

Libya - Human Rights Scorecard ¹

Libya is a sovereign state situated in North Africa. It is the fourth-largest country in Africa and is home to the tenth-largest oil reserves in the world. Libya was an Italian colony from 1911 to 1951, when it became an independent kingdom. A military coup, led by Muammar Gaddafi, overthrew the monarchy in 1969. Gaddafi, condemned by many as a dictator, led the country until 2011 when he was overthrown and killed during the First Libyan Civil War. Civil strife is ongoing in Libya. Political power remains split between the UN-backed Government of National Accord and the Council of Deputies in Tobruk.

Official language: Arabic

Ethnic groups: 97% Berber/Arab, 3% other

Government: Unitary provisional government

- Chairman of the Presidential Council: Fayez al-Sarraj
- Prime Minister: Fayez al-Sarraj
- President of the House of Representatives: Aguila Saleh Issa
- Prime Minister: Abdullah al-Thani

Death penalty: Retentionist

Population: 6.3 million

Life expectancy: 75 years²

Under-5 mortality: 12.9 per 1000³

Adult literacy: 89.5 percent



Section 1: Overall Development

The overall development of a country – considering education, health, income, and other factors – is a strong indicator of whether average citizens have a reasonable chance to enjoy social and economic well-being and mobility.

Human Development (UNDP Human Development Index (HDI)) ⁴



0.706 – High Human Development ⁵

According to the UNDP, Libyans enjoyed a gross national income per capita of \$11,100, and could expect to have on average 13.4 years of schooling. However, other countries with comparable gross national income per capita tend to have a much higher HDI.

Section 2: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

Freedom from arbitrary or unlawful deprivation of life



Largely disrespected ⁶

There are numerous reports of arbitrary or unlawful killings by pro- and anti-GNA militias, LNA units, ISIS fighters, civilians, and other extremist groups. Without an effective judiciary or security apparatus, perpetrators remain largely unidentified and unpunished.

Freedom from disappearance



Largely disrespected ⁷

There are numerous reports of forced disappearances and kidnappings committed by government-aligned forces, as well as armed groups not affiliated with the government.

Freedom from torture and other cruel, inhuman or degrading treatment or punishment



Largely disrespected ⁸

Due to a lack of resources, the government relies on militias to manage many of its incarceration facilities. There are numerous reports of extralegal armed groups and judicial police torturing detainees. Prison conditions fall well under international standards.

Freedom from arbitrary arrest or detention



Largely disrespected ⁹

There are numerous reports of armed groups detaining individuals arbitrarily, often in unauthorized facilities. The government has weak control over state police and local armed groups, so these arbitrary detentions are carried out largely unimpeded.

Freedom from denial of fair public trial



Largely disrespected¹⁰

Many detainees are left without access to a lawyer or information about the charges against them.

Freedom from arbitrary interference with privacy, family, home or correspondence



Largely disrespected¹¹

Reports indicate that government-affiliated actors, militias, and extremist groups often violate Constitutional prohibitions against this type of interference. Invasion of privacy leaves citizens vulnerable to attack based on their political affiliation or identity.

Section 3: Respect for Civil Liberties

Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.

Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)¹²



Score: 56.79, Rank: 162 / 180 – Highly controlled, limited or intimidated¹³

According to Reporters Without Borders, journalists have to risk their lives if they want to report in Libya. Most journalists have fled Libya and those who have stayed face inevitable reprisals.

Freedom from academic censorship



Largely disrespected¹⁴

Security conditions restrict the ability to practice academic freedom.

Freedom of peaceful assembly and association



Largely disrespected¹⁵

Laws regarding the right to assembly are stringent and fail to include necessary assurances. Furthermore, the government lacks the capacity to protect citizens' freedom of association. As a result, there has been a proliferation of attacks on journalists, activists and religious figures.

Freedom of religion



Largely disrespected¹⁶

Nonstate actors and militias continue to control territory throughout the country, and there are numerous reports of these groups restricting religious practices and imposing Islamic law according to their interpretation. There are also numerous reports of violence towards Sufi Muslims.

Freedom of movement



Largely disrespected¹⁷

Government-aligned groups set up checkpoints to control in-country movement. There are also reports of checkpoints imposed by ISIS and other extremist groups; these checkpoints impeded movement and, in some cases, prohibited women from moving freely without a male escort.

Protection of refugees and stateless persons



Largely disrespected¹⁸

Refugees and migrants face abuse, arbitrary detention, and potential death. Lack of government oversight and overall instability has made human trafficking very lucrative. There are many allegations of abuse of migrants and refugees by traffickers.

Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)^{19 20}



6 / 7 – Not free²¹

The civil war has taken its toll on all aspects of life in Libya—religious freedom is violated by extremist militants, the judiciary is completely ineffective, and freedom of express is hindered by the threat of conflict.

Section 4: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc.

Overall protection of political rights (*FreedomHouse Political Rights Index*)²²



7 / 7 – Not free²³

There is no centralized government in Libya and, as a result of ongoing hostilities, democratic elections are an impossibility. Essentially, ongoing civil conflict prevents all segments of the population from exercising their basic political rights.

Section 5: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)²⁴



Score: 17%, Rank: 171 / 180 – Extremely corrupt²⁵

There are numerous reports of government corruption, but no investigations or prosecutions have occurred. Citizens also engage in corruption with impunity as a result of the government's lack of centralization.

Section 6: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



Partially respected²⁶

The government has not impeded human rights organizations from operating, nor has it refuted or suppressed their criticisms. In fact, the government has publicly condemned rights abuses alongside NGOs. However, they have not been able to protect NGOs from violence.

Section 7: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

Endangered Minorities (*Peoples Under Threat – Minority Rights Group International*)²⁷



Listed – Dangers faced by minorities²⁸

According to Minorities Rights Group International, the following minority groups are under threat: Black Libyans, Sub-Saharan migrants, Tebu and Berbers.

Rights of women (*World Economic Forum Gender Gap Index*)²⁹

No data available

The World Economic Forum has not included Libya in its Gender Gap Index.

Rights of Children (*KidsRights Index Overall Score*)³⁰



Score: 76.2%, Rank: 74 / 182 – Somewhat protected³¹

Ongoing conflict and lack of security has disrupted school attendance for many children. Many schools remain empty due to a lack of resources, damage, or security concerns.

Rights of persons with disabilities



Largely disrespected³²

The government does not effectively enforce provisions that mandate social assistance for individuals with special needs, nor does it enforce laws against discrimination.

Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



Largely disrespected³³

Discrimination against dark-skinned citizens is widespread, specifically against people from sub-Saharan Africa. Tebu and Tuareg communities also face social discrimination.

Freedom from abuse and discrimination based on sexual orientation or gender identity



Largely disrespected^{34 35}

LGBTQ status remains illegal in Libya. Individuals who engage in same-sex sexual activity can be convicted and sentenced to five years in prison. There are reports of militias policing communities, harassing individuals believed to have LGBTQ orientations.

Section 7: Workers' Rights

Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.

Rights to freedom of association and to collective bargaining



Largely disrespected³⁶

Capacity limitations prevent efficient enforcement of labor laws. The requirement that all collective agreements conform to the "national economic interest" has been restrictive. Further, the law does not provide the right for workers to form and join independent unions.

Freedom from forced or compulsory labour



Largely disrespected³⁷

According to the IOM, militias subject migrants to forced labor in IDP camps and other transit centers that they control. There are also reports of armed groups preventing foreign healthcare workers from leaving, and forcing them to perform unpaid work.

Freedom from forced labour for children, and a minimum age of employment



Largely disrespected³⁸

The law prohibits children younger than 18 years old from working, but the government lacks the capacity to enforce this.

Right to acceptable conditions of work



Partially respected³⁹

The law stipulates a minimum wage, workweek of 40 hours, standard working hours, training requirements, and occupation health and safety standards. However, the government is restricted in its ability to enforce wage laws and safety standards.

Right to employment



19.0% - Extreme unemployment⁴⁰

Both youth unemployment and female unemployment are very high. The oil industry used to be a key employer, but productivity in that sector has plummeted due to security concerns.

¹ A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

² "Libya: WHO Statistical Profile." WHO. January 1, 2015. Accessed September 20, 2018. <http://www.who.int/gho/countries/lby.pdf?ua=1>

³ "Country Profiles: Libya." UNICEF. Accessed September 20, 2018. <https://data.unicef.org/country/lby/>

⁴ The UN Development Program HDI was created to emphasize that people and their capabilities should be the ultimate criteria for assessing the development of a country, not economic growth alone. The HDI can also be used to question national policy choices, asking how two countries with the same level of GNI per capita can end up with different human development outcomes. These contrasts can stimulate debate about government policy priorities. The Human Development Index (HDI) is a summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and have a decent standard of living. Accessed September 20, 2018. <http://hdr.undp.org/en/composite/HDI>

⁵ "Table 1: Human Development Index and its components, Libya." UNDP, based on 2017 or the most recent year available. Accessed September 20, 2018. <http://hdr.undp.org/en/composite/HDI>.

⁶ "Libya 2017 Human Rights Report." U.S Department of State. January 1, 2017. Accessed September 20, 2018.

<https://www.state.gov/documents/organization/277499.pdf>.

⁷ Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

⁸ Ibid. U.S Department of State.

⁹ Ibid. U.S Department of State.

¹⁰ Ibid. U.S Department of State.

¹¹ Ibid. U.S Department of State.

¹² The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

¹³ "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2018. Accessed September 20, 2018. <https://rsf.org/en/libya>.

¹⁴ "Libya 2017 Human Rights Report." U.S Department of State. January 1, 2017. Accessed September 20, 2018.

<https://www.state.gov/documents/organization/277499.pdf>.

¹⁵ "Libya 2017 Human Rights Report." U.S. Department of State. January 1, 2017. Accessed September 20, 2018.

<https://www.state.gov/documents/organization/277499.pdf>.

¹⁶ "Libya." International Religious Freedom Report for 2017. January 1, 2017. Accessed September 20, 2018.

<https://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.

¹⁷ "Libya 2017 Human Rights Report." U.S Department of State. January 1, 2017. Accessed September 20, 2018.

<https://www.state.gov/documents/organization/277499.pdf>.

¹⁸ "Libya 2017 Human Rights Report." U.S Department of State. January 1, 2017. Accessed September 20, 2018.

<https://www.state.gov/documents/organization/277499.pdf>.

¹⁹ Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

²⁰ Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed September 20, 2018.

<https://freedomhouse.org/report/freedom-world/2018/libya>.

²¹ "Libya." Freedom in the World 2018: Libya. January 1, 2018. Accessed September 20, 2018. <https://freedomhouse.org/report/freedom-world/2018/libya>.

²² See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed September 20, 2018. <https://freedomhouse.org/report/freedom-world/2018/libya>.

²³ "Libya." Freedom in the World 2018: Libya. January 1, 2018. Accessed September 20, 2018. <https://freedomhouse.org/report/freedom-world/2018/libya>.

²⁴ Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt.

²⁵ "Libya." Corruption by Country. January 1, 2018. Accessed September 20, 2018. <https://www.transparency.org/country/LBY>.

²⁶ "Libya 2017 Human Rights Report." U.S Department of State. January 1, 2017. Accessed September 20, 2018.

<https://www.state.gov/documents/organization/277499.pdf>.

²⁷ The Peoples under Threat assessment by Minority Rights Group International highlights countries most at risk of genocide and mass killing. The ranking is created by compiling data on the known antecedents to genocide or mass political killing. Accessed September 20, 2018 <http://peoplesunderthreat.org/>.

²⁸ "Libya." Peoples under Threat, Minority Rights Group International. 2018, or most recent data. Accessed September 20, 2018.

<https://peoplesunderthreat.org/countries/libya/>.

²⁹ This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

³⁰ This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

³¹ "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed September 20, 2018. <http://www.kidsrightsindex.org/>

³² "Libya 2017 Human Rights Report." U.S Department of State. January 1, 2017. Accessed September 20, 2018.

<https://www.state.gov/documents/organization/277499.pdf>.

³³ Ibid. U.S Department of State.

³⁴ "State-Sponsored Homophobia: 12th Edition." International Lesbian Gay and Intersex Association. May 1, 2017. Accessed September 20, 2018.

https://ilga.org/downloads/2017/ILGA_State_Sponsored_Homophobia_2017_WEB.pdf. See also Ibid. U.S Department of State.

³⁵ ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

