

Methodological Guide for Monitoring Media

A Methodological Guide for Monitoring the Trends and Violations of Media Content related to the Libyan Issue in Media Outlets

Guide Preparation Team:

Mr. Jalal Othman

Mr. Reda Fhelboom

Ms. Ahlaam Al-Kamishi

Legal Review: Salaah Al-Din Al-Murtadhi, Judge and Law Expert

Monitoring Questioning Form prepared by: Al-Basheer Milad

August 2022

All copyrights reserved to the General Authority for Monitoring Media Content (GAMMC).



The Libyan Agency for the International Standard Book Number

National Library of Libya

Benghazi, Libya

Legal registration No. 625/2022

ISBN 978-9959-9726-0-6

Tel: 9096379-9097074

Fax: 9097073

E-mail: nat_lib_libya@hotmail.com

All rights reserved to the author

Table of Contents

Foreword	3
1. Introduction.....	4
1.1. Media Chaos in Libya	4
1.2. Why This Guide?.....	5
2. The Concept of Monitoring Media Content.....	5
2.1. Overall Goals for Monitoring Media Content.....	6
3. Monitoring Methodology.....	6
3.1. Analysis Categories	7
3.1.1. Category of Media Content Trends	7
3.1.2. Professional Violations Category	8
3.2. Hate speech in the global concept.....	20
3.3. Analysing the professional violations in media content.....	22
3.3.1. Journalistic forms category	22
3.3.2. The category of the parties targeted by professional violations	23
3.3.3. Category and gender of the party committing the professional violation	24
3.4. General Monitoring Questionnaire.....	25
3.5. Study population and sample	27
3.6. Media outlets whose trends must be known and their media content monitored	27
3.7. Data collection and results presentation.....	29
3.8. Discussion and interpretation of the findings	29
3.9. Conclusion	29
Annexes	31
1) Establishing the General Authority for Monitoring Media Content (GAMMC) and Adopting the Media Professional Code of Conduct	32
2) Media Professional Code of Conduct.....	34
Tables and figures	49
First: Tables.....	49
Second: Figures	49
References	50

Foreword

One of the key challenges that we encountered since the first day we officially assumed our work on monitoring the media content, was working in line with a clear methodology based on the international conventions ratified by Libya as well as working according to the Libyan legal system and regulation.

At first, we followed the scientific research methodology used at the faculties of media studies. However, after some period of work, we found that the method was not sufficient for we faced big problems due to the lack of legislation on the regulation of media work—the only law available is Publications Law No. 76 of 1972. Importantly, the Law was a developed version of the law that was adopted at the time of The Kingdom of Libya. The law for sure has been outdated for it could not keep pace with the advancement that the world witnessed in media, and technology, in addition to the lack of dealing with audio-visual media.

Our colleague, journalist Ridha Fahil Al-Boom, head of the Libyan Organization for Independent Media (LOFIM), managed to collect legal texts related to offences of insult, incitement, slander, false accusation, and other ones that media disseminates. The texts are on more than twenty articles of the Penal Code of Libya and twelve other local laws or orders. He also studied the international conventions ratified by Libya and based on that we developed this methodology. The methodology will make monitoring tasks easier; it will prevent the influence of passion, judgement or personal inclinations. It is a clear controller that is built on a system of laws and international conventions ratified by our country.

This methodology is the first Libyan scientific work in this field. It is the first genuine work published by the General Authority for Monitoring Media Content (GAMMC). The remarks of counsel Salah Al-Din al-Murtadhaa, President of the Derna Court, specialised in human rights and media legislation, have a good impact on the quality of its content. Our colleague Al-Bashir Milad, one of the monitors in the Monitoring Department, also worked on developing the monitoring form to be easy to use and compatible with the methodology.

We pray to God to grant us success in the noble goals we are aspired to achieve—bringing our country to stability and peace. We would like the mass media to contribute to the march of development and building. We would like to achieve the electoral promises at the time the professional violations have reached the minimum level.

Jalal Muhammad Othman

Chairperson of the General Authority for Monitoring Media Content (GAMMC)

Tripoli, August 2022

1. Introduction

The Council of Ministers of the Libyan Government of National Unity adopted Resolution No. 752 of 2021, to establish an independent media authority that monitors professional violations, and limits the continuation of spreading the hate speech in the Libyan media. The GAMMC releases its reports after they have been approved and voted on by an assessment board, which is responsible for considering and assessing the committed professional violations.

The GAMMC is specialized in monitoring and tracking the professional violations in media discourse, especially the hate speech of all kinds, as well as the false and misleading news, that target Libya both locally and internationally.

The GAMMC also prepares and updates a dictionary of hate speech, establishes regulations for legal procedures, and addresses the Security Council Sanctions Committee, in coordination with the Libyan Ministry of Foreign Affairs, to report and prosecute the media outlets that adopt hate speech.

The decision to establish the GAMMC came out as a result of adhering to the recommendations and proposals of the Press Reforming Committee, which met over the past few months with a large number of media professionals, journalists, and media workers who demanded the existence of an independent body that would follow up on professional violations and train and raise the awareness of media workers about the dangers of continuing violations of the professional code and using media in political conflict.

1.1. Media Chaos in Libya

Several research studies have revealed that the media chaos in Libya—in the post-war period of 2014—led to an excessive increase in the number of newspapers, satellite channels, and other media without taking into account the needs of the society and its ability to absorb this huge amount of media production. In addition, the situation caused problems and issues that require the necessity of regulating, rebuilding, spreading awareness and supporting the development, especially after the split in the state hierarchy in the east and west with the multiplicity of its legislative councils and executive governments and the transformation of the media into a tool of crisis—not a tool of solution.

In a study done by Dr. Muhammad Al-Asfar between 2014 and 2015 on *Libyan Satellite Channels and Their Role in the Political and Military Conflict*¹, it was found that most of these

د. محمد علي الأصفر، الفضائيات الليبية ودورها في الصراع السياسي والعسكري، الجزيرة نت، قطر¹

(Mohammed Ali Al-Asfar, The Libyan Satellite Channels and their Role in the Political and Military Conflict. Aljazeera.net, Qatar)

<https://studies.aljazeera.net/ar/mediastudies/2015/02/201528113223744200.html#:~:text=%D9%8A%D8%B1%D9%89%20%D8%A3%D9%83%D8%AB%D8%B1%20%D9%85%D9%86%20%D9%86%D8%B5%D9%81%20%D8%A3%D9%81%D8%B1%D8%A7%D8%AF,%D9%85%D8%AD%D9%84%D9%8A%D8%8C%20%D9%88%D9%87%D8%B0%D8%A7%20%D9%8A%D8%AF%D8%AE%D9%84%20%D8%B6%D9%85%D9%86%20%D8%A7%D8%AE%D8%AA%D8%B5%D8%A7%D8%B5%D9%87%D8%A7.>

channels helped to fuel the conflict; did not follow the standards of their profession and media work; broke the law and ethical codes; and became a tool for fighting and segregation.

Several research studies have also recommended the need to enact legislations and laws to regulate the work of media outlets in Libya and develop a professional code of conduct that all workers in the media sector need to follow.

1.2. Why This Guide?

This guide provides a scientific methodology for monitoring media content in terms of its trends and professional violations. There is no scientific methodology agreed upon by any local or international authority. For this reason, the GAMMC prepared this scientific methodology after workshops and discussions that included jurists and experts in the field of media monitoring and after its monitors worked on monitoring media content for a period of six months, during which the GAMMC released six reports on professional violations of media content in a number of media outlets. Also, on August 18, 2022, the GAMMC released its semi-annual report, which monitored 15,070 professional violations.

In its previous reports, the GAMMC used a monitoring methodology followed by the Libyan Centre for Freedom of the Press in its reports prepared for the Falso platform, which in turn was the result of previous studies conducted by other centres such as the reports of MENA Media Monitoring², the monitoring reports issued by the *Haute Autorité Indépendante de la Communication Audiovisuelle* (HAICA) in Tunisia, and the monitoring reports of the National Syndicate of Tunisian Journalists (SNJT).³

The GAMMC considers that one of its priorities is to release a written methodology in this area that will be useful to all media professionals, whether journalists or monitors of this media content, as well as jurists, lawyers, judges, prosecutors, and anyone interested in media.

2. The Concept of Monitoring Media Content

The process of monitoring media content refers to: careful monitoring and archiving of media content; identifying its source; analysing its content, context, and direction; noting, classifying, recording, and enumerating the legal violations it contains.

As for media content, it can be defined as all that is included in media materials such as publications, paintings, logos, writings intended for publication to the public, sounds, signs, images, or any other means of writing of all kinds prepared for special categories thereof and which are not of a private correspondence nature.⁴

² رصد خطاب الحقد والكراهية في الصحافة المكتوبة، التقرير الثاني، أكتوبر 2015

(Monitoring Hate Speech and Rancour in Printed Press, Second Report, Oct. 2015)

³ <https://snjt-obs.org/%d9%85%d9%86%d9%87%d8%ac%d9%8a%d8%a9-%d8%a7%d9%84%d8%b1%d8%b5%d8%af/>

⁴ Draft Law for Media Regulation in Libya, the Libyan Organization for Independent Media (LOFIM), 2022

2.1. Overall Goals for Monitoring Media Content

- Monitoring trends of media content in media outlets dealing with the Libyan issue in particular.
- Documenting and archiving audio-visual and printed media content, which is considered an archive for the Libyan State.
- Limiting the professional violations committed in the media content, whether they are in violation of the Libyan laws or international conventions and alerting the public of their seriousness.
- Follow-up on the media when it comes to dealing with media materials in terms of commitment to professionalism and objectivity, as well as impartiality in media discourse.
- Exposing misinformation, hate speech, incitement, advocacy of violence, killing, and war, or justification of violence or terrorism financing.
- Detecting the trends of certain media outlets or their bias towards certain trends.
- Confronting the culture of rancour, hatred, and exclusion that sustains conflict and fuels violence, division, and fragmentation among the members of society.
- Promoting the culture of self-regulation in media outlets through the application of a professional media code of conduct that prohibits violations committed in media.
- Raising the society awareness on the risks of hate speech spread in media outlets, bearing the responsibility of advancement of the Libyan media content, and assisting its actors to demonstrate professionalism in accordance with the concept of responsible freedom.
- Urging the authorities to adopt a media policy to combat hate speech and incitement and encourage media outlets that adopt professionalism and support peace, democracy, and human rights.
- Assessing the integrity of the elections in terms of compliance with the terms of electoral campaigning in all media outlets.
- Promoting media and digital literacy for media professionals and the public in general.
- Early warning of election-related violence or political, regional, or religious polarisation.

3. Monitoring Methodology

Media monitoring has become a common feature during elections in many countries, especially those in transition to democracy since the mid-1990s.⁵ Monitoring usually uses "quantitative analysis" or "qualitative analysis" of media content, or both.

This guide is based on both quantitative and qualitative methods of analysis, as neither of which alone, can provide comprehensive results for media monitoring. The process begins with descriptive analysis, which involves monitoring the media content, analysing it, and

⁵ https://aceproject.org/ace-ar/topics/me/mee/default/mobile_browsing/onePag

recording any professional violations committed through it in conformity with the Libyan or international legislations.

As for the quantitative analysis, it depends on measuring the number of professional violations committed by each media outlet that was monitored and finding their percentages. Thus, the quantitative analysis is a useful contribution to the depth and context of the results.

3.1. Analysis Categories

The categories of analysis are a set of classifications or categories that the guide prepares according to the quality of the content and the objective of the analysis, in order to use them in describing this content, its classification, and its direction. The media content in this guide is divided into parts of common characteristics or features based on the previously formulated classification criteria.

The guide is based on a form in which the content is objectively analysed, interpreted, and classified according to the categories given in Figure (1).



Figure (1) Categories of analysis related to monitoring media content

3.1.1. Category of Media Content Trends

Monitoring media content trends reveals the extent to which the media outlets meet their journalistic functions according to the international standards, through providing clarifications on issues of public interest, exercising a monitoring role on decision-makers on behalf of the citizen, providing service and assistance to the local community, in addition to entertainment, learning and education, stimulating the audience, and creating feelings of solidarity in the community. These functions are performed by the media outlets, whether state or private, in any democratic society.

The GAMMC has added this category to other monitoring categories in order to express its gratitude and appreciation to the media outlets that have played a valuable role in carrying out their responsibilities, rather than focusing on spreading news of the armed conflict or political polarisation.

In order to analyse the "areas or categories" of media content and its contents based on the most popular media theories, which are related to the field of media activity covered by the media content, the categories have been divided into fifteen genres provided in the table below:

No.	Programme Type
1	News
2	Political
3	Military
4	Economic
5	Social
6	Sports
7	Healthcare
8	Religious
9	Educational
10	Entertainment
11	Cultural
12	Variety
13	Art
14	Children
15	Other

Table (1) Media monitoring trends

3.1.2. Professional Violations Category

As for the categorisation of professional violations committed in the media content, it is categorised by analysing the media content and interpreting the words and references contained therein and their context, then comparing them with the local and international laws and legislations, that are divided into two parts:

3.1.2.1. Professional Violations Category According to the Libyan Legislations:

The GAMMC faced challenges that focused on collecting scattered articles in Libyan legislations that are directly related to either the expression of opinion or the ethics of the

profession that journalists, media professionals, and various media outlets whether they are Libyan or dealing with Libyan affairs, must abide by, or the prohibitions in publishing in general. The GAMMC concluded with the adoption of articles in Libyan legislations that comply with international standards with regard to freedom of opinion and expression.

The guide's preparation team scanned Libya's legislations, which expressly deals with professional violations that can be committed through media content published through media outlets, whether paper, electronic, radio, television, or others.

A "**professional violation**" is defined as non-compliance with or dereliction of duty. In the case of the media, "professional violations" refers to what constitutes offence, whether criminal, disciplinary, or civil.

Article 16 of the Libyan Penal Code defines the offence as an offence that shall be considered to have been committed in public if it was committed: a. By means of newspapers or other means of publication or propaganda; b. In a public place or a place open to or exposed to the public; and criminal offences are divided according to their gravity into violations, misdemeanours, and felonies.

Although this law came into force before the emergence of the Internet and social media, these texts are amended to match the new offences that emerged after the adoption of this law.

In view of the large number of articles related to violations that can be committed through the media, they have been classified into ten professional violations given in the following table:

No.	Violation Type
1	Threatening or advocating violence, war, crime or murder
2	Insult, defamation, false accusation, and degradation
3	Slander
4	Disinformation
5	Provoking hatred or contempt against classes of people
6	Posting photos or videos of detainees, accused persons, or prisoners, or posting investigations that include them
7	Obscene, abusive, and outrageous speech
8	Plagiarism
9	Violation of privacy or posting of photos of the dead
10	Failure to respect the professional confidentiality of sources

Table (2) Professional violations according to Libyan legislations

1. Threatening or advocating violence, war, crime or murder

There are several articles in the Libyan Penal Code that criminalise advocacy of violence, war, or crime, including:

Article 430, titled "Threats," stipulates that:

"Anyone who threatens another with unlawful injury shall be punished by detention for a period not exceeding six months or a fine not exceeding LYD 50, but proceedings shall only be instituted upon a complaint by the injured party. If the threats are to commit an offence against life or property, or disclose matters that violate honour, or any of the forms mentioned in the last paragraph of the previous article, the penalty shall be detention for a period not exceeding one year and the institution of proceedings shall not depend upon a complaint by the injured party."

Article 203 stipulates that:

"Anyone who commits an act for the purpose of inciting civil war in the country, fracturing national unity, or dividing citizens of the Libyan Arab Republic shall be punished by a penalty of death."

Article 290 stipulates that:

"The penalty prescribed by the previous article shall apply to anyone who attacks, by any means of publicity, any religious faith that publicly performs its rites."

Article 317 stipulates that:

"Anyone who publicly incites the commission of one or more offences and whose incitement has no effect shall be punished by the following penalties: 1. If the incitement is to commit felonies, by detention. 2. If the incitement is to commit a misdemeanour or Infraction, by detention for a period not exceeding six months or by a fine of between LYD 10 and LYD 30. The penalty shall be detention if the incitement is to the commission of one or more misdemeanours together and one or more infractions."

Article 217 stipulates that:

"Anyone who prevents another person, either wholly or in part, from the exercise of a political right by violence, threats, or by deceit, shall be punished by detention."

Article 430 stipulates that:

"Anyone who threatens another with unlawful injury shall be punished by detention for a period not exceeding six months or a fine not exceeding LYD 50, but proceedings shall only be instituted upon a complaint by the injured party. If the threats are to commit an offence against life or property, or disclose matters that violate honour, or any of the forms mentioned in the last paragraph of the previous article, the penalty shall be detention for a period not exceeding one year and the institution of proceedings shall not depend upon a complaint by the injured party."

There are also articles in other laws that prohibit calls for violence, such as Article 9 of Law No. 29 (2012) on the Regulation of Political Parties, which prohibits the use of violence in all its forms, including threats of it, incitement to it, incitement to hatred and strife, or spreading any thought contrary to Islamic law, or the call for political tyranny. Article 9 of Law No. 30 (2012) on the Controls of Political Entities reads that:

"A political entity is prohibited from using violence in all its forms, or threatening to use it, or inciting it, and it is prohibited for it to include any of that in its programmes, bulletins, publications, or symbols."

2. Insult, defamation, and false accusation

Article 438 of the Penal Code, titled "Insult," stipulates that:

"Anyone who violates the honour or reputation of a person in his presence shall be punished by detention for a period not exceeding six months or a fine not exceeding LYD 25. The same penalty shall apply to anyone who commits the offense by telegraph, telephone, documents, or pictures addressed to the insulted person. The penalty shall be detention for a period not exceeding one year or a fine not exceeding LYD 40 if the offence involves attribution of a particular fact."

Article 438 of the aforementioned Code, titled "Defamation," stipulates that:

"In circumstances other than those set forth in the previous article, anyone who harms the reputation of another by defamation in the presence of several persons shall be punished by detention for a period not exceeding one year or a fine not exceeding LYD 50. The penalty shall be detention for a period not exceeding two years or a fine not exceeding LYD 70 if the defamation involves attribution of a particular act. If the defamation is by means of newspapers, other means of publicity, or in a public document, the penalty shall be detention for a period of no less than six months or a fine between LYD 20 and LYD 100. If the defamation is directed against a political, administrative, or judicial body, a representative thereof or a body validly convened, the penalty shall be increased by an amount by no more than one third."

It should be noted here that monitoring the offences of insult and defamation is not intended to silence the critical voices of officials or criticise them for corruption or any other crime. Article 440 of the Penal Code stipulates that:

"With regards to the previous two articles, evidence concerning the truth of what was attributed or defamed may not be accepted from the offender to prove his innocence. Nevertheless, the truth of the attribution may be proved in the following circumstances:

- If the insulted person was a public official and what is attributed him pertains to the exercise of his duties.
- If the offence is committed against a candidate during the period of general elections.
- If the matter attributed to the insulted person is subject of a criminal proceeding already in progress or which it has been determined to bring against him. In this case,

the offender shall be pardoned from the penalty if he proves the truth of his attribution or a judgment is issued convicting the insulted person."

As for the crime of false accusation, Article 262 of the Penal Code, in its first paragraph, stipulates that:

" Anyone who, even by unsigned letter or under an assumed name, accuses another of an act deemed an offence by law, knowing that the person he accuses is innocent, or who fabricates against such person evidence of an offence in such a manner as to allow the initiation of criminal proceedings against the person who is falsely accused if the accusation or fabrication is made before the competent authority shall be punished by detention."

3. Slander

Law No. 52 of 1974 defines the crime of slander in its first article as "throwing fornication or denying parentage by any means, in the presence or absence of the slandered person, either publicly or non-publicly." The law, in its fourth article, punishes by "up to eighty lashes, and no testimony shall be accepted from them," whoever is proven to have committed the crime of slander.

4. Disinformation

The General Authority for Monitoring Media Content (GAMMC) Resolution No. 4 of 2022 notes that:

"Journalists shall commit to using fair, clear, and accurate language in expressing all topics without exaggeration, judgments, personal inclinations, or misplaced adjectives. Journalists shall not confuse news reporting with comment, analysis, opinion, and interpretation. If a journalist does not follow the rules of impartiality, they will be deemed as spreading disinformation."

Article 18 of Publications Law No. 76 of 1972 stipulates that:

"If the publication publishes any incorrect writings related to a public interest, the competent authorities may request the publication publish any clarification, correction, or falsification sent to it, and the publication shall be free of charge in the subsequent issue, in the same place, and in the same letters in which the material subject of the clarification, correction, or falsification was published. Any failure to publish shall be penalised by detention for a period of no less than six months and a fine of no less than 600 LYD and not more than 1000 LYD, or either of these two penalties. Should the incorrect writings be published in a foreign publication and it did not publish the statement or the denial, it would be denied entry to the Libyan Arab Republic by a decision of the competent minister. Without prejudice to the provisions of the Penal Code, whoever publishes false writings in *mala fide* in a publication shall be punished by detention for a period of no less than one year and a fine of no less than 600 LYD and not more than 1000 LYD. "

Also, Article 1 of Law No. 8 of 2002 on the Protection of Society from Phenomena Prohibited by the Holy Qur'an stipulates that:

"Spreading rumours, fake news, and tendentious jokes that may affect society, as well as divulging secrets, sarcasm, name-calling, slander, and backbiting, are acts of Satan that are prohibited by the Holy Qur'an and are considered crimes whose perpetrators are punishable in conformity with the provisions of this law."

Also, Article 2 of the aforementioned law stipulates that:

"Without prejudice to any more severe penalty stipulated by the laws in force, the penalties mentioned in Articles 175, 176, and 177 of the Penal Code shall be applied to anyone who propagates a rumour, is one of the fake news spreaders, or spreads bad news or a tendentious joke. The penalties stipulated in Articles 438 and 439 of the Penal Code shall also be applied to anyone who commits any of the other acts stipulated in Article 1 of this Law."

Article 7 of Publications Law No. 76 of 1972 stipulates that journalists must all believe in the message of the press, publications, and media, observe the ethics in the message, work to achieve the goals of serving the audience, and be committed to investigating objectivity and honesty in media work.

Information disorder is classified as follows:⁶

1- Misinformation: a false piece of information, that whoever produces or publishes it believes it is correct, meaning there is no intention to mislead. The journalist who published it, will correct it. It is, however, considered misleading if the process of correction and apology is not followed.

2- Disinformation: a piece of information that is intended to mislead and has many types, including:

Totally False: Made-up information that is not true; it is a deliberate lie intended to mislead.

Partially False: Some information is real, and some is fake. For example, when real sources are impersonated or false sources are made up or do not exist; when real information or images are manipulated for the sake of deception, like when images are modified and manipulated for certain purposes or harming the image of other figures or entities.

Fraudulent: Some of the information is true, but other true information has been hidden. As a result, the idea is changed, or the information is mixed up with opinion, comment, analysis, adding attributes, using misplaced quotes, or cutting and cropping.

5. Provoking hatred or contempt against classes of people

There is nothing in Libyan legislations that expressly prohibit discrimination against protected classes such as gender, religious belief, colour, or social origin. There is only one article that

⁶ "الدليل التدريبي "التحقق من المعلومات في الإعلام الرقمي وكشف خطاب الكراهية والتضليل"

(Training Guide "Verifying information in digital media and exposing hate speech and misinformation")

<https://lofim.org.ly/%d8%a7%d9%84%d8%af%d9%84%d9%8a%d9%84-%d8%a7%d9%84%d8%aa%d8%af%d8%b1%d9%8a%d8%a8%d9%8a-%d8%a7%d9%84%d8%aa%d8%ad%d9%82%d9%82-%d9%85%d9%86-%d8%a7%d9%84%d9%85%d8%b9%d9%84%d9%88%d9%85%d8%a7%d8%aa-%d9%81/>

criminalises public incitement to hatred or contempt against a class of people, which is Article 318 of the Penal Code, titled "Provoking Class Strife," which stipulates that:

"Anyone who publicly incites to hatred or contempt among the classes of the people in such a manner as to disturb public security shall be punished by detention for a period not exceeding one year and of a fine of between LYD 20 and LYD 100 or by either of those two penalties."

6. Posting photos or videos of detainees, accused persons, or prisoners, or posting investigations that include them

Article 59 of the Libyan Code of Criminal Procedure, titled "Confidentiality of Investigation Procedures and Results," stipulates that:

"Investigative procedures and results arising therefrom shall be considered confidential, and investigators, Public Prosecution members, and their aides, such as clerks, experts, or others connected to the investigation or present for the same because of their profession or occupation, may not divulge them. Violators shall be punishable in accordance with Article (236) of the Penal Code."

Article 188 of the Penal Code, titled "Disclosure of Investigation Secrets," stipulates that:

"Anyone who discloses information pertaining to investigations or inquiries into one of the offences set forth under this Part shall be punished by the penalties set forth by Article (185). The penalty shall be increased by no more than double if the offence is committed by someone who has knowledge of such information by virtue of his position or while he is entrusted with public duties."

Article 284 of the Penal Code, titled "Disclosing Information Pertaining to a Secret Criminal Proceeding," penalizes: "Anyone who, by means of a newspaper, or by any other means of publicity, discloses information about a criminal case that is being heard secretly or discloses the contents of documents or papers relating to the investigation of a case which is required to remain secret by law, shall be punished by detention for a period not exceeding one year and of a fine of between LYD 20 and LYD 100. This provision shall not apply to documents and grounds relating to the investigation that are subsequently provided in the course of public discussion, and in general, this provision shall not apply to other documents of criminal judicial proceedings after the lapse of thirty years from the adjudication thereof, or before the expiration of that time, if the Minister of Justice explicitly permits the publication thereof. In the conditions set forth by the first paragraph of this article, no penalty shall be inflicted for the mere announcement of the case or for the publication of the sentence therein only."

Article 285 of the Penal Code, titled "Expansion of Applicability of the Previous Article," stipulates that:

"In cases other than those to which the provisions of the previous article apply, the courts, taking into consideration the facts of the case and in order to preserve public order or decency, may prohibit the publication by any means of publicity of the proceedings of the case or of all or some of the rulings therein and whoever contravenes the said prohibition

shall be punished by detention for a period not exceeding one year and a fine of no less than LYD 20 and not exceeding LYD 100 or by either of those two penalties."

As for Article 286, titled "Disclosure of Secret Deliberations and False Publication," it stipulates that:

"The penalty prescribed by the previous article shall apply to anyone who publishes by any means of publicity the secret deliberations of the courts or to anyone who publishes falsely and with malicious intention what has occurred in open hearings of the courts."

7. Obscene, abusive, and outrageous speech

Article 421 of the Penal Code, titled "Indecent Acts or Items," stipulates that:

"Anyone who commits an indecent act in an open public place or a place accessible to the public shall be punished by detention for a period not exceeding one year or a fine not exceeding LYD 50. The same penalty shall apply to anyone who violates decency by distributing indecent letters, pictures, or other articles, or who exposes the same to the public or offers the same for sale. Artistic or scientific productions shall not be considered indecent items unless they are provided for other than educational purposes to a person under the age of eighteen years for sale to him or if they are offered for sale to him or if he is facilitated in the obtaining thereof by any means."

Article (500) of the Penal Code, titled "Offering or Trading in Indecent Items," stipulates that:

"Anyone who exposes to the public view offers for sale or distributes in a public place or place open to the public, documents, pictures or other items that offend public decency shall be punished by a fine between LYD 1 and LYD 10."

Also, Article 501, titled "Indecent Acts and Obscene Language," stipulates that:

"Anyone who undertakes an act contrary to public decency in a public place or a place open or exposed to the public shall be punished by detention for a period not exceeding one month or a fine not exceeding LYD 10. Anyone who utters indecent language in a public place or a place open to the public shall be subject to a fine not exceeding LYD 5."

8. Plagiarism

Article 9 of Law No. 9 of 1968 on Copyright Protection, in its first paragraph, stipulates that:

"The author shall have exclusive right to have his work attributed to him and to shove away any infringement upon his work. He may also prevent any deletion or change to his work."

Article 14 of the same law, in its first paragraph, stipulates that:

"Newspapers and periodicals may not copy scientific, literary or artistic articles, serials and short stories published in other newspapers and periodicals without the permission of their authors." It also stipulates in its fourth paragraph that: "In the case of copying, publication of a quotation or others mentioned in the previous paragraphs, the source must always be clearly mentioned, as well as the author's name."

Article 48 of this law punishes "whoever infringes upon the copyrights provided for in Articles (5), (6), (7), and (9) of this law."

9. Violations of privacy or posting of photos of the dead

Article (13) of the Interim Constitutional Declaration of 2011- Consolidated issued on August 3, 2011, provides that: "Correspondence, telephone calls and other means of communication are inviolable and their secrecy shall be guaranteed. They may not be confiscated, examined or monitored except by a causal judicial warrant and for a definite period in accordance with the provisions of the law."

Article 244 of the Penal Code, titled "Examination, Destruction, and Disclosure of Correspondence," stipulates that:

"Any public official subordinate to the postal, telephone, or telegraph department who conceals, halts, or delays correspondence or who, upon examining the same, discloses its content to another shall be punished by detention for no less than six months. In this article, "correspondence" shall refer to letters, telephone conversations, telegrams, and any other means of communication. If the aforementioned acts are committed by other persons, the penalty shall be detention for no more than six months or a fine not exceeding LYD 20, based on a complaint by the injured party."

Article 6 of Law No. 4 of 1990 on "the National System of Information and Documentation" stipulates that:

"It is not permissible to collect personal information and data within the framework of the National Information System by any means of coercion or deception. The person concerned has the right to view such data and information and to cross out and amend what he deems contrary to reality before documenting it. The use of such data or information is limited to the purposes of economic and social studies, and it may not be disclosed to others, even if it is a public entity, nor may it be published in a way that indicates its owners, used for any other purposes, or taken as evidence or the basis for any legal action contrary to the foregoing."

Article 7 of this law also stipulates that, "taking into account the previous article, data, information, and documents that are characterised by confidentiality shall be determined in the National Information System by a decision of the General People's Committee. Only the specialised employees may view this information for any reason, and these employees are not entitled to disclose it by any means."

Article 8 of the same law stipulates in its fifth paragraph that: "Without prejudice to any more severe penalty stipulated in the Penal Code or any other law, a penalty of imprisonment for a period of no less than six months and not more than a year and a fine of no less than (1000 LYD) one thousand dinars and not more than (2000 LYD) two thousand dinars or by either of these two penalties, whoever uses personal data collected within the framework of the National Information System for purposes other than those stated in this law, or allows any person or public or private entity to view or publish it in a way that indicates its owners."

Article 36 of Law No. 9 of 1968 on Copyright stipulates that: "Whoever has taken a photograph shall not have the right to show, publish, or distribute the original photograph or copies thereof, without an authorisation from those represented in the photograph, unless otherwise agreed. This provision shall not apply if publishing the photograph takes place in the context of public events or if it relates to officials or persons enjoying public renown, or if the public authorities have given permission to its publication for the general welfare. Even in the previous case, no photograph shall be permitted to be shown or circulated if its publication entails detriment to the honour, reputation, or social standing of the person presented in the photograph. However, the person presented in the photograph shall have the right to authorise its publication in newspapers, magazines, and similar publications even if the person who takes the photograph does not allow it, unless there is an agreement to the contrary. These provisions shall apply to pictures no matter the method by which they were made, whether painting, engraving, sculpture, or any other means."

10. Failure to respect the professional secrecy of sources

Article 236 of the Penal Code, titled "Disclosing the Secrets of a Public Office," stipulates that: "Any public official who violates the duties of his office, or abuses the same by disclosing official information that is required to remain secret, or who by any means facilitates the disclosure thereof shall be punished by a penalty of detention for no less than six months." Also, Article 244 of the Penal Code, which was previously referred to and included under the violation of privacy clause, stipulates a penalty related to this violation.

3.1.2.2. Professional violations category according to international conventions

It should be noted that in Libya, the international conventions and treaties are superior to domestic laws. The Libyan Supreme Court Constitutional Chamber ordered a ruling on Constitutional Appeal No. 1 for the judicial year 57, stipulating that: "The international agreements to which the Libyan State is bound are immediately effective as soon as the procedures for ratification by the legislative authority in the State are completed, and they are superior to the internal legislations, so that if there is a conflict between their provisions and the provisions of the internal legislations, the provisions of the agreement are the first to be applied." Among the international agreements signed by Libya, which contain texts related to opinion and expression, are the following:

1. International Covenant on Civil and Political Rights (ICCPR)

Libya signed and ratified the International Covenant on Civil and Political Rights on May 7, 1970. Article 20 of the International Covenant on Civil and Political Rights stipulates:

1. Any propaganda for war shall be prohibited by law.
2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

This article constitutes a legal basis and a binding text for all entities and persons within the Libyan State on combating and criminalising hate speech.

2. International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

Libya acceded to and ratified the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) on July 3, 1968.

Article 4 of the aforementioned convention stipulates:

"States Parties condemn all propaganda and all organisations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination."

3. The United Nations Convention on the Rights of the Child

Article 2 of the Convention on the Rights of the Child provides in its second paragraph that:

"States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members."

Also, Article 35 of this convention stipulates: " Children are entitled to protection from all kinds of exploitation, even if they are not mentioned in this convention."

The GAMMC also relied on the Media Professional Code of Conduct, which was approved by the GAMMC in its Resolution No. 4 of 2022, including:

- Taking all precautions while covering terrorism-related events, such as interviewing the terrorists' families or supporters, and not giving them an opportunity to advocate terrorism and violence, pass on their messages, and influence the public opinion.
- Respecting the privacy of children, marginalised groups, and victims of violence and not showing them in a humiliating position or ignoring to hide their faces when needed to be published.
- Complying with the rules for publishing opinion polls stated in the GAMMC Resolution No. 4 of 2022.
- Signs, gestures, and body language that contain incitement, threats, or other violations.
- Bias and inequality in media coverage, where all parties are not treated equally when it comes to absolute impartiality and transparency, or not presenting the different spectrums of opinion, or these opinions are not distributed over an equal period of time.

These are summarised in the violations given in Table (3).

No.	Type of violation
1	Advocating terrorism and violence

2	Showing children or marginalised or vulnerable groups in a negative light
3	Signs, gestures, and body language
4	Non-compliance with the rules for publishing opinion polls
5	Bias, inequality, and imbalance in media coverage

Table (3) Professional violations according to international conventions

General categorisation of professional violations in media outlets

The table below lists the key professional violations that may be committed via different media outlets, irrespective of whether they violate the Libyan legislations or international conventions.

No.	Type of violation
1	Threatening or advocating violence, war, crime or murder
2	Insult, defamation, false accusation, or degradation
3	Slander
4	Disinformation
5	Provoking hatred or contempt against classes of people
6	Posting photos or videos of detainees, accused persons, prisoners, or posting investigations that include them
7	Obscene, abusive, and outrageous speech
8	Plagiarism
9	Violation of privacy or posting photos of the dead
10	Failure to respect the professional secrecy of sources
11	Advocating terrorism and violence
12	Showing children or marginalised or vulnerable groups in a negative light
13	Signs, gestures, and body language
14	Non-compliance with the rules for publishing opinion polls
15	Bias, inequality, and imbalance in media coverage

Table (4) General categorisation of professional violations

After completing the data collection each month, it is placed on a pie chart, as given in Figure (2).

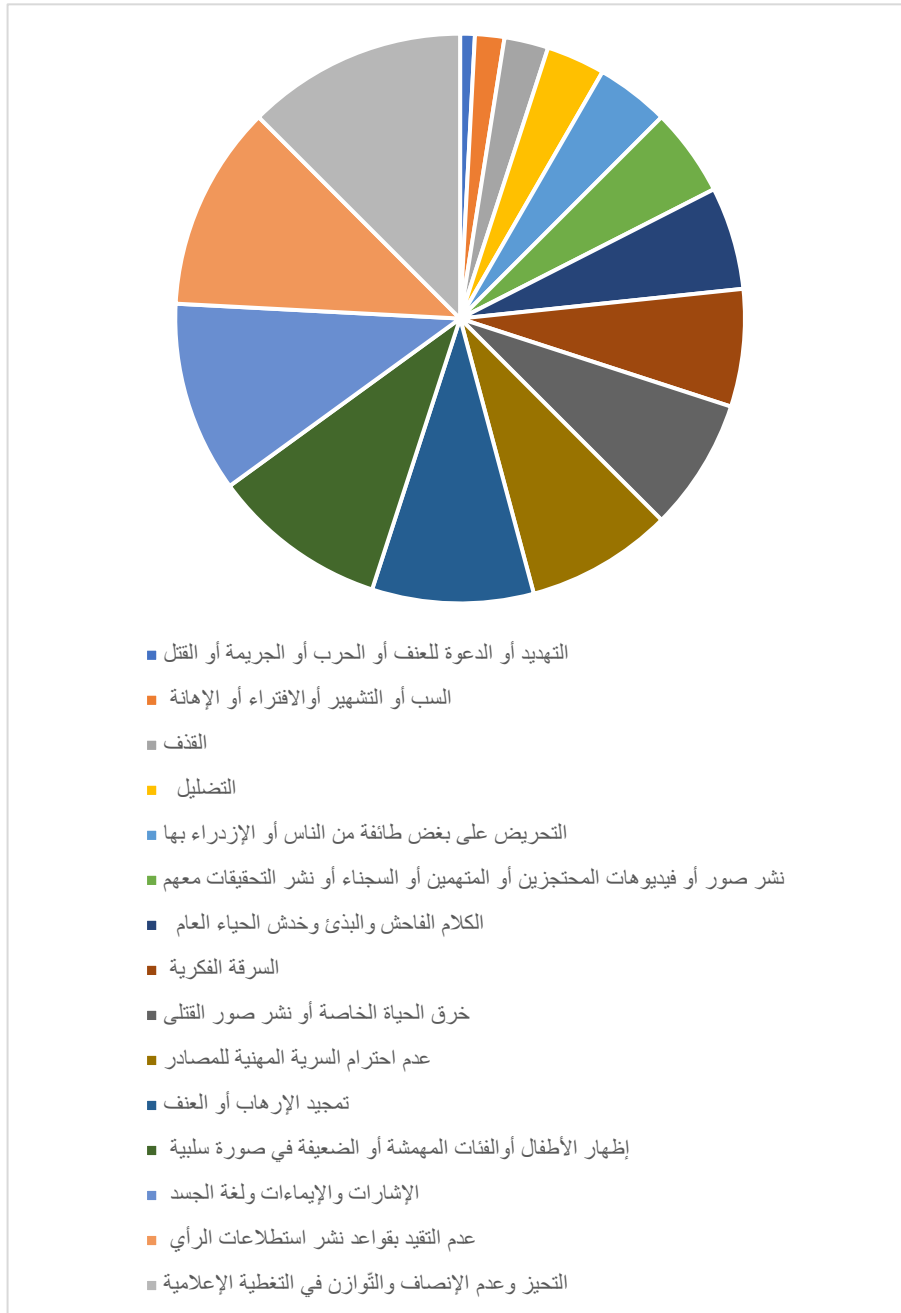


Figure (2) Professional violations in media outlets

3.2. Hate speech in the global concept

In contrast to the international conventions, the Libyan legislations have no provisions that directly criminalise hate speech. The Libyan Penal Code, on the other hand, criminalises acts that may involve hate speech directed against others.

This guide focuses on identifying professional violations committed through media content that may constitute a crime punishable by law without categorising them as hate speech.

The most widely used concept of defining hate is what Article 19, along with many media and legal experts, put in place within what is known as the "Camden Principles"⁷ in its twelfth principle, which states:

"The terms 'hatred' and 'hostility' refer to intense and irrational emotions of opprobrium, enmity and detestation towards the target group. The term 'advocacy' is to be understood as requiring an intention to promote hatred publicly towards the target group. The term 'incitement' refers to statements about national, racial or religious groups which create an imminent risk of discrimination, hostility or violence against persons belonging to those groups."

The severity of hate speech is assessed according to the 2012 Rabat Plan of Action⁸ approved by the United Nations High Commissioner for Human Rights through a six-part criterion for criminally prohibited forms of expression:

1. Context: Context is of great importance when assessing whether particular statements are likely to incite discrimination, hostility or violence against the target group, and it may have a direct bearing on both intent and/or causation. Analysis of the context should place the speech act within the social and political context prevalent at the time the speech was made and disseminated;

2. Speaker: The speaker's position or status in the society should be considered, specifically the individual's or organization's standing in the context of the audience to whom the speech is directed;

3. Intent: Article 20 of the International Covenant on Civil and Political Rights anticipates intent. Negligence and recklessness are not sufficient for an act to be an offence under article 20 of the Covenant, as this article provides for "advocacy" and "incitement" rather than the mere distribution or circulation of material. In this regard, it requires the activation of a triangular relationship between the object and subject of the speech purpose as well as the audience.

4. Content and form: The content of the speech constitutes one of the key foci of the court's deliberations and is a critical element of incitement. Content analysis may include the degree to which the speech was provocative and direct, as well as the form, style, nature of arguments deployed in the speech or the balance struck between arguments deployed;

5. Extent of the speech: Extent includes such elements as the reach of the speech act, its public nature, its magnitude and size of its audience.

6. Likelihood, including imminence: Incitement, by definition, is an inchoate crime. The action advocated through incitement speech does not have to be committed for said speech to amount to a crime. Nevertheless, some degree of risk of harm must be identified. This means that the courts will have to determine that there was a reasonable probability that the speech

⁷ <https://www.article19.org/wp-content/uploads/2009/04/Camden-Principles-ARABIC-web.pdf>

⁸ https://www.ohchr.org/sites/default/files/Documents/Issues/Opinion/SeminarRabat/Rabat_draft_outcome.pdf

would succeed in inciting actual action against the target group, recognizing that such causation should be rather direct.

Other elements to consider include whether the speech is public, what means of dissemination are used, for example by a single leaflet or broadcast in the mainstream media or via the Internet, the frequency, the quantity and the extent of the communications, whether the audience had the means to act on the incitement, whether the statement (or work) is circulated in a restricted environment or widely accessible to the general public.

For this reason, any of the violations committed in the media content may constitute hate speech if the previous six-part international thresholds are met.

3.3. Analysing the professional violations in media content

Analysing professional violations in media content means knowing where they occurred according to the monitored media outlets, according to press forms, the target party for these violations, the party producing these violations, and their gender, in order to come up with a summary showing the general trend of these violations, as given in Figure (3).

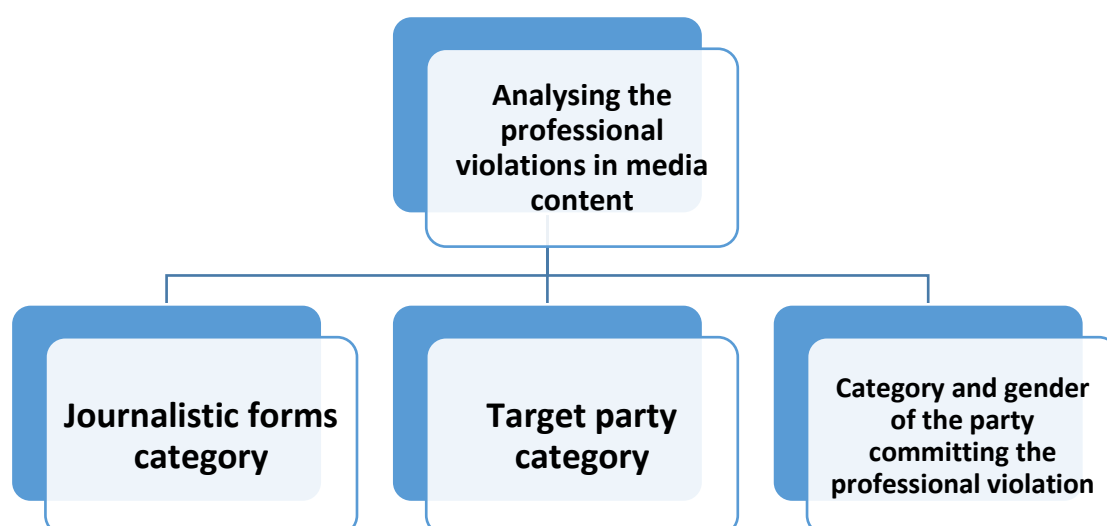


Figure (3) Analysing the professional violations in media content

3.3.1. Journalistic forms category

In the press, whether paper, radio, television, or electronic, there are many journalistic forms and arts, and the GAMMC classification of these press forms was limited to 11 categories, through which they can publish or broadcast professional violations, as given in Table (5).

No.	Journalistic or artistic forms
1	Printed news or reports
2	Newscasts (visual or audio)
3	Video or audio reports

4	Press events
5	Special Program or Coverage
6	Press conference
7	Photos, caricatures, or videos
8	Advertisement or promotion
9	Commentary and opinion articles
10	Song, series, movie, or play
11	Subtitle and breaking news

Table (5) Journalistic forms containing professional violations

After the data collection process is completed each month, it is placed in the form of an appropriate chart, such as the pie chart given in Figure (4).

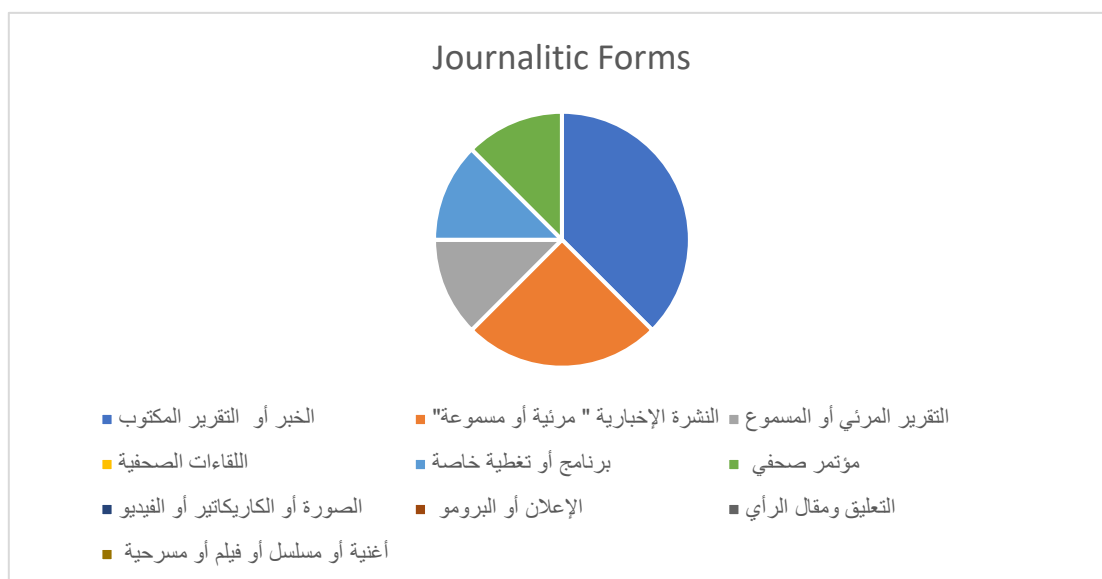


Figure (4) Journalistic forms category

3.3.2. The category of the parties targeted by professional violations

The party targeted by the violation is any natural person or legal entity that is subject to any professional violation of the violations stated in this guide. This category is classified into ten classes, as given in Table (6).

No.	The party targeted by the violation
1	Ordinary citizen
2	Political party
3	Legislative branch
4	Executive branch

5	Judicial branch
6	The press and its professionals
7	Civil society and its activists
8	Regional, religious, ethnic, racial or cultural component
9	Marginalised groups
10	Foreign countries and cities

Table (6) The category of the party targeted by the violation

After the data collection process is completed each month, it is placed in the form of an appropriate chart, such as the pie chart given in Figure (5).



Figure (5) The category of the party targeted by the violation

3.3.3. Category and gender of the party committing the professional violation

It refers to the party who committed any professional violation of the violations listed in this guide, whether it is a natural person or a legal entity, and this category is also divided into male and female categories. This category is classified into nine categories, given in Table (7).

No.	Professional violations producer
1	Newspaper editor or report or article writer
2	Program presenter or reporter
3	Editorial department
4	Party representative, political activist, or candidate

5	Executive branch representative
6	Legislative branch representative
7	Civil society representative
8	Citizen
9	Representative of a regional, religious, ethnic, racial or cultural component

Table (7) Category of the party producing the professional violation

No.	Gender of professional violation producer
1	Natural person – male
2	Natural person – female
3	Legal person

Table (8) Gender of the party committing professional violation

After the data collection process is completed each month, it is placed in the form of an appropriate chart, such as the pie chart given in Figure (6).



Figure (6) Category of professional violations producers

3.4. General Monitoring Questionnaire

The guide depends on the questionnaire, which was designed with the aim of obtaining the appropriate information related to knowing the trend of media outlets and monitoring and

analysing professional violation. The monitoring form is created in a file in the Excel programme to be used to extract frequencies, percentages, and charts. The form contains 21 boxes organised horizontally as follows:

No.	Comment	Details
1	Media outlet name	
2	Nature of the outlet	Television, radio, print newspapers, electronic newspapers
3	Programme name or report title	
4	Programme broadcast type	Live or recorded
5	Date of broadcast of the programme or publication of the report	
6	Programme or report timing	
7	Journalistic form	Printed news or report, newscast (visual or audio), video or audio report, etc.
8	Name of the program presenter or author of the report	
9	Names of guests or sources	
10	The trend of the programme or report	
11	Did the programme contain a violation?	Yes/No
12	Violation-related words, sentences, or signs	
13	The time or place where the violation occurred	From minute () to minute() From line () to line()
14	Violation Classification	
15	Violator name	
16	Violator capacity	
17	Violator gender	
18	The reaction of the presenter or writer of the report	Spectator, opponent, proponent
19	The violation-targeted party	
20	Gender of the violation-targeted party	
21	Violation description	This box must include the legal basis for the violation by analysing the content and context based on the Libyan and international laws,

		as well as the exact classification of the violation.
--	--	---

Table (9) General monitoring questionnaire

3.5. Study population and sample

The methodology of this guide is based on the use of the purposive sampling method by monitoring some Libyan TV channels and websites specialised in dealing with the Libyan issue, in addition to some programmes and news that deal with the Libyan issue in Arab and foreign media outlets.

3.6. Media outlets whose trends must be known and their media content monitored

The Libyan State institutions have not carried out an inventory of the private and public Libyan media outlets, which was spread widely after the February 2011 revolution, but there are some studies supervised by international organisations in which researchers from Libya participated, such as the research study⁹ prepared by Dr. Carola Richter, a professor at a German university, and Dr. Anja Wallenberg, published in January 2020, where the number of media outlets that were counted in 2018 was about 172 outlets, including 14 television stations, 122 local radios, 3 news agencies, 11 newspapers, and 22 websites and electronic newspapers, as given in Figure (7).

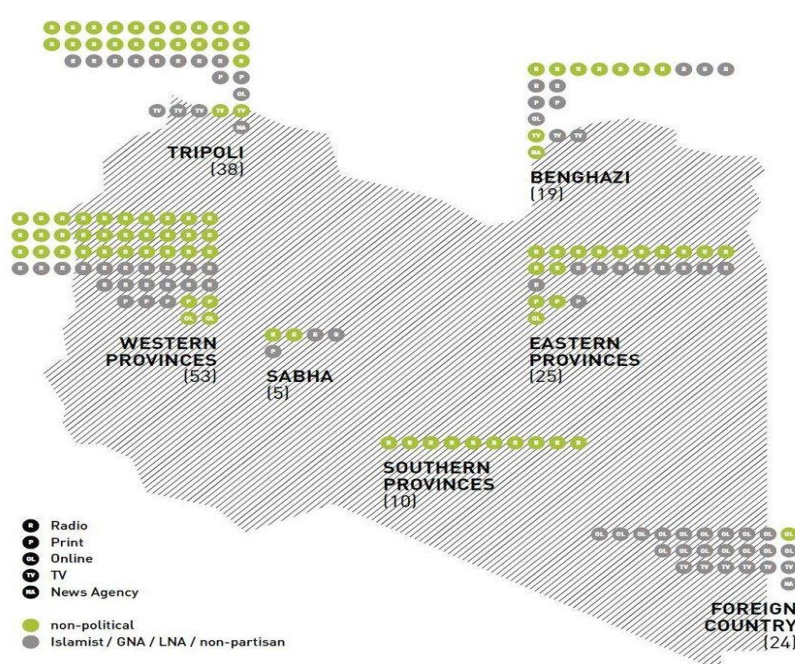


Figure (7) Number of Libyan media outlets by type and geographical distribution in 2018

⁹ Political Parallelism in Transitional Media Systems: The Case of Libya, Jan 2020

This statistic fluctuates every year as a result of the discontinuity of some of these media outlets, as some are shut down and others are established without a legal framework to regulate them.

In 2019, Mr. Ridha Fahil Al-Boom updated the above list and found that the total number of media outlets had grown to 217. This includes 149 local radio stations, 21 television channels, 19 printed newspapers, 26 websites, and two electronic magazines, as given in Figure (8).

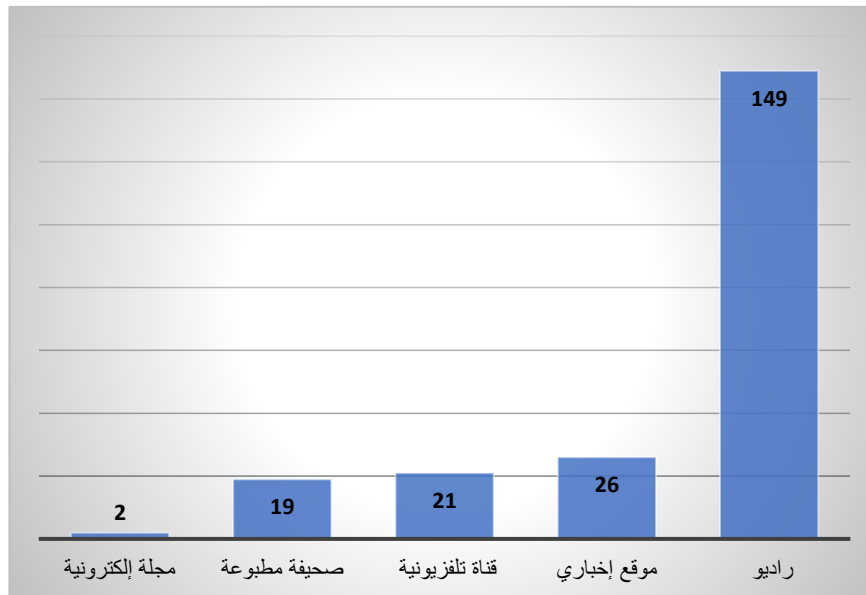


Figure (8) Number of Libyan media outlets by type in 2019

The geographical distribution of these media outlets is as described in Figure (9):

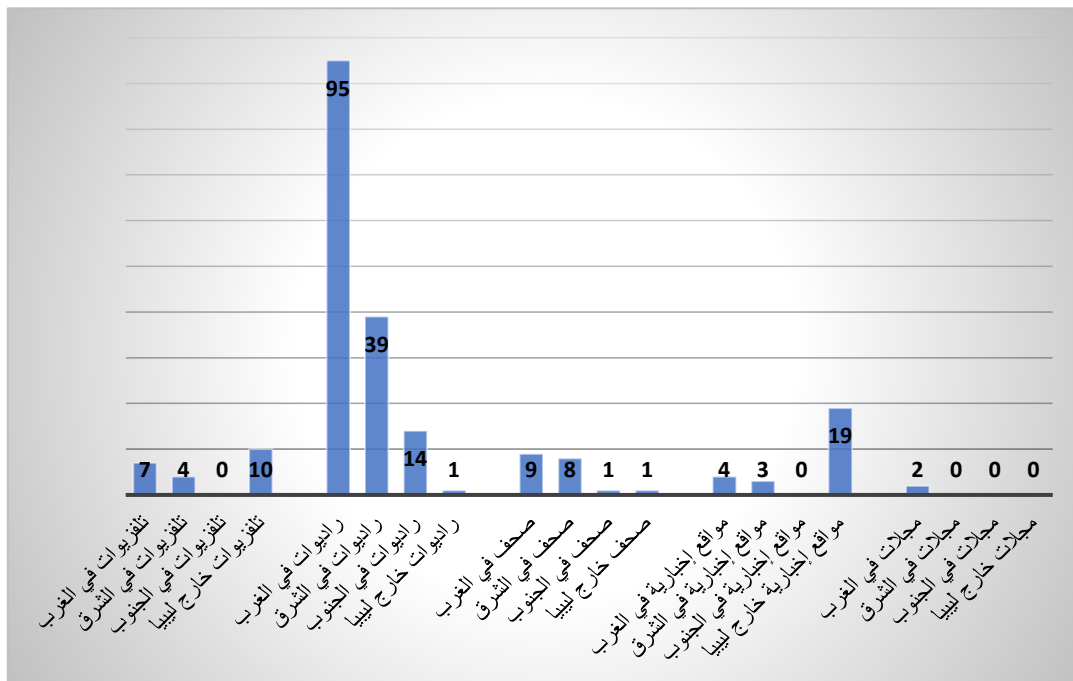


Figure (9) The number of Libyan media outlets by type and geographical distribution in 2019

In view of this constant change and the large size of these Libyan media outlets or those directed at the Libyan public, they will first need huge capabilities and budgets to monitor their programmes because the sample size will be very large. Therefore, the guide recommends that the sample be specific and take into account most of the state and private satellite channels, given their great influence on public opinion and some other outlets, such as influential electronic newspapers, that have a relatively large audience, and those needed to be selected on the basis of their geographical coverage, audience, and influence. Printed newspapers are also chosen for the monitoring process based on how far they reach and how many people read them.¹⁰

3.7. Data collection and results presentation

To verify the frequency and percentages for each of the aforementioned categories, the data of the media content published or broadcasted on the targeted media outlets on their accounts on social media and websites is daily collected, analysed, classified, and recorded in the monitoring form of the Excel programme.

At the end of each month, the results are collected in the Excel program, which can quickly and efficiently convert the results into graphs such as pie charts, bar graphs, or simple graphs.¹¹

3.8. Discussion and interpretation of the findings

- The discussions of each GAMMC report should be analytical, logical, and comprehensive. The discussions should link the findings of the current report with those of previous reports.
- Each monthly report should explain and comment on important key findings and their reasons, and how they can help fill in the gaps and the gaps related to the monitoring process.
- Each report should explain the problems that could not be avoided, and the results should be interpreted in a fair and objective way.
- Each report should end with a conclusion on the narrative overview of the report key findings as well as recommendations and suggestions based on the report findings.

3.9. Conclusion

Throughout the project that lasted for more than eight months, we noticed different levels of assessment of professional violations among the monitors, and the absence of a written


¹⁰ دليل رصد الاعلام لبعثات مراقبة الانتخابات، من منشورات مكتب المؤسسات الديمقراطية وحقوق الانسان لمنظمة الامن والتعاون في أوروبا، 2012

(Media Monitoring Guide for Election Observation Missions, a publication of the OSCE Office for Democratic Institutions and Human Rights, 2012.)

<https://www.osce.org/files/f/documents/c/7/98638.pdf>

¹¹ MEDIA MONITORING TO PROMOTE DEMOCRATIC ELECTIONS, National Democratic Institute for International Affairs (NDI) 2002.

https://www.ndi.org/sites/default/files/Media%20Monitoring%20To%20Promote%20Democratic%20Elections_EN.pdf



methodology that led to difference in judgments between one monitor and another. The monitor's background, attitudes, and gender played an explicit role in evaluating the media content.

The daily discussion between the monitors, which takes place as a catalyst for unifying the visions, helped to create a single rule that applies to everything that is monitored.

However, laws governing media monitoring are desperately needed, and the Libyan legal system is almost bereft of media-related legislations.

We affirm that we are a regulatory institution, and we are not a policeman who targets freedom of opinion and expression. We are here to help improve quality control in the media, attract attention to the need to stop hate speech, work to verify information, support human rights, and help protect vulnerable groups so that we can build a peaceful, stable, and fair society.



Annexes

1) Establishing the General Authority for Monitoring Media Content (GAMMC) and Adopting the Media Professional Code of Conduct

The General Authority for Monitoring Media Content (GAMMC) was established upon the request of a number of journalists and civil society organisations, who were met by the Media Reform and Development Committee, which was formed by the Prime Minister in conformity with Resolution No. 148 of 2021 on the World Press Day.

In September 2021, the Media Reform and Development Committee met with a number of civil society organizations, including the Libyan Independent Media Organization, the Libyan Institution for Investigative Journalism, Aswat Media Network, and Jadeed Sports Media Organization. The members of the committee heard the proposals of these institutions, including the establishment of a media observatory and the necessary steps to regulate the Libyan media file in all its forms, whether public or private. The committee promised to include the proposals in its schedule.

At the end of December 2021, the Council of Ministers issued Resolution No. 752 of 2021, establishing a quality control authority in the media field and combating hate speech and misinformation.

On February 8, 2022, the General Authority for Monitoring Media Content (GAMMC) adopted the Media Professional Code of Conduct as a key reference for its work in carrying out monitoring and assessment tasks, in line with Resolution No. 4 of 2022 regarding the adoption of the Media Professional Code of Conduct produced by the Libyan Organisation for Independent Media in its first edition in 2019.

The adoption of this inclusive code of conduct for the media profession, in accordance with the Interim Constitutional Declaration and international conventions, by an official body in Libya, is considered a precedent because the media community in Libya had not witnessed an adoption of such a code for nearly half a century. The Publications Law No. 76 of 1972 stipulated five principles only related to investigating objectivity and honesty, correcting errors, obtaining information in legitimate ways, and not defaming or exploiting media work for personal benefit.

With a view to developing the performance of Libyan media outlets and improving the quality of media content, the Libyan Organisation for Independent Media (LOFIM) has prepared a code of professional media conduct that contains about 17 pages (4000 words), which was reviewed by a number of local and international experts and legal advisors, and considered to be an essential reference that guides media workers. It informs the media workers of their roles, rights, and duties, and shows them how to better perform their jobs. The guide, which was printed in 1,000 copies in September 2019, is Libya's first professional guide to media behaviour.

The code contains a set of standards, values, and principles related to media work in line with the Interim Constitutional Declaration in its Fourteenth Article, which states: "Freedom of opinion for individuals and groups, freedom of scientific research, freedom of communication, liberty of the press, printing, publication, and mass media, freedom of

movement, freedom of assembly, freedom of demonstration, and freedom of peaceful sit-in shall be guaranteed by the State in accordance with the law." It is also based on articles from the international conventions ratified by Libya, such as Article 19 in the Universal Declaration of Human Rights and Articles 19 and 20 in the International Covenant on Civil and Political Rights, and on other international references such as the Munich Charter on the Rights and Duties of Journalists, of 1971, and the Charter of the International Federation of Journalists.

Signing the Professional Media Code of Conduct by 137 Journalists, Bloggers, and Activists

Between August 2021 and the end of May 2022, 137 journalists, activists, and bloggers signed the code of conduct. The number of signatories through workshops was 84, while the number of signatories through an online questionnaire posted on LOFIM's Facebook page was 53 signers and signatories on the code.

The code was signed by participants from the three regions of Libya: 61% from the West, 21% from the South, and 18% from the East. These percentages are quite logical and provide all regions with a sense of inclusivity without excluding or marginalising anyone in particular. As for women, they represented 29% of the signatories.

The signatories were from 37 different Libyan cities.

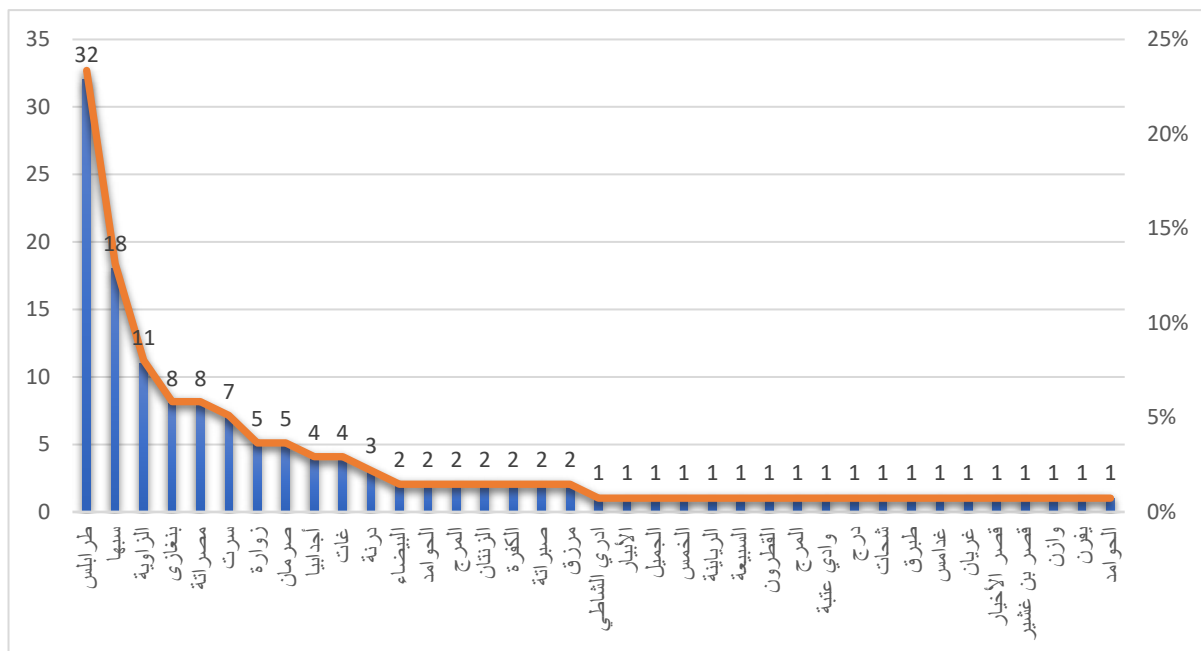


Figure (10) Cities of the Code Signatories

The process of signing the Code was distinguished by the participation of all ethnic compositions in Libya, where it was signed by approximately 0.7% of Circassians, 2.3% of Kouloughlis, 2.3% of Toubou, 6.3% of Tuareg, 8.4% of Berbers, and 80% of Arabs, suggesting participation of all ethnic compositions without excluding any ethnic component.

The Majority of Participants Agree to Include the Code in Media Legislation

The vast majority of workshop participants, around 98.4%, believed that the code of professional conduct should be included in the Libyan legislations regulating the media, the thing that gives credence to the GAMMC's adoption of the code.

2) Media Professional Code of Conduct

Decision No. 4 of 2022 by the GAMMC on the Adoption of the Media Professional Code of Conduct


As a basic guide that instructs the media workers on their roles, rights, and duties as well as how to better carry out work, the GAMMC makes a set of principles related to media professional behaviour accessible to the Libyan media at home and abroad, as well as to all journalists, bloggers, and activists. These principles also serve as the criteria by which their work can be assessed.

In order to prevent abuses and the use of the press power in a way that is offensive to the people and society, the principle of social responsibility places on the press a set of obligations towards other individuals and their societies, as well as defines for the press a set of functions governed by precise values, laws, regulations, and ethical standards.

These principles were created based on the rules and principles in Publications Law No. 76 of 1972, which are in line with the international conventions and the Interim Constitutional Declaration, as well as the international principles in the 1983 UNESCO Consultative Meeting and the Code of Professional Media conduct created by the Libyan Organisation for Independent Media and signed by more than 100 journalists from all over Libya.

In order to improve the credibility and transparency of all materials produced, published, or broadcasted through various media outlets, such as print, audio, visual, or electronic press, with the goal of fulfilling the public right to free, meaningful, and fair media; in order to improve the media performance of its entrusted functions and achieve independence, accuracy, fairness, and non-conflict of interest; and in order to gain the public trust and respect, the GAMMC recognises the following seventeen principles of media work and considers them to be the standard by which media content can be assessed in all mass media:

- 1. Serving the public interest.**
- 2. Commitment to accuracy and credibility.**
- 3. Commitment to impartiality.**
- 4. Commitment to independence.**
- 5. Ensuring the right to respond and correct.**
- 6. Respect for privacy.**
- 7. Respect for professional secrecy.**
- 8. Commitment to integrity.**
- 9. Observing public morals and refraining from defamation, insult and slander.**
- 10. Refraining from advocating discrimination and hatred and inciting war, violence and crime.**
- 11. Protection of children and vulnerable groups.**

- 
- 12 .Commitment to "do-no-harm" principle.
 - 13 .Impartial coverage of elections and opinion polls.
 - 14 .Professional use of social media.
 - 15 .Professional coverage of terrorism-related events.
 - 16 .Safe work in dangerous areas.
 17. The general guidelines contained in this Code.

1. Serving the public interest

The GAMMC considers serving the public interest as one of the most important services that the media can provide through various means. All media outlets are required to provide a media that adheres to professional standards; defends peace, democracy, and human rights; refrains from justifying any form of oppression, tyranny, or persecution practised by dictatorial and colonial regimes in any part of the world; respects the universal values and multiculturalism; balances freedom and responsibility; expresses the concerns and aspirations of the citizens; reports their reality with integrity; provides them with information; and establishes their right to know the truth and expose corruption, as well as their right to education and entertainment.

Within the purview of serving the public interest falls also the need to preserve the environment and wildlife, marine and mountain life, rather than encouraging pollution or propagandising for desertification, such as advertising for the bulldozing of green spaces and trees under the guise of urban development, the thing that takes place in many forests, and to attract attention to all topics that concern citizens in their lives and affect various aspects of their lives positively or negatively, in addition to the need to respect all compositions and spectrums of society.

2. Accuracy and Credibility

Accuracy is achieved through obtaining the facts in a straightforward way, not through making accusations or assumptions that are not backed up by evidence. It is also achieved through processing information, looking for and verifying evidence, getting different opinions, and checking information or news.

To achieve this:

- Legitimate means and methods of obtaining information must be followed, so as not to use money and the like in exchange for misleading or fabricated information.
- All information materials presented to the audience must be based on clear sources and solid evidence.
- The reliability and sources of any printed or photographic documents that contain information worth of publication must be verified, and any figures or statistics must be verified and their sources given.
- You should avoid publishing any news without definitively verifying its authenticity. If there is an urgent need to broadcast or publish news that has not been confirmed and cannot be checked enough, this should be made clear, and it should be given, "We could not verify other sources."

- It is important to do the necessary research, learn as much as you can about any topic, and take care of the different sources and points of view.
- It is important to try to be at the event and get information from the scene. If this is not possible, it is important to talk to eyewitnesses and not just rely on one, taking into account the witness's relationship to the event and how close they were to it to avoid confusion, false statements, and the witness's error or personal perception.
- It is necessary to first rely on the media outlet own resources to obtain information. If this is not possible, the information needs to be checked against reliable sources, preferably the ones that have been tested for credibility.
- If the source of the information is an external party and it is not possible to self-provide it, then there should be a written justification for its broadcast or publication.
- When a source reports serious allegations and prefers not to reveal their identity for security or other reasons, all appropriate steps must be taken to protect them and not reveal their identity. In this case, it is preferable not to describe the source as anonymous because it must be known to the producer of the media material for the news to have credibility by the public. In this case, and to protect the source, it is best that only the person in charge of making the news and the editor-in-chief know who they really are.
- A scoop should not be sought at the expense of the accuracy and credibility of the news. In this case, it is preferable to wait to broadcast or publish any news until its sources are confirmed.
- It is best to record interviews and statements to make sure that the information is accurate and to protect the media person and his/her media outlet. However, the source should be told that the interview or statement will be recorded so that no laws are broken.
- Old statements and sayings should not be brought up in the news, articles, or promotions as if they have been made recently. If they need to be brought up, they should be accompanied by a date.

Accuracy in the use of press editing and audio-visual production techniques requires:

- Avoiding overstatement.
- Avoiding the use of vocabulary that may confuse the recipient, which may lead to a different understanding of the intended meaning.
- Avoid anything that may appear to us or our media outlet as a personal judgement or position.

Also, accuracy in the use of press editing and audio-visual production techniques requires:

- Not distorting what was mentioned or happened during the process of press editing, recorded materials editing, and paragraph selection.
- It is necessary to complete the information and refer to the source, if required, so that it is not incomplete and leads to a different or distorted meaning.

- Not to use any audio or written extract other than the original topic or use it for purposes incompatible with professional integrity.
- Not to use any image outside of its original context and to take into account the dignity and inviolability of people when publishing images of them in cases of accidents and diseases.
- Not intentionally obtaining images of characters from video clips by freezing the frame that shows the character in a state of sleep, yawning, agitation, or any situation that does not show the truth, and with the intention of showing the character in a disgraceful way.
- No digital manipulation of photographs, videos, or documents is allowed.
- Not linking part of an interview video to another part and including a cutaway of the movement of the hands or any other shot, so that another meaning of the statement is understood. It is preferable to replace the shot of the movement of the hands, for example, with a flash shot to show that there is a timelapse between the two parts that have been linked.
- In the event that photos from the archive are used, this must be indicated, and if the archive photos were not taken by the media outlet itself, the source of these photos must be indicated in writing.

The spread of false, fake, and misleading news is caused by media professionals failing to comply with the above rules of credibility and accuracy.


3. Impartiality

Total impartiality presupposes dealing with events and treating them from a broad perspective, ensuring an expressive set of viewpoints, giving the event the necessary weight, and supporting it with opinions and arguments. In addition, it presupposes the need of studying any evidence and material facts to ensure their validity. Covering any significant event in a superficial or intentionally understated manner is a violation of impartiality.

To guarantee impartiality, people who work in the media need to exercise caution if they are members of political parties, movements, or activities that could affect their ability to be objective and do their jobs.

In order to achieve impartiality, the breadth and diversity of opinions must be ensured in a way that gives the public the opportunity to know the subject from its various aspects, even if it is necessary to distribute these opinions over a reasonable period of time. The breadth and diversity of opinions are not only between political and cultural groups, but in some cases, they must be a reflection of the differences between urban and rural areas, between the poorest and the richest, between the young and the old, and between women and men, and so on.

The audience has the right to have a voice in the media, but the citizen's opinion—been non-specialised—should not be given more weight than it deserves because his opinion is personal and sharing it with others should be limited. Therefore, it is necessary to adhere to



impartiality in choosing the guests and not to express an opinion with approval or opposition or to value the situation.

Care must be taken in dealing with any data, reports, messages, images, audio, or video recordings for publication issued by official departments and related to important topics in public policy or controversial topics. In this case, it is preferable to discuss it internally to distinguish between what is propaganda and what has news value.

The preparation and presentation of the news material should be done in a way that does not allow the recipient to feel personal bias, especially on issues of public policy, political or economic controversies, or on any topics where opinions differ.

A commitment must also be made to use fair, clear, and accurate language in expressing all topics without exaggeration, making personal judgments or positions, or using misplaced adjectives. Also, the news report should not be confused with a comment, analysis, opinion, or interpretation.

Impartiality also necessitates informing the public if the sources or those featured in the programmes and newscasts are connected, affiliated with a political party, or hold a specific stated point of view.

Dealing with advertisements

Media outlets first and last loyalty should be to their audience, not to advertisement funders. Therefore, media outlets do not engage in any misleading advertising or advertising activities, and advertisements cannot prevent media outlets from revealing any facts related to the advertiser.

There must be a complete separation between advertisement and media material, and the advertisement that companies are trying to edit should not be broadcast as news or as statements. If a brand is photographed, the brand logo must be hidden. If the advertiser wants the advertisement to look like a news story or an article, this must be made clear, such as by putting it in a frame if the publication is in print.

Also, media outlets must separate the advertisement department from the editorial department, and the editorial department should not have any relationship with advertisements.

The spread of misinformation is caused by media professionals failing to comply with the principle of impartiality.

Fake news and information disorder

Fake news is defined as intentional disinformation disseminated through various media outlets in order to harm an organ, an entity, or a person and/or to achieve material or political gain.

Forms of information disorder

Unintentional false information: It is false information, but whoever produces or publishes it believes that it is true, that is, there is no intention to mislead, and the journalist who published it does the correction process.

Misleading information has many types, including:

- **Totally False:** Made-up information that is not true; it is a deliberate lie intended to mislead.
- **Partially false:** Some information is real, and some is fake. For example, when real sources are impersonated or false sources are made up or do not exist; when real information or images are manipulated for the sake of deception, like when images are modified and manipulated for certain purposes or harming the image of other figures or entities.
- **Fraudulent:** Some of the information is true, but other true information has been hidden. As a result, the idea is changed, or the information is mixed up with opinion, comment, analysis, adding attributes, using misplaced quotes, or cutting and cropping.

Disinformation is usually used to harm a person, organisation, or country, and thus, it is a form of incitement to hatred.

4. Independence

In order to gain the public trust and support, we must adhere to the independence of the media treatment that needs to be isolated from any external influences, avoids arguments and conflicts of whatever nature, and accepts not any external interference, whatever it may be, to affect the media content.

Independence also implies that the producers of media materials in media outlets (whether public or independent) are not affiliated with any political parties or organisations, are not participants in their activities, are not spokesmen for them, and are not engaged in any kind of propaganda for their benefit on any means of communication. Independence cannot be achieved without adhering to the principle of impartiality.

5. Right to respond and correct

Impartiality requires the presence of the party accused of misconduct, negligence, or both in the same media material to ensure the right to respond to any accusation. If the media material includes an accusation against a person or institution for misconduct, negligence, or delinquency affecting their reputation, the person or institution has the right to respond to the accusation and broadcast or publish this response in the same media outlet and in the same manner. Mistakes that were accidentally broadcast or published in the media must be fixed, and the correction must be broadcast or published in the same way as the mistake, along with an apology to the public for the mistake.

6. Respect for privacy

Privacy must be respected and not violated without good reason. Behaviour, information, and private letters are private and should not be shared or talked about unless it is in the public interest to do so.

It should be prohibited from broadcasting or publishing people's private secrets or photographing them in private places without their consent, and it should be recognised that ordinary people have privacy rights that must be balanced with the public interest in reporting information about them.

A distinction must be made between public figures and ordinary people. Public figures who seek power, influence, or fame enjoy less privacy.

Nature of places:

When dealing with private life in the media, the nature of the filming location must be taken into account in comparison with the nature of the information.

In private places:

Such as homes, offices, farms, and private clubs. Laws should be followed, and none of these places should be entered without the owner's permission.

In semi-public places:

In places like shops, cafes, hotels, and clinics, filming is subject to the following rules:


- The owner of the place has the right to refuse filming in their place, and this must be respected.
- If approval is obtained, the on-site filming is subject to the necessity of:
 - Notifying those present at the place of the intention to film.
 - Not to focus the shot on a single person without his consent. If the person concerned requests that filming stop, the request must be respected.

In public places:

In places like the streets, public transport stations, and stadiums, filming is subject to the following rules:

- It is not necessary to obtain explicit consent from individuals who are filmed as part of a public scene, such as celebrations and demonstrations in the street.
- Not focusing the shot on one person.
- Some public places require filming approvals, such as airports and stadiums.
- When a camera is pointed at a single person in a public place, written permission must be given for the footage to be used in media.

The right to preserve private life automatically dined if the individual's behaviour is criminal, dangerous, or harmful to the public interest, and therefore private behaviour, information,



correspondence, and personal conversations cannot be exposed to the media and presented to the public if there is no reason why the public has the right to know, such as:

- Uncovering a crime.
- Exposing a behaviour that is detrimental to the national and public interest.
- Exposing corruption or injustice.
- Exposing the great incompetence or inefficiency of public figures or negligence in the administration.
- Protection of people, public health and safety.

Participation in raids and searches

It is not necessary to take part in raids and searches when accompanying security officials on sudden raids and searches in order to broadcast or publish about them, unless there is a real need to write about them and after considering any legal issues, especially those related to invading people's privacy and stepping on their property.

When participating in such operations, the following procedures must be followed:

- The targets of the raid or search must understand what the media professional is doing and which media outlet is.
- For filming, the owner of the place or shop must give permission, and if they refuse, their decision must be respected.
- If the owner of the place asks the media team to leave, his request must be respected as well, but the request can be ignored if it is proven that the target of the search operation is actually involved in an act that violates the law and harms the public interest.
- If the innocence of the person who was raided during the operation is proven, it must either obtain his permission to broadcast or publish the material or not exploit it, in order to avoid harming his reputation or business.
- If the person who was the target of the raid was innocent, even if it looked like he was guilty during the raid, maybe because there was a plot against him or the case was made up, an apology must be made, and it is best not to publish anything without permission from the judicial authorities.

Covertly practicing journalism in investigative reporting

Only in certain cases is it justified for the media person to practise his work secretly and under the cover of pseudonyms, or through hidden cameras and microphones, or by not disclosing the real reasons for media coverage, or by penetrating a medium to elicit information. These methods should be the exception and not the rule, as the investigative reporter uses them for the following reasons:

- When the information requested is of great importance to the public interest, such as when a crime, corruption, or human rights violation must be exposed.

- When it is not possible to obtain information or ascertain its credibility in the usual ways, the interest of the community is greater than the discomfort that individuals may feel when using these means to obtain information from them.

Filming with a hidden camera is only done when it is impossible to shoot by ordinary methods, and the audience must be informed of the means employed to obtain information.

7. Respect for professional secrecy.

Professional secrecy is a right and an obligation at the same time. The professional secrecy with regard to the source of information that is requested not to be disclosed is a protection for both the media person and his/her sources of information.

8. Commitment to integrity.

Refraining from accepting personal benefits, whether in cash or in the form of services, from any external party, whether persons, institutions, parties, or others who have a media interest. Bribery is not accepted, whether for publication or for concealment of information.

Plagiarism must always be avoided, and the sources from which the information came must always be cited.

9. Observing public morals and refraining from defamation, insult and slander

Refraining from publishing or broadcasting any information or programmes that offend public morals or indecency, contain defamation, insult, or slander, or offend the public feelings is considered a serious professional violation. In all cases, a balance must be struck between the need to inform the public of the truth and the preservation of society values.

Refraining from broadcasting or publishing any information that would degrade the human being, attack his dignity, or offend his dignity and reputation, such as any offensive or indecent comments or use of obscene words.

Insult and defamation: According to the Libyan Penal Code, insult is "violating the honour or reputation of a person in his presence," while defamation is "harming the reputation of another by defamation in the presence of several persons."

People are called words like animal, monkey, agent, terrorist, traitor, mercenary, treacherous, thief, corrupt, bribe, criminal, etc., in the insult and defamation section.

Slander: According to the Libyan law, it is the accusation of adultery or the denial of parentage.

False accusation:

10. Refraining from inciting war, advocating discrimination and hatred speech

Not to broadcast or publish media materials that contribute to the promotion of violence, war, hatred and encourage crime.

Any direct or indirect advocacy for the audience to engage in violence against individuals or groups based on one of the grounds of discrimination, as well as calls for hatred based on race, gender, language, religion, nationality, social origin, political beliefs, and other beliefs, is considered incitement to violence, which is illegal and causes harm to those who are discriminated against. All of these calls are considered crimes, some of which are considered war crimes.

Hatred forms in media:

The meanings of hatred can be summed up as any printed, audible, or visual speech aimed at symbolic killing and exclusion of the other, like insult, defamation, slander, stigmatisation, and discrimination, in addition to the ugliest manifestation of hatred, which is the call to violence and murder.

Incitement to murder: All of the phrases, sentences, words, pictures, and drawings that comprise an inciting speech that, whether explicitly or implicitly, threatens the life of the target. A speech that justifies or encourages the public to commit the crime of murder.

Takfir (excommunication from Islam): All of the phrases, sentences, words, pictures, and drawings that expel someone from Islam or tacitly or expressly impute them as infidels.

Advocating violence and war: Any phrase, sentence, word, picture, or drawing that is used to build an inciting speech, either explicitly or implicitly. The one that justifies or encourages the audience to act violently, wage war, or take part in it.

False or misleading information: All phrases, sentences, words, pictures, and drawings that contain false, inaccurate, or incomplete information about persons or institutions and on which an inciting speech that threatens their security and safety can be based.

11. Protection of children and vulnerable groups

We must pay special attention to the privacy of persons under the age of sixteen and non-conscious persons, especially if getting to know them may put them at risk.

If the privacy of children or other non-conscious persons is to appear in a program, their consent (if possible), as well as the prior written consent of a parent, legal guardian, or person responsible for them, must be obtained.

Filming when it comes to children and vulnerable groups is subject to the following rules:

- It is not permissible to film children, even on the street, without the written consent of the guardian.
- If the subject of the filming is a degrading situation (poverty, homelessness, or beggary), the child's features must not be shown.
- Not to post images of children in the media or on social media that violates their privacy or affect their best interests.
- When dealing with children's issues, exercise caution and avoid showing child victims, which exposes them to psychological harm and social stigma.

- Avoid mentioning names when minors are victims, witnesses, or accused in criminal cases.
- Not to film mentally disabled people. Do not post their images and commit to hide their features when posting is necessary.
- Unless it is necessary, make sure that the families of the victims do not find out about the death, injury, or arrest of a family member from media reports or broadcasts, as much as possible.
- Exercise caution when filming inside prisons and talking to prisoners because they are deprived of their freedom and may be subjected to psychological or physical pressure. In this case, it is preferable:
 - To consult with legal professionals and psychologists.
 - To talk to the prisoner in private to obtain his consent before recording with him and to make sure that he is not being subjected to any kind of pressure to appear in front of the camera and make statements.
 - If the prisoners are involved in moral or heinous crimes, you must also, after informing them, consult with their families so that they do not suffer material or moral harm.
 - To avoid discussing issues relating to the prisoner's innocence.
 - When taking public photos from inside the prison, and in normal circumstances, the desire of any prisoner not to appear on the screen or cover his face must be respected.

12. Do-no-harm principle

This principle implies that full disclosure should be avoided if there are negative consequences for any of the parties or if it may cause unrest and disturbances.


The editorial values of the "do-no-harm" principle recommend the following:

- Showing sympathy for those who may be negatively affected by news coverage.
- The use of special sensitivity when dealing with children and people with weak perception.
- The use of special sensitivity when displaying interviews or photos of those affected by a tragedy.
- Exercise caution when identifying victims of criminal offenses, especially sexual ones.
- Exercise prudence when naming criminal suspects before they are formally charged.
- Balance between the right of the criminal accused to a fair trial and the audience's right to obtain information.

13. Coverage of elections and opinion polls

We must fully uphold to the principles of impartiality, balance, and integrity, whether during election campaign coverage, voting day, or the announcement of results.

Media workers who are assigned to cover the elections must also be fully informed of the electoral laws, study the relevant chapters of the constitution, and be aware of the most



important participating political parties, their agendas, their most important individuals, and any alliances or divisions within them.

Our media outlets should develop a code of conduct for covering any elections and how to broadcast or publish the results of opinion polls.

Integrity in election coverage

Conditions that must be met by the male/female media worker assigned to cover the elections:

- Not to express any political positions or personal opinions that could affect the audience or deviate it from its impartiality, thus affecting his/her credibility and the credibility of the media outlet to which they belong.
- To adhere to professional standards in the face of any internal or external pressures, and they must inform their subordinates of any attempts by the electoral parties to tempt them or influence their work.
- It is strictly forbidden for any media worker in a public media outlet to participate in any electoral campaign or activity of any kind to serve any party or political movement, especially during electoral campaigns, even if they are not a member of.

Fairness and balance in election coverage

Fairness is achieved by dealing on an equal basis with all candidates in the context of complete impartiality and transparency. Balance is reached by showing different points of view and making sure that all parties and actors get the same amount of coverage in the media.

Impartiality in election coverage on election day

On the day of the elections, news coverage is limited to undisputed topics such as voters heading to the polls and the appearance of politicians at the polling stations. However, any topics that were the subject of discussion or confrontation between the parties during the electoral campaign should be completely avoided and not returned to for any reason. Even if there are events or statements about such topics on the election day, they should be completely ignored so as not to accuse the media outlet of trying to influence the voter's decision until the ballot boxes are closed.

Sponsored advertisements

Election advertisements are published in a conspicuous manner in accordance with the rules regulating them. It must be clear to the audience that they are sponsored advertisements and not editorial material.

Opinion polls

The results of opinion polls may be useful in knowing the electoral intentions of the audience, but caution must be exercised in using them as reliable material, so it must:

- The result of the opinion poll should not be the first news item in the bulletin or on the first page.
- Not to be included in the headlines.
- Clarify that poll results are not proof but rather a general conclusion about voters' choices, so it is important to avoid any language that gives poll results more weight than they deserve. It must be said that opinion polls "indicate," not "affirm" or "confirm."
- Avoid conveying the interpretations and analyses of the party that conducted the referendum on the results obtained, so that these results do not appear as if they are true.
- The media outlet that conducted the poll, its affiliation, its orientation, for whom and on what date, and whether it was conducted by phone, online, or directly with voters must all be mentioned.
- The number of the poll sample, the extent to which it represents the electorate, and the possible error rate in the poll results should also be mentioned and compared with the results of other polls on the same subject, if any.
- No poll results conducted on election day may be broadcast or published before voting centres close.

14. Using social media

Media professionals use social media for a variety of reasons, such as getting information, keeping up with public opinion trends, and getting photos and videos made by other people.

It is best to keep our personal and professional use of social media separate, since we have to follow the Media Professional Code of Conduct in both cases.

We must avoid disclosing the professional internal secrets of our media outlets and adhere to the special principles enshrined in the editorial charters of the outlets in which we operate.

We also refrain from publishing expressions that would prejudice our legal standing, the reputation of our media outlets, and the honour of the profession, especially hate speech and fake news.

Hate speech as defined by Facebook

Facebook defines hate speech as a direct attack on people based on so-called protected attributes (race, ethnicity, national origin, religious affiliation, social class, sex, gender, serious illnesses or disabilities, and other protected traits). Facebook does not allow this speech to be posted.

This kind of speech includes:

- Any speech that includes or supports violence in printed, audio, or visual form.
- Any speech that ridicules an idea, an event, or the victims of hate crimes.
- First-level derogatory speech, such as referring to, accusing, or comparing:

- Perpetrators of crimes, including but not limited to "robbery," "armed robbery," "adultery," "bribery," "rape," "physical assault," "violence," or "terrorism."
- Insects.
- Animals that are considered inferior in the prevailing culture, intellectually or physically.
- Dirt, bacteria, disease and feces.
- Nonhumans.
- Second-level derogatory speech, such as the use of derogatory phrases or images that indicate the person or group's physical, mental, or moral shortcomings, according to the following definitions:
 - Physical shortcomings such as, but not limited to, "disfigured," "retard," "ugly," "awful," "lamer," etc.
 - Mental shortcomings such as, but not limited to, "mentally retarded," "defective," "unintelligent," "stupid," "idiot," etc.
 - Moral shortcomings such as, but not limited to, "crook," "cheap," "nosy," "liar," etc.
- Third-level derogatory speech such as:
 - Hate expressions or their visual equivalent, including but not limited to, "I hate," "I don't like," "So-and-so is the worst," etc.
 - Expressions of disgust or their visual equivalent, including but not limited to, "loathsome," "vile," "disgusting," etc.

15. Coverage of terrorism-related events

We must take every precaution while covering terrorism-related events and follow the following recommendations:

- Not to enter closed security areas during the confrontations and after the end of the operation, except with the permission of the security forces.
- Work not to provoke the security forces and not to engage in heated debates with them during the execution of their duties unless it is necessary.
- When covering live, we avoid focusing on victims, hostages, or security forces. These shots may help terrorists reveal security plans and provoke the security authorities.
- Not to broadcast and promote shocking images, as this is contrary to human dignity and professional ethics and is punishable by law.
- Avoid talking to the terrorists' families or people who support them, because that could give them a chance to use the media to spread their messages and change public opinion.
- Working on diversifying the sources, verifying their credibility, avoiding incitement and promoting terrorism and rumours, and directing public opinion.
- Commitment to reveal the truth without compromising the lives of individuals, whether they are hostages, security forces, soldiers, or eyewitnesses.

16. Safe work in dangerous areas

Our work in conflict, war, and natural disaster zones necessitates a set of rules and conditions that must be met before going to the field. The first thing we must remember is that no one piece of news, photo, or video, no matter how significant, can match our lives. We are first and foremost responsible for our own safety.

We are also committed to wearing the "press" badge when we cover the news, unless we are the ones being attacked, in which case we can choose whether or not to wear the badge.

In armed combat, the reporter is obliged to wear a bulletproof vest and helmet and avoids wearing clothes that resemble military or sectarian uniforms or bear symbols that might provoke some parties. Also, the reporter cannot carry, use, or take a picture of a weapon in a combat position, like sitting on a machine gun seat in a car—even if the person sitting there is not shooting.

17. General guidelines

- We have the right to refuse to do work that does not follow the ethical rules set out in this Code, as long as we can explain why we are not doing it and our refusal does not lead to a penalty, damage, or getting out of doing the work.
- This Code is the decisive factor in professionalism since it is used to determine who is responsible for professional violations. Penalties may be imposed by law for failing to comply with its rules.
- We must update the Code of Conduct and add any new rules according to what comes in our way of doing our work.
- We must not compromise our adherence to these principles no matter how criticised we are by any outside parties.

Conclusion

This Code reflects the value of the media as the country's fourth estate, and all media outlets must follow it.

Tables and figures

First: Tables

Table No.	Title	Page
1	Media monitoring trends	8
2	Professional violations according to Libyan legislations	9
3	Professional violations according to international conventions	18
4	General categorisation of professional violations	19
5	Journalistic forms containing professional violations	22
6	The category of the party targeted by the violation	23
7	Category of the party producing the professional violations	24
8	Gender of the party committing professional violations	25
9	General monitoring questionnaire	26

Second: Figures

Figure No.	Title	Page
1	Categories of analysis related to media content monitoring	7
2	Professional violations in media outlets	20
3	Analysing the professional violations in media content	22
4	Journalistic forms category	23
5	The category of the party targeted by the violation	24
6	Category of professional violations producers	25
7	Number of Libyan media outlets by type and geographical distribution in 2018	27
8	Number of Libyan media outlets by type in 2019	28
9	The number of Libyan media outlets by type and geographical distribution in 2019	28
10	Cities of the Code Signatories	33

References

1) Scientific references

1. د. محمد علي الأصفر، الفضائيات الليبية ودورها في الصراع السياسي والعسكري، الجزيرة. نت. قطر.
(Mohammed Ali Al-Asfar, The Libyan Satellite Channels and their Role in the Political and Military Conflict. Aljazeera.net, Qatar.)
<https://studies.aljazeera.net/ar/mediastudies/2015/02/201528113223744200.html#:~:text=%D9%8A%D8%B1%D9%89%20%D8%A3%D9%83%D8%AB%D8%B1%20%D9%85%D9%86%20%D9%86%D8%B5%D9%81%20%D8%A3%D9%81%D8%B1%D8%A7%D8%AF,%D9%85%D8%AD%D9%84%D9%8A%D8%8C%20%D9%88%D9%87%D8%B0%D8%A7%20%D9%8A%D8%AF%D8%AE%D9%84%20%D8%B6%D9%85%D9%86%20%D8%A7%D8%AE%D8%AA%D8%B5%D8%A7%D8%B5%D9%87%D8%A7>
2. 2022. مقترح قانون تنظيم الإعلام في ليبيا، المنظمة الليبية للإعلام المستقل،
(Suggested Law for Regulating Media in Libya, Libyan Organisation for Independent Media, 2022.)
lofim.org.ly مقترح قانون تنظيم الإعلام في ليبيا - المنظمة الليبية للإعلام المستقل
3. رصد خطاب الحقد والكراهية في الصحافة المكتوبة، التقرير الثاني ، أكتوبر 2015
(Monitoring Hate Speech and Rancour in Printed Media, Second Report. Oct. 2015)
4. تقارير الرصد في النقابة الوطنية للصحفيين التونسيين
(Monitoring Reports of the National Syndicate of Tunisian Journalists.)
<https://snjt-obs.org/%d9%85%d9%86%d9%87%d8%ac%d9%8a%d8%a9-%d8%a7%d9%84%d8%b1%d8%b5%d8%af/>
5. الرصد الإعلامي ، شبكة المعرفة الانتخابية
(Media Monitoring, Electoral Knowledge Network)
https://aceproject.org/ace-ar/topics/me/mee/default/mobile_browsing/onePag
6. الدليل التدريبي “التحقق من المعلومات في الإعلام الرقمي وكشف خطاب الكراهية والتضليل”
(Training Guide “Verification of Information in Digital Media and debunking Hate Speech and Disinformation.”)
<https://lofim.org.ly/%d8%a7%d9%84%d8%af%d9%84%d9%8a%d9%84>
7. Camden Principles _ <https://www.article19.org/wp-content/uploads/2009/04/Camden-Principles-ARABIC-web.pdf>
8. The Rabat Plan of Action_2012
https://www.ohchr.org/sites/default/files/Documents/Issues/Opinion/SeminarRabat/Rabat_draft_outcome.pdf
9. د. كارولا ريختر الاستاذة في جامعة ألمانية ود. آنيا وولنبرج والمنشورة في يناير 2020
(Carola Richter Phd., professor at a German university, and Anja Wallenberg Phd., published in January 2020)
ANJA WOLLENBERG and CAROLA RICHTER , Political Parallelism in Transitional Media Systems: The Case of Libya, Jan 2020, International Journal of Communication 14(2020), 1173–1193

10. دليل رصد الإعلام لبعثات مراقبة الانتخابات، من منشورات مكتب المؤسسات الديمقراطية وحقوق الإنسان لمنظمة الأمن والتعاون في أوروبا، 2012

(Media Monitoring Guide for Election Observation Missions, a publication of the OSCE Office for Democratic Institutions and Human Rights, 2012)

<https://www.osce.org/files/f/documents/c/7/98638.pdf>

11. MEDIA MONITORING TO PROMOTE DEMOCRATIC ELECTIONS, National Democratic Institute for International Affairs (NDI) 2002.

https://www.ndi.org/sites/default/files/Media%20Monitoring%20To%20Promote%20Democratic%20Elections_EN.pdf

2) Local Legal References (Libya)

- The following articles of the Penal Code issued on November 28, 1953: Article (438), Article (16), Article (217), Article (430), Article (185), Article (188), Article (236), Article (244), Article (284), Article (318), Article (421), Article (439), Article (440), Article (500), Article (203), Article 244, Article (262), Article (285), Article (286), Article (290), Article (317), Article (430), and Article (501).
- Code of Criminal Procedure promulgated in November 1953.
- Publications Law No. 76 of 1972.
- Law No. 29 of 2012 on Regulating Political Parties.
- Law No. 30 of 2012 on the Regulation of Political Entities.
- Law No. 52 of 1974 on the Offense of Slander.
- Law No. 8 of 2002 on the Protection of Society from Phenomena Prohibited by the Holy Qur'an.
- Law No. 9 of 1968 on Copyright Protection.
- Constitutional Appeal No. 1 for the Judicial Year 57.
- Resolution No. 148 of 2021 of the Prime Minister of the Government of National Unity on the Establishment of the Media Reform and Development Committee in Libya.
- The Council of Ministers Resolution No. 752 of 2021 on the Establishment of the General Authority for Monitoring Media Content (GAMMC).
- The General Authority for Monitoring Media Content (GAMMC) Resolution No. 4 of 2022.

3) International Conventions

- The International Covenant on Civil and Political Rights (ICCPR), December 16, 1966.
- The International Convention on the Elimination of All Forms of Racism and Discrimination (ICERD), December 21, 1965.
- Convention on the Rights of the Child, 1989.
- 1983 UNESCO Consultative Meeting.