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Militias, armed groups and security forces continued to arbitrarily detain thousands of people. Scores of protesters, lawyers, journalists, critics and activists were rounded up and subjected to torture and other ill-treatment, enforced disappearances and forced “confessions” on camera. Militias and armed groups used unlawful force to repress peaceful protests across the country. Dozens of people were arrested, prosecuted and/or sentenced to lengthy imprisonment or death for their religious beliefs; for their actual or perceived gender identity and/or sexual orientation; or for their LGBTI activism. Authorities, militias and armed groups imposed severe restrictions on civic space and humanitarian access to affected communities, and engaged in smear campaigns against international and Libyan rights groups. Militias and armed groups killed and wounded civilians and destroyed civilian property during sporadic, localized clashes. Impunity remained widespread, and authorities funded abusive militias and armed groups. Women and girls faced entrenched discrimination and violence. Ethnic minorities and internally displaced people faced barriers in accessing education and healthcare. EU-backed Libyan coastguards and the Stability Support Authority militia intercepted thousands of refugees and migrants at sea and forcibly returned them to detention in Libya. Detained migrants and refugees were subjected to torture, unlawful killings, sexual violence and forced labour.

Background

Libya’s political impasse deepened, with no new dates set for parliamentary and presidential elections initially scheduled for December 2021. In March, parliament unilaterally voted to amend the Constitutional Declaration and appointed a new government, the Government of National Stability (GNS), with the backing of the Libyan Arab Armed Forces (LAAF), an armed group in control of much of eastern and southern Libya. Other political and military actors rejected the move citing procedural irregularities, and continued to back the Government of National Unity (GNU), which retained control of the capital Tripoli, despite attempts by militias aligned with the GNS to drive it out.

In June and July, the LAAF imposed an oil blockade, leading to electricity shortages and popular protests. They only lifted it after reaching a deal with the GNU to replace the head of the National Oil Corporation.

Failure to adopt a national budget and unify financial institutions led to delayed wages for public sector employees and disruptions to government services.

In September, the Libyan Audit Bureau released a report revealing widespread corruption and mismanagement of billions of Libyan dinars across government institutions in 2021.

Arbitrary detention, unlawful deprivation of liberty and unfair trials

Militias, armed groups and security forces continued to arbitrarily detain thousands of people; some had been held for over 11 years without charge or trial. However, throughout the year, the GNU and LAAF announced the release of scores of conflict-related detainees and others held for political reasons.

Dozens of people were arbitrarily arrested for their actual or perceived political or tribal affiliation or criticism of powerful militias or armed groups, and subjected to enforced disappearance or held incommunicado for up to 11 months. Some were held as hostages to extort ransoms.

In May, Stability Support Authority (SSA) militiamen abducted Ahmed Al-Daykh, a staff member of the Libyan Audit Bureau, from in front of his workplace after he raised concerns over domestic corruption. They subjected him to enforced disappearance for eight days, before releasing him without charge.

Civilians and individuals accused of human rights violations were tried by military courts in grossly unfair proceedings. In June, the Tripoli Court of Appeals referred 82 defendants accused of involvement in the Abu Salim prison killings in 1996 to the military judiciary, on the grounds that the crime took place at a military location and the accused were members of the armed forces. Many of the defendants had been tortured or otherwise ill-treated after their arrest following the fall of Mu'ammar al-Gaddafi's government in 2011, and their torture-tainted "confessions" were used in proceedings against them.

Militias and armed groups abducted and intimidated lawyers, prosecutors and judges.

Lawyers representing civilians on trial by military courts in eastern Libya reported harassment and intimidation by military judges and prosecutors. In Benghazi, the Internal Security Agency (ISA)-Benghazi, an armed group, arrested lawyer Adnan al-Arafi in May and detained him for 13 days, after he filed a complaint against a military judge.

Criminal trials were held inside the Mitiga base in Tripoli, controlled by the Deterrence Apparatus for Combating Organized Crime and Terrorism (DACOT) militia, amid lawyers' and judges' fears of reprisals for raising or investigating claims of arbitrary detention, torture and other ill-treatment by DACOT militiamen.

Torture and other ill-treatment

Militias and armed groups systematically tortured and otherwise ill-treated detainees with impunity. Beatings, electric shocks, mock executions, flogging, waterboarding, suspension in contorted positions and sexual violence were reported by relatives and prisoners held by the DACOT, SSA and ISA in Tripoli; by the Joint Operations Force (JOF) in Misrata; and by armed groups, including the ISA, Tariq Ben Zeyad (TBZ) and the 128th brigade in eastern Libya.

Detainees were held in cruel and inhuman conditions, characterized by overcrowding, denial of healthcare and lack of hygiene, exercise and sufficient food.

Dozens died in custody across Libya amid reports of torture, denial of medical care and malnutrition.

Militias and armed groups largely ignored a decree passed by the Ministry of Interior in May banning the publication of “confessions” by detainees on social media.

Libyan legislation retained corporal punishments, including flogging and amputation.

Freedom of association

Militias and armed groups abducted dozens of civil society workers and activists, amid a defamation campaign by GNU ministries and affiliated militias against Libyan and international human rights groups that accused them of spreading atheism and homosexuality and attacking Libyan “values”. International and Libyan humanitarian actors reported increasingly severe restrictions, including denial of access to detention facilities and communities in need, arrests, summoning for questioning and other forms of harassment.

In July, a Benghazi court ruled to temporarily suspend Decree No. 286/2019 on regulating NGOs, but NGOs across Libya remained severely restricted in their activities and funding.

Freedom of expression and assembly

Throughout the year, militias and armed groups abducted, arbitrarily detained and/or threatened dozens of activists, journalists and others for exercising their rights to freedom of expression and peaceful assembly.

Between February and March, at least seven men were arrested solely for peacefully expressing their views and/or for their affiliation to the civil society group Tanweer. Judicial authorities accepted as evidence their videoed torture-tainted “confessions”, extracted while they were detained by the ISA in Tripoli without access to lawyers. Six were convicted of “insulting and offending the Islamic religion” and the “misuse of internet networks” and sentenced to between one and 10 years in prison, following unfair trials.

Between May and August in the cities of Sebha, Sirte, Benghazi, Misrata, Bayda and Tripoli, militias and armed groups used unlawful force, including lethal force, to disperse people participating in generally peaceful protests against their grip on power and the deteriorating economic situation. At least two men were killed and scores more were injured. Armed actors also arbitrarily detained activists for up to 14 weeks in Misrata and Benghazi for supporting calls for protests on their social media platforms, as well as journalists in relation to their coverage of protests.

In March in Sirte, ISA-Sirte abducted journalist Ali al-Refawi for covering protests in Sirte and handed him to the TBZ, which detained him until July without charge or trial.

Unlawful attacks

While the national ceasefire in place since October 2020 generally held, militias and armed groups violated international humanitarian law during sporadic, localized armed clashes, including by carrying out indiscriminate attacks and destroying civilian infrastructure and private property.

In August, clashes between militias in densely populated Tripoli neighbourhoods left 32 people dead, including three children and other civilians, and led to damage of scores of civilian homes and other property, and at least four medical facilities. In September, a child and at least six others, mostly civilians, were killed during clashes between rival militias in the city of al-Zawya.

Several countries, including Russia, Türkiye and the United Arab Emirates, violated the UN arms embargo, established since 2011, by retaining foreign fighters and military equipment in Libya.

At least 39 people across the country died as a result of landmines and unexploded ordnance being detonated.

Impunity

Officials and members of militias and armed groups responsible for crimes under international law enjoyed near total impunity. Authorities continued to fund abusive armed groups and militias, integrating their members into state institutions without vetting. In November, the GNU appointed Emad Trabulsi, commander of the Public Security Agency militia, as acting minister of interior, despite his militia's well-documented involvement in crimes against migrants and refugees.

Libyan authorities took no steps to hold JOF militiamen accountable for the extrajudicial execution of 27-year-old Altayeb Elsharari in March, and continued to provide state funding to the militia.

Throughout the year, mass graves were discovered in the cities of Tarhouna and Sirte, believed to contain the remains of individuals killed by al-Kaniyat and Islamic State armed groups, respectively. Ongoing investigations into unlawful killings carried out by al-Kaniyat while they controlled Tarhouna until June 2020 were marred by concerns over their independence, effectiveness and transparency, and the absence of prosecutions in fair trials in front of regular courts of those against whom there is sufficient admissible evidence of involvement in crimes.

In July, the UN Human Rights Council extended the mandate of the Fact-Finding Mission to investigate crimes under international law committed in Libya since 2016 for a final, non-extendable period of nine months.

Sexual and gender-based violence

Authorities failed to protect women, girls and LGBTI individuals from killings, torture and unlawful deprivation of liberty by militias, armed groups and other non-state actors. Women and girls faced barriers to seeking justice for rape and other sexual violence, including the risk of prosecution for engaging in sexual relations outside marriage, criminalized in Libya, and reprisals by perpetrators if their victims lodged complaints.

In September, 32-year-old Kholoud al-Ragbani was killed after asking for a divorce. The authorities failed to investigate her murder or ensure accountability.

Discrimination

Ethnic minorities and Indigenous peoples

Some Tabu and Tuareg, especially those without national identity cards owing to discriminatory laws and regulations governing Libyan citizenship, faced discrimination in southern Libya in accessing essential services, including healthcare and education. Some remained stateless due to the refusal of Libyan authorities to recognize their Libyan nationality.

Women and LGBTI people

In October, the GNU issued Decree No. 902/2022 granting children born to Libyan mothers and non-Libyan fathers access to public education and healthcare, without guaranteeing their right to nationality on a par with children born to Libyan fathers and non-Libyan mothers.

Between February and May, police and DACOT militia fighters arrested at least 26 people for cross-dressing in Tripoli, Misrata and Zliten. Most were released without charge.

Internally displaced people

Over 143,000 people remained internally displaced, some for over 10 years. Thousands of families from Benghazi, Derna and other parts of eastern Libya were unable to return home due to fear of reprisals by LAAF-affiliated armed groups and destruction of their property. They continued to face delays or denials, or had to go through complex bureaucratic procedures, or rely on personal connections to obtain official documents vital to access education and health services, or collect state wages and pensions. Hundreds were left to fend for themselves in poorly equipped rented shelters in Tripoli and Misrata.

Thousands of residents of Tawergha city, forcibly displaced since 2011, were unable to return to their homes due to lack of essential services. Those who returned reported lack of adequate housing, electricity, clean water or compensation for property looted or destroyed by Misrata-based militias.

In May, SSA militiamen ordered Tawergha residents of al-Fallah, the only remaining camp for internally displaced Tawerghans in Tripoli, to leave or face forced eviction.

Refugees' and migrants' rights

Refugees and migrants were subjected to widespread and systematic human rights violations and abuses at the hands of state officials, militias and armed groups with impunity. Scores of migrants and refugees died at sea in Libyan waters or on Libyan soil on their journeys towards Europe.

EU-backed Libyan coastguards and the SSA militia endangered the lives of refugees and migrants crossing the Mediterranean by shooting or otherwise deliberately damaging their boats, leading to loss of life (see Italy entry). On 18 February, SSA militiamen were responsible for the death of one man and the injury of others during the interception of a boat carrying migrants and refugees across the Mediterranean.

At least 19,308 refugees and migrants were intercepted and forcibly returned to Libya, where thousands were detained indefinitely in harsh conditions in facilities run by the Directorate for Combating Illegal Migration (DCIM) and by the SSA and other militias. The UN Support Mission in Libya, UN agencies, and humanitarian and human rights organizations were denied access or only allowed to deliver aid and provide services but not to speak to detainees in private. Thousands of other refugees and migrants were forcibly disappeared or went missing following disembarkation.

SSA militia arbitrarily detained thousands of migrants and refugees in al-Mayah detention centre and subjected them to beatings, forced labour, rape and other sexual violence, including forced prostitution.

The DCIM continued to detain at least 4,001 migrants and refugees as of 27 November. They were held in inhuman conditions, amid rampant torture and other ill-treatment, extortion of ransoms to secure their freedom, and denial of adequate medical care. DCIM officials told Amnesty International during a meeting in Tripoli in February about DCIM's closure of all but four detention centres in Tripoli, but the closed detention centres remained operational and run directly by militias, including the notorious al-Mabani detention centre controlled by the Public Security Agency militia.

Armed groups under the command of the LAAF expelled thousands of migrants and refugees towards Egypt, Sudan, Chad and Niger without due process, and forced them to board trucks without sufficient food or water.

Out of 43,000 refugees and asylum seekers registered with UNHCR, the UN refugee agency, 693 were resettled or evacuated outside Libya by 15 October. At least 1,255 migrants were returned to their countries of origin through the International Organization for Migration, amid concerns over the voluntary nature of their decision to return, in accordance with the principle of free and informed consent.

Death penalty

Libyan law retained the death penalty for a wide range of offences not limited to intentional killing. Death sentences continued to be passed, including by military courts in eastern Libya following grossly unfair trials. No executions were carried out.

In September, a court in Misrata sentenced Diaa al-Din Balaaou to death for apostasy.

Failure to tackle climate crisis and environmental degradation

Libya failed to communicate its NDC as a party to the Paris Agreement. Experts assessed the country to be extremely vulnerable to climate change given its limited water resources, arid soil and drought, and poorly prepared to cope with environmental degradation given years of conflict and insecurity.

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