya al-Ahrar and a reporter with the news website Libya al-Mostakbal, narrowly escaped an attempt on her life when gunmen fired at her at close range in Benghazi. Other attacks during 2013 targeted the offices of media outlets, including a bomb blast in June that damaged Libya al-Hurra's television studios in Benghazi but caused no injuries.

Libya's media landscape remains fluid. There was a proliferation of new outlets in the wake of the revolution, but many have since closed due to lack of funding or experienced journalists. There are currently about 50 television channels and dozens of radio stations. Two public dailies, the official state paper *February* and the state-sponsored *Libya*, operate alongside nearly a dozen prominent private weeklies and monthlies published in Tripoli, Benghazi, and Misrata. Hundreds of other newspapers are registered, but many publish only sporadically.

Libyan Radio and Television operates the three main public radio stations, including Radio Libya. Local councils fund various other radio stations, and there are over a dozen private stations, including Egypt-based Libya FM. There are two main state-operated television stations, one of which, Libya al-Wataniyah, regularly broadcasts current events, news, and discussion shows as well as GNC sessions and press conferences. Local councils in Misrata and Benghazi also fund their own channels. There are five main private television news stations and a number of smaller special-interest channels. In some cases, the ownership of these outlets remains unclear. One of the leading private stations, Libya al-Hurrah, was founded as a web-based channel during the 2011 revolution by Mohammed Nabbous, a citizen journalist who live-streamed the beginning of the uprising in Benghazi before being killed while filming in March 2011. Libya al-Hurrah subsequently expanded and now broadcasts live from several locations in the country. Libya al-Ahrar, known as Libya TV, was launched in April 2011 with support from the Qatari government and Libyan businessmen. Although it is a private channel, it is increasingly seen as a mouthpiece of the government.

The internet penetration rate remains relatively low, with about 17 percent of the population accessing the medium in 2013. The telecommunications infrastructure inherited from the previous regime has yet to be refurbished, and internet users struggle to secure a reliable, high-speed connection. According to Akamai, a U.S.-based content-delivery network, Libya had the world's lowest average connection speed, at 0.6 megabits per second, as of mid-2013. However, it also had one of the highest mobile-telephone penetration rates on the African continent, at about 120 percent in 2013. In September, the Communications Ministry announced plans to license what would be the country's first private mobile service provider in 2014.

Social media have experienced constant growth. Libyans' use of online social networks, microblogs, and video- and photo-sharing sites was instrumental in the dissemination of information about the 2011 protests and ensuing conflict, and these platforms continue to be a key source of news for many residents. According to Social Bakers, which provides usage statistics for social media, the number of Libyan users of the social-networking site Facebook reached 862,060 as of April 2013, or around 13 percent of the population. There were no reports in 2013 of the resumption of internet filtering, which had been prevalent during the Qadhafi era.

2014 Scores

Press Status

Not Free

Press Freedom Score

(0 = best, 100 = worst)
62

(0 = best, 30 = worst)
16

(0 = best, 40 = worst)
29

(0 = best, 30 = worst)
17

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