

Libya

	2013	2014		
Internet Freedom Status	Partly Free	Partly Free	Population:	6.5 million
Obstacles to Access (0-25)	17	18	Internet Penetration 2013:	17 percent
Limits on Content (0-35)	9	9	Social Media/ICT Apps Blocked:	No
Violations of User Rights (0-40)	19	21	Political/Social Content Blocked:	No
TOTAL* (0-100)	45	48	Bloggers/ICT Users Arrested:	No
			Press Freedom 2014 Status:	Not Free

* 0=most free, 100=least free

Key Developments: May 2013 – May 2014

- Protestors stormed the headquarters of the Libya Telecom and Technology, making political demands and forcing engineers to cut off internet access to large parts of the country (see **Obstacles to Access**).
- In February, the General National Congress (GNC) passed a law prohibiting any criticism of the 2011 revolution, as well as insults against GNC members (see **Violations of User Rights**).
- Online threats and violent attacks on journalists increased. Khadija el-Emame, a reporter with the news website *Libya al-Mustaqbal*, survived an assassination attempt in Benghazi in August 2013 (see **Violations of User Rights**).

Introduction

The situation has been tenuous in Libya over the past year, with a political crisis and fighting between different armed militias ongoing. The General National Congress (GNC), elected in July 2012, voted to extend its term in February 2014 and laid out plans for a Constitutional Drafting Assembly to write the new constitution within 60 days.¹ The Council of Representatives Law was passed in March, setting the stage for parliamentary elections in June.² However, while the creation of Libya's first democratically-elected government in 60 years was a great step forward, there has not been significant progress toward remedying the country's legal and institutional challenges. The actions of militias, including armed Islamist groups, offset many of the gains the government has made in removing obstacles to internet access and limits on online content. The overall breakdown in the rule of law, instigated by political turmoil and violence, has also led to greater extralegal attacks on journalists.

The internet became publicly available in Libya in 1998, though prices were excessively high and access was limited to the elite. Thousands of cybercafes sprang up after 2000, eventually offering cheap internet to both urban and rural users.³ 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.⁴ In its initial stages, there were few instances of online censorship in Libya.⁵ However, it was not long until the Qadhafi regime began to target opposition news websites, particularly after the lifting of United Nations sanctions in 2003 led to increased access to surveillance and filtering equipment.⁶ Overall, the highly repressive online environment, which included harsh punishments for any criticism of the ruling system, contributed to an extreme degree of self-censorship by internet users.⁷

It has now been three years since the 2011 Libyan revolution, when a popular uprising and ensuing civil war deposed the country's long-time leader, Muammar Qadhafi, and placed the country on a shaky path to democracy. Overall, the country has witnessed a flurry of self-expression as Libyans seek to make up for lost time under the Qadhafi era, resulting in an increase in news sites, the development of a market for online advertising, and massive growth in Facebook use. However, the civil war also impacted investment in the country's information and communications technology (ICT) sector, damaging infrastructure and sidelining an earlier US\$10 billion development plan for 2020.⁸ Laws from the Qadhafi era remain an impediment to freedom of expression. In other cases,

1 Patrick Markey and Ghaith Shennib, "In standoff, Libyans protest over parliament extension," Reuters, February 7, 2014, <http://www.reuters.com/article/2014/02/07/us-libya-crisis-idUSBREA161MH20140207>.

2 See Alaa Bayoumi and Alia Chughtai, "Infographic: Explaining Libya's Election," Al Jazeera, June 24, 2014, <http://www.aljazeera.com/indepth/interactive/2014/06/infographic-explaining-libyas-election-2014624134840313976.html>.

3 Gamal Eid, "Libya: The Internet in a conflict zone," The Arabic Network for Human Rights Information, 2004, <http://www.anhri.net/en/reports/net2004/libya.shtml>.

4 "Libya – Telecoms, Mobile and Broadband," Budde.com, accessed August 21, 2013, <http://www.budde.com.au/Research/Libya-Telecoms-Mobile-and-Broadband.html>.

5 Doug Saunders, "Arab social capital is there – it's young and connected," The Globe and Mail, March 5, 2011, <http://www.theglobeandmail.com/news/world/doug-saunders/arab-social-capital-is-there-its-young-and-connected/article1930770/>.

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

7 Ismael Dbarra, "Internet in Libya: Everyone is rebelling against continued blocking and censorship," Elaph (Arabic), March 5, 2009, www.elaph.com/Web/politics/2009/3/415948.htm.

8 "Libya – Telecoms, Mobile and Broadband," Budde.com, accessed August 21, 2013, <http://www.budde.com.au/Research/Libya-Telecoms-Mobile-and-Broadband.html>.

laws that once prohibited criticism of Qadhafi's revolution have been changed to outlaw criticism of the 2011 revolution or members of the GNC. However, the biggest impediment to free speech remains the threat of extralegal violence by armed militias. Journalists faced assassination attempts over the past year and numerous online threats related to their reporting.

Obstacles to Access

Internet penetration has traditionally been very low in Libya. While the percentage of the population with access to the internet almost doubled from 2008 to 2013, the latest estimates still put penetration at just 16.5 percent.⁹ Of these users, an estimated 80 percent use the wireless WiMax service. At present the country has 346 towers in 18 different locations to fulfill the need for WiMax services and internet connections. Broadband was introduced in 2007, although the number of fixed broadband subscriptions was relatively low at just over 1 subscription per every 100 inhabitants in 2013.¹⁰

Mobile phone use is ubiquitous in comparison. There are over 13 million mobile subscriptions in Libya, representing a penetration rate of 156.3 percent.¹¹ Prices have dropped systematically since the introduction of a second mobile provider in 2003, resulting in greater affordability. By 2013, the price of a prepaid SIM card from the main provider, Libyana, was LYD 5 (US\$ 4). Smartphones and 3G connectivity have been available since 2006, though the prohibitive cost of compatible handsets impedes their wider dissemination.¹²

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 per month (US\$ 8), an ADSL subscription was LYD 20 (US\$ 16) for a 20 GB data plan, and WiMax was LYD 40 (US\$ 31) for a 15 GB data plan, after initial connection fees. By comparison, gross national income per capita was US\$ 1,078 per month, pushed up by relatively high salaries in oil and gas firms.¹³ Libya Telecom and Technology (LTT) announced a plan to decrease the prices of leased lines up to 45 percent starting from first quarter of 2014 to coincide with the month of Ramadan.¹⁴ The LTT also decreased WiMax connection fees for individual users from LYD 160 (US\$ 124) to LYD 120 (US\$ 93) and from LYD 260 (US\$ 202) to LYD 220 (US\$ 171) for households.¹⁵ WiMax modems are in short supply, resulting in high prices for second-hand devices sold on the site Open Souk, Libya's online marketplace.¹⁶

9 "Percentage of individuals using the Internet," International Telecommunications Union, 2013, accessed August 19, 2014, <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

10 "Fixed (wired-) broadband subscriptions," International Telecommunications Union, 2013, accessed August 19, 2014, <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

11 "Mobile-cellular subscriptions" International Telecommunications Union, 2011. Available at <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

12 "Libyana Introduces 3G Services for First Time in Libya," The Tripoli Post, September 26, 2006, <http://www.tripolipost.com/articleDetail.asp?c=2&i=311>.

13 "Libya – World Development Indicators" The World Bank, accessed August 21, 2013, http://data.worldbank.org/country/libya#cp_wdi.

14 "Discounts up to 45% in the service of custom fonts," [in Arabic] Libya Telecom & Technology, <http://www.ltt.ly/news/d.php?i=206>, accessed July 23, 2013.

15 "Now, Libya Max service from Libya Telecom and Technology worth 120 dinars for personal rather than 160," [in Arabic] Libya Telecom & Technology, <http://www.ltt.ly/news/d.php?i=188>, accessed July 23, 2013.

16 See <http://ly.opensooq.com/> or <https://www.facebook.com/OpenSooq.Libya> it even has a mobile app now.

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Many foreign and Libyan organizations and individuals in need of a reliable internet service contract have been driven towards two-way satellite internet technology. As two-way technology has become more popular, connection fees and equipment costs have been lowered. Prices were recently at LYD 800 (US\$ 630) for the hardware and a monthly subscription costs LYD 255 (US\$ 210) for a fast connection, depending on the number of users.¹⁷

Most people access the internet from their homes and workplaces (particularly those working for foreign organizations or companies), followed by mobile phones, and hotel lobbies. The cybercafe industry, which was decimated in many parts of Libya during the conflict, is starting to return to profitable business through catering mainly to foreign workers and Voice over Internet Protocol (VoIP) calls. The adult literacy rate is last recorded at 90 percent and a wide range of websites and computer software is available in Arabic.¹⁸ 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, with the damage estimated at over \$1 billion.¹⁹ 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 attracted over 20,000 followers.²⁰ Upgrades have been projected in an effort to respond to demands for increased capacity, such as the laying of the European Indian Gateway and Silphium submarine cables,²¹ the construction of additional WiMax towers,²² the creation of Wi-Fi hotspots, the installation of a long distance fiber-optic cable within the country,²³ and the development of next-generation broadband.²⁴

According to Akamai, Libya has the world's slowest internet speeds at 0.5 Mbps.²⁵ ICT experts say this results from poor infrastructure, a lack of quality of service, technology constraints and 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.²⁶

Libya has seen repeated shutdowns to internet service over the past year due to vandalism and technical disruptions. The internet was cut through much of the country in December 2013 as 150

17 See <http://www.giga.ly/> or <https://www.facebook.com/Giga.ltd>

18 "Literacy rate, adult total (% of people ages 15 and above)," The World Bank, accessed August 21, 2014, <http://data.worldbank.org/indicator/SE.ADT.LITR.ZS/countries>.

19 "Libya – Telecoms, Mobile and Broadband," Budde.com, accessed August 21, 2013, <http://www.budde.com.au/Research/Libya-Telecoms-Mobile-and-Broadband.html>.

20 See <https://www.facebook.com/ihateltt>

21 "The Activation of The New Upgraded Submarine Cable System between Libya and Italy," The Tripoli Post, December 25, 2011, <http://www.tripolipost.com/articledetail.asp?c=11&i=7562>.

22 "ZTE suggest Libya will boast nationwide WiMax network by Aug-13," TeleGeography, January 24, 2013, <http://www.telegeography.com/products/commsupdate/articles/2013/01/24/zte-suggests-libya-will-boast-nationwide-WiMax-network-by-aug-13/>.

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

24 Tom Westcott, "Improving Libya's Internet Access," *Business Eye*, February 2013, pp. 18, available at <http://www.libyaherald.com/business-eye-issue-1-february-2013-2/>.

25 Douglas A. McIntyre, "Libya Leads the World in Slowest Internet Connection Speeds," Yahoo Finance, June 30, 2014, <http://finance.yahoo.com/news/libya-leads-world-slowest-internet-104001791.html>.

26 Interview with ex-Libyana IT engineer on March 2013.

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protestors violently stormed the headquarters of LTT, demanding the resignation of Prime Minister Ali Zeidan.²⁷ Faults caused disruptions in Kufra, Zliten, and other cities at other points in the year. LTT has denied intentionally shutting down service.²⁸

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. The tender for the first private mobile network service provider was set to be issued in 2014.²⁹ Since the fall of the regime, 25 ISPs have been licensed to compete with state-owned ISPs and 23 VSAT operators have also been established. Many have strong ownership ties to the government.³⁰ The LIPTC owns two mobile phone providers, Almadar and Libyana, while a third provider, Libya Phone, is owned by the LIPTC's subsidiary, LTT.

The post-conflict regulatory environment remains very unclear. The newly elected government has a Ministry of Communication, but it has expressed no clear vision for the future. Furthermore, disputes over the country's governance have led to controversy over who is the rightful prime minister of Libya, and consequently the legitimate minister of communication. Many of the policies restricting internet freedom that were promulgated under Qadhafi are still operative. During the Qadhafi era, decisions on licensing were made by the government-controlled GPTC. There was talk in 2006 of creating a new regulator, the General Telecom Authority (GTA), but its status and function remains unclear. Some suspect it was intended to oversee the monitoring of online activities.

Limits on Content

The online media landscape has developed quickly in Libya since restrictions on publishing dissipated with the fall of the old regime. As internet use has increased, so has the market for online advertising, contributing to the overall expansion of Libyan news sites and online services. Facebook in particular has become an important news source for many Libyans. Nonetheless, habits formed during decades of oppressive rule and the continued threat posed by militias both contribute to some degree of self-censorship among users, particularly on sensitive subjects. While these limits on content endured in the past year, it is still too early to tell what direction Libya is moving during this highly fluid, uncertain period.

The defeat of the Qadhafi regime led to a cessation of state blocking in August 2011. Under the various transitional and interim governments, censorship remained sporadic. The transitional

27 "Protestors force Libya internet shutdown," BBC News, December 21, 2013, <http://www.bbc.com/news/world-africa-25481794>, and Ahmed Elumami and Sami Zaptia, "Libya protestors force internet blackout," Libya Herald, December 21, 2013, <http://www.saudigazette.com.sa/index.cfm?method=home.regcon&contentid=20131223190286>.

28 "LTT denies cutting internet services," Libya Business News, July 28, 2014, <http://www.libya-businessnews.com/2014/07/28/ltt-denies-cutting-internet-services/>.

29 Daily News Egypt (2013) 'Libya to tender for first private mobile licence: minister -' retrieved from: <http://www.dailynewsegyp.com/2013/09/17/libya-to-tender-for-first-private-mobile-licence-minister-#sthash.2FwVJUZN.dpuf>

30 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://www.uneca.org/na/Information.pdf>; "Internet Filtering in Libya – 2006/2007," OpenNet Initiative, 2007, <http://opennet.net/studies/libya2007>; "Telecoms in Libya" [in Arabic], Marefa.org, accessed August 30, 2012, <http://bit.ly/1bhJYKc>.

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government blocked YouTube to suppress videos documenting human rights abuses by militants, but the platform was available again after the civil war ended in 2011.

Social media services such as YouTube, Facebook, Twitter, and international blog-hosting platforms are now freely accessible. In fact, the “Innocence of Muslims” film that sparked protests outside the American consulate in Benghazi was not blocked by Libyan authorities, although it was made inaccessible by YouTube’s parent company, Google. Facebook was inaccessible for at least one day in 2012, although the LTT attributed it to technical error.³¹

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.

There is little transparency and no legal framework related to the blocking of websites in Libya, as the regulations have not yet been formulated. Technically, all regulations of the Qadhafi era remain valid. When accessing banned websites, users are shown a message from the authorities to note that the site has been blocked.

The English- and Arabic-language websites of the television channel Russia Today (RT) were accessible in Libya during the coverage period, though they were blocked in 2013. RT had posted an interview with Mahmoud Jibril, head of the National Forces Alliance, in which it was alleged that Libya’s last prime minister under Qadhafi, Baghdadi al-Mahmoudi, was tortured in custody by government authorities after being extradited from Tunisia.³² The Ministry of Communications and Information Technology confirmed that RT was blocked on their Facebook page at the time.³³

Prior to the war, “indecent” was prohibited but sexually-explicit sites were never blocked. 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 liberation of Tripoli. The committee was formed of conservative rebel fighters in a bid to be seen as the guardians of public morality. 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.

Though the environment has loosened considerably since Qadhafi, 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 year.³⁴ After the revolution, there was a notable increase in the number of bloggers writing within Libya, particularly writings devoted to political activism, hope for the future, and criticism of the interim government. Nonetheless, many bloggers and individuals choose not to comment

31 “Reasons for the stop of social networking site Facebook,” [in Arabic] Libya Telecom & Technology, <http://www.ltt.ly/news/d.php?i=215>, accessed July 23, 2013.

32 Chris Stephen and Luke Harding, “Libya’s former PM Mahmoudi ‘tortured’ on forced return to Tripoli,” The Guardian, June 27, 2012, <http://www.guardian.co.uk/world/2012/jun/27/libya-mahmoudi-tortured-return-tripoli>.

33 See post by the Ministry of Communications and Informatics – Libya [in Arabic], <https://www.facebook.com/cim.gov.ly/posts/403340369762444>.

34 “2013 World Press Freedom Index: Dashed Hopes After Spring,” Reporters Without Borders, http://en.rsf.org/press-freedom-index-2013_1054.html, last accessed in March 2013.

on social taboos such as rape or conflicts between warring tribes and cities. Online writers 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 also avoid criticizing the 2011 revolution. It should be noted that many commentators are more afraid of retribution from armed groups and non-state actors rather than the government. Such unseen pressures contribute to an atmosphere of self-censorship and incomplete freedoms.³⁵

After decades of harsh censorship, the online media landscape in Libya is now much more diverse, with few dominant news providers and many local or privately-owned outlets. The online advertising market has grown slowly and websites related to the Amazigh (whose language was banned under Qadhafi) and other minorities are now flourishing. Interestingly, Facebook is often the platform of choice for city and even government officials to publish updates and official communication. From April 2012 to April 2013, the number of Facebook users in Libya doubled from some 400,000 to 860,000.³⁶ The social networking site was the most visited website in the country and has also become the main source of news about Libya for a large number of users inside and outside the country.³⁷

Over the past year, Libyans have used Facebook and Twitter to mobilize around a variety of causes. Recent campaigns include the “No Extension of GNC” movement. Social media users protested the decision of the GNC to remain in power past the transitional deadline of February 7, 2014. The move prompted massive and violent protests in Benghazi’s Freedom Square, which quickly spread into violent clashes around the country.

Violations of User Rights

Freedom of opinion, communication, and press are guaranteed by Libya’s Draft Constitutional Charter, released by the Libyan Transitional National Council in September 2011 to outline Libya’s governance during the transitional and interim period following the fall of the Qadhafi regime.³⁸ However, the formation of a committee to draft the new constitution was delayed until March 2013, when the GNC established a 60-member constitutional committee.³⁹ In the meantime, restrictive laws remain on the books and a murky surveillance apparatus continues to function with little judicial oversight. The gravest threats to user rights, however, come from armed groups. Several online journalists have faced threats and in some cases violent attacks in the country’s highly polarized and tense environment.

During the Qadhafi era, several laws provided for freedom of speech, but these protections were

35 Tracey Shelton, “Libya’s media has its own revolution,” Global Post, March 18, 2012, <http://mobile.globalpost.com/dispatch/news/regions/africa/120301/libya-media-revolution-newspapers-television-radio-journalism-free-speech>.

36 Libya Facebook Statistics,” Socialbakers, accessed April 10, 2012, <http://www.socialbakers.com/facebook-statistics/libya>, and Ghazi Gheblawi, “Free speech in post-Gaddafi Libya,” Index on Censorship, April 2013, <http://www.indexoncensorship.org/2013/04/freedom-of-speech-in-libya/>.

37 “The Top Sites in Libya,” Alexa, accessed May 31, 2014, <http://www.alexa.com/topsites/countries/LY>.

38 “Draft Constitutional Charter for the Transitional Stage,” Libyan Transitional National Council, September 2011, available at <http://www.refworld.org/docid/4e80475b2.html>.

39 Article 19 (2013) ‘Libya : Protecting freedom of expression and right to access information in new constitution’ retrieved online from: <http://www.article19.org/resources.php/resource/37139/en/libya--protecting-freedom-of-expression-and-right-to-access-information-in-new-constitution>

typically undermined by vague language restricting the same freedoms. For example, the 1969 Libyan Constitutional Declaration and the 1988 Green Charter for Human Rights both guarantee freedom of speech and opinion but also note that these must be “within the limits of public interest and the principles of the Revolution.”⁴⁰ A press law proposed in 2007, and a telecommunications law proposed in 2010, were never implemented.⁴¹ Other laws dating from the Qadhafi era provide for 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.⁴² 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. 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.”⁴³

Since 2012, the judiciary has become increasingly independent. In 2012, the Supreme Court of Libya declared a law that criminalized a variety of political speech unconstitutional,⁴⁴ in what was considered a landmark decision as the first time the judiciary had ruled to defend free speech. More recently, however, state bodies remain subject to pressure from a variety of armed militias.

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, using similar language that outlawed criticism of Qadhafi’s “Al-Fateh Revolution.”⁴⁵

The breakdown of the rule of law and growing influence of militias has resulted in a worrying uptick in threats and violence against journalists. Khadija el-Emaime, a satellite TV station bureau chief and journalist for the news site *al-Mustaqbal*, survived an assassination attempt in Benghazi on August 12, 2013.⁴⁶ Mahmoud al-Misrati, editor-in-chief of the newspaper *Libya al-Jadida*, has been repeatedly threatened on social media and was targeted with a rocket-propelled grenade strike against his home in January 2014.⁴⁷ George Grant, a British journalist for the online publication *Libya Herald*, fled Libya in January 2013 following threats apparently sent from Islamist militants.⁴⁸ Grant had written an article regarding a suspected “death list” of senior security officials drawn up by

40 IREX, “Media Sustainability Index – Middle East and North Africa,” *Media Sustainability Index 2008* (Washington D.C.: IREX, 2008), 27, http://www.irex.org/system/files/MENA_MSI_2008_Book_Full.pdf.

41 IREX, “Media Sustainability Index – Middle East and North Africa,” *Media Sustainability Index 2006/2007* (Washington D.C.: IREX, 2009), 33, <http://www.irex.org/system/files/MENA%20MSI%202007%20Book.pdf>.

42 IREX, “Media Sustainability Index – Middle East and North Africa,” *Media Sustainability Index 2005* (Washington D.C.: IREX, 2006), 36, http://www.irex.org/system/files/MENA_MSI_2005-Full.pdf.

43 “Internet Filtering in Libya – 2006/2007,” OpenNet Initiative, and “Regulations,” Libya ccTLD, accessed August 30, 2012, <http://nic.ly/regulations.php>.

44 HRW (2012) ‘Libya: Law Restricting Speech Ruled Unconstitutional’ retrieved online from: <http://www.hrw.org/news/2012/06/14/libya-law-restricting-speech-ruled-unconstitutional>

45 Amnesty, “Three years on, Gaddafi-era laws used to clamp down on free expression,” ReliefWeb, February 12, 2014, <http://reliefweb.int/report/libya/three-years-gaddafi-era-laws-used-clamp-down-free-expression>.

46 “Journalist survives Benghazi shooting attack unhurt,” Reporters Without Borders, August 14, 2013, <http://en.rsf.org/libya-journalist-survives-benghazi-14-08-2013.45052.html>.

47 “Libya – Freedom of information under constant attack,” Reporters Without Borders, May 7, 2014, <http://www.trust.org/item/20140507105621-c4jh0/?source=search>.

48 See <http://www.facebook.com/video/video.php?v=10100408892583391>

Islamist fighters seeking to undermine the state security presence in Benghazi.⁴⁹ In early 2014, many more journalists were forced to leave the country due to repeated intimidation.

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,⁵⁰ 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.⁵¹ 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.⁵² Libyans must present identification when purchasing a SIM card, but extensive efforts were also made to develop the capacity to eavesdrop on Skype and VSAT connections. According to current and former staff of LTT, the government even obtained backdoor access to Thuraya satellite phones, which were widely perceived as a secure means of communication.⁵³

While many Libyans would like to believe that such widespread surveillance has ceased, uncertainties remain over the actions of domestic intelligence agencies in the new Libya. 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.⁵⁴ Others suspect that it was 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 confirmed that the surveillance system was reactivated.⁵⁵ Its status in 2014 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.

Websites are vulnerable to cyberattacks, with prominent news sites such as *Libya Herald* employing protection measures against distributed denial-of-service (DDoS) attacks. No similar examples were reported during the coverage period.

49 For the article in question, see George Grant and Mohamed Bujenah, "Update II: Security forces arrest man in connection with Benghazi killings, four policemen killed in failed release attempt," *Libya Herald*, December 16, 2012, <http://www.libyaherald.com/2012/12/16/security-forces-arrest-possible-faraj-drissi-assassin-sparking-reprisal-killings/>.

50 Ivan Sigal, "Libya: Foreign Hackers and Surveillance," *Global Voices*, October 27, 2011, <http://advocacy.globalvoicesonline.org/2011/10/27/libya-foreign-hackers-and-surveillance/>.

51 Ibid.

52 Paul Sonne and Margarent Coker, "Firms Aided Libyan Spies," *The Wall Street Journal*, August 30, 2011, <http://online.wsj.com/article/SB10001424053111904199404576538721260166388.html>.

53 Sonne and Coker, "Firms Aided Libyan Spies."

54 Margaret Coker and Paul Sonne, "Gadhafi-Era Spy Tactics Quietly Restarted in Libya," *The Wall Street Journal*, July 2, 2012, <http://online.wsj.com/article/SB10001424052702304782404577488493816611850.html>.

55 "Libya Telecom" Facebook post [in Arabic], March 31, 2012 at 7:16am, <https://www.facebook.com/LibyaTelecom/posts/20114256662920>.