

**Submission for Global Study on the Impact of Counter-Terrorism Measures on Civil  
Society and Civic Space: Libya  
Cairo Institute for Human Rights Studies**

### **Threats to Civil Society**

Libya's current legal framework allows for harsh penalties for crimes of expression, up to capital punishment. Law 3/2014 on Terrorism is used to enforce numerous restrictions on freedom of expression, including online censorship. The law puts peaceful political opposition and independent voices, including human rights defenders and others neither linked to nor supportive of terrorist groups, at risk of prolonged imprisonment for exercising their right to free expression. The law allows the trial of civilians before military courts, which lack international fair trial guarantees.

The Terrorism Law employs an overly broad definition of terrorism, which includes harming the environment and prohibiting or obstructing the operation of public authorities, government departments, or municipal units. It permits persons demonstrating in front of government facilities or staging a strike within them to be charged as terrorists. Article 15 provides for a sentence of five to ten years in prison for "any person who engages in advocacy, propagation, or deception to commit a terrorist act, whether in word, writing or any other means of broadcast, publication, letters, online activity."

On 7 May 2018, the Presidential Council issued Decree 555/2018. The Decree officially established a new unit, the Anti-Terrorism and Organized Crime, the Special Deterrence Force (SDF), a paramilitary force subordinate to the Government of National Accord (GNA) Interior Ministry. Article 4 of the Decree gives the unit broad authority to use censorship to intercept all "information likely to threaten the safety of the country, social safety, or national security." Despite repeated allegations of the unit's involvement in serious human rights abuses and a ruling from the Bayda Court annulling the Decree establishing the unit on 15 April 2019, the SDF continues to function. It controls one of the biggest and most important prisons in Tripoli.

The authorities tasked militias with enforcing restrictive laws, including the Terrorism Law, and with implementing regulations and decrees issued after 2015. According to the Libya Platform, since 2015, 247 journalists, media workers, and over 120 human rights defenders have been targeted by militias and paramilitaries. Paramilitaries have also picked out activists at airports and security checkpoints to question them about their activities, reasons for travel, and political affiliations; many such interrogations have ended in arbitrary arrest and violations of bodily integrity. Militias have also targeted the judiciary, effectively rendering it unable to hold individuals involved in grave human rights abuses accountable.

### **Threats to Freedom of Expression**

The Interim Government's Public Institution for Radio and Television in Bayda issued a decree on 17 July 2019 ending local authorities' dealings with eleven satellite channels accused of operating without a license, supporting extremism and terrorism, or threatening the social fabric in Libya. A grave violation of press freedom, the decree represents a system of ever-worsening repression threatening media freedom throughout Libya.

The photojournalist and activist Ismail Bouzriba Al-Zoui was released on 12 September 2021 after being sentenced in May 2020 to 15 years in prison by a military court in Benghazi in May 2020. He was accused of supporting terrorism and terrorist groups and of communication with media outlets identified as supporting terrorism by the General Command of the eastern-based Libyan National Army (LNA) coalition. The charges were levelled against him after authorities searched his phone and found content critical of the General Command and the Dignity military operation.

Ismail Al-Zoui had been arrested in December 2018 by the internal security services of Ajdabiya and was arbitrarily detained for 18 months in a military prison in Benghazi prior to his trial. The photojournalist was prevented from contacting his relatives and lawyer; he was not presented to the prosecution with his lawyer in attendance during the entire period of his pre-trial detention. Furthermore, he was not informed of the date of his sentencing hearing, and his trial was held in absentia. The violations of due process make a mockery of the trial and indicate the verdict against him was decided in advance.

Ismail Al-Zoui started working as a journalist and activist during the February 17, 2011 uprising. He is currently the chairperson of the Libyan Club for Culture and Dialogue. He has published several journalistic reports on Ajdabiya's media channel and his personal channel on YouTube.