

AMNESTY INTERNATIONAL PUBLIC STATEMENT

Index: MDE 19/8657/2018

17 July 2018

Silenced Voices: Libyan Women Human Rights Defenders Under Attack

Libyan women activists, bloggers and journalists are increasingly being silenced as they face gender-based violence in the form of physical assault, abductions and sexual violence, as well as smear campaigns, gender-related slurs and attempts at intimidation, Amnesty International said today. Despite repeatedly reiterating their commitment to respect human rights, Libyan authorities are failing to protect women from gender-based violence at the hands of militias and armed groups and to ensure that they are able to express themselves freely.

Since the 2014 armed conflict, which split Libya across political and ideological lines and led to the emergence of competing governments, scores of human rights defenders, lawyers, journalists and dissidents have left Libya to neighbouring countries or have sought asylum elsewhere after they suffered death threats, physical assault, torture, arbitrary arrest or abduction.

Amnesty International's research reveals that women who dare to speak out against corruption or the predations of militias or the Libyan National Army face specific, gender-related risks, including gender-based violence. Some of that violence includes gender-related slurs by militias and private individuals, including allegations of engaging in sex work and sex outside marriage ("adultery"). Women human right defenders in Libya are also exposed to smear campaigns on Facebook and Twitter.

Harmful gender stereotypes and social stigma attached to their activism normalize these forms of abuse against women with dissenting voices and seek to force them to retract from the public sphere, to silence them.

Prevailing lawlessness and security concerns can no longer excuse the impunity and pervasive gender-based violence that women face on a daily basis.¹ To prevent and end gender-based violence, Libyan authorities must rein in militias and armed groups and combat the harmful gender stereotypes that fuel this violence.

The assassination of member of parliament Fariha al-Barkawi and prominent human rights defender Salwa Bugaighis in June 2014 had a chilling effect on other women. Many

¹ Amnesty International, *Libya Rule of the Gun Abductions, torture and other militia abuses in western Libya* (MDE 19/009/2014)

women human rights defenders were forced to withdraw from public life, leave Libya or relocate to other areas in the country.² The failure to launch an effective investigation into these killings or to hold anyone accountable has contributed to the prevailing cycle of violence, as demonstrated by the assassination of local activist Entisar El Hassari in February 2015. Although the Libyan authorities have publicly committed to investigating the assassinations, no one has yet been held to account.

Amnesty International has documented several cases of women human rights defenders who faced various forms of gender-based violence, including abductions and attempted assassination, torture and other ill-treatment, as well as a pattern of death threats, harassment and smear campaigns on social media. Women who do not adhere to social norms or challenge gender stereotypes are particular targets of abuse, questioning, harassment and detention. Today, only a few women continue to speak out. They have faced violence and intimidation by militias, the Libyan authorities and private individuals.

Abductions, beatings, sexual violence and threats

“Manal” (not her real name) is a 45-year-old, Tripoli-based freelance journalist who also worked as the spokeswoman for a government ministry from 2009 to 2017. Over the course of 2012 to 2017, militias abducted her twice, attempted to abduct her a third time, physically assaulted her and attempted to intimidate her in other ways in retaliation for her investigative reporting into corruption and human rights abuses. In 2012 an unknown militia attempted to abduct her from her car in Tripoli after she published a report in the newspaper Al-Jadida alleging the unlawful selling of Libyan assets in Tunis. In 2014, two days after she openly criticized the social security system and unemployment benefits in Libya in an interview on the TV channel Libya Al-Ahrar, unknown men assaulted her in a parking lot near her office in Tripoli. She described the incident to Amnesty International in a phone interview from Tripoli: “Three men were waiting outside my car. They grabbed me and began beating me with their bare hands.”

“Manal” went straight to a nearby hospital for treatment, after which she went to the police station to file a report, but she told Amnesty International that she was unaware of any police action in response to her complaint. Following the incident, she took eight months’ leave from her work at the ministry and was forced by her husband to stop all investigative work. In April 2017, however, “Manal” returned to her work and began working on several investigative stories on topics such as children born out of wedlock and the distribution of passports to non-Libyan nationals. Members of a powerful militia in Tripoli approached her husband to demand that he put an end to her investigative reporting. As a result, “Manal”’s husband stole her hard drive and computer and eventually filed for divorce.

In another incident, in August 2017, “Manal” began investigating the case of a 12-year-

² Amnesty International, *Libya must ensure proper investigation after prominent lawyer shot dead* (Press Release, 26 June 2014), www.amnesty.org/en/latest/news/2014/06/libya-must-ensure-proper-investigation-after-lawyer-salwa-bugaighis-shot-dead/

old girl who was allegedly raped. As a result of this work, she was physically assaulted by a commander of the Tripoli Revolutionary Brigade, which is affiliated with the Ministry of Interior under the internationally recognized Government of National Accords (GNA). She subsequently fled to Tunis, where she remained for a few months before reluctantly returning to Tripoli for lack of work. In October 2017, soon after her return to Tripoli, men affiliated with a well-known militia leader in Tripoli abducted her, took her to their headquarters in the Abu Salim neighbourhood of the city and beat her. During her abduction, her captors accused her of sex work (“prostitution”) and threatened to rape her and hand her over to the Ministry of Interior’s Special Deterrent Forces (known as Radaa Forces) on charges of sex work. “Manal” was released two hours later, following the intervention of a rival militia, to whom she had turned for protection after appeals to the police had failed.

Today “Manal” has ceased all work and continues to live in isolation and fear, leaving her home only for essential purposes while moving homes regularly to hide from militias. Moreover, following her divorce, and as a result of the attacks against her, “Manal” is ostracized by society. “I am a woman, I am divorced and not working,” she told Amnesty International. “The society looks at me, and they don’t see me as a victim, but [think] that I deserve this, that I did this to myself.”

In another case, “Samia”, (not her real name) a 27-year-old former resident of Benghazi, was forced to leave Libya after she wrote public posts on Facebook criticizing the rule of General Khalifa Haftar and forces operating under the Libyan National Army (LNA)’s rule in the east of the country. In January 2018, the LNA’s Military Intelligence Unit (MIU) issued a warrant for “Samia”’s arrest on charges of defaming the LNA and Haftar in her Facebook posts. “Samia” left her family home and went into hiding after a relative affiliated with the LNA warned her family about the arrest warrant. When they were not able to find “Samia”, the MIU summoned and detained “Samia”’s father, a retired army colonel, to pressure her to turn herself in.

“I was first warned through a family member working with the LNA forces about my daughter’s posts on Facebook,” “Samia”’s father told Amnesty International. “Wanting to avoid problems, I took her phone away to prevent any access she would have to the internet, but then “Samia” was still accused of writing critical comments on Facebook under a different name. At the time of arrest, I didn’t have the medication I need for my heart and thyroid. When I asked for the medicine, the head of the military intelligence said, ‘I don’t care if you die.’”

Following the detention of “Samia”’s father, the MIU used him to lure “Samia”. MIU officers told him to call his daughter and ask her to bring his medications to their family home so that an MIU officer could bring them to him. “Samia” immediately understood that this was a ploy to arrest her. She spent the following days moving from house to house and appearing on television to denounce her father’s detention. Following family and tribal pressure, “Samia”’s father was eventually released and placed under house arrest on the condition that he publicly condemn his daughter’s actions. “Samia” and her family have since fled Libya to a neighbouring country, but still live in fear of retaliation.

Similarly, “Kawthar”, (not her real name) aged 28, was forced to leave Libya after

receiving death threats due to her activity on Twitter. Following the outbreak of the 2014 armed conflict, “Kawthar” used Twitter as a platform to provide updates and comment on the situation on the ground. “Kawthar” told Amnesty International in an interview by phone that she faced harassment on the platform, where users accused her of being a “traitor”, a “foreign agent” and a liar. In 2015, she received a threatening phone call from an unknown number. “At first, I didn’t take it seriously,” “Kawthar” told Amnesty International in a phone interview from Europe, where she is seeking asylum. “The person told me to stop writing and accused me of being a Karama (Operation Dignity) supporter.”³ “Kawthar” took the threat more seriously after she noticed that a vehicle was following her from her work to her home In 2017. “The person never tried to stop me, but would make signs with his hands, like he was pointing a gun at me. This scared me.” Fearing for her life and for her family’s safety, “Kawthar” left for Tunis in August 2017, continuing to Europe the following month to seek asylum.

Mariam al-Tayeb, a 38-year-old activist based in Tripoli, began documenting human rights violations and abuses in Libya following the 2011 uprising. She reported being subjected to arbitrary arrest, physical assault and other forms of torture and other ill-treatment in an apparent reprisal for her work. Mariam was vocal on Facebook, where she wrote publicly about the need to protect the rights of migrants and refugees in Libya, including the internally displaced members of the Tawargha people. She has also been known for criticizing militias responsible for human rights abuses, including arbitrary arrests, extrajudicial executions, enforced disappearances, torture and other ill-treatment.

Mariam repeatedly received death threats through Facebook as a result of her activism. On 11 January 2018, threats turned to action, when a militia from the Bab Tajoura district of Tripoli abducted her from her car.

"I was stopped at a checkpoint at 9:30 on a Thursday night and taken to the Bab al-Tajoura militia headquarters," Mariam told Amnesty International. “They beat me with their bare hands, I was beaten like never before, like in the movies. One of them hit me with his foot on my face. 'You are insulting God' they told me, and asked me, 'who is behind you?' They accused me of drinking alcohol.”

Mariam was held for two and a half hours, during which time militia members physically assaulted and beat her until she momentarily lost consciousness.. Mariam credits her release to an immediate and large campaign on Facebook calling for her release. “They were scared. That’s why they released me,” she told Amnesty International.

Following her release, Mariam went to the hospital in Tripoli for medical treatment, telling staff that she had been physically assaulted. The hospital refused to admit her unless she said she was seeking care after an altercation. When she left the hospital, Mariam went to the office of the Public Prosecutor to file a complaint against the Bab Tajoura militia. The Public Prosecutor’s office refused to provide her any documentation that she had filed the complaint. "In Tripoli, the activists are not at ease at all. There are too many red lines.

³ Hafter launched “Operation Dignity” in June 2014 from the east of Libya after breaking with the government in Tripoli. Accusations of sympathizing with or supporting the opposing side were seen as tantamount to treason.

You can't talk about crimes of militias, Salafist groups or arbitrary detention," Mariam told Amnesty International. She fled Libya on 10 February 2018 and has not returned since. Members of her family have refused to speak with her since she published a YouTube video in which she gave a detailed account of her detention.⁴

Gender-based violence against women on social media

Amnesty International is concerned that fewer women human rights defenders are able to express themselves or participate in public forums, both offline and online, due to the authorities' failure to adequately investigate and punish physical violence, abuse and intimidation by state and non-state actors. Since security concerns shuttered most independent news sources, social media, and Facebook in particular, have become the platform of choice for Libyan individuals and government officials to communicate, share information, air grievances and voice concerns. Amnesty International has previously argued that gender-specific threats and violent language directed at women online constitute a form of violence against women that seeks to silence women in online forums.⁵ While everyone can be exposed to violence, women in Libya and elsewhere face particular attacks based on their gender from individuals who often apparently hide behind fake accounts, making social media platforms particularly hostile spaces for Libyan women activists.

"Sarah" (not her real name), a 31-year-old women's rights defender who wishes to remain anonymous due to her fear of reprisal, told Amnesty International that she receives constant threats on Twitter. She said she abandoned Facebook because of the intensity of the abuse she experienced there.

"Once you say you are a women's rights defender, it's a warrant for sexual advances, because [for them] what else do you want to liberate women for? On my social media accounts, people send private messages [through fake accounts]: lots of threats saying things like, 'If we get our hands on you, we will rape you, show you what women's rights are, beat you.'"

Online threats of violence and smear campaigns have forced many women human rights defenders to keep a low profile. "Sarah" explained that she no longer uses Facebook for anything. Two women activists told Amnesty International that they reported this abuse to Facebook administrators, who told them they could not take action because they did not deem the language of the threats as violating Facebook's usage policy. "Sarah" told Amnesty International that Facebook should hire moderators who are more familiar with regional Arabic dialects and slang and more culturally aware to better assess violations of the website's policies.

⁴ YouTube, 'Dr. Mariam Al Tayeb speaks about being assaulted and verbally abused at the hands of a Tripoli militia', 12 January 2018, www.youtube.com/watch?v=76Y5-0klztU

⁵ Amnesty International, *Toxic Twitter: A Toxic Place for Women*, www.amnesty.org/en/latest/research/2018/03/online-violence-against-women-chapter-1/

Leila Moghrabi is a 47-year-old Libyan writer and human rights defender. Until 2017, she worked in Tripoli in cultural and civic movements, organizing workshops around human rights issues. Leila began to receive threats and accusations of blasphemy, “atheism”, and secularism on Facebook in 2014. As a result, she decided to stop her political activities and keep her focus only cultural events instead.

In 2016, Leila and other Libyan writers prepared a collection of short stories that was published in May 2017. During a 26 August 2017 event promoting the book in the western Libyan city of Zawiyah, some readers took offence to one of the short stories, titled “Kashan”, which included sexually explicit language. Following the event, they shared excerpts of the short story on social media, which Salafist groups quickly reposted for their networks. Although the short story was written by novelist Ahmad al-Bokhari, Leila and other female novelists became the target of threats from people she did not know on Facebook. She also faced a smear campaign from users who left insulting and threatening remarks on the Facebook page set up to promote the collection of short stories. On two separate occasions, Salafist imams delivered sermons against Leila. Preachers issued fatwas accusing her of “takfir”, of becoming an “infidel”. “They insulted me as a traitor, and an insult to public morals,” Leila told Amnesty International. On 30 August 2017, the Ministry of Culture issued two press releases banning the book and disavowing any responsibility in the book's publication, while referring to Leila as one of the book's editors.⁶ She left Libya in September 2017, fearing for her safety and her family's safety.

Women's rights defender and activist Zahra Langhi—the founder of Libyan Women's Platform for Peace, which focuses on women's political and economic participation—has likewise faced continued threats of violence and smear campaigns on social media that sought to discredit her and tarnish her reputation.

“Describing an activist as ‘immoral’, or ‘divorced’ is intentionally used to stigmatize an entire group,” she told Amnesty International by phone. “They [different factions] target women engaging in civil society. The violence against us has intensified.”

Zahra described an incident in which her picture was shared over 500 times on Facebook. This corresponded with a social media smear campaign impugning her religious beliefs and falsifying her marital status in order to stigmatize and discredit her. This has affected her family as well. “My children stay away from Facebook so that they do not see what is written about me,” she told Amnesty International.

Discrimination against women in law and in practice

Women in Libya face pervasive gender-based discrimination in law and in practice. Libyan

⁶ Government of National Accord – General Authority for Culture, 30 August 2017, www.facebook.com/Culture.libya/photos/a.1776716085896689.1073741829.1753075678260730/1967240620177567/?type=3&theater
www.facebook.com/Culture.libya/photos/a.1776716085896689.1073741829.1753075678260730/1967240620177567/?type=3&theater

legislation on marriage, divorce and inheritance contain provisions that discriminate against women. Women also continue to be discriminated against when seeking to transmit their nationality to their spouse or children.

Though Libya acceded to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1989, it did so with several reservations contrary to the object and purpose of the convention. It has refused to remove these reservations, despite recommendations made during the country's first and second universal periodic reviews in 2010 and 2015.⁷

In 2013, Libya's Supreme Court ruled to authorize polygamy without the first wife's consent or a court's authorization, as had previously been required under Law No. 9 of 1993. Domestic and sexual violence continue to remain taboo subjects, usually kept within the domain of the family. The lack of adequate laws and services deter women from reporting gender-based violence: Libyan law does not explicitly criminalize domestic violence, for example.

The rise of religious armed groups, coupled with a general breakdown in security, have placed women who do not conform with gender or societal norms at greater risk and have deterred many women from freely participating in the public space.

Since 2011, Dar al-Ifta, Libya's main religious institution, has issued a series of fatwas (decisions made by a mufti, a Muslim scholar who interprets Shari'a) affecting women's rights. In 2013, a fatwa called on female students to dress according to Islamic traditions, while another required women teachers to veil their faces when instructing males who have reached puberty. Since then, several university campuses have started imposing gender segregation. Also in 2013, the Grand Mufti issued a fatwa forbidding women from traveling abroad alone. While these fatwas have not been incorporated into legislation or state policy, in the absence of central authority, they have been enforced by non-state actors and have led to further restrictions on women.

More recently, in March 2017 a travel ban was issued in the eastern parts of Libya that initially sought to prohibit women from traveling alone, but large protests and public outcry caused a retraction of the gender-specific ban in favour of more general restrictions on travel for men and women of a particular age.⁸

Lack of accountability

⁷ Human Rights Council Report of the Working Group on the Universal Periodic Review Libya 22 July 2015, www.documents-dds-ny.un.org/doc/UNDOC/GEN/G15/162/91/PDF/G1516291.pdf?OpenElement. See also: Amnesty International, *Libya: Human rights abuses continue as country descends into chaos*, Submission to the UN Universal Periodic Review 22nd Session of the UPR Working Group, May 2015, www.amnesty.org/download/Documents/MDE1900032015ENGLISH.pdf

⁸ Amnesty International, *Libya: Arbitrary military decree highlights precariousness of women's rights in Libya* (Index: MDE 19/5820/2017).

The nascent civil society movement that first opened a space for diverse voices to be heard after the 2011 uprising has since given way to a dark space in which activists' risk violence, forced exile, disappearance or death for continuing to speak out. While the country remains fragmented, the level of abuse and violence used by militias and armed groups associated with the Government of National Accord (GNA) based in Tripoli and the Libyan National Army (LNA) based in Benghazi continues unpunished. This lack of accountability sustains a reign of fear and has a chilling effect on women who wish to take an active role in the public sphere.

Armed groups and militias affiliated with the GNA and those organized under the LNA must recognize their responsibility and legal obligation to protect all Libyans', including Libyan women's, rights to expression and participation in public life. Libyan authorities must hold accountable those who use brutal and often gender-specific means to silence outspoken women and offer additional safeguards to ensure that women in particular can exercise their cultural, civil and political rights.

Libyan authorities must also take serious measures to stop the reign of violence that has taken over the country. In so doing, they must establish specific safeguards to protect women from gender-based violence and abuse and must ensure that all laws, government authorities and affiliated armed groups fully protect women's human rights.

To Libyan authorities:

- Publicly acknowledge the particular and significant role played by women human rights defenders (WHRDs) and those who work on women's rights or gender-related issues and ensure they are able to work in an environment free from violence and discrimination of any sort;
- Publicly condemn attacks and threats against WHRDs;
- Fully and credibly investigate criminal complaints of gender-based violence in line with international human rights law and ensure the perpetrators are held accountable. Such investigations should be impartial, independent and conducted by individuals with expertise in investigating such cases. These obligations exist whether the act of violence or abuse against women takes place online or offline.
- Refrain from using language that stigmatizes, abuses, disparages or discriminates against WHRDs including by characterizing them as criminals, "foreign agents", terrorists, "undesirables" or of being morally corrupt, threats to security, development or traditional values;
- Ensure that WHRDs receive the specific protection they need against gender-based threats and violence they face due to their work, recognizing the particular challenges and risks they face;
- Adopt and implement legislation that specifically recognizes and protects WHRDs;

- Repeal or amend legislation that places obstacles in the way of legitimate activities to promote and defend human rights, including with regard to the rights to freedom of peaceful assembly and association;
- Conduct independent and effective investigations into all reliable allegations of crimes committed by militias and armed groups;
- Fulfil past commitments to fully and independently investigate the death of Salwa Bugaighis and other WHRDs and to hold to account all those responsible;
- Seek assistance from international or internationalized courts or other mechanisms established to address gender based crimes;
- Libyan authorities, intergovernmental and international organizations should ensure adequate support and training for local women and women's organizations to enable them to participate in a meaningful way in negotiating peace agreements and other peace-building initiatives, including design of facilities and equal access to resources, services, education and training,

To meet their human rights obligations, Libyan authorities must ensure that adequate laws, policies, practices and training are in place to end and prevent violence and abuse against women. This includes:

- Adequate legislation, including, where appropriate, criminal penalties (in line with international human rights standards);
- Capacity building and training of judicial authorities on relevant legislation, gender equality, the harms of violence and abuse and best practices for supporting survivors of violence and abuse;
- Campaigns to raise public awareness about violence and abuse, both online and offline;
- Public campaigns to promote gender equality and to combat gender-based stereotypes;
- Investments into public safeguards and services for survivors of violence and abuse against women online.

To the Human Rights Council:

Establish an international, independent mechanism with a mandate to investigate violations of international human rights and humanitarian law in Libya since 2011, with a view toward contributing to ending impunity and identifying perpetrators of human rights

violations and abuses.

To the UN Security Council and UN Member States:

The UN Secretary General, the UN Security Council and all parties to Libya's armed conflict should ensure Libya's full and speedy implementation of UNSC Resolution 1325 on women, peace and security, particularly ensuring the adoption of a gender perspective, to support local women's peace initiatives and indigenous processes for conflict resolution, guaranteeing the involvement of women in all implementation mechanisms of peace agreements while ensuring the protection of and respect for the human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary;

To social media companies:

Employ administrators who are culturally sensitive and aware and are able to respond to reports of online abuse and violence.