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Home > Libya

Libya

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PFS Score: 73
Legal Environment: 22
Political Environment: 33
Economic Environment: 18

Libya experienced further declines in its legal, political, and security conditions in 2014, undermining the ability of journalists to pursue their work. Media workers endured threats, kidnapings, and physical attacks throughout the year. Attacks were often carried out by nonstate actors, but also occasionally by the national security forces in areas under their control.

Legal Environment

The Draft Constitutional Charter for the Transitional Stage, adopted during the 2011 conflict, remained in force during the year as the country's governing legal document. While it was originally intended as a stopgap measure until a new constitution could be drafted, political and military turmoil have long prevented that process from moving forward. The current charter provides for freedoms of opinion, communication, and the media. While positive, these provisions do not fully reflect international standards for freedom of expression. The charter does not explicitly abolish censorship or include the right to access information. It does not cover all types of expression and methods of communication, nor does it grant the rights in question to every person.

Moreover, various other legal provisions undermine the charter's guarantees. In January 2014, the General National Congress (GNC), Libya's interim legislative body, passed a
law authorizing the suspension of satellite television channel broadcasts that criticize the government or attempt to destabilize the country. In February, the GNC amended the penal code inherited from the Qaddafi regime to apply to the current government, prescribing 15 years in prison for public criticism of the 2011 uprising. Qaddafi-era defamation laws were used to impose harsh sentences on journalists, and libel remained a criminal offense. Amara Abdallah Al-Khitabi, the editor of the privately owned newspaper Al-Umma, was sentenced in absentia to five years in prison in November for libeling court officials by publishing a list of allegedly corrupt judges and prosecutors. The ruling bars him from practicing journalism while in prison and for one year following his release.

The ongoing conflict has had a detrimental impact on the Libyan media legal regime, as legal and regulatory bodies have collapsed. The Ministry of Information finances state media, oversees the publication of public newspapers, and accredits foreign journalists. However, no media laws clearly regulate the press, and no mechanisms are in place for the licensing of new outlets. Libyan journalists have formed a number of competing associations and unions, such as the Libyan Center for Press Freedom and the Union of Libyan Media.

Control over media content and resources became a principal strategy of numerous factions in the context of the civil war that broke out in July 2014. After taking control of the capital, Islamist forces took over the state-owned television station Al-Wataniya in August. In response, the competing government based in Tobruk convinced the Egyptian satellite company carrying Al-Wataniya’s signal to halt its broadcasts, as well as those of state-owned channel Libya al-Rasmiya, which had taken an antigovernment line. Both channels quickly returned to the airwaves by broadcasting on other frequencies. Several journalists publically resigned from private outlets in Tripoli as the Islamists exerted stringent control over the operations of media there. The staffs of several outlets were replaced with journalists sympathetic to the Islamists.

In Benghazi, Tobruk government forces shut down media organizations considered to be affiliated with the Islamists, such as Al-Ayn, which owns a radio station and website. The Tobruk government also closed radio stations in the east believed to support the rebels.

**Political Environment**

Media content is now controlled by militias or the army, and censorship is pervasive. Due to the mounting pressure of both the Tripoli and Tobruk governments, in combination with ongoing hostilities, many journalists have resorted to self-censorship out of fear of reprisal. Numerous radio stations have either stopped broadcasting political programs or shut down entirely. Newspapers such as Al-Mayadeen in Tripoli and Al-Ahwal in Benghazi suspended publication due to credible threats.

Libya’s chaotic security situation made it difficult for journalists to access many parts of the country and exposed them to danger while in the course of their reporting. Three journalists with Fezzan TV were kidnapped in January while covering clashes near the southwestern city of Sabha. In August, two journalists with Alassema TV were kidnapped while reporting on a rally in Tripoli’s Al-Shohada Square in support of the Libyan army. The latter station is a high-profile critic of Libyan Islamist groups. In September, two
Tunisian journalists were kidnapped twice—once after their initial release—while reporting on the security situation in the city of Ajdabiya.

Journalists were also subject to reprisal attacks as a result of their reporting. Dozens of threats, physical assaults, and abductions were reported throughout 2014. In particular, Alassema TV suffered a number of attacks. In February, the station’s headquarters was hit with rocket-propelled grenades, and the home of the owner was bombed, badly injuring a journalist who was there. In August, the headquarters was stormed by militants, who destroyed equipment and kidnapped employees. In May, Muftah Bu Zeid, the editor-in-chief of a weekly paper in Benghazi and high-profile critic of the Islamist forces, was shot and killed. Although his murder is the only one confirmed in 2014 by the Committee to Protect Journalists as definitively linked to his work, several other journalists were killed throughout the year for unconfirmed reasons.

**Economic Environment**

Libya’s media landscape remains fluid and vulnerable due to the security upheavals. 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 or online. However, reports indicate that the publication of many newspapers in Tripoli ceased in July 2014 as printing press workers went on strike over labor conditions and pay. 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. The internet penetration rate remains relatively low, with about 18 percent of the population accessing the medium in 2014.

Both state-owned television stations fell under the control of Islamic militias in 2014. Media controlled by the government reflect the official line, while the state-owned media that fell under militia control are used as a mouthpiece for the rebels. Local councils in Misrata and Benghazi also fund their own channels. The sector is open to private ownership, and there was a proliferation of new outlets after 2011, but many have since closed due to lack of funding or experienced journalists. There is currently no law mandating transparency in media ownership or funding. After the fall of Tripoli to rebel groups, several new television channels began broadcasting, but the opacity of the situation in the capital means that their ownership structure, political affiliations, and operating procedures remain unknown. Many privately owned television stations reflect the positions of particular political factions. For example, Libya al-Hurrah is viewed as an affiliate of the Muslim Brotherhood’s Justice and Construction Party. By contrast, Libya al-Ahrar is increasingly seen as a mouthpiece of the government. Alassema and Al-Dawliya are linked to the National Forces Alliance of the liberal leader Mahmood Jibril, and Al-Nabaa is affiliated with Islamist elements. Most of these channels deny any allegations of bias or conflicts of interest.

The telecommunications infrastructure inherited from the previous regime has yet to be refurbished, and internet users struggle to secure a reliable, high-speed connection. Libya had the lowest average internet connection speed in the world in 2014. However, it also has one of the highest mobile telephone penetration rates in Africa. Social media have
seen continual 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.

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