



LIBERTY ON THE NET 2020

Libya

PARTLY FREE

50

/100

A. <u>Obstacles to Access</u>	8 /25
B. <u>Limits on Content</u>	25 /35
C. <u>Violations of User Rights</u>	17 /40

LAST YEAR'S SCORE & STATUS

49 /100

Partly Free

Scores are based on a scale of 0 (least free) to 100 (most free)



Overview

TOP

The national crisis and lack of rule of law continued to impact internet freedom in Libya. However, the situation slightly improved as fewer

websites were blocked this year than in the past. Investments are being made to begin to rebuild some of the internet infrastructure damaged during the ongoing conflict. While restrictions on content were limited, self-censorship online is common due to fear of harassment and violent reprisals. Journalists who are active online face arrest and arbitrary detention while operating in an environment in which armed groups carry out attacks with impunity. Those who attempt to report on active conflicts risk being injured or killed in the violence.

While a popular armed uprising in 2011 deposed long-time dictator Mu'ammr al-Qadhafi, Libya is now racked by internal divisions, and international efforts to bring rival administrations together in a unity government have failed. A proliferation of weapons and autonomous militias, flourishing criminal networks, and the presence of extremist groups have all undermined security in the country. The ongoing violence has displaced hundreds of thousands of people, and human rights conditions have steadily deteriorated.

Key Developments, June 1, 2019 - May 31, 2020

- No websites were reported as being blocked this year, an improvement from previous years (see B1).
- Authorities from both sides of the conflict used propaganda and misinformation on social media to mislead citizens about the status of the conflict, including which armed group has won certain battles (see B5).
- Journalists continue to be harassed, attacked, and arrested in connection with their reporting on the ongoing conflict in Libya, sometimes for content they are posting online (see C3 and C7).
- Members of the LGBT+ community were increasingly harassed online during the reporting period, sometimes by members of the warring authorities (see C7).

[TOP](#)

A. Obstacles to Access

Internet access has been badly affected by the ongoing conflict, as electricity outages and physical damage to the main fiber infrastructure have limited connectivity. However, the quality of service for those who can access the internet has improved recently. Libyana Mobile Phone company launched 4G mobile services in Tripoli, Benghazi, and some major cities in the east, which allows for competition and resulted in reductions in the cost of accessing internet service. The majority of the information and communications technology (ICT) sector remains monopolized by state-owned entities.

A1 0-6 pts

Do infrastructural limitations restrict access to the internet or the speed and quality of internet connections?

2 / 6

Libya's two political authorities, one in the east and the other in the west, have not been able to cooperate effectively to rebuild infrastructure and spur development. Users across the country remain frustrated by the inconsistency of internet service, which is frequently interrupted by power cuts; poor connectivity is due also in part to high demand combined with infrastructure damage, unauthorized construction, sabotage, and theft of ICT equipment. ¹

While figures vary widely, internet penetration and speeds nevertheless appear to be increasing in Libya. As of December 2019, there were 5,100,000 internet users, amounting to 74.2 percent of the population. ² According to the Speedtest Global Index, the average mobile upload speed as of May 2020 was 4.87 Mbps, and 7.79 Mbps for fixed broadband. Download speeds were 10.75 Mbps and 10.02 Mbps for mobile and fixed broadband, respectively. Broadband download speeds increased by 15.97 percent from 2019 while mobile upload speeds increased by 45.37 percent from 2019. ³

The reported rise in internet users may be linked to the increase of 4G ^{TOP} LTE networks in major cities and towns in Libya. Mobile operators like Libyana and Al-Madar, both state-owned mobile phone companies, continued providing 4G mobile internet services throughout the coverage

period. ⁴ Internet prices have fallen over the coverage period: specifically, Libyana now offers mobile internet packages for as low as 1 Libyan dinar (US \$.70) per week for 50MB of data (see A2). ⁵

During the reporting period, Sami al-Fantazi, the head of the General Authority for Communications and Informatics, issued a decree cutting internet package prices from state-owned telecom companies by 50 percent. According to the decree, internet subscription and data usage fees will be cut in the companies affiliated with the authority in an attempt to “improve the level of communication and information services” to “promote the culture and digital knowledge and to keep pace with the technological development of all age groups in Libya.” ⁶

In December 2019, the state-owned internet service provider Al-Madar launched a 5G trial service in Tripoli, to become the first local operator to provide 5G technology. ⁷ Despite a large decline in the use of fixed-line services due to the conflict, the demand for high-speed broadband has increased. ⁸

Internet usage increased during the COVID-19 lockdown, with many subscribers requiring larger data capacities. Data from a private telecom vender showed increased internet traffic up to 40 percent.

A2 0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain segments of the population for geographical, social, or other reasons?	1 / 3
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While prices have been reduced in recent years, the depreciation of the Libyan dinar and economic instability in the country has made the internet inaccessible for some people. Fees for internet services, and specifically the 4G mobile services that were launched by Al-Madar and Libyana, were periodically reduced by the Libyan Post Telecommunications & **TOP** Information Technology Company (LPTIC) throughout the coverage period. ¹

Libyana started offering weekly and monthly packages, including affordable prices from as low as 1 Libyan dinar (US \$.70) for 50MB of data. ² Libyana introduced “off-peak” packages directed at high-demand users like gamers and streamers. ³

The depreciation of the Libyan dinar, part of the economic reform program of the Government of National Accord (GNA), has led to a hike in the price of domestic and international calls since November 2018. ⁴

A3 0-6 pts

Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity?	4 / 6
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While no technical restrictions were enacted by authorities during the coverage period, the ongoing conflict in Libya has left internet infrastructure in disarray. For example, about 25 percent of mobile towers have been damaged or stolen. ¹ Efforts to rebuild infrastructure have largely been stalled due to the political and military disturbances; telecom services are regularly disrupted in the eastern region in particular. ²

On August 18, 2019, after the Libyan National Army (LNA), a military alliance led by Khalifa Haftar, took control of the southern city of Murzuq, armed GNA fighters launched a surprise attack to retake the city. During the attack, the local authorities cut off access to the Libyana and Al-Madar networks in an attempt to control the situation. ³

A4 0-6 pts

Are there legal, regulatory, or economic obstacles that restrict the diversity of service providers?	1 / 6
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The state-run LPTIC, formerly the General Post and Telecommunications Company (GPTC), is the main telecommunications operator. 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. ¹ Since the fall of the Qadhafi regime in 2011, 25 ISPs and 23 VSAT (very

small aperture terminal) operators have been licensed to compete with state-owned ISPs. Many are based in Tripoli, and are owned by individuals with strong ties to governing authorities. LPTIC owns two mobile phone providers, Al-Madar and Libyana, while a third provider, Libya Phone, is owned by LTT.

The 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;² it began holding meetings and announced \$1.7 billion worth of new ICT infrastructure projects.³ In addition to bolstering telecommunication infrastructure projects, the LPTIC planned to launch, in 2019, work on a National Data Centre and “Libya Sat” project,⁴ though this did not appear to have been initiated at the end of this report's coverage period.

A5 0-4 pts

Do national regulatory bodies that oversee service providers and digital technology fail to operate in a free, fair, and independent manner?	0 / 4
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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).¹ After the revolution, the transitional government established the Ministry of Communications and Informatics to oversee the 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 2017, the Appeals

TOP

Court in Tripoli ruled that LPTIC chairman Faisal Gergab, backed by the GNA, and his management team were the sole legitimate representatives of LPTIC. ²

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 implemented, ³ also aims to create an independent Telecommunication Regulatory Authority (TRA) to oversee the industry. ⁴

Separately, in May 2019, the internationally recognized government announced the suspension of 40 foreign firms, including telecoms equipment firm Alcatel-Lucent, now owned by Finland's Nokia, and Microsoft, saying they needed to renew their licenses. While the companies were granted a grace period in which to do so, the move was described by some analysts as a politically motivated decision designed to press for greater support for internationally recognized authorities, as Haftar's LNA was attacking Tripoli. ⁵

B. 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, threats against journalists and online commentators, and a scarcity of high-quality reporting. Facebook is an important news source for many Libyans. Propaganda was used by both sides of the conflict on social media during the reporting period.

B1 0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content?

6
6/6
TOP

Score Change: The score improved from 5 to a 6 because fewer websites were blocked during the reporting period than in previous years.

The blocking of websites for partisan reasons has been infrequent in the post-Qadhafi era. Many pornographic websites were blocked in 2013 by LTT, but during the reporting period the main operators in Libya including LTT, Libyana, and Al-Madar did not perform any type of censorship on pornography content, and only small ISPs may be blocking some websites with pornographic content (see B3).

YouTube, ¹ Twitter, ² and international blog-hosting services ³ were freely available during the coverage period. However, in September 2018, Facebook was temporarily inaccessible in Tripoli and several other cities while fighting between militant groups was taking place. Users reported that internet speeds slowed before Facebook became inaccessible, and that other websites remained online (see A1). The LPTIC claimed that technical errors and power outages caused the blockage. ⁴

B2 0-4 pts

Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content?	3 / 4
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Authorities do not frequently request that private providers or intermediaries 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.

B3 0-4 pts

Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims, or an independent appeals process?	TOP 3 / 4
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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.” ¹ Prior to the war, “indecent” 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 (see B1).

Officials have yet to formulate regulations outlining when sites may be blocked, though relevant Qadhafi-era regulations remain valid officially. In practice, the procedures for the blocking of sites are opaque. When accessing a banned website, users are shown a message from the service provider stating that the site has been blocked. During the reporting period, it appeared that no websites were blocked by state-owned companies, including pornography sites; smaller ISPs may still block some content however the reason for this is unclear (see B1).

B4 0-4 pts

Do online journalists, commentators, and ordinary users practice self-censorship?

1 / 4

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 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 C7). In a reflection of the extreme risk of speaking out in Libya, many journalists and their family members have requested that rights groups not identify them by name when they report on such abuses. ¹

TOP

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. Many journalists continue to leave Libya rather than risk their lives by reporting within its borders (see C7). ²

Due to the political nature of the conflict in Libya, users and online journalists experienced hostility for content they post online during the reporting period. ³ Some activists use fake accounts or self-censored on social media to avoid repercussions by the government, especially when posting content relating to the current conflict.

B5 0-4 pts

Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest?

2 / 4

Some Facebook pages serve as propaganda outlets for warring parties. These pages are generally opaque about their ownership, editorial policy, and publishing guidelines. ¹

The posts of some Facebook users known as “keyboard warriors” manipulate information to widen ethnic divides, or weaken state institutions such as the central bank. ² In March 2019, a Twitter campaign, *تأمين العاصمة* (#SecuringTheCapital) advocated for Haftar to take control of Tripoli. According to the Stanford Internet Observatory, it was reportedly part of “foreign-initiated pro-Haftar social media campaigns.” ³

Hate speech has increased in the reporting period. The main political parties use hate speech and tribal and regional prejudices as propaganda in the conflict (see C7). Furthermore, the media and online news are often used to mislead people for the interest of a certain side of a conflict. **TOP** A British correspondent who covers Tripoli reported that her article, which appeared in al-Marsad, an online newspaper, was rewritten in a way that made it seem supportive of Haftar and his forces. Additional propaganda tools include fake websites and Twitter trolls that manipulate the online

narrative to favour certain political factions. ⁴ Both the GNA and LNA forces use “victory propaganda and disinformation” on social media to mislead citizens about the direction of the conflict. ⁵ According to a report by the Institute for Security Studies, the conflict in Libya is not only dominated by military power but by propaganda and disinformation that the GNA and LNA use to shape public opinion to their advantage, largely through social media. ⁶

B6 0-3 pts

Are there economic or regulatory constraints that negatively affect users’ ability to publish content online?

3 / 3

There are few economic or regulatory constraints that inhibit the ability to publish content online. However, under Prime Minister Fayez Sarraj, some journalists have experienced difficulties in securing visas and permits to gather information. ¹ Journalists reporting on the conflict in Tripoli have also had difficulty obtaining visas, as local authorities in every region require special procedures that differ from region to region.

B7 0-4 pts

Does the online information landscape lack diversity?

3 / 4

Even as self-censorship increases and support for journalism remains scarce, the online media landscape is much more diverse ¹ than it was under the Qadhafi regime. ² Facebook hosts hundreds of active pages dedicated to national and local news, and serves as the main source of news about Libya for a large number of users inside and outside the country. ³ Some of these pages are affiliated with professional television, radio, or print news outlets, while others lack professional standards. Likely due to the risk of reprisals for speaking freely, private Facebook pages are more likely than their public counterparts to host political debates. ⁴

TOP

As of March 2020, Google was the most visited website in the country, followed by Facebook and YouTube, according to the SimilarWeb website rankings. ⁵

B8 0-6 pts

Do conditions impede users' ability to mobilize, form communities, and campaign, particularly on political and social issues?	4 / 6
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Libyans have used Facebook and Twitter to mobilize around a variety of causes. While social media continues to be a vibrant forum for discussion, there appears to be both a noticeable shift to less overtly political issues over the past few years, as well as a growing skepticism of the ability of digital activism to shape the political landscape amid the country's ongoing turmoil.

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. Following a November 2018 attack in Tazirbu, a town under control of the LNA, that was claimed by the Islamic State (IS) militant group, ¹ digital activists focused on peace, safety, and security circulated photos of around ten kidnapped citizens after they were first published by the Tazirbu Media Center on Facebook. ² Several other campaigns have focused on supporting peace or movement toward a unity government, or on promoting various social-justice causes, defending freedom of expression, and commemorating individuals murdered for their activism. Most of these campaigns started and spread through hashtags.

C. Violations of User Rights

An ongoing constitutional crisis and a general absence of law enforcement contribute to weak rule of law in Libya. At least two journalists active online faced arrest during the coverage period. Journalists operate in an environment in which armed factions carried out attacks with impunity. Concerns persist about appropriate oversight of the

TOP

country's surveillance apparatus. Members of the LGBT+ community continue to face harassment online.

C1 0-6 pts

Do the constitution or other laws fail to protect rights such as freedom of expression, access to information, and press freedom, including on the internet, and are they enforced by a judiciary that lacks independence?	1 / 6
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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. ¹ 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. ² Perpetrators of crimes against journalists and activists enjoy impunity, and the judicial system faces functional difficulties. ³

C2 0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities?	1 / 4
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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. ¹ 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. There are no laws that explicitly criminalize online activity.

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C3 0-6 pts

Are individuals penalized for online activities?	3 / 6
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While reports of arrests in response to online activity are uncommon, two members of the National Peace Initiative were arrested by the Military Intelligence Service in Benghazi during the reporting period. Fahd Al-Bakoush and Muhammad bin Zablal were arrested at the public prosecutor's office after they had gone there to file a complaint about continued harassment they had experienced since starting the initiative. Before their arrests, the National Peace Initiative had posted a statement rejecting weaponized violence in the country. As of June 2020, it is unclear if they have been released from detention. ¹

In December 2019, Reda Fahil Al-Bom, a prominent Libyan journalist and founder of the Libyan Organization for Independent Media, was detained by intelligence agents. (The Libyan Organization for Independent Media works to document rights violations faced by Libyan journalists and advocates for independent news media as a way to combat violence online.) The reason for the detention was not clear, and the interior ministry denied playing any role in the arrest. ² Libya's intelligence body issued a statement arguing that the arrest met "all legal standards and was coordinated with the country's public prosecutor." ³

C4 0-4 pts

Does the government place restrictions on anonymous communication or encryption?

3 / 4

There are generally not onerous registration requirements or restrictions on anonymous communications in Libya. However, in 2017, Libyana Mobile Phone deactivated foreign subscribers' cell phones, reportedly over concerns that criminals and radical groups were organizing by using Libyana services that had been registered to migrants passing through the country. Libyana said it would allow foreign residents to reactivate their SIM cards if they were able to produce a valid visa and passport. ¹ Almadar, the other mobile operator in the country, took similar action.

TOP

C5 0-6 pts

Does state surveillance of internet activities infringe on users' right to privacy?

2 / 6

The surveillance capabilities and activities of domestic intelligence agencies are unclear, as is the LPTIC's involvement in any such activity.

¹ 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.

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, ² 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. ³

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. ⁴

C6 0-6 pts

Are service providers and other technology companies required to aid the government in monitoring the communications of their users?

3 / 6

Because state authorities own all of Libya's mobile phone operators (see A4), presumably it would be relatively easy for the authorities to obtain user information. At the same time, militias have exerted less pressure on ISPs to conduct surveillance. ¹

TOP

C7 0-5 pts

Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in retribution for their online activities?

2 / 5

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 2011. Human rights defenders, activists, social media users, and 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.

Online journalists and activists operate in an extremely violent environment. For example, in July 2018, Moussa Abdel Karim, a journalist with the newspaper *Fasaniah*, based in the southwestern city of Sebha, was abducted by “criminal groups,” according to the IFJ, tortured, and ultimately murdered. ¹ Mohamed Ben Khalifa, a photojournalist who had worked with the Associated Press, was killed in January 2019 while reporting on skirmishes between militias in Tripoli; he was hit by a bomb’s shrapnel. ²

Various actors have harnessed the power of social media to target or smear 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. In a severe example of such behavior, in 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. ³ Facebook is still used by various armed groups to monitor and identify dissenters, some of whom are ultimately arrested, killed, or driven to flee. ⁴

TOP

In May 2020, blogger and activist Youssef Shafter was wounded and hospitalized after he was attacked in Bin Walid city after he wrote a post announcing his lack of support for all parties in the recent conflict. ⁵

The LGBT+ community is consistently exposed to harassment and violence online, but recently there has been an increase in harassment perpetrated by local authorities. In one case, a lesbian woman was outed on Twitter, and then directly threatened by websites that publish propaganda on the city of Benghazi on Facebook (عاجل بنغازي الأصلية). She was ultimately forced to leave the country, with the help of local civil networks. ⁶

Hate speech has also increased during the reporting period, with political supporters targeting tribal and regional minorities to push their propaganda (see B5).

C8 0-3 pts

Are websites, governmental and private entities, service providers, or individual users subject to widespread hacking and other forms of cyberattack?

2 / 3

Throughout 2019, a number of Libyan entities and individuals were targeted by cyberattacks including malware and phishing. Many of the attacks exploited a network vulnerability within a Microsoft protocol. ¹ Weak services, such as file transfer and remote-desktop protocols, also create openings for cyberattacks. ²

Hackings and cyberattacks have been used by the warring parties in Libya's conflict to further their agendas. For example, in August 2019 the GNA Twitter account was hacked by an unknown source and a false statement was posted declaring the defeat of the GNA to the Libyan Arab Armed Forces (LAAF). Additionally, LAAF documents and personal identification information were leaked after a hacking attack. ³



TOP

On Libya

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Country Facts

Global Freedom Score

9/100 Not Free

Internet Freedom Score

50/100 Partly Free

Freedom in the World Status

Not Free

Networks Restricted

Yes

Social Media Blocked

No

Websites Blocked

No

Pro-government Commentators

Yes

Users Arrested

Yes

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