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## LIBYA COUNTRY REPORT

### OVERVIEW OF THE SITUATION OF CULTURE

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## 1- CONTEXT AND INTRODUCTION

While the term 'culture' is used in a variety of ways, a foundational notion in anthropology generally defines culture as "that complex whole which includes knowledge, belief, art, morals, law, custom, and any other capabilities and habits acquired by man as a member of society"<sup>1</sup>. In response to current practices in the particular setting of Libya, **this report addresses culture in its mainly as an artistic expression**. This includes processes of social productions through sensory experiences; such as visual arts (e.g. painting, sculpture, crafts, photography, architecture), performed arts (e.g. theatre, music, folk dance, television and film), and literary arts (e.g. poetry, fiction, non-fiction, critical theory).

### SOCIO-CULTURAL CONTEXT

The Libyan setting resembles a mosaic of cultures composed by a diversity of social groups and an accumulation of multi-cultural influences. Extending across an area of 1,759,540 square kilometers towards the Mediterranean coast of North Africa as the 18<sup>th</sup> largest country in the world, its population of approximately 6,653,000 is composed of 97% Arabs and Amazigh (Berbers)<sup>2</sup>, and the remaining 3% includes Tuareg and Tabou ethnic groups concentrated in the south. 90% of the total population lives along the coast, and 12% are immigrants of mainly Tunisian, Egyptian, African, Greek, Maltese, Italian, Pakistani, and Indian origins. Arabic is the official language of the country (a vernacular Libyan Arabic dialect is commonly spoken in informal occasions) while a variety of languages are spoken by the Amazigh, Tuareg, and Tabou groups including Nafusi, Tamasheq, Ghadames, Suknah, Awjilah, Domari, and Tedaga. Although Italian was the common second language amongst the elder generations, English is currently more popular amongst the youth and a small number of private schools are based on English and French curriculums. With a total literacy rate of

<sup>1</sup> Tylor, 1871

<sup>2</sup> According to Aljazeera, unofficial sources estimate that Amazighs make up to around 10% of the total Libyan population (Rights, 2010)



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91%, 96.7% of men and 85.6% of women above the age of 15 can read and write<sup>3</sup>. The predominant religion is Sunni Muslim with a 2.7% foreign Christian presence; however, the cultural legacies of a previous Jewish community remain evident in the traditions, architecture, and cuisine of modern-day Libya as part of the country's assemblage of cultures.<sup>4</sup>

This social diversity manifests itself in the various cultural customs characteristic to each social group inhabiting a particular geographic location. For example, while traditional forms of music in the north-west of the country separate between the genders (for instance; Malouf, a classical music singular to Tripoli, is exclusively performed by men), the Berber music of the Tuareg in the south permits the inclusion of both men and women as singers, musicians, or performers, and some forms of traditional music in the north-east are dominated by men with the presence of a female physical performer. Further, the celebratory Noba music in the capital city distinguishes the sound of the drums, while its rural version, the Zokra, accentuates the sound of the bagpipe; consequently, this renders each social group accustomed and more reactive towards different musical frequencies. Moreover, while poetry is used and valued in rural culture<sup>5</sup> proverbs are a more common tool for cultural expression in urban cities, and cultural performances in the east and south of Libya are more physical compared to the north-west where performances tend to be more verbal. These substructures continue to influence consumption preferences and sectorial management today. Such governing characteristics are the result of a dual history merging between layers of ancient indigenous constructs and successions of foreign colonial influences. For an outline of the Libyan socio-cultural layers from pre-history to modern history see Annex A. On the other hand, while Libyan expressive culture has been less present amongst others in the region, its weak performance is the product of the country's unstable political conditions and their consequent legislative changes.

## **CULTURAL AND LEGISLATIVE HISTORY**

### THE KINGDOM OF LIBYA (1951-1969)

Immediately following World War II, the newly-established United Nations ended the Italian occupation of Libya and placed the country under the administration of Britain and France before declaring it independent by 1951. The Constitution<sup>6</sup> of the newly formed United Kingdom of Libya placed legislative power with the King in conjunction with the Parliament (Constitution Articles 41 and 43). The Constitution guaranteed freedom of thought, 'the right to express opinions and to publish it by all means and methods', the freedom of press and printing, and

<sup>3</sup> Based on latest estimates in 2015.

<sup>4</sup> World Fact Book 2017 (Central Intelligence Agency), and UN.

<sup>5</sup> Ahmida, 2005

<sup>6</sup> A copy is available on: [https://security-legislation.ly/sites/default/files/lois/13-%20Constitution%20of%201951\\_EN.pdf](https://security-legislation.ly/sites/default/files/lois/13-%20Constitution%20of%201951_EN.pdf)



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the right of peaceful meetings and associations (Articles 22, 23, 25, and 26); as a result, Libyan literature and theatre began to prosper in the 1960s. Although there was little institutional focus on the development of the culture sector amongst political and economic priorities of a newly independent Libya, the first public theatre company was established in 1963, and an agreement for cultural co-operation was signed with Algeria in 1965 marking the beginning of Libya's cultural collaborations especially with neighbouring countries with which it culturally overlaps and shares a period of re-negotiating of post-colonial identities.

While civil society was most actively represented in the key roles played by scout clubs (governed by Scouting Organisational Law 1961, edited in 1968<sup>7</sup>), Libya has enacted legislations regulating associations even before its independence through a legislation published on the 10<sup>th</sup> of January 1950<sup>8</sup>. On the 28<sup>th</sup> of November 1953 a Civil Code<sup>9</sup> was issued containing 15 Articles (Art. 54 to 68) concerned with the governing of associations.

The discovery of crude oil in 1959 constituted a major turning point in the country's history, turning Libya into an independent wealthy nation with potential for extensive development. Accordingly, the King launched a five year plan towards infrastructural development following which the constitution was amended to replace the federalist form of the government with a central one. An economic survey mission organised by the International Bank for Reconstruction and Development at the request of the Libyan Government proposed its recommendations for economic development for the five year plan in a report published in 1960. A sub-section in the report's 9<sup>th</sup> section focused on the status and development of handicrafts as a support for economy, in which it was noted that handicrafts "received a good deal of encouragement" during the Ottoman and current monarchy governments; where a survey organised by the Tripolitanian administration of the latter was expected to "provide useful background information for the formulation of a consistent handicrafts policy"<sup>10</sup>. The section recommended training and the formation of cooperative societies for craftsmen, and concluded with a proposed expenditure that totals up to 8% of the capital expenditure of £L500,000 for the Industry, Handicrafts, and Fisheries section alone<sup>11</sup>.

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<sup>7</sup> Stiftung, 2016

<sup>8</sup> Altai Consulting, 2015; UNICEF and UNDP, 2015 ; Omran, 2016

<sup>9</sup> A copy is available on: <http://goo.gl/uxWMW>

<sup>10</sup> The International Bank for Reconstruction and Development, 1960, pp. 198–199

<sup>11</sup> Ibid, p. 207



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In the meantime, Law No. (11) of (1959)<sup>12</sup> stipulated the protecting of rights and freedom for publishers and set legal frameworks for publishing houses. Several articles of this law were revised in Law No. (17) of (1962)<sup>13</sup>. In 1968, Intellectual Property Law No. (9)<sup>14</sup> to be executed by the Ministry of Culture, stated that:

The authors of innovative works of literature, arts and sciences, regardless of the type, expression, importance or purpose of such works, shall be protected by this law. (Section 1, Article 1)

This namely addressed all cultural categories listed in Article 2 of Section 1 such as texts, paintings, sculptures, lectures, music, theatre, cinema, and others, as well as translations, edits, and comments on cultural works stated in Article 3 of the same section which also stipulated a protective legal framework for photographic works.

#### THE JAMAHIRIYA (1969-2011)

The following year a group of army officers led by Muammar Al-Qaddafi seized control of the Libyan government in a coup known as the First of September Revolution. Assuring to maintain all international agreements, the new government soon received international recognition and the Libyan Arab Republic was formed embracing principles of Arab socialism. The Constitution of 1951 was suspended, and a Constitutional Proclamation<sup>15</sup> was temporarily adopted on 11<sup>th</sup> December 1969; however, no formal constitution was thenceforth adopted - an absence which facilitated contradictory legislations. In 1976, Qaddafi published a series of three essays collected in *The Green Book* which argued that the people should govern directly without the interference of a central government or institution, and associations and unions were to be represented through a Secretary as part of the General Secretariat in the General People's Congress. Despite this theory, however, the established government eventually interfered and controlled all cultural processes and products facilitated by changes in legislations:

- Law No. (76) of (1972)<sup>16</sup> governing publications was issued as an updated version of Law No. (11) of (1959) which seemingly maintained the former's principles.
- Law No. (7) of (1984)<sup>17</sup> obliged authors, publishers and producers (creating all forms of written publications, maps and photographs, academic theses, stamps, audial recordings, and models and sculptures if produced in multiple copies) to submit five copies of each work to the Depository Centre

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<sup>12</sup> A copy is available on:

<http://site.eastlaws.com/GeneralSearch/Home/ArticlesTDetails?MasterID=141801&related>

<sup>13</sup> <http://site.eastlaws.com/GeneralSearch/Home/ArticlesTDetails?MasterID=143372&related>

<sup>14</sup> <http://www.wipo.int/edocs/lexdocs/laws/en/ly/ly004en.pdf>

<sup>15</sup> <http://unpan1.un.org/intradoc/groups/public/documents/cafrad/unpan004643.pdf>

<sup>16</sup> <http://site.eastlaws.com/GeneralSearch/Home/ArticlesTDetails?MasterID=1261139>

<sup>17</sup> <http://aladel.gov.ly/home/?p=1040>



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immediately upon completion of publication or before public distribution<sup>18</sup>. While this created a wealthy national archive it also allowed surveillance over cultural products.

- Following, Law No. (12) of (1984)<sup>19</sup> prohibited the use of any other language other than the Arabic language in all publications and documentations which markedly restricted the exchange of Libyan culture internationally. After holding Libya internationally absent for seventeen years, the law was later revoked through Law No. (24) of (2001)<sup>20</sup>.
- Law No. (20) of (1991)<sup>21</sup> promoted freedom of expression and freedom of invention, innovation, and creativity (Article 22). However, while this claimed to keep pace with international legislative developments and allow further freedom for publishers and cultural intellects, control and restrictions were in reality strictly applied particularly through the Department for Publications<sup>22</sup>.

In spite of gradually abolishing all cinema theatres, in 1976 Libya partly supported the production (financing and filming) of the popular international film *The Message* which chronicled the story of the Islamic Prophet and was dually produced in Arabic and English copies starring Anthony Quinn. Also, in 1981 Libya funded the world-famous film on the life of Omar Al-Mokhtar, a Libyan tribal leader who resisted the Italian occupation of Libya, also produced in Arabic and English and starring the same actor. These two films remain the country's only contributions to international and national cinema.

In regards to civil society, legislative frameworks greatly restricted freedom of forming independent civil associations:

- Law No. (111) of (1970) concerning associations was published on the 10<sup>th</sup> of September 1970 in less than four months after Libya had joined the International Covenant on Civil and Political Rights on the 15<sup>th</sup> of May 1970. This law cancelled all fifteen Articles (54 – 68) in the Civil Code concerning associations<sup>23</sup>.
- Two years later, Law No. (17) of (1972)<sup>24</sup>, known as the Criminalization of Parties law, punished with a penalty of death anyone who called for the establishment of any association or organization, whether by establishing, organising, managing, funding, preparing a place for its meetings, joining or instigating it by any means.

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<sup>18</sup> Further restrictions on publishing houses and the circulation of newspapers and magazines were proposed in a draft law in 2008 published in *Qurina Political Platform* on 25 May 2008: [http://archive.libya-al-mostakbal.org/News2008/May2008/qurina\\_sahafa\\_law01.pdf](http://archive.libya-al-mostakbal.org/News2008/May2008/qurina_sahafa_law01.pdf)

<sup>19</sup> <https://security-legislation.ly/ar/node/33450>

<sup>20</sup> <http://aladel.gov.ly/home/?p=1244>

<sup>21</sup> <https://security-legislation.ly/ar/node/31472>

<sup>22</sup> Al-Basha, 2008

<sup>23</sup> Rights, 2010

<sup>24</sup> <http://itcadel.gov.ly/wp-content/uploads/2015/12/law17-year1972.pdf>



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- In 1973, Qaddafi announced a Cultural Revolution following which many cultural actors were arrested and prosecuted and cultural work was highly controlled<sup>25</sup>.
- As an exception, Scouting Organisational Law from 1961 was revoked and replaced by Law (12) of (1975)<sup>26</sup> which encouraged art education as part of scouting's five educational bases.
- In 1977, Law No. (16)<sup>27</sup> amended some articles of Law No. (111) of (1970); allowing:
  - Associations which are intended to achieve a public interest may, at their request, be considered an association of a public nature, by virtue of a decision of the Revolutionary Command Council for its approval. (Article 55)
- Law No. (19) of (2001)<sup>28</sup> on the Re-Organisation of Civil Associations claimed tolerance of Civil Society Organisations (CSOs) but applied control on their establishment, activities, and dissolution. To register, an association must have no less than fifty founding members (Article 2), and registering took up to sixty days with no permit guaranteed<sup>29</sup>. CSOs had to be approved by security apparatus and had to include governmental representatives amongst its leaders. Along with its regulatory Law (73) of (2002), this effectively prevented the establishment of independent CSOs<sup>30</sup>.
- Later in the 21<sup>st</sup> Century, Saif Al-Qaddafi took measures to polish his father's government in order to gain international support. Detained cultural actors were therefore released which allowed for a revival of culture despite continuing censorship, and organisations were tolerated through Law No. (23) of (2007)<sup>31</sup>.

In a televised address to General People's Congress on the 28<sup>th</sup> of January 2010, Qaddafi said that the concept of civil society is a bourgeois culture and "an imitation of the West that has no place here", because, he explained, the Jamahiriya Libya is already based on an entirely civil structure<sup>32</sup>.

## CURRENTS AND TRENDS SINCE 2011

The uprising of February **2011 stimulated an outpouring of cultural expressions across Libya and a thriving civil society** that developed organically. Protesting music and poetry emerged to express previous oppression to national and

<sup>25</sup> Falola, Morgan and Oyeniyi, 2012; Omran, 2016

<sup>26</sup> <http://aladel.gov.ly/home/?p=1227>

<sup>27</sup> <https://security-legislation.ly/ar/node/34739>

<sup>28</sup> <http://security-legislation.ly/ar/node/33256>

<sup>29</sup> Article 3 of Executive Regulation No. (10) under Law No. (19) of 2001; source:

<http://anhri.net/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-19-%D9%84%D8%B9%D8%A7%D9%85-2001%D9%85-%D9%82%D8%A7%D9%86%D9%88%D9%86-%D9%83%D8%A8%D8%AA-%D8%A7%D9%84%D8%AC%D9%85%D8%B9%D9%8A%D8%A7%D8%AA-%D8%A7/#.W4dVLM4zapo>

<sup>30</sup> Falola, Morgan and Oyeniyi, 2012, p. 99

<sup>31</sup> <http://aladel.gov.ly/home/?p=1238>

<sup>32</sup> News 24 Archives; 29 January 2010, available at <https://www.news24.com/Africa/News/Gaddafi-says-no-to-NGOs-20100128>



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international audience and to support rebels in the battlefields, and rap was unusually employed to encourage good citizenship practices and fine Islamic values to a largely youth audience. Photography became a valuable tool for documentation mostly through emerging young photographers who sought to report to the international world. Graffiti appeared on almost every accessible wall in roads and streets and public places, concisely recording the opinions of both contesting sides and signifying the territories of groups - as events developed graffiti was accordingly altered, scribbled on, or removed, which created an animated capturing of political developments. Freed cities were adorned with an outburst of caricature wall art of a removed Qaddafi, and a large number of wall art denoting freedom were painted along the length of the fortification of Qaddafi's main military barrack in Tripoli where they remain in exhibit to date<sup>33</sup>.

Since the end of the revolution, different cultural trends have been appearing and disappearing in response to socio-cultural needs and political and economic contexts. In September 2011, handicrafts were widely made and sold in numerous bazaars to raise money for charity. Once the country became relatively settled and the newly introduced culture of civil society increasingly recognised and legislatively supported [see sections 2 and 3], hundreds of Libyan non-profit CSOs were registered between 2011 and 2013, the majority of which focused on charity and human and civil rights awareness<sup>34</sup>. Cultural festivals and cleaning campaigns were active and charity work continued in various cities while televised Libyan drama underwent a renewal of directing and filming techniques.

Clashes between appearing armed groups particularly between 2013 and 2015 subsided cultural activities and the personal safety of many civil society actors was placed at risk – nonetheless, many actors remained active and demonstrated an admirable determination. The rise of conflict inspired the appearance of Youtubers, musicians, and cartoonists with a common element of sarcasm/humour. By mid-2015, several literature groups and associations were founded, and a generation of young emerging painters and sculptors was showcased in an upsurge of art exhibitions and an increasingly popular and influential social media platform. Meanwhile, cultural heritage organisations were becoming increasingly active amongst senior groups who focused activities on seminars and occasional policy-debating symposiums. The culture of volunteering was popular amongst both seniors and youth until the beginning of the economic decline in 2016. While many non-profit CSOs reduced or stopped their activities, a 'small-business trend' emerged (particularly in the food, handicrafts, and fashion industries) and created a current encouraging numbers

<sup>33</sup> For a visual record of the wall art during the revolution: Altai Consulting, 2015; UNICEF and UNDP, 2015

<sup>34</sup> Altai Consulting and Expertise France, 2016



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of civil society actors towards entrepreneurship - international organisations responded by shifting trainings on entrepreneurship and trade from the public to private sector with a particular focus on youth<sup>35</sup>. On the other hand, local workshops on personal development, education, and languages were popularized in efforts to increase employability. Since 2017, the number and pace of film screenings as well as workshops and discussions on fine arts is increasing, and in 2018 wall art, including Arabic calligraphy, is appearing in public and private spaces.

### STATISTICS

According to the latest statistical report of 2016 published on the Commission of Civil Society's website<sup>36</sup>, a total of 4031 CSOs were registered at the Commission by January 2016; out of which 39% are based in Tripoli, 21% in Benghazi, and 3% in Sabha. Constituting only 8% of the total number, 341 CSOs worked within the scope of culture. However, **no updated statistics are provided for 2018.**

It is easy to identify through observation that only a fraction of the registered CSOs are actively practicing. While 48% of the total number of CSOs registered in 2012 and 22% in 2013, the number continued to decrease to 0.9% organisations registered in early 2016. This indicates the decrease in civil society activities mostly due to rising armed conflict since 2014, and partly due to an economic crisis beginning in 2016 and which continues to create a more popular parallel current encouraging youth towards entrepreneurship.

### CHALLENGES

Although contextualising difficulties and instability since 2011 have catalysed the learning process and allowed an accumulation of experiences in a relatively short time, oppressing practices of the past authoritarian regime have left legacies that continue to hinder the thriving of the sector. Examples of these include:

- the alienation of contemporary arts due to the regime's decades of international isolation;
- demolition or re-purposing of cultural infrastructures, particularly theatres and cinemas;
- restricting managerial roles and thus experience to personnel of the regime;
- popularising cultures of particular rural regions and the absencing of others.

These practices contributed to the current **weakness in managerial capacity** in the sector today, and rendered a **total absence of many forms of artistic expressions** such as modern music and dance, cinema, video arts, installations, and most forms of theatre.

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<sup>35</sup> Altai Consulting, 2015

<sup>36</sup> <https://ccslibya-5ca7.kxcdn.com/wp-content/uploads/2018/03/%D8%A7%D9%84%D8%AA%D9%82%D8%B1%D9%8A%D8%B1-%D8%A7%D9%84%D8%A7%D8%AD%D8%B5%D8%A7%D9%8A%D9%94%D9%8A-%D8%A7%D9%84%D9%86%D9%87%D8%A7%D9%8A%D9%94%D9%8A-2015.pdf>



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Additionally, existing efforts are met with considerable challenges as a result of current circumstances:

- **The economic decline** discouraged civil society volunteering and reduced efforts in the culture sector. Whilst the international world increased its focus on human rights and immigration in Libya, this created job vacancies that were met by the developed skills and experience of bi-lingual youth who were previously the most active in civil society. On the other hand, financial difficulties have limited national funding, and international funding for cultural production is scarce.
- **The suspension of embassies and direct flights to most international destinations** since early 2015 has created constraints on international collaborations and mobility. Many delegations and organisations working on Libya are now based in Tunis where the majority of meetings, trainings and events now take place. This has a considerable impact on the budget of projects which in turn restricts the number and range of participants, in addition to limiting the participation of women (particularly from rural areas) due to customs.
- **Two rivaling governments** are formed simultaneously in Libya as a result of conflict. This duality, and sometimes ambiguity, of structures makes legal frameworks and data even more difficult for organisations to understand and track.

#### CIVIL SOCIETY CLUSTERS

It is important for foreign organisations working within Libya to recognise the **organic formation of civil society clusters with varying capabilities, interests, and collaboration-preferences**. Cultural actors, especially in urban cities, are divided into communities rooted in perceptions of personal identity. For example, in a one given city, organisations led by senior groups would usually be part of a network of organisations and audience of the same age group. This is because the standpoints and strategies adopted by this group are generally dissimilar to those adopted by youth-led organisations. Moreover, the latter are further fragmented into a number of sub-groups; such as the bi-lingual, the student unions, the scouts, and others.

Collaboration and attendance between these groups are noticeably little, and the programmes and partnership interests of each are varied. For instance, urban bi-lingual youth are more engaged with foreign organisations than others, while senior groups especially in rural areas work more closely with local authorities. Although the formation of diverse groups with varying interests is anthropologically natural, it is within the expected roles of authorities to ensure collaborations and exchange of knowledge amongst them for the benefit of a common sector. However, there is a considerable shortage in effective governmental management owed to an absence of development plans, weak managerial and executive capacities, and a complex political and economic situation.



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## 2- GENERAL OBJECTIVES AND GOVERNANCE

### MINISTRY AND AUTHORITIES FOR CULTURE

Since 2011, governance in Libya has been a highly complicated and rapidly changing setting. Currently, governance lies with two rivaling governments:

- The **Interim Government (IG)** formed in 2014 as the House of Representatives (HoR)'s associated executive authority, based in the east of Libya; and,
- The **Government of National Accord (GNA)** as an interim government formed in 2016 under a United Nations-led initiative for a Libyan Political Agreement, based in the west of Libya.

Neither of the parallel interim governments includes a ministry for culture; alternatively, cultural affairs are governed through the following Authorities:

- The IG formed the **General Authority for Media, Culture, and Civil Society (GAMCC)** under decree No. (208) of (2016), based in Al-Bayda with offices in various cities; and,
- The GNA formed the **General Authority for Culture (GAC)** under decree No. (116) of (2016) and its steering committee in decree No. (706) of (2016), and transferred the affiliation of the **General Authority for Cinema, Theatre and Arts (GACT)** to its Council of Ministers under decree No. (512) of (2016), both based in Tripoli with offices in various cities.

Under the two main Authorities for culture are affiliated cultural institutions, research centres, and executive offices.

- Institutions affiliated to the GAMCC: the Commission of Civil Society, the Centre for Local Culture, the Association for Theatre and Jockey, Jamal El-Den Al-Miladi College of Music, and others<sup>37</sup>.
- Institutions affiliated to the GAC: the General Council of Culture, the Authority for Antiquities, the National Centre for Libyan Folklore, the Libyan Centre for Archives and Historical Research, and others<sup>38</sup>.
- Institutions affiliated to the GACT: the National Centre for Studies and Research of Arabic Music, the National Centre for Cinema, the National Centre for Theatre, the National Centre for Arts and Heritage, and others<sup>39</sup>.

Before current division, decree No. (135) of (2012)<sup>40</sup> issued by a previous single government stated the organisational and administrative structure and the specialisations of a Ministry of Culture and Civil Society; where the ministry:

<sup>37</sup> Alwasat, 2016

<sup>38</sup> <http://www.culture.gov.ly/index.php/about-the-ministry/ministry-affiliates>

<sup>39</sup> Source: GACT's facebook page (the only platform for information about the authority)  
<https://www.facebook.com/gacitha/photos/a.329179674202625/544944709292786/?type=3&theater>

<sup>40</sup> <https://security-legislation.ly/ar/node/31833>



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shall draw up the necessary plans and programs aimed at: achieving the strategic development of national culture; identifying the role of culture in hindering national development; developing a culture supportive of development trends and cultural heritage protection; collecting and protecting folk heritage; highlighting the role and contribution of Libya in world heritage; and encouraging creativity in fields of culture, literature and arts. (Article 2) This, according to the decree, was to be applied through the 28 strategies of Article 2 which touched upon the establishment of cultural infrastructures and organisations, the nurturing and developing of all kinds of arts, the conducting of research and events, and the encouraging of theatre, literary translation, and individual cultural efforts, amongst others. These were implemented through departments for:

- cultural programmes and activities
- prints and works of art
- media affairs
- planning and projects affairs
- cultural centres and houses
- books and publishing
- cultural development
- administrative and financial

In addition to 8 offices as part of the total 16 organizational divisions.

Affiliated with this Ministry was a Supreme Council for Culture formed according to decree No. (348) of (2012)<sup>41</sup> issued on 2<sup>nd</sup> of August. The aim of the Supreme Council was to 'plot the general cultural policy in Libya in order to develop and provoke intellectual production' (Article 3) by:

1. Proposing required policies and legislations for nurturing and developing national culture with all its various components and levels;
2. Proposing executive plans for cultural and artistic activities;
3. Preparing studies and research that facilitate means for cultural education and creativity;
4. Fostering cultural and artistic creativity and protecting the rights of creators;
5. Developing a code of conduct for cultural work and following up on its implementation in the framework of supporting and maintaining cultural freedoms;
6. Setting quality standards in various fields of cultural productions and cultural competitions, and assessing rewards and prizes for each;
7. Taking cultural works from individual efforts to institutional performance that is organised to create qualitative heritage in cultural research, critical work and creativity;
8. Allowing room for artistic and local cultures as a source of national culture;
9. Restoring Libyan cultural heritage, deepening related scientific research, and highlighting its characteristics;

<sup>41</sup> <https://kenanaonline.com/files/0070/70830/348.pdf>



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10. Giving opinions on international cultural convention projects in coordination with relevant authorities;
11. Holding international and regional conferences and symposia to discuss issues of thought, culture, art, and literature, and to strengthen intellectual communication between Libyan creators and thinkers with their Arab and foreign counterparts;
12. Issuing encyclopedias, dictionaries, and comprehensive indexes;
13. Giving attention to creators in the fields of literature, creativity, and thought by holding dedicated ceremonies and awarding prizes and decorations;
14. Developing research and creative skills through workshops and training courses;
15. Holding and participating in conferences, exhibitions, and festivals.<sup>42</sup>

Currently, the objectives of the GNA's General Authority for Culture, according to its website<sup>43</sup>, are identical to those outlined above from decree No. (135) of (2012) of the former Ministry whilst adding a focus on cinema and theatre. The parallel IG's General Authority for Media, Culture, and Civil Society also has many overlapping objectives but additionally includes in its legislations a focus on media governance and support as well as collaborations with CSOs, as its name implies.

Despite that legislations take into consideration all core aspects which foster a prosperous cultural sector, these 'visions' have remained mostly theoretical with a shortage of evident implementation in many, but not all, aspects. This may be due to a need for strengthening competences within institutions, or a result of the challenges of current exceptional circumstances, or both. Nevertheless, there is a **critical gap between authorities and non-governmental cultural actors** that is evident in the absence of collaborations and attendance in either's public events – with very rare exceptions.

While the difficulty of mobility throughout Libya emphasizes the importance of online presence for fostering proximities, both authorities have not made sufficient use of this medium. The General Authority for Culture uses the same website and domain of the former Ministry of Culture. Titles of 'Ministry' and 'Minister' still appear throughout the website ('Our Aims' sub-page being the only exception) which has observably caused public confusion, and the website offers very scarce information which indicates a weakness in communication management. On the other hand, no website has been identified for the General Authority for Media, Culture, and Civil Society; which either means that there is no dedicated website, or that there is weakness in the marketing and

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<sup>42</sup> Ibid, Article 3, p.357

<sup>43</sup> <http://www.culture.gov.ly>



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therefore access to the website. On social media, both authorities have pages on Facebook (a platform used by a large range and number of people in Libya) and both are constantly updated with news on activities and upcoming events, while only the General Authority of Culture's page provides contact information.

### COMMISSION OF CIVIL SOCIETY

Once Libya was declared liberated upon the fall of Qaddafi in October 2011, the Ministry of Culture and Civil Society of the Transitional Government was responsible for the registration of CSOs at the time. On the 15<sup>th</sup> of January 2012, a Support Centre for Civil Society Organisations was formed under decree No. (12) of (2012)<sup>44</sup> affiliated with the Ministry. On the 29<sup>th</sup> of October 2013, the Centre was renamed as the Commission of Civil Society according to decree No. (649) of (2013)<sup>45</sup> which stated in Article 2 the objectives of the Commission as follows:

1. Register CSOs and approve its regulations and follow up on the performance of its tasks according to prescribed legislations.
2. Support CSOs (technically and logistically) and provide consultation whenever required.
3. Organise the work of international CSOs that wish to work in Libya in co-ordination with the relevant authorities according to prescribed legislations.
4. Prepare plans and programmes to develop the work of the commission and its employees, and arrange and foster workshops and training programmes to improve the performance of civil society activists and organisations in co-operation with national and international institutions.

According to Article 7 of the same decree, the Commission headquarters is based in Benghazi in the west of Libya with main branches in Tripoli and Musrata in the east, and Sabha in the south, while permitting branches or offices in other cities<sup>46</sup>. The organisational structure of the Commission was issued on the 4<sup>th</sup> of May 2014 in decree No. (302)<sup>47</sup> but the directing board was re-organised on the 17<sup>th</sup> of June of the same year and again on the 17<sup>th</sup> of April of 2016 following the formation of parallel governments. Article 4 of this decree lists the responsibilities and objectives of all Commission branches in 16 points out of which 6 focus on the direct relationship with CSOs; namely:

5. Promoting the role and activities of the Commission through active participation in CSO activities and through media and various promoting methods.

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<sup>44</sup> <https://security-legislation.ly/ar/node/34703>

<sup>45</sup> <https://ccslibya-5ca7.kxcdn.com/wp-content/uploads/2018/02/%D8%A7%D9%84%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D9%82%D9%85-649.pdf>

<sup>46</sup> However, current governmental duality after 2016 has divided the affiliation of the Commission's branches.

<sup>47</sup> <https://ccslibya-5ca7.kxcdn.com/wp-content/uploads/2018/02/%D8%A7%D9%84%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D9%82%D9%85-302.pdf>



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6. Executing and actively participating in programmes and projects that support CSOs within the administrative region of the branch.
7. Storing registration documents in hard and soft copies, and preserving a database for CSOs and having it regularly updated.
8. Representing the Commission of Civil Society in the events and seminars organised by CSOs within the administrative region of the branch.
9. Following up on CSOs within the administrative region of the branch, and issuing relevant reports.
10. Sharing information on the activities of the branch with local and international CSOs in co-ordination with the office of Branch Affairs.

While most branches have only succeeded in implementing the last point merely by sharing information about their activities via each branch's Facebook page, all other 5 objectives are not effectively met as is noticeable through:

- little-to-no presence of representatives of branches in CSO events;
- a shortage in supportive programmes for CSOs; and
- a shortage in statistical reports made publicly available, and the few available are all outdated.

The Commission's main website<sup>48</sup> (supported by an active Facebook page) has been evidently developed to become an effective communication platform for building proximity with CSOs. It provides a detailed description of the registration process, satisfactory amount of data on registered Libyan CSOs (statistics until 2016) and a very good amount of information on the objectives, vision, responsibilities, structure, and members of the Commission. Information is made simple and concise which takes into consideration communicating with a range of users. These efforts for proximity, however, are insufficiently replicated by the Commission's branches. Also on the website is a list of valuable (intended) reports which aim to provide information on registered national and international CSOs in Libya as well as a reference on the legislations affecting Libyan CSOs; however, these valuable reports cannot be accessed because of broken links. Further, the Commission has provided an online system for registering new associations on its website as a positive step to facilitate the process and overcome mobility difficulties. However, in practice, associations wishing to register in the west must download a form from the General Association for Culture's website or visit the Commission's local branch to which the registration form must be submitted as a hardcopy.

#### A SHORTAGE OF FOCUS ON CULTURE

Amidst exceptional current circumstances, **there is a smaller focus on culture and cultural development in comparison to crisis response and human rights**<sup>49</sup>.

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<sup>48</sup> <https://ccslibya.ly/>

<sup>49</sup> Maghur, 2016



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While the Commission's latest statistics of 2016 reveal that only 8% of a total of 4031 registered CSOs work on culture, a new study is required to update these numbers and survey activities and impact particularly given an observable change of dynamics by the recession of many early cultural associations and the appearance of new influential ones.

Moreover, the Commission's logo indicates the lack of dedication for culture. Designed as three descending pillars, each pillar in the logo represents a sector. The first and highest pillar is composed of 3 blue squares that represent organisations working on human development and rights protection. The second pillar is composed of 2 green squares representing organisations working on environmental protection. The shortest pillar is 1 grey square representing "first generation organisations" working on humanitarian aid and charity<sup>50</sup>. This further illuminates the lack of awareness on the role of culture as a pillar for development as opposed to an imbalanced focus on crisis response.

#### DAAM PROJECT

In January 2018 a 'Support project'<sup>51</sup> was launched by the Commission of Civil Society aiming to:

1. Help local CSOs document their work through scientific methods;
2. Enable CSOs to obtain information that helps them achieve their goals;
3. Increase the effectiveness of communication with CSOs efficiently;
4. Assist local CSOs in building their organisational, financial, administrative, and legal capacities;
5. Increase public confidence and awareness of the importance of the role of CSOs in Libya.

These aims are planned to be met through the following services:

- An electronic archiving system for local CSOs;
- A provided space on the platform for promoting its projects and activities;
- Training courses to organise its work according to the quality standards of the Commission;
- Technical and legal consultations;
- Access to a database of local and international organisations;
- Creating a free e-mail;
- Access to information on laws and international conventions, websites, educational lessons, programs and applications.

Although the initiative is highly important and clearly addresses the weaknesses revealed in previous surveys by foreign organisations on Libyan CSOs, the project has not yet met its full potential – possibly due to the exceptional challenges of the current period.

<sup>50</sup> <https://ccslibya.ly/aboutus/#1487064993761-4f809981-948b>

<sup>51</sup> <https://www.daam.ly/>



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### AFFILIATION ISSUES

In terms of the current governmental duality since 2016, the Commission's headquarter, branches, and offices in the east and south of the country are affiliated to the Interim Government's General Authority for Media, Culture, and Civil Society, while branches and offices in the west of the country are affiliated to the Government of National Accord's General Authority for Culture. However, all branches share the same logo and link to the same website, and although underpinning policies are shared **there are some variations in procedures and regulations amongst branches depending on their governmental affiliations.** On the other hand, it is worth mentioning that there are voices (in the east) requesting the independence of civil society from executive authorities by shifting its Commission's affiliation to the legislative authority instead. This opinion is particularly represented through The Movement for Transferring the Affiliation of the Commission to the House of Representatives.

## 3- LEGISLATION AND FUNDING

### REFERENCE TO CULTURE IN THE CONSTITUTION

Since the Libyan constitution of 1951 was suspended by the Qaddafi regime in 1969, **no formal constitution has thenceforth been adopted.** Following the uprising, an interim Constitutional Declaration<sup>52</sup> was introduced by the National Transitional Council in August of 2011 intended to remain in effect until a permanent constitution is written and ratified. Where the culture sector and CSOs are concerned, the provisional constitution declares that:

- The linguistic and cultural rights of all components of the Libyan society shall be guaranteed. (Article 1)
- The freedom of opinion, individual and collective expression, research, communication, press, media, and printing and editing shall be guaranteed. (Article 14)
- The freedom of establishing associations and civil society organisations shall be ensured. (Article 15)

A permanent Libyan constitution was expected to be published in December 2014<sup>53</sup> but has since been postponed. Its final draft<sup>54</sup> was approved by the Constitution Drafting Assembly in July 2017 and is yet to be ratified in a referendum. Where the culture sector and CSOs are concerned, the draft constitution in its current negotiated form states that:

<sup>52</sup> [https://www.constituteproject.org/constitution/Libya\\_2011.pdf](https://www.constituteproject.org/constitution/Libya_2011.pdf)

<sup>53</sup> <https://www.libyaherald.com/2014/09/11/cda-plans-to-publish-draft-constitution-in-december/#ixzz3D2r3IONb>

<sup>54</sup> [https://www.libyaobserver.ly/sites/default/files/Libyan\\_Constitution.pdf](https://www.libyaobserver.ly/sites/default/files/Libyan_Constitution.pdf)



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- All languages spoken by Libyans are considered a cultural and linguistic heritage and a common asset for all Libyans, and the State shall take measures to protect them, preserve their originality, develop their teaching to and usage by those who speak them, and develop using them in the media. (Article 2)
- The State shall be committed to the protection, sponsoring, rehabilitation, and excavation of antiquities, cities, and historical regions, and the State shall do what is necessary to recover any seized antiquities. (Article 29)
- The freedom of expression and publication are safe-guided rights (Article 37); and the freedom, plurality, and independence of press and media, and the right to ownership of press and media outlets shall be guaranteed. (Article 38)
- The State shall guarantee the freedom to form and join civil society organisations according to the standards needed for creating a balance between the requirements of their independence and transparency needs, and it shall not be permissible to suspend their work except by judicial order or to disband them except by court ruling. (Article 41)
- The State shall guarantee for citizens and civil society organisations the right to democratic participation in their realm of activity by submitting petitions or legislative proposals in accordance with a regulatory law issued for this purpose. (Article 42)
- The State shall protect the material and intangible rights of intellectual property in all forms and in all domains. (Article 51)
- The State shall guarantee the protection and promotion of local cultures, heritage, traditional knowledge, literature, and arts, and shall disseminate cultural services. (Article 55)
- As an Independent Constitutional Body, the National Council for Protection of Cultural and Linguistic Heritage shall preserve, document, and devote attention to cultural heritage, and develop and protect Libyan languages. (Article 160)

However, the feasibility of these plans is questionable amidst current issues particularly considering low capacities of public structures, weakness of governmental authorities against armed groups, and limited available funding for culture given the economic decline and poor financial management.

### **A COMPLEX LEGISLATIVE SETTING**

Because of the current political disagreement and interim status, lawmaking structures in Libya are highly complex. The House of Representatives (HoR) acts as the current legislature of the country replacing the General National Congress (2012-2014)<sup>55</sup>. However, the HoR is a rival to the Government of National Accord (GNA) and therefore its legislations are only executed through its affiliated

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<sup>55</sup> A Supreme Council of State was formed in the west in 2016 as the advisory body for both the GNA and HoR, but disagreements and armed interventions have rendered the role and influence of this structure unclear.



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Interim Government (IG) in the east. Consequently, **decrees issued post-2016 by the two rivaling governments apply to the regions in Libya affiliated with the issuing government but not the other** (i.e. decrees and regulations of the IG apply to eastern and southern cities, and those of the GNA apply to western cities).

Among many, the Commission of Civil Society has been affected by this duality. In 2016 the IG issued decree No. (195) for restructuring the Commission's Board of Directors, instructing all its affiliated authorities not to deal with the "Commission's parallel body" which it describes as illegitimate<sup>56</sup>. In response, the GNA's General Authority for Culture issued a letter to all GNA's affiliated authorities on the 30<sup>th</sup> of October 2017 urgently requesting that they do not deal with the "parallel Commission" but with the "legitimate branches" instead<sup>57</sup>. Consequently, related decrees issued by the IG apply to the branches of the Commission in the east and south regions, while decrees by the GNA apply to branches in the west. Yet, all branches still use the same logo and link to the same main website, while the administrative relationship between the Commission and its branches in the west are unclear. Nonetheless, this situation neither notably affects the practice of CSOs in either region, nor has it so far been the reason that limits regional collaborations amongst Libyan CSOs.

Although this is an important condition to be aware of, many Libyan cultural actors tend not to concern themselves with the ongoing political and armed rivalry and their consequent legislative developments, and thus many civil actors are not familiar with the laws and legislative structures of their sector while foreign organisations find it challenging to understand. This is due to:

1. the complexity and temporality of the transitional period and its succession and multiplicity of authorities;
2. an absence of a single source (or per government) providing for public access all legislations and policies concerning the culture sector;
3. an absence of effective efforts seeking to familiarise CSOs and the public on legislations; and,
4. a lack of public awareness on the importance of becoming familiar and engaged with governing legislations and the formation of policies - an obliviousness influenced by the authoritarianism of the past Qaddafi regime.

## LAWS

### CIVIL SOCIETY

Since the 2011 uprising and the subsequent suspension of the Associations Law No. (19) of (2001), there has been **no law regulating civil society in Libya**. Only regulatory rules are currently applied in addition to the Principal Regulations. The

<sup>56</sup> Document available on:

<https://www.facebook.com/118226045524070/photos/a.119046202108721/167340760612598/?type=3&theater>

<sup>57</sup> Ibid



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latter consists of 49 Articles mostly outlining internal regulations for the registering association and the roles of its board members.

One example of the regulatory rules is a letter issued by the Commission of Civil Society in the east on the 13<sup>th</sup> of February 2018 forbidding all organisations from dealing with or participating in workshops or training courses or any other activity with foreign organisations before notifying the Commission at least two weeks before the programme. The letter explains that such un-notified engagements are “a clear violation of the laws and regulations”, yet without any identification of the referenced laws and regulations.

### DRAFT CIVIL SOCIETY LAW

In 2017 the Commission for Civil Society submitted a draft law governing civil society to the General Authority for Media, Culture, and Civil Society to be forwarded to the House of Representatives for legislative approval<sup>58</sup>. This draft, according to the head of the Board of Directors of the Commission<sup>59</sup>, builds upon a previous draft law submitted to the General National Congress in 2012.

The 2012 draft<sup>60</sup> was introduced by a committee formed under the Ministry of Culture in 2011. The committee encouraged the inclusion of various segments of the population in the process by sharing articles of the negotiated law on a dedicated Facebook page to allow public comments, in addition to organising workshops with CSOs and consultations with foreign organisations<sup>61</sup>.

According to the available copy of the 2012 draft<sup>62</sup>, Article 2 encouraged the inclusion of youth as young as 15 years old as members in CSOs in recognition of their active roles and experiences in civil work since the 2011 uprising, whilst also considering that youth represent the largest percentage of the Libyan population. Article 7 guaranteed associations rights to:

1. obtain information related to their activities;
2. evaluate the role of state authorities and submit proposals to improve their performance;
3. free assembly and to running events, conferences, workshops, and other civil activities; and,
4. publish reports and information, print publications, and survey opinions.

This whilst prohibiting public authorities from obstructing or disrupting the association’s activity, directly or indirectly, and ensuring protection to the association and its members. Further, Article 16 gave associations a status permitting them to appeal against the courts about any legislation or decree relative to their aims, thereby guaranteeing their role in monitoring legislative and executive authorities.

<sup>58</sup> <http://alwasat.ly/news/libya/149346>

<sup>59</sup> Huna Libya, 2013

<sup>60</sup> <http://www.icnl.org/news/2012/draft-libyan-law-on-associations-AR.pdf>

<sup>61</sup> Maghur, 2016, p. 7

<sup>62</sup> <http://www.icnl.org/news/2012/draft-libyan-law-on-associations-AR.pdf>



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Moreover, Al-Maghur, a member of the 2011 Committee, explains that considering that Libya had joined most international agreements regarding human rights, the Committee saw it best to construct the law in reference to these agreements in order to advance the level of national legislations<sup>63</sup>. This referencing to international principles (generally adopted in the Arab Spring) is demonstrated, she adds, in the approach allowing CSOs to apply through a 'notification of establishment' procedure as opposed to seeking permission to be established.

Criticisms about this early draft mainly focused on articles regarding financial resources; where according to Article 12 of the available version:

The Association shall declare the acceptance and determination of the source of any donations, gifts or 'will' from foreign parties in a daily newspaper and on its website on the internet within one month from the date of acceptance of the donation, grant or 'will'.

The Association is also committed to publishing its annual activities report and its annual financial report on its website.

The Association shall submit official copies of the documents specified above to the Council of Public Liberties and Human Rights within two weeks from the date of acceptance of donations or grants or national or foreign 'wills', or from the date of the preparation of reports as the case may be.

This raised arguments amongst civil actors that the draft law is still short of internationally recognised standards and does not reflect the space for freedom now gained in Libya post-2011<sup>64</sup>. The Undersecretary of the Ministry of Culture and Civil Society at the time responded that the decree only required CSOs to textually notify the Commission upon receiving foreign funding, and in case of any violations of public order the organisation would be notified and procedures will be followed according to the general law<sup>65</sup>.

However, this draft law submitted by the Ministry on the 31<sup>st</sup> of March 2012 was not issued by the legislature at the time, which Al-Maghur argues to have impacted negatively on CSOs; especially because the absence of legislations gave some authorities no choice but to return to the highly criticised law No. (19) of (2001) and its restrictions that were imposed by the Qaddafi regime despite that the law had been repealed by Article 15 of the Constitutional Declaration of 2011<sup>66</sup>.

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<sup>63</sup> Maghur, 2016, p. 2

<sup>64</sup> Huna Libya, 2013

<sup>65</sup> According to an interview conducted by Huna Libya with Abdulsalam Sabri, then Undersecretary of the Ministry of Culture and Civil Society, *ibid.*

<sup>66</sup> Maghur, 2016, p. 3



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Later in May 2016, the draft was negotiated once more in a workshop titled Towards a Law Organising Civil Society Organisations in Libya, organised with the support of two human rights networks and in the attendance of several civil society actors and experts and a representative of the Commission<sup>67</sup>. Following further alterations, the new draft law of 2017<sup>68</sup> was forwarded to the HoR for approval, as previously mentioned.

Amongst the alterations is a noticeably longer list of prohibited activities in Article 6 of the 2017 draft, which appears to be extended based on observed practices by CSOs over the recent years. Similarly, the list of rights of associations in Article 11 has also been extended; where point 2 preserves the right for CSOs to evaluate and provide recommendations for governmental bodies, and point 11 preserves the right for CSOs to suggest draft laws and legislations. Further, Articles 17 and 18 reassert the criticised Article 12 of the 2012 draft.

Regarding taxes, Article 24 exempts CSOs from:

- stamp taxes and fees imposed on all contracts, procurement, publications, printed papers, records and others; and,
- custom taxes and fees imposed on imported machinery, equipment, and supplies, provided that these items are necessary for its primary activity.

However, this 2017 draft raised wide controversy that exceeds the scope of this report [for one example, attached in Annex B of this report is a translation of a comment by the Head of the 2012 draft Committee, as expert, regarding the 2017 draft].

#### INTELLECTUAL PROPERTY

Law No. (9) of (1968)<sup>69</sup> guarantees the protection of:

1. Written works.
2. Works included in the arts of drawing and painting with lines and colors, engraving, sculpture and architecture.
3. Works conveyed verbally, such as lectures, speeches, preachments and similar works.
4. Dramatic works and musical plays.
5. Musical works whether accompanied with words or not.
6. Photographic and cinematic works.
7. Geographical maps and drawings.
8. Three-dimensional works related to geography, topography or science.
9. Eurythmics prepared materially for production.
10. Works related to applied arts.
11. Works especially prepared for or broadcasted by radio or television.

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<sup>67</sup> Ain Libya, 2017

<sup>68</sup> [https://www.facebook.com/CCSLibya/posts/785248298345044?\\_tn\\_=-R](https://www.facebook.com/CCSLibya/posts/785248298345044?_tn_=-R)

<sup>69</sup> <http://www.wipo.int/edocs/lexdocs/laws/en/ly/ly004en.pdf>



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and protection in general shall include the authors of works of art whose method of expression is writing, sound, drawing, painting or movement. (Article 2)

While this law was issued during the Kingdom era, there has been a proposal presented in 2017 to the Presidential Council of the GNA by the Minister of Women's Affairs and Community Development to form a committee for developing the law in accordance to the modern context. This is the latest of several preceding efforts by various bodies seeking to develop the law but all of which have failed to reach a legislative formulation<sup>70</sup>.

Libya has joined international conventions concerning intellectual property; including:

- The Convention Establishing the World Intellectual Property Organisation, WIPO Convention; joined 28<sup>th</sup> September 1976 <sup>71</sup>; and,
- The Berne Convention for the Protection of Literary and Artistic Works; joined 28<sup>th</sup> September 1976 <sup>72</sup>.

On the other hand, there **is no law regarding the status of the artist** in Libya.

## FUNDING

### BUDGETS FOR MINISTRY/AUTHORITY OF CULTURE

Information regarding the expenses of cultural authorities and programmes is not made publicly available. However, the annual reports of the Audit Bureau give some indications of the budgets and expenses of the Ministry of Culture (replaced by Authorities for culture as of 2016) as follows:

	Allocated Amount (LD)	Expenditure (LD)
2012 <sup>73</sup>	N/A	239,361,020
2013 <sup>74</sup>	51,662,186	N/A
2014 <sup>75</sup>	6,679,624	25,236,427
2015 <sup>76</sup>	25,000,000	77,556,535
2016 <sup>77</sup>	N/A	8,259,350

<sup>70</sup> Falola, Morgan and Oyeniyi, 2012, p. 63

<sup>71</sup> [http://www.wipo.int/export/sites/www/treaties/en/documents/pdf/wipo\\_convention.pdf](http://www.wipo.int/export/sites/www/treaties/en/documents/pdf/wipo_convention.pdf)

<sup>72</sup> <http://www.wipo.int/export/sites/www/treaties/en/documents/pdf/berne.pdf>

<sup>73</sup> p.5 <http://audit.gov.ly/home/pdf/LABR-2012.pdf>

<sup>74</sup> p.21 <http://audit.gov.ly/home/pdf/LABR-2013.pdf>

<sup>75</sup> p.391 <http://audit.gov.ly/home/pdf/LABR-2014.pdf#page392>

<sup>76</sup> p.460 <http://audit.gov.ly/home/pdf/EN-LABR-2015.pdf>

<sup>77</sup> p.589 <http://audit.gov.ly/home/pdf/LABR-2016.pdf>



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<b>2017</b> <sup>78</sup>	6,650,000	N/A
<b>2018</b>	N/A	N/A

N/A: Not Available

The reports illuminate that some of the expenses significantly surpass allocated amounts for a given year. Also, in many cases the transferred amount is less than the allocated (e.g. the transferred amount for the Authority of Culture in 2017 is only 57% of the total allocated amount<sup>79</sup>). On the other hand, no information is provided about the percentage allocated to culture out of the national budget, and it is difficult to calculate this due to the shortage of information as well as the amendment of allocations in some cases.

Further, no information on the budget distribution in the culture sector is made available except for those outlined in the general budget laws for the years 2012 and 2013 only:

	Revenues	Salaries	Administrative and operational expenses
<b>2012</b> <sup>80</sup>			
Ministry of Culture and Civil Society	100,000	58,078,000	28,000,000
General Authority for the Support and Encouragement of the Press	1,000,000	7,982,000	8,000,000
General Authority for Libyan Radios	1,250,000	37,000,000	44,500,000
Libyan News Agency	50,000	3,082,000	3,800,000
General Centre for Radio – Radio Libya	0	2,219,000	1,233,000
Centre for Multimedia	0	2,651,000	6,000,000
New Media Development and Training Centre	42,000	4,727,000	7,000,000
General Company for Paper and Printing	0	14,500,000	32,455,000
<b>Total L.D.</b>	<b>2,442,000</b>	<b>130,239,000</b>	<b>130,988,000</b>
<b>2013</b> <sup>81</sup>			
Ministry of Culture and Civil Society	200,000	121,000,000	17,000,000
CSO Support Centre	0	580,000	2,500,000

<sup>78</sup> p.30 and p.740 <http://audit.gov.ly/home/pdf/LABR-2017.pdf#page743>

<sup>79</sup> Ibid, p.34

<sup>80</sup> According to law No. (20) of (2012) for adopting the general budget for the year 2012, available at: <http://www.log.gov.ly/downloads/add005.pdf>

<sup>81</sup> According to law No. (7) of (2013) for adopting the general budget for the year 2013, available at: <https://finance.gov.ly/wp-content/uploads/2017/04/7.pdf>



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The Libyan Centre for Local Cultures	0	245,000	500,000
The National Centre for Translation	0	80,000	450,000
Authority of Antiquities	500,000	16,200,000	2,000,000
The Centre for African Research and Studies	0	260,000	500,000
<b>Total L.D.</b>	700,000	138,365,000	22,950,000

While details for the 2012 budget for development is not provided, law (7) of (2013) provides a break-down of the 2013 budget allocated for projects and programmes for development and reconstruction of which a total of 64,150,000 L.D. was dedicated for the culture sector.

	Budget for Development
Cultural, civil society, and antiquities development projects <sup>82</sup>	
Culture projects	11,309,000
Antiquities projects	9,557,000
<b>Total L.D.</b>	20,866,000
Development equipment and programmes for the culture and civil society sector <sup>83</sup>	
Equipment and programmes of the Ministry of Culture and Civil Society and its affiliates	26,887,000
Equipment and programmes of the General Authority for the Support and Encouragement of the Press	5,088,000
Purchase of administrative headquarters for the Ministry of Culture and Civil Society and its affiliates	5,333,000
Transportation for the Ministry of Culture and Civil Society and its affiliates	5,976,000
<b>Total L.D.</b>	43,284,000

It is noticeable that no budget is distributed specifically for authorities/centres working on theatre, cinema, and arts or for the establishment of infrastructure in regards, whilst these aspects of culture require serious dedication to revive given the deficiency curated by the previous regime. Moreover, no information is provided on whether or not there have been amounts specifically allocated for developing such forms of expressive culture out of the 26,887,000 budget. Nevertheless, the budget allocated for culture in Libya is generally limited (especially in comparison to Algeria and Tunisia) amidst the priorities and

<sup>82</sup> Ibid, Table 2-11, p.24

<sup>83</sup> Ibid, Table 2-33, p.30



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financial challenges of the current exceptional period, while the duality of governments and their financial division further amplifies these challenges<sup>84</sup>.

### BUDGETS FOR THE COMMISSION OF CIVIL SOCIETY

No information is publicly provided apart from an expenditure report for the year 2017; yet, the report only outlines administrative and operational expenses in the absence of any clarification on the budget allocated for programmes, research, and development.

### NATIONAL DONORS

Although there are no open calls and public announcements, there are a few national funding opportunities for those who actively seek them. Some large corporations in petroleum, telecommunications, and manufacturing industries allocate budgets for the community, while a small number of businessmen and political parties have provided funding by individual requests in the past. On the other hand, very few governmental organisations provide funding for cultural activities, which if provided are usually restricted to small scale projects such as fine arts exhibitions and seminars.

Funding opportunities are solely identified by word of mouth which limits the number and range of beneficiaries. Given the absence of open calls providing information, the preferences and scopes of the funds (e.g. grant amounts and targeted sectors) are not recognised until after the application has been submitted. This lack of pre-provided information renders an inefficient process for both CSOs and donors. Further, applications and approvals sometimes rely on perceptions of reputation that can be influenced by personal connections or discouraged by the lack of.

Nevertheless, the most recent surveys of 2015<sup>85</sup> revealed that the main source of funding for Libyan CSOs came from their own members who pool funds for a particular activity, while the importance of public funding varied per city [fig. 1]. Further, a very small number of Libyan CSOs relied on crowd-funding (philanthropy) due to lack of knowledge on fundraising, and few CSOs demonstrate capacity to effectively manage or forecast their budgets<sup>86</sup>.

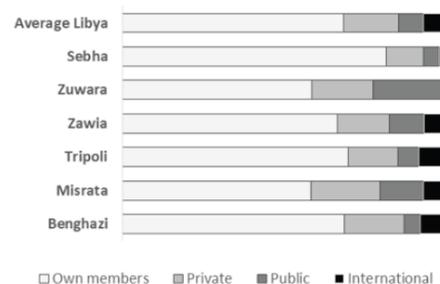


Fig. 1 Source: UNICEF and UNDP 2015, p.9

<sup>84</sup> In December 2017 the GNA sought to unify the Central Bank for an economic reform and to rationalize public spending; however, an agreement has not yet been met.

<sup>85</sup> Altai Consulting, 2015; UNICEF and UNDP, 2015

<sup>86</sup> This information is based on the most recent surveys conducted between 2013 and 2016; however, based on observation and shared information on CSO and donor pages, conditions have recently changed to some degree due to the experience and training of a small ratio of CSOs.





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However, **the already humble funding offered by Libyan donors lessened amid current financial decline** since 2016. For the organisations that have not consequently suspended their work, this caused an increased turn towards commercial activities as an additional source to ensure sustainability, while others now completely rely on foreign funding.

#### FOREIGN DONORS

Since 2011 there has been a substantial increase in international interest in Libya. The flourishing civil society and cultural scape encouraged various foreign organisations to offer financial support. The largest number of funds in 2018 comes in the form of regional programmes targeting countries of the Arab Spring or the Mediterranean region. Other donors are either organisations based abroad with regional open calls, or embassies, delegations, and culture councils based in Libya (mainly Tripoli); however, a civil war that erupted in Tripoli in late 2014 caused all foreign actors to leave the country thus suspending their programmes.

Recently, many foreign embassies and organisations have recommenced work on Libya while based in Tunis (although the Italian embassy, Turkish Consulate, British Council, and some UN organisations have now re-opened in Tripoli). This condition causes **inconveniences especially in the funding process**; for instance:

- Foreign organisations are consequently distant from the Libyan setting which has, in some cases, increased the gap between their targeted topics and what is locally required;
- Due to the economic crisis and the difficulties of bank transfers, funds are usually provided in Tunis to which funded Libyan CSOs must travel to receive the amount;
- Travelling with the grant towards Libya can sometimes be troublesome especially with airport customs;
- The currency of the grant may therefore have to be exchanged more than once in the process, and while it is neither possible to receive Libyan currency abroad nor exchange foreign currencies in Libyan banks due to the economic decline, exchange must be made through the alternative 'black market' at considerably different rates.

It is important to note that **beneficiaries of foreign funding are largely CSOs that are ran by particular Libyan social groups**; namely elites and urban youth especially those of bilingual proficiency. These groups are mostly based in urban cities such as Tripoli and Benghazi. Despite recent efforts to extend the range and scope of beneficiaries, foreign programmes are met with mild scepticism in non-urban areas in fear of possible foreign interference in internal affairs – a perception influenced by the past regime's hostile discourse to external powers. This is reflected in the statistics revealed in Fig. 1 where foreign funding was deemed more important in urban areas compared to rural.



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This can be tackled by improving public communication of the aims and expected results of grants through social media platforms whilst always providing Arabic translations in order to communicate with a wider range of Libyans. Moreover, it is necessary to conduct surveys and announce results in both Arabic and English languages in order to assess the effectiveness of the grants on ground and to highlight positive impacts - there is an absence of published research since 2016.

Another challenge limiting the number of Libyan beneficiaries despite the steady stream of regional funding opportunities is the **inability of many Libyan CSOs to compete with international applications** for the same grants<sup>87</sup> given the relatively young experience of the Libyan culture sector following four decades of deficiency. This weakness is particularly visible when considering the almost complete absence of Libyan artists/organisations that have succeeded in receiving grants from important Arab cultural funders such as Al-Mawred Al-Thakafi, AFAC Arab Culture Fund, and Mophradat.

This weakness is humbly addressed through trainings offered abroad and online that seek to strengthen Libyan CSO capacities to manage budgets. While MedCulture and Goethe's Culture Academy Libya, based in Tunis, organise the main open-call cultural management trainings that include modules on financial management, efforts remain scarce. Meanwhile, trainings organised by national organisations tend to overlook financing skills.

Nonetheless, it is worth noting that while the economic decline has encouraged youth towards entrepreneurship, financial management skills gained through the active experience and trainings provided for entrepreneurs' ripple into the culture sector through an overlapping of members between civil society and entrepreneurship by which knowledge is transferred. Moreover, in the midst of this financial current moving youth between not-for-profit CSOs and business, a merging of both in the form of cultural businesses is slowly but creatively emerging.

#### 4- INSTITUTIONS, CIVIL SOCIETY ACTORS AND INFRASTRUCTURES

The current exceptional circumstances of the country have challenged the sustainability and development of civil society efforts in Libya, both national and foreign, as well as the capacity and effectiveness of governmental institutions. This is further overshadowed by the political and economic priorities of the transitional stage to which the State allocates primary focus and budget.

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<sup>87</sup> Moschini, 2012; Altai Consulting, 2015; UNICEF and UNDP, 2015



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Additionally, in spite of the freedom gained and legislatively guaranteed by the State after 2011, the **interference of some armed groups in cultural activities** imposes a serious challenge. Although their claimed intentions are to maintain social customs – a notion in itself understandable in order to preserve national identity - the interference of illegitimate groups is mostly exaggerated and life-threatening, and does at times target activities that do not actually violate values of the generally moderate Libyan society. These behaviours impose a substantial threat that restricts potential and limits cultural development. For instance, any musical concerts apart from traditional forms of music are met with strong and threatening objection, thus rendering a lack of organisations and infrastructures dedicated to music. Moreover, this intolerance reflects the opinions of some, but not all, civil communities in the heterogeneous Libyan society. These opinions fiercely protest in social media comments about cultural activities that these communities deem inappropriate. Such **conditions decrease the frequency and, most importantly, the range of cultural activities** as actors adopt careful approaches to protect their reputations and sometimes lives. Nevertheless, the general public appears to become more accustomed and tolerant of modern youth cultures that were until recent years deemed inappropriate on a wider scale.

Furthermore, the **difficulty of the situation has attracted a wider audience to culture** as a means for relief; for that reason, a number of culture actors have demonstrated persistence to continue despite substantial hardships. 2018 marks the flourishing of a number of cultural organisations, mostly those ran by actors involved in civil society since the early years following 2011 and who thus benefit from an accumulation of problem-solving and resolution skills.

## **GOVERNMENTAL INSTITUTIONS**

The main public institutions for cultural affairs are the Centres and Offices for Culture affiliated to the Authorities for Culture, as well as Offices for Culture affiliated to Municipalities.

However, the majority of these public institutions suffer from poor management that is evident in the **lack of facilities and weak impact of activities**. Some of the most popular Centres and Offices have recently suspended their activities, including the Office for Culture and Civil Society Affairs of the Municipality of Central Tripoli, and Hay Al-Andalus Centre for Culture, both of which were the most active and popular in Tripoli before 2018. Although reasons are unknown, the staff at Hay Al-Andalus Centre for Culture repeatedly complained from lack of financial and logistical support.

In terms of outreach, it is noticeable that collaborations and audience of events organised by public institutions do not usually involve the highly active urban-youth CSO community (particularly the bi-lingual youth). This is due to the latter's



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preference to form collaborations with foreign organisations instead, as well as the institutions' general weakness in communication and marketing. Instead, collaborations largely involve organisations ran by senior groups that are at times encouraged by personal connections as well as the similarities in approaches.

### CIVIL SOCIETY ACTORS

In spite of the challenges of the current period, a number of civil society **actors have demonstrated perseverance and creative problem-solving in a context where standard approaches are often inappropriate**. This has catalysed the learning process and enriched the skills of the young civil society experience; nevertheless, there remain crucial areas in need of development.

The weaknesses of CSOs in terms of performance can be summarised in two main issues;

1. **Low sustainability**, caused by:
  - Low organisational professionalism particularly in exceptional national circumstances;
  - Hardships as a consequence of conflict (financial difficulties, shortage of petrol and electricity, etc.);
  - Weak applications for competitive international funding;
  - Most trainings provided nationally and abroad are not advanced or context-specific; and,
  - Social perceptions sometimes result in resistance and/or threats to the organisation.
2. **Low impact** of projects on socio-cultural development, caused by:
  - Lack of awareness of the importance of pre-activity research to identify real requirements;
  - Occasional absence of consideration of local context (e.g. social customs, perceptions, and interests);
  - Weak or unrealistic objectives;
  - Shortage in creative approaches by the majority of civil society communities especially in rural areas where methodologies are most conventional;
  - Absence of post-project assessment and feedback for development; and,
  - Low public awareness of the value of culture as a pillar for a prosperous country.

Moreover, inter-organisational weaknesses as well as the shortcomings in CSO relationships with public institutions can also be summarised in two governing issues;

1. **Shortage of inter-organisation collaboration**, and an **absence of cross-organisational support and dissemination of knowledge**, due to:
  - Absence of an active and involved organisational body;



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- Fragmentation of cultural actors into communities (e.g. bi-lingual youth community, the public sector community; student unions; regional groups, etc.);
- Cross-organisation collaboration often relies on personal contacts;
- Networking is mostly only induced when organised by an international medium (e.g. programmes and trainings by foreign organisations); and,
- Lack of a national database of active culture actors that is publicly accessible and updated.

2. **Distance between most CSOs and the Authorities** of Culture and Civil Society, caused by:

- Dissimilarities in preferred strategies and approaches often as a result of differing standpoints, age groups, cultures, and mind-sets;
- Absence of means and mediums for communication;
- Absence of real efforts by public institutions to form relationships with all 'communities' of CSOs;
- Political conflict and reputation drive some CSOs away from engaging with governmental bodies; and,
- Low to no support provided.

In conclusion, the main problems affecting the sustainability and performance of CSOs as well as institutions are primarily **weaknesses in management**.

While the only list of operating CSOs in Libya is based on a research conducted between 2013 and 2015 by the UNDP and UNICEF, there have not since been any up-to-date statistics on operating organisations or culture creators. Within the scope of his report, the absence of information and difficulty in identifying contacts have rendered it difficult to identify all cultural operators especially in rural areas where communities tend to keep internally-focused activities private. The lists below are intended to provide general indication of the cultural expressions presently trending, and a sample of the most influential actors/organisations that push the boundaries of the sector.

**Present forms of artistic disciplines in Libya**

Painting	TV Drama & Film	Architecture & Interior Design
Photography	Literature	Tangible Cultural Heritage
Handicrafts	Poetry	Intangible Cultural Heritage
Sculpture	Culinary arts	Arabic Calligraphy
Wall art / Graffiti	Music ( <i>humble efforts</i> )	Printmaking ( <i>on a small scale</i> )
Fashion	Theatre ( <i>humble efforts</i> )	

**Some of the main Libyan CSOs in the culture sector**



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Fine Arts

Noon Arts  
Awad Obida Club for Fine Arts  
Waraq Arts Foundation  
Libyan Printmakers  
Ali Gana Foundation  
Hebka Magazine (organises trainings on comics)

Cultural Heritage

Tripolitanian Heritage Foundation  
Scene  
Tira  
Erada Foundation

Cinema and Theatre

Benghazi Lab for Cinematics and Speech Analysis

Literature

Short Story Lab  
Friends of the Book Club  
Libyan Society for the Friends of Arabic Language  
Dar Al-Zawia for Books

Miscellaneous

Arete Foundation for Arts and Culture  
Friends of Dar Al-Fakih Hassan Tanarout  
Sheikh Al-Taher Al-Zawi Charity Organisation  
Erato Organisation for Media, Culture and Arts  
Wahbi Al-Bori Centre for Culture  
Libyan Board of Architects  
Friends of the UNESCO Library  
The Wednesday Group for Literature and Culture

These in addition to Scout Clubs and Student Unions scattered across various cities/institutions, some of which are the most active civil groups in a given area (for instance, the Nafusa Mountains and Benghazi have highly active and influential Scouts communities, whilst the Tripoli University Students Union recently became one of the most active groups in the capital).

**A sample of the most active independent professionals and youth in the culture sector many of which are occasionally involved in civil society**

Visual Arts

Hadia Gana	(ceramics)
Ali Wakwak	(sculpture)
Mohamed Bin Lamin	(sculpture)
Abdallah Saed	(photography)
Sasi Hreb	(photography)
Ahmed Barudi	(photography)
Khairi Shaban	(painting)
Najla Fituri	(painting)
Abdelrazak	(painting)
Alreyani	(painting)
Afaf Alsomali	(pop art)
Faiza Ramadan	(Arabic calligraphy)
Ala Buddabus	(Arabic graffiti)
Mohammed	(caricature)
Kharrubi	(caricature)

Literature

Ahmed Al-Fakih  
Hisham Matar  
Ibrahim Al-Koni  
Azza Al-Maghur  
Najwa Ben Shatwan  
Rehab Shneb  
Hossam Al-Thni  
Mohammed Al-Naas

Poetry

Khaled Mattawa  
Ahmed Al-Zwai  
Seraj-Alden Al-Werfalli

Cultural Heritage Protection/Revival

Ramadan Shebani  
Youssef Al-Khoja



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Amin El-Zeyat  
Hassan Dhemish  
Suhaib Tarek

Saed Hamed  
Mokhtar Drera  
Husam Bash-Imam  
Abd-Almuttaleb Abu-Salem  
Mustafa Al-Huwat  
Salim Shalabi

Film and Theatre

Yousef Al-Kurdi  
Naziha Arebi  
Abd Al-Rahman  
Haghegh  
Khaled Al-Gmati  
Osama Rezk  
Murad Gargoum  
Miloud Amruni  
Ahmed Ibrahim

## INFRASTRUCTURES

Although there is **no research surveying the number, function, and audience of culture infrastructures** in Libya, it is easy to notice that culture spaces throughout Libya are significantly few for a population of 6 million and in comparison to neighbouring countries of the Arab Spring (especially Tunis with which Libya shares a range of cultural forms and heritage as well as numerous cultural collaborations in previous decades).

Recent decades have witnessed the suspension of a number of public cultural spaces established during the Ottoman, Italian, and Libyan Kingdom periods. Nevertheless, there is a humble revival in current years with the emergence of a few private culture spaces and an increase in the use of pre-existing ones. This relative increase in the use of culture spaces is largely the harvest of the early civil society initiatives between 2011 and 2013 which created a ripple effect and encouraged youth into spaces such as the Old City of Tripoli for the first time. This is also partly inspired by the popularisation of co-working spaces amongst young entrepreneurs catalysed by the economic decline and foreign support. However, there remains a shortage of cultural spaces in most rural cities.

### A sample of the most popular spaces for cultural activities

Location		Activities	Audience	Comment
<b>Privately owned/managed spaces</b>				
Tripoli	<b>Art House</b>	gallery space; seminars; screenings	public	Founded in the 90s
	<b>Doshma</b>	art school; public seminars	mostly students of art and design	Space previously used as gallery. Owned by architects.



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	<b>Deraz Corner</b>	co-working space for designers; seminars; workshops; screenings	youth (entry fees)	Most recently opened. Owned by an architecture and design company
	<b>Dar Ali Gana</b>	art museum; seminars; workshops; etc.	N/A	under construction
	<b>Scene</b>	studio for traditional art and cultural research	semi-private	under construction
	<b>Waraq</b>	gallery space; seminars, workshops	mostly youth	closed - due to issues with neighbours regarding a particular culture event
	<b>Libya Design</b>	primarily an architecture firm but engages in photography and sketching of heritage	private	A department dedicated to Libyan culture was prepared to commence but has been suspended; however, same owners now established Doshma.
Benghazi	<b>Tanarout</b>	exhibitions; seminars; workshops; screenings; music concerts	mostly youth	Involves a wide range of expressive culture including music, cinema, calligraphy, photography, art, and others.  Changed location due to problems with previous neighbourhood that rejected their activities.
	<b>Dar Awad Abida</b>	fine arts workshops and exhibitions	public including children	Used mostly by painters.
Nafusa Mountains	<b>Tira</b>	workshops and seminars on Amazigh culture	public	Yefren
	<b>House of Art</b>	N/A	public	Jadu



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	<b>Kabaw Scouts</b>	various activities	public	Similar to various other cities, Scout in Kabaw runs most CS activities
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### Publicly owned spaces

Tripoli  (Historical buildings owned by public bodies)	<b>Dar Al-Faqih Hassan</b>	lectures; seminars; sometimes exhibitions.	public	Located in the Old City of Tripoli.
	<b>Dar Nweji</b>	each includes a public library.	more frequently used by seniors than youth	Most popular public spaces amongst CSOs in Tripoli.  Also include offices for 2 culture CSOs.
	<b>Dar Krista</b>	mostly hosts after-school and summer activities for children	semi-private	Located in the Old City of Tripoli.  Current efforts to expand its uses.
	<b>Haidar Saati School</b>	Includes several rooms dedicated to a number of CSOs, including the Libyan Board of Architects. Managed by the Office of Culture and Civil Society Affairs of the Municipality of Central Tripoli.		
	<b>Tripoli Fair</b>	A large exhibition campus housing an auditorium and several venues that are occasionally rented for large-scale cultural activities.		
Sabha	<b>UNESCO Library</b>	seminars; public library	public	Established in 1954
	<b>House of Culture</b>	venue for trainings and seminars; includes a large auditorium	public	also hosts non-culture activities
Many Libyan Cities	<b>Culture Centres</b>	mostly seminars; sometimes workshops and exhibitions	Audience usually includes more seniors than youth.	Owned and managed either by the Authority for Culture or the Municipality.

### Museums, Theatres and Cinemas

Most, if not all, museums in Libya are currently closed to the public for security measures (although many have replaced original artifacts/statues with replicates and hid the valuables in safe locations). Nevertheless, access to museums can be granted to small defined groups upon permission or invitation.



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Surviving theatre infrastructures are substantially poor and lack many resources, basic technologies, and front and back stage facilities. Some of the most distinguished theatres in Tripoli have been demolished, while a historical theatre in the Old City suffers from architectural violations where its backstage spaces were converted to shops that open on the street behind.

Although there were a number of cinema theatres in Tripoli and Benghazi, all were eventually closed during the previous regime. However, a single cinema was recently constructed in a resort in Janzour at the outskirts of Tripoli shortly before 2011, while other small-scale commercial initiatives have appeared after 2011 including a mini-cinema van that accommodates around 10 seats, and an entertainment space that houses 5 3D cinema rooms each for a maximum of 6 people.

### Outdoor public spaces

Many cultural activities have taken place outdoors since 2011, especially in the Old City of Tripoli which is relatively semi-public. However, depending on the area/community, some actors and audience of civil society events taking place in public spaces, like the Cornish (the sea-side bay) for instance, have reported a range of responses from passers-by ranging from pleasant interest to discomfoting harassments. This has been increasingly challenging in the past couple of years unless pre-arranged with armed groups for protection – which yet cannot always be guaranteed.

### Other

In urban cities, whilst many CSOs do not have a headquarter office because of high rents and lack of funding, board members of organisations frequently work and meet in cafeterias – especially where electrical generators are provided during power-cuts. Particular cafes have become popular amongst the civil society community. In Tripoli, this further inspired the opening of immersive cafes such as Coffee and Book which has also hosted a seminar, and Cozy and Nostalgia cafes where a single exhibition was previously held in each.

Conversely, in rural areas organisations tend to meet and work in private spaces (houses of members).

### Expected Improvements

Besides the private culture spaces currently under-construction, more spaces are expected to open in the future. There are current efforts to attract funding for the restoration of historical buildings, particularly in the Old City of Tripoli. These are intended to function as culture spaces as part of a larger vision to use Old Cities across Libya as centres for cultural activities – however, major and expansive difficulties hinder such projects.

On the other hand, once the temporary interim status of the State is overcome and security is provided, museums will re-open and infrastructures such as the King's Palace Auditorium and the Saray will become available as hosts for cultural activities.

## 4.1 STAKEHOLDER ANALYSIS MATRIX OF THE CULTURAL SECTOR



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Stakeholder and basic characteristics	Interests and how affected by the problem(s)	Capacity and motivation to bring about change	Possible actions to address stakeholder interests
<p><b>Governmental Institutions</b></p> <ul style="list-style-type: none"> <li>- Authorities for Culture</li> <li>- Authorities for Heritage</li> </ul> <p><b>Municipalities</b></p> <ul style="list-style-type: none"> <li>- Offices for Culture</li> <li>- Culture Centres</li> </ul> <ul style="list-style-type: none"> <li>• Limited influence to particular social groups;</li> <li>• Lack of co-ordination;</li> <li>• Lack of development plans;</li> <li>• Lack of creativity and absence of modern approaches;</li> <li>• Shortage in range of cultural programmes (poor focus on cinema and theatre, absence of other forms of performing arts);</li> <li>• Weak engagement with CSOs.</li> </ul>	<ul style="list-style-type: none"> <li>• All governmental institutions indicate an interest in developing and disseminating culture; however, the realisation of these visions is weak due to capacities and situation.</li> <li>• Fragmentation of institutions, budgets and programmes due to governmental parallelism;</li> <li>• Budgets limited by economic decline;</li> <li>• Poor infrastructure and resources;</li> <li>• No authority over interfering armed groups;</li> <li>• No statistics.</li> </ul>	<ul style="list-style-type: none"> <li>• Weak capacities, shortage in specialised human resources;</li> <li>• Focus for activating cultural activities in rural areas – efforts can be improved;</li> <li>• Welcome collaborations if approached, but weak initiation otherwise.</li> </ul>	<ul style="list-style-type: none"> <li>• Research and statistics for a better understanding of context and needs;</li> <li>• Strengthen development planning;</li> <li>• Strengthen managerial capacities;</li> <li>• Encourage engagement with a wider range of CSOs and creators;</li> <li>• Illuminate absent forms of culture and their roles/impact on social and economic development;</li> <li>• Collaborations for implementing joint training programmes in urban and rural cities as opposed to trainings abroad.</li> </ul>
<p><b>Commission of Civil Society</b></p> <ul style="list-style-type: none"> <li>• Good vision and plan;</li> <li>• Fair communication with CSOs;</li> </ul>	<ul style="list-style-type: none"> <li>• Interest in strengthening civil society capacities;</li> <li>• Interest in creating a</li> </ul>	<ul style="list-style-type: none"> <li>• Some adequate capacities in the Commission but not in all branches in all Libyan regions;</li> </ul>	<ul style="list-style-type: none"> <li>• Capacity building to improve inter-organisational structure and co-ordination;</li> </ul>



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<ul style="list-style-type: none"> <li>• Considerate of weaknesses and interests;</li> <li>• Evident development programmes;</li> <li>• Some incomplete execution of projects;</li> <li>• Very poor performance by many of the branches.</li> </ul>	<p>collaborative relationship with CSOs.</p> <ul style="list-style-type: none"> <li>• Fragmentation of branches due to governmental duality which hinders implementation of common plans and systems (e.g. online registration);</li> <li>• No updated statistics.</li> </ul>	<ul style="list-style-type: none"> <li>• Based on communication strategies and initiatives (regardless of completion) Commission appears highly interested in developing civil societies; however, this is not rippled in all its branches.</li> </ul>	<ul style="list-style-type: none"> <li>• Improve research capabilities;</li> <li>• Inclusion in programmes for Libyan CSOs (e.g. in closing ceremonies/exhibitions) to foster proximity and networking between Commission and CSOs.</li> </ul>
<p><b>Non-Governmental Organisations</b></p> <ul style="list-style-type: none"> <li>• Fragmented into communities based on social groups;</li> <li>• Lack of collaboration especially across groups;</li> <li>• Particularly active in literature, cultural heritage, and arts;</li> <li>• Shortage in variety of activities and lack of contemporary arts;</li> <li>• Volunteering is less popular compared to the years following 2011;</li> <li>• Creativity ranges from high to very poor.</li> </ul>	<ul style="list-style-type: none"> <li>• High interest in cultural development and in cultural dialogues and discussions;</li> <li>• Interest in community engagement;</li> <li>• Interest in regional and international cultural engagements/training;</li> <li>• Interest in showcasing Libyan art abroad.</li> <li>• Affected by authoritarianism of armed groups;</li> <li>• Absence of physical expressive forms of culture apart from folk arts.</li> </ul>	<ul style="list-style-type: none"> <li>• Very high motivation to foster social development through culture;</li> <li>• Capacity and creativity of organisations ranges from strong to very weak.</li> </ul>	<ul style="list-style-type: none"> <li>• Strengthen capabilities for organisational sustainability and project development;</li> <li>• Build capacities for a wider range of expressive culture with respect to local customs and locally-appropriate methodologies;</li> <li>• Advocate/encourage national cinema, music and theatre groups through training, international engagement, and funding for infrastructures;</li> <li>• Build national capacities for cultural heritage preservation.</li> </ul>



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<p><b>Independent cultural makers</b></p> <ul style="list-style-type: none"> <li>• Elites;</li> <li>• Mostly willing to collaborate with CSOs;</li> <li>• Receive no support from authorities;</li> <li>• Many occupied in full-time jobs outside of the sector due to lack of profit in the latter;</li> <li>• Rate of public appearance (dedicated events) can be improved;</li> <li>• Minimum collaboration.</li> </ul>	<ul style="list-style-type: none"> <li>• High interest in national identity and heritage;</li> <li>• Evident interest in passing on knowledge to the youth;</li> <li>• Interest in building international presence;</li> <li>• Interest in civil society and emerging artists;</li> <li>• Hoping to create a local market for cultural products or to export artwork/perform abroad.</li> <li>• Shortage of infrastructure and resources;</li> <li>• Limited mobility and access to regional and international networks;</li> <li>• Economic decline and absence of tourism further weakened market.</li> </ul>	<ul style="list-style-type: none"> <li>• Weak managerial skills;</li> <li>• Very weak marketing approaches;</li> <li>• Highly willing to change the status and influence of expressive culture;</li> <li>• Willing to apply culture as a tool for social and economic development.</li> </ul>	<ul style="list-style-type: none"> <li>• Recommend laws/policies that support the economic and social status of the artist;</li> <li>• Support cultural entrepreneurship to create revenue for sustainability;</li> <li>• Advocate international recognition of work;</li> <li>• Access to funding for cultural production;</li> <li>• Networking with regional creators.</li> </ul>
<p><b>Audience</b></p> <ul style="list-style-type: none"> <li>• High youth presence in urban cities (willing to pay for attending);</li> <li>• Low tendency to purchase art</li> <li>• Low recognition of the value of</li> </ul>	<ul style="list-style-type: none"> <li>• Senior and rural groups: high interest in cultural heritage, literature and children activities amongst senior</li> </ul>	<ul style="list-style-type: none"> <li>• Interest in change ranges between groups who highly encourage positive change to groups that demonstrate intolerance.</li> </ul>	<ul style="list-style-type: none"> <li>• Raise awareness on the positive social and economic impact of cultural activities;</li> <li>• Consideration of disabled access</li> </ul>



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<p>culture for development and economy;</p> <ul style="list-style-type: none"> <li>• Varying perspectives and levels of tolerance of cultural activities based on social group and region;</li> <li>• Some opinions about youth activities can get orally violent;</li> <li>• Intolerance of modern physical performing arts particularly if performed by females (regardless of how modest).</li> </ul>	<p>and rural audience;</p> <ul style="list-style-type: none"> <li>• Youth groups: high interest in modern and pop forms of art.</li> </ul>		<p>to venues of cultural events;</p> <ul style="list-style-type: none"> <li>• Support a more positive role by the media for public advocacy of culture and its values;</li> <li>• Encourage the inclusion of expressive culture in schools/after school activities.</li> </ul>
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#### 4.2 SWOT ANALYSIS OF THE CULTURAL SECTOR

<b>Strengths</b>	<b>Weaknesses</b>
<ul style="list-style-type: none"> <li>• Extensive and impressive cultural heritage; and variety of traditional cultural practices.</li> <li>• Commitment and potential of active youth.</li> <li>• Freedom practiced and legislatively guaranteed since 2011.</li> <li>• The presence of internationally-competitive quality of cultural products by senior artists (e.g. painters) and craftsmen (e.g. copperworks and textiles).</li> <li>• Presence of senior Libyan expertise (since the Kingdom era: 50s onwards) that are practiced in establishing cultural institutions in Libya; thus provide tested context and situation</li> </ul>	<ul style="list-style-type: none"> <li>• Weak managerial capacities.</li> <li>• Limited effectiveness of institutions.</li> <li>• Financial deficiencies.</li> <li>• Severe shortage in music, cinema and theatre since the 70s, and complete absence of many modern forms of expressive culture.</li> <li>• Severe lack of infrastructure and facilities.</li> <li>• Weak international presence of Libyan creators.</li> <li>• A larger focus on crisis response than on cultural development.</li> <li>• Lack of research and statistics.</li> <li>• Absence of institutional sources for information.</li> <li>• Shortage in collaborations.</li> <li>• Restricted mobility.</li> </ul>



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appropriate expertise for the re-building of the sector.	
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Opportunities	Threats
<ul style="list-style-type: none"> <li>• An ambitious youth.</li> <li>• People turning to cultural events as a relief from the hardships of current situation.</li> <li>• A general thirst for development.</li> <li>• Potential for cultural entrepreneurship.</li> <li>• International focus on Libya also provides numerous opportunities.</li> <li>• Historical cultural intersections and collaborations with countries in the region (most significantly Tunis and Italy).</li> <li>• Frequency and popularity of local art workshops</li> <li>• Increasing numbers of youth writers and increasing interest in literature.</li> </ul>	<ul style="list-style-type: none"> <li>• Interfering armed groups.</li> <li>• Restrictions imposed by the frequent protestations of certain opinions/social groups which limit variety and growth of cultural activities.</li> <li>• Cultural creators, especially youth, seek more culture-supportive settings/jobs abroad (most popularly Tunis and Europe).</li> <li>• Economic decline reduces already weak culture revenues, and decrease in job opportunities encourages youth into entrepreneurship and profit-oriented industries. This is further emphasised by stronger foreign and national support for economic projects than for the culture sector.</li> </ul>

## 5- EDUCATION AND TRAINING

Education in cultural disciplines is limited and weak; where:

- There is no evidence to suggest real development efforts or development-focused arrangements between either of the parallel Ministries of Education and Authorities for Culture;
- Collaborations with foreign higher-education institutions, whether for exchange programmes, managerial/academic development, or cultural activities are entirely absent – which would have otherwise both reduced the expenses allocated for sending sponsored students overseas, and encouraged more students into the disciplines.
- Post-graduate research degrees offered for cultural disciplines are scarce and substantially weak;
- None of the few research papers published address developmental aspects;
- Research is allowed very limited contribution due to the absence of seminars, conferences and publications that allow them to be publically and practically useful;





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- There are no statistics to reveal the level of national interest in obtaining degrees in the cultural disciplines; and,
- There is no research carried out in regards to careers, job opportunities, and activities of students upon graduation.

Nevertheless, it can be observed that there is a higher interest in pursuing degrees in cultural disciplines (especially fine arts) by high school students in recent years than there has previously been before 2011<sup>88</sup>.

**Some of the central institutions providing higher education degrees in expressive culture**

	Colleges	Departments and Divisions (where available and relevant)
<b>Universities</b>		
University of Tripoli	College of Literature	
	College of Arts and Media	Department of Visual Arts - Filming and Montage - Animation - Screenplay Writing and - Directing
		Department of Theatrical Arts - Criticism and Writing - Directing and Acting
		Department of Fine Arts - Drawing and Photography - Interior Design - Design and Décor - Printing - Sculpting - Ceramics
	Department of Musical Arts Department of Media	
University of Benghazi	College of Literature	
	College of Media (previously known as College of Arts and Media)	Department of Documentary Tapes and Drama (previously known as the Department of Theatre and Cinema, and before that as the Department of Theatre and Visual Arts)
University of Musrata	College of Literature	
	College of Arts and Media	Department of Fine Arts and Ceramics Department of Musical Arts

<sup>88</sup> Abu-Khshem, 2018



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		Department of Theatrical Arts
		Department of Art Education
		Department of Décor, Architecture, and Interior Design
University of Sabha	College of Literature	

### Institutions

Higher Institute of Art Technologies	N/A
Jamal Al-Din Al-Miladi Institute of Music	N/A
Septimus Centre for Technical and Administrative Training and Development	N/A
Ali Al-Shaaleya Institute of Arts and Music	Department of Theatre Department of Music

Additionally, an important institution in the cultural sector is the Islamic School of Arts and Crafts founded in 1895 as one of the earliest schools for arts in the Arab region. It was highly influential and active in theatre, music, and traditional arts and crafts until the Qaddafi period. Although its large historical building remains well preserved the school is currently suspended, yet there are efforts seeking to reopen it alongside a wide public anticipation to see it return to its previous thrive.

### TRAINING

Contrary to a previous scarcity, **technical workshops on painting and calligraphy organised by Libyan CSOs are an emerging trend** – also signified in the unprecedented number of private spaces established for cultural training. These activities usually receive sufficient interest especially by youth and for children. Courses on some musical instruments (mostly guitar), photography, design softwares, and handicrafts are also occasionally provided. However, there remains **a severe deficiency in the range of cultural forms addressed**.

In regards to management, a number of training opportunities are provided for civil society leaders nationally and abroad; however, **trainings scoped within cultural management are limited** and are usually only offered by foreign organisations (such as Goethe, MedCulture, and the UNESCO). Weaknesses in training programmes provided by foreign organisations include:

- No programmes designed to address the managerial weakness of independent cultural creators;
- Most trainings for civil society are designed for beginners and cover only basic aspects. Moreover, the levels of the participants, their knowledge



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gaps, and their expectations are at many times not sufficiently pre-considered. For these reasons, some programmes offer little added value for the more experienced participants (with whom lies the potential for a sooner advancement of the sector);

- Insufficient consideration of the specificity of local contexts which govern what solutions and methodologies are more appropriate and impactful in a particular socio-cultural setting;
- Some of the most important international organisations (particularly in the scope of cultural heritage) restrict training programmes to the employees of the public sector, understandably, but which has thus far yielded no evident improvements on ground because of the limited capacities and weaknesses of public institutions. Moreover, in many cases the nomination process within institutions for foreign trainings favours the same people for every programme which restricts beneficiaries and yields minimum impact.
- Knowledge and experience exchanged in training programmes are not disseminated.

## 6- NON-PROFESSIONAL PRACTICES AND GENERAL AUDIENCE

The 2011 civil movement **popularised and empowered culture as a tool for expression**. This in turn broadened the number and range of cultural makers as well as consumers. It is observable that cultural activities began to expand beyond the sphere of elitists as the dynamic currents of the period facilitated the ripple effect initiated by early civil society efforts. For instance, the suspension of international flights since the end of 2014 and the financial difficulties since 2016 decreased tourism and stimulated recourse to alternative leisure activities which overlapped with the emergence of a range of cultural events including exhibitions, tours for cultural heritage, film screenings, and collective painting activities.

In spite of the importance of this phenomenon, there is a **critical lack of research** in order to investigate into the range and depth of practised activities, the influences behind preferences, and the behavioural and psychological effects of cultural consumption. Moreover, there are no surveys to reveal neither the number and profile of visitors to cultural events, nor the possible influences converting some consumers into cultural producers or members of cultural organisations. Such research would be highly beneficial for development strategies in the sector.

Another important yet un-studied condition is the **organic clustering of practisers and audience** based on perceptions of personal identities. It can easily be observed that organisations and creators from one social group generally attract audience of the same group in spite of public advertising. This is most



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evident in events organised by CSOs that are led by educated bi-lingual urban youth, for example, where the vast majority of participants and audience are those who share the same characteristics (and the same condition appears in events organised by seniors, professional artists, students, and a diversity of other groups with minimum intersections).

This social clustering contributed to the formation of a repetitive pattern in cultural activities as largely the same audience appear in every event. Although this limits cross-cultural dialogue and knowledge exchange, such **repetition of audience** does create some opportunities:

- It allows a **vertical building of knowledge** that accumulates for the re-visitor from one event to another; hence creating development and depth as opposed to maintaining knowledge at a basic level in order to horizontally target quantities of lay audiences.
- It stimulates **creativity** to offer new and advanced material/experiences for re-visitors.
- **Artists** appear to **flourish within their communities** and amongst their friends.
- Interactions at events such as art exhibitions where the artist and members of audience have pre-established relationships **surpass passive consumption** as conversations are initiated more easily and spontaneously thus facilitating an exchange and **negotiation of perceptions**.

Nevertheless, dissemination to diverse and lay audiences occurs most broadly via social media platforms (especially Facebook that is used by the widest number and range of Libyans). For that reason, many artists resort to 'displaying' their works online - especially given the shortage in funding for organising exhibitions. This medium has also considerably facilitated the recognition of amateur and emerging artists both nationally and internationally; this, however, places ahead creators that are more versed in social media marketing and creates an unintended disregard to quality of product and value of concept in comparison to professional creators of weaker online presence.

Some of the current non-professional practices include:

- Spontaneous mentorship of young emerging artists;
- Short stories (many popularised through Facebook pages dedicated for amateur writers);
- Cultural blogging (for years had been dominantly in Arabic but many now write in English);
- Doodling;
- Architectural sketches;
- Short films: drama, comedy, tourism, and very rarely documentaries;
- Poetry\* (mostly in response to conflict developments and their effect on daily life); and,
- Photography\*.



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\* These are particularly promoted by some competitions targeting amateurs.

Overall, there is a lack of information regarding:

- Institutional development plans that seek to nurture emerging creators, if any;
- The commercial demand for cultural products;
- The number and profile of audiences of civil society cultural events;
- The public impact of professional cultural activities;
- The aims, methodologies, and variety of lay cultural activities;
- How forms of expressive culture are used by non-professionals and interpreted by audience (e.g. messages in theatrical plays, concepts in paintings, focal themes in photographs, etc.);
- Uses and users of cultural heritage;
- The number and facilities of operating public libraries, galleries, and museums, and the number and profile of their visitors;
- A rough percentage of people who read books/e-books, and popular genres and authors;
- The apparent fluctuation in frequency of amateur practices and what influences it;
- The types of support provided for amateur creators (e.g. financial, logistical, psychological; support by family, mentors, institutions, etc.); and,
- The percentage and rationale of groups who express intolerance of some cultural activities.

## 7- CONCLUSIONS AND RECOMMENDATIONS

In conclusion, the potential is promising yet the gaps are numerous. A freedom for cultural activities was evidently obtained and legislatively guaranteed since 2011 which has since fostered a thriving civil society and an aspiring youth. The organic civil response to the events of the uprising boosted the popularity and influence of cultural expressions. However, the weakness of governing systems amidst current instability allowed armed groups to aggressively interfere in some civil society cultural activities. This, alongside poor sustainability owed to weak managerial capacities and an economic decline, created fluctuations in the frequency of activities and contributed to the severe deficiency in the range of cultural forms.

The ongoing governmental rivalry since 2016 rendered a duality in cultural authorities that replace cultural ministries, and a fragmentation in institutions, programmes, and budgets. The interim status is extended whilst a draft constitution, a draft law for civil society, and a proposal for updating the law for



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intellectual property are still under negotiation. While these exceptional conditions do not hinder the practicing of civil society/cultural activities on ground, there are substantial difficulties in financing, mobility, and international presence.

The complexity of the setting distanced lay actors from authorities and rendered many oblivious to the legislative structures. Although the Constitutional Declaration and current legislations and regulations indicate visions for a prospering sector, there is no evidence to suggest effective execution, adequacy of capabilities, or real development planning. Scarce information is made available regarding expenses and budget allocations particularly for development; however, the weaknesses in implementations and infrastructures reveal poor financial means, or poor management, or both.

Authorities and their affiliated institutions apply minimum effort to engage with the diverse groups of civil society cultural actors, and inter-organisational collaborations are scarce. Efforts are thus fragmented; yet, cultural trends popularise fairly quickly particularly by the facilitation of social media platforms. However, it is difficult to assess impact or consumption in the absence of all types of surveys and research that would otherwise be highly valuable for development planning on all scales.

Internationally, there are little cultural collaborations and a weak Libyan presence due to limited expertise - a legacy left by an authoritarian past. Nevertheless, the flourishing of civil society along the currents of the Arab Spring encouraged a stream of foreign support through regional and country-based grants and training programmes; however, foreign programmes are short in capturing context-specific gaps and preferences and many are limited to beginner-level knowledge which offers little contribution. On the other hand, there is an absence of academic collaborations between Libyan and foreign higher-education institutions.

## RECOMMENDATIONS

### 1. Create in-depth understanding and provide data;

- 1.1. Conduct research to investigate into specific requirements, preferences, and weaknesses on national and community scales;
- 1.2. Map knowledge gaps of governmental and non-governmental cultural organisations and individual culture creators;
- 1.3. Publish and update CSO listings;
- 1.4. Monitor and evaluate the impact and effectiveness of activities;
- 1.5. Research lay uses and consumption of expressive culture;



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## **2. Improve governance and policies**

- 2.1. Emphasise the urgency for adopting a law governing civil societies;
- 2.2. Introduce laws that guarantee the status of the artist;
- 2.3. Create policies that ensure the employment of high capacities and specialised expertise in governmental institutions;
- 2.4. Set development plans and increase budgets allocated for culture;
- 2.5. Strengthen frameworks for the development of music, cinema, and theatre and relevant infrastructure;
- 2.6. Support co-ordination mechanisms between authorities and non-governmental actors.

## **3. Provide training and strengthen education**

- 3.1. Develop managerial and production capabilities for institutions, organisations, and individual creators;
- 3.2. Develop capabilities for financial management;
- 3.3. Develop commercial skills for individual creators to create revenues for sustainability;
- 3.4. Offer training in the technicalities, production, and management of weak/absent forms of expressive culture (e.g. theatre, cinematography, contemporary arts, etc.);
- 3.5. Encourage after-school and summer cultural activities and workshops for children;
- 3.6. Map demand for degrees in cultural disciplines and post-graduation activities;
- 3.7. Promote partnerships with international higher-institutions for taught and research degrees;

## **4. Strengthen international presence**

- 4.1. Promote partnerships with international creators/organisations;
- 4.2. Provide support to facilitate attendance in international conferences and events;
- 4.3. Facilitate exchange between creators and organisers of established cultural festivals internationally (especially with countries of similar structures and challenges);

## **5. Address aggressive intolerance of cultural activities**

- 5.1. Promote measurable positive impacts of cultural activities to improve perceptions and encourage support and engagement;
- 5.2. Distribute companies dedicated to promoting cultural products;
- 5.3. Promote culture in peripheral areas.



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## 8- ANNEXES

### ANNEX A

Archaeology reveals that the name Libya derives from the ethnonym Libo (also transcribed as Ribo) first attested in ancient Egyptian writings as a tribe that occupied the eastern part of the geographical territory recognised today. The name was thence used by the Greek historian, Herodotus, who designated it for the entire western region of North Africa. Besides the Libo, a number of main tribal groups have entered written history in addition to smaller non-ruling tribes; nonetheless, surviving rock art captures the pre-historic cultures that preceded.

#### ANCIENT CIVILISATIONS

Excavations uncover caves dating 90,000 years back<sup>89</sup> containing stone tools that indicate part of the cultural activities of its ancient inhabitants. The oldest cave drawings yet found date to around 10,000 – 9,000 B.C. (referred to as the Graffiti Period) and illustrate religious ceremonial cultures as well as engravings of wild animals. Extending to about 100 B.C., more cave drawings recorded an evolution of art techniques and exhibited cultural changes by symbolising hunting activities and social rituals and beliefs. Amongst these are documentations of musical performances which reveal significant similarities between the instruments used in pre-history and those currently used in modern Libya. While arid conditions of the desert have helped preserve ancient art, Libya's rock art is considered “by far the most impressive and extensive in the world, both in quality and sheer numbers” and “a source of inspiration to visitors, scholars, and contemporary artists”<sup>90</sup>. Furthermore, ancient burials and ceramics provide a record of the varying cultural indicators of Libyan tribes through detailed drawings of clothes, accessories and hairstyles, as well as their shared features. Textiles of this period denote the establishment of trade routes which allowed cultural exchange before catalysed by the invention of ships, thus announcing the beginning of the Migrations Period<sup>91</sup>.

#### PHOENICIANS, GARAMANTES, AND GREEKS

During the final 1000 years B.C., arriving contesting colonisations began to shape the three regions of Libya. In the west, Phoenicians arrived in Carthage by the 8<sup>th</sup> Century B.C. and founded the three centres for trade along the north-west Libyan coast; namely: Oea/Tripoli, Sabratha, and Leptis Magna, known collectively as Tripolitania: ‘the region of the three cities’<sup>92</sup>. Meanwhile, the

<sup>89</sup> Dates according to Alnajjom, 1977a; however, dates on ancient Libya are still debated, while some scholars agree that some of the finds must have been in existence for more than 125,000 years

<sup>90</sup> Alnajjom, 1977a, pp. 126–136

<sup>91</sup> Kenrick, 2009

<sup>92</sup> With a shortage of archaeological research in Tripoli, scientists may not yet confirm whether or not the city was inhabited prior to the Phoenicians. This is partly because current Tripoli has been established on top of



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Garamantes had advanced deeper towards the south where a civilisation was developed with an abundance of rock art and a substructure for the modern Tuareg written language<sup>93</sup>. The Garamantes, as caravan traders and rulers of commercial centres in the Sahara formed a wealthy and stubbornly independent power<sup>94</sup>. On the other hand, dynasties of Libyan origins that had intermittently ruled ancient Egypt retreated back towards east Libya before later colonised by the Greeks in the 6<sup>th</sup> Century B.C., thence forming the pentapolis (the five cities) of Cyrenaica.<sup>95</sup>

Culture during this period was becoming more tangibly evident. For instance, it was during the Phoenician era that the first urban cities on the North African coast were established, in which architecture and planning were designed in response to local climate, trade routes, and a Semitic culture that favoured privacy – these formed the features of old cities recognised today as symbolic to the region. Further, because agriculture was a highly important cultural and economic practice, a literary guide of twenty-eight volumes was published for local farmers. Craftsmanship had also thrived and took various forms including pottery, glassware, jewellery, leather, and textiles. The culture of embellishing women in accessories and precious stones as a means for men to safely deposit their wealth was a characteristic of early Carthaginian culture which remained in practice until early 21<sup>st</sup> Century in Libya. On the other hand, a constitution was introduced to the Greek cities in the east which amongst its fifteen codes exempted music educators and sport coaches from army service, highlighting the rising importance of culture<sup>96</sup>.

#### NOMEDIA AND THE ROMAN EMPIRE

In 162 B.C. Tripolitania came under to the short rule of the Nomedian Berber Kingdom which, then extending from Sert to the Mauritanian border, had established its own currency and the alphabets of a Libyan language<sup>97</sup>. By 146-149 B.C, both Tripolitania and Cyrenaica became part of the Roman Empire, and by A.D. 300 of the same rule, the term *Libya* was used for the first time as a political designation. The Roman identity dominated all tangible and intangible cultural forms; however, social customs and language in Tripolitania remained thoroughly Punic<sup>98</sup>. Mosaics, ceramics, statues and architecture of this period in Libya are amongst the largest and most visible Roman cultural heritage in the world today<sup>99</sup>; however, some of these structures were affected by earthquakes

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previous archaeological sites, and the management during the extended Gaddafi regime did not encourage investigations.

<sup>93</sup> Law, 1967; Alnaihom, 1977b, pp. 79–81; McCall, 1999, Mattingly et al., 2003

<sup>94</sup> Alnaihom, 1977a; Metz, 1989; Gearon, 2011

<sup>95</sup> Alnaihom, 1977, p. 179

<sup>96</sup> Alnaihom, 1977, p. 168

<sup>97</sup> Metz, 1989, p. 8; Kenrick, 2009

<sup>98</sup> Falola, Morgan and Oyenyi, 2012

<sup>99</sup> Kenrick, 2009, p. 12



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of which the most destructive was around the year 365<sup>100</sup>. In 455<sup>101</sup>, Tripolitania was ceded to the Vandals who were not known to regard attention to architecture and arts; therefore, scholars believe, the region's prosperity and cultural activities had shrunk thereafter. In 533, Byzantine began its conquest of the coast of North Africa for the Roman Empire in a period most noted for its architectural restorations<sup>102</sup>.

### MUSLIM ARABS

In a period to be among the most culturally influential in the history of Libya, the Arab armies of Islam approaching from the east conquered Cyrenaica in 644 (renamed Barqa) before proceeding to Tripolitania in 646 (renamed Tarabulus) and the south in 663 (Fezzan), all of which were collectively governed by a succession of Amirs (commanders). The rules of Islam then introduced had since governed all socio-cultural customs, behaviours, processes and products until present day. Throughout the succeeding sub-eras of the Islamic rule, Arab armies had married into the indigenous population which aided the transmission of culture and religion, an Islamic social structure was established, and an urban elite was formed that included merchants, scholars and government officials. The region's prosperity was restored (including the rebuilding of Roman systems), and Jewish communities engaged in commerce and the crafts while the economic revival of Europe created a demand which rendered the ports of the region ideal distribution centres<sup>103</sup>. While Arab creativity and scholarship was particularly encouraged during the Hafsid era, the shared Moorish culture that had developed between Maghrib and Muslim Spain had created its unique forms of art, literature and architecture, of which influences had spread towards Tripolitania (the Malouf classical music of Tripoli is a good example).

### THE OTTOMANS AND KARAMANLIS

By 1510, the Spaniards captured and destroyed large parts of Tripoli before entrusting its defence to the Knights of St. John of Malta against contesting Ottoman Turks. The latter gained power of Tripolitania in 1551, Fezzan in the 1580s, and later stationed a Bey (commander) in Cyrenaica. This marked the beginning of a significant architectural and artistic transformation in the country (supported by the descendants of Muslims expelled from Spain as active merchants and craftsmen) and the foundations for the urban plans of cities today were established. In 1711, the Karamanli dynasty seized Tripolitania and founded an 'independent' Arab government which, however, continued to recognise Ottoman suzerainty. Based in Tripoli, the monarchy gained the allegiance of tribes and extended authority to Cyrenaica, and made its wealth through a focus on trade. After 124 years, the Karamanli dynasty fell marking the

<sup>100</sup> Alyousef, 1966, p. 57; Alkeb, 1978, p. 40

<sup>101</sup> Metz, 1989, pp. 10-16

<sup>102</sup> Ibid pp. 24-30

<sup>103</sup> McLaren, 2006



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beginning of the Second Ottoman occupation. By mid-1850s, a number of reforms instituted by the Ottomans encouraged administrative re-organisation, and infrastructural, commercial and educational development. Improvements were evident through a thriving theatre scene for which buildings were constructed to accommodate up to 500 audience, and plays were produced with regional collaborations from Egypt and Lebanon. Further, arts and crafts were popularised and incorporated into the daily practices and values of society; where, for example, the social status of the family of a bride would be signified through her hand-made embroidery and other textile arts. Tangibly, one of the most significant contributions of this era is the Islamic School of Arts and Crafts founded in Tripoli in 1897 - becoming the first school for arts in the Arab region. Although its functions were discontinued during the Italian colonisation and again during the present century, the building is still maintained and the school is expected to reopen in the future. Furthermore, the Garagouz shadow-puppetry became a popular entertainment before the invention of the cinema, and the Hakawati (the story teller) disseminated literary arts to the illiterate members of communities; these, along with folk tales, were used as a tool to transmit social customs particularly to younger generations at the time, and are still occasionally re-introduced in the cultural sector in Libya today.

### ITALIAN COLONISATION

Once Italy seized Libya from the Ottomans in 1911, the provinces of Tripolitania and Cyrenaica were once more treated as separate colonies until 1937, and Fezzan was organised as a military territory<sup>104</sup>. During the 1930s, the Italian government invested into the extension and modernization of Libyan cities in preparation for Italian settlers. By 1940, 110,000 Italians migrated to Libya constituting 12% of the population, and plans were to increase the number to 500,000 by 1960s. To create a source of income to support these plans, the Italian authorities focused contradictory efforts between preserving tradition indigenous culture and modernity to construct a tourist industry in Libya, both of which were, however, constructed and framed by colonialism<sup>105</sup>. Colonial Italian architecture dominated cities, sites of Roman cultural heritage were restored, cinema was introduced and strongly present, and arts and crafts (both indigenous and Italian) were incorporated into school education. Amongst a dominating Italian presence in the performing arts a number of Libyans took part in Italian theatre companies before the Amateur Actors Ensemble was founded in Derna in 1928, Assadawi Youth Association for musical theatre in 1929, and the National Trabelsi Ensemble in Tripoli in 1936 were among the first Libyan theatre companies followed by several. Meanwhile, the Italian occupation provoked resistance poetry that reflected anti-colonial themes through oral literature in Arabic or Berber languages so as to avoid Italian punishment. On the other hand, while

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<sup>104</sup> McLaren, 2002

<sup>105</sup> Abushagur, 2011



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infrastructure was significantly modernised to support these cultural processes, Tripoli International Fair was founded in 1927 and globally promoted as an annual commercial exhibition and trade event that not only supported agriculture and traditional arts, but also allowed exchange between Italian and North African cultures (Rights, 2010). Believed to be the oldest in Africa and the Arab world, the Fair is still a significant annual cultural event in Tripoli.

## **ANNEX B**

*A translation of a detailed comment by Azza Almaghur regarding the 2017 draft law for organising the world of CSOs in Libya, posted the Commission of Civil Society's Facebook page:*

Dear Civil Society Commission

After greetings,

On the page of the Civil Society Commission / Libya, a draft law "Organizing the Work of Civil Society Organizations" was published. We are surprised that a project is presented that is fundamentally different from the one that has been worked out over the years and with the participation of a number of the best experts of the country and international expertise.

In general, we must emphasize our conviction that this project is not valid and is in great conflict with the principles of human rights, public freedoms and international standards, and even the revolution against the former regime and the legislation that contravenes the principles of human rights, particularly Law No. 19 of 2001 on the reorganization of NGOs, Better off than this draft law.

This project is characterized by structural weaknesses and a clear contradiction between its texts, and overlap between them, and this happens when the bills are emptied of their content because of the random changes that they make. The draft law is based on a strategy and general principles (in the explanatory note attached to the draft law referred to you). The amendment to this draft law, in which the original draft law was subjected, made the current draft law a distorted one that does not serve the purpose and may even reverse its objectives. What happened to this project?

Therefore, we offer you these limited observations, because the project has much to say in the hope of you to withdraw it as soon as possible, while adhering to the original draft law presented to you earlier and explanatory note.

Comments:



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1. The project revoked the idea of advanced rights to register the society by means of "notification" and returned to the method of "application for registration". The project thus transformed the Civil Society Commission from an organizational department of state departments to a repressive authority through the following articles:

2. In article (4), the objectives of civil society organizations are presented in a way that contradicts the title. The text has nothing to do with the goals, but rather is a general text of the ban. The prohibitions are provided for and detailed in article 6.

3. Article 6: In relation to paragraph 5 of this article in principle, what is the relationship between the obligations of public bodies and prohibitions on organizations.

Paragraph 5 is in stark contrast to paragraph 8 of the same article.

Paragraph 6, how, by right of mercy, should a decision of the Civil Society Commission be equal to the court's ruling? Is not the Commission a department of State administrations and therefore applies to paragraph 5 above? This is indicative of the authoritarian status of the Civil Society Commission. The freezing of accounts is punishable by punishment and UNHCR administration may not grant this order at all.

Why the donations were absolutely rejected in paragraph 7 of this article, Article 17 regulates this and allows restrictions.

Article (7): This article is completely contrary to Article (8) concerning the procedures of publicity of the Organization. As long as the legal personality of the organization is acquired only by registration, as was the case during the previous regime, there is no need for Article 8, which stipulates that registration shall be in force in the event of a violation by the Office of registration procedures. As long as the legal personality is acquired only by registration, the decision is in the hands of the Commission. This is a clear and scandalous contradiction and once again gave UNHCR a tool to dominate organizations.

5. Article (9) The worst materials. How UNHCR has the authority to abolish an organization in the absence of the completion of "administrative deficiencies", a general word and a means to fight and perpetuate organizations. This provision is completely unreasonable and contrary to the principles of human rights. Let us assume that an organization needs a document from another administrative body. This document takes a long time or the interest refuses to grant it. Does this give the commission the right to cancel? Cancellation proceedings shall be made only by the judiciary. This text makes UNHCR a repressive tool.



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Article (17): Requiring a work permit from the Commission for foreign donors. Why? If they are operating in Libya, they do not need to donate. The idea here is to get donations from third parties that do not exist in Libya. The mandate of the Commission applies to national organizations. This also affects civil society organizations. This also contradicts Article 6 / paragraph 7 of the draft.

7. Article 21 of the attached draft provides for a broad interpretation of the character and interest of appeals, which will limit the ability of organizations to challenge unfair legislation before the courts.

8. Article 27, which violates human rights and the right to establish all persons. It is regrettable that UNHCR has the right to dissolve or suspend its activities. The origin is that it is resorting to the judiciary and is the only one who has the solution. This article achieves the top of authoritarianism and repression.

In the present circumstances, the introduction of such a project would further complicate the situation and divide the institutions of civil society themselves, which, until now, are operating in spite of the harsh conditions, and will take us back even to look like Law No. 19 of 2001, which was the most acrimonious critique of this project Unfortunately.

The need for civil society today is more than ever before, especially in the circumstances in which the state and its institutions have been weakened. Such a law will weaken the situation of civil society and make it hostage to the weak state institutions and to mobilize armed groups to suppress them under the pretext of this project. Project, and return to the original project and explanatory note which we also attach to the benefit.

Sincerely and respectfully,  
Azza Kamel Maghur / Salah Bashir Almarghni

Source: [https://www.facebook.com/CCSLibya/posts/785248298345044?\\_tn\\_=-R](https://www.facebook.com/CCSLibya/posts/785248298345044?_tn_=-R)

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