

# Libya: New Q&A on current attacks on the right to freedom of association

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A new [question-and-answer briefing](#) by the International Commission of Jurists (ICJ) examines recent developments that have detrimentally affected the right to freedom of association in Libya against the backdrop of an increasing crackdown on Civil Society Organizations (CSOs). Among such negative developments, the authorities have even begun enforcing repressive Gadhafi-era legislation, namely, Law No. 19 of 2001, which had not been enforced since the 2011 uprising.

Said Benarbia, ICJ Middle East and North Africa Programme Director, said:

***“Instead of subjecting them to the ongoing, relentless crackdown, Libyan authorities must ensure that independent CSOs be able to discharge their functions in defence of the rule of law and human rights independently, without political interference, undue restrictions, harassment, fear of intimidation or reprisal.”***

The briefing analyzes the country’s legal framework and its compliance with domestic and international human rights law and standards. It answers the following questions:

1. How has the legal framework regulating the right to freedom of association in Libya become more restrictive recently?
2. Does the legal framework currently enforced by the Libyan authorities meet domestic and international human rights law and standards on the right to freedom of association?
3. What are the impacts of the increasing restrictions on freedom of association on the rule of law and human rights?

Based on the analysis featured in the Q&A and with a view to ensuring full compliance with Libya’s obligations under international human rights law and relevant standards, **the ICJ calls on the Libyan authorities to ensure that:**

1. All existing laws and decrees on CSOs be abolished, and new ones be adopted in accordance with Libya’s obligations under international human rights law and standards. Until then, the authorities shall ensure that any

frameworks by the Government of National Unity or the Government of National Stability on the registration, functioning and funding of CSOs be fully in line with articles 14 and 15 of the 2011 Constitutional Declaration;

2. CSOs be able to effectively play their watchdog role and act in defence of the rule of law and human rights, without political interference, intimidation, harassment or undue restrictions;
3. All ongoing prosecutions and other arbitrary proceedings against civil society actors in relation to their legitimate work be terminated, and all those arbitrarily detained solely for their civil society work be immediately and unconditionally released;
4. Accountability for human rights abuses to which civil society actors have been subjected; and
5. CSOs be meaningfully consulted on and able to provide inputs in ongoing political processes, including those related to constitutional, electoral and transitional justice reforms.

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