

# 2024 Country Reports on Human Rights Practices: Libya

## EXECUTIVE SUMMARY

The suppression of perceived opposition or dissent increased across Libya during the year. The Tripoli- and Benghazi-based Internal Security Agencies, quasi-independent state security services, arbitrarily arrested and detained numerous activists, journalists, and bloggers with impunity, often in the name of “protecting Libyan values,” thus further restricting the already narrow space for civil society. Women active in civil society or running as candidates for municipal councils faced severe harassment and threats, including online. Multiple UN reports found that refugees, asylum seekers and other migrants faced severe human rights abuses in official and unofficial detention facilities across the country, including those operated by the Government of National Unity’s Department to Combat Illegal Migration, Ministry of Interior Border Guards, and elements of the Libyan National Army.

Significant human rights issues included credible reports of: arbitrary or unlawful killings; disappearances; torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest and detention; serious abuses in a conflict; unlawful recruitment or use of children by armed groups; serious restrictions on freedom of expression and media freedom, including violence against journalists; trafficking in persons, including forced labor; and significant restrictions on workers’ freedom of association.

The Government of National Unity took limited steps to identify and punish officials who committed human rights abuses within areas it controlled, but lack of political will and inability to control significant portions of the country restricted its ability to do so.

Reports of human rights abuses committed by groups aligned with the government, the Libyan National Army, other nonstate actors, and foreign actors, including mercenaries from various countries, were widespread throughout the year. Such abuses included killings, arbitrary detention, and torture.

Section 1.

## Life

### a. Extrajudicial Killings

There were numerous reports that detailed arbitrary or unlawful killings by armed groups aligned with the GNU (Government of National Unity or “the government”), armed groups aligned with the nonstate entity known as the LNA (Libyan National Army), and other nonstate actors including

foreign fighters and mercenaries during the year. Shifting alliances between government officials, nonstate armed actors, and active and former officers in the armed forces participating in extralegal killings made it difficult to ascertain the role of the government in these incidents.

In February, local press reported the killing of at least 10 men in a house in Tripoli’s Abu Salim neighborhood. According to an April report by UNSMIL (United Nations Support Mission in Libya), the killings resulted from a power struggle within the SSA (Stability Support Apparatus), the GNU-aligned armed group that controlled Abu Salim. At least two of the victims were SSA members and the others were their relatives. Following an attorney general investigation, GNU Minister of Interior Emad Trabelsi announced he had ordered the arrest of four alleged perpetrators, one of them a relative of SSA commander Abdulghani “Ghneiwa” al-Kikli.

In April, according to a Human Rights Watch report, political analyst Siraj Dughman died under “dubious circumstances” in the headquarters of the Benghazi-based ISA (Internal Security Agency). Authorities claimed he fell from the fourth floor during an escape attempt, but numerous observers suggested he was killed in detention or committed suicide. The Benghazi-based ISA arrested Dughman, allegedly for plotting to “overthrow the army,” in October 2023, along with former ambassador to Canada Fathi al-Bajaa, politician Tarek al-Bishari, journalist Nasser al-Daessi, and political activist Salem al-Oreibi. Bajaa, Bishari, Eldaessi, and Oreibi were released in August; they were never charged.

## **b. Coercion in Population Control**

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities. The penal code prohibited abortion, even in cases of rape or when the pregnancy posed a risk to the health or life of the mother. Punishment for the patient and provider included imprisonment.

Section 2.

# **Liberty**

## **a. Freedom of the Press**

The 2011 Constitutional Declaration provided for freedom of opinion, expression, and press, but censorship was pervasive by all sides and various armed groups, including those aligned with the government, exerted significant control over media content. Unidentified assailants targeted journalists in reprisal for their reporting.

### **Freedom of Expression**

Freedom of expression was limited in law and practice. The law criminalized acts that “harm the February 17 revolution,” a reference to the start of protests in 2011. The House of Representatives, since its election in 2014, and the government, since taking power in Tripoli in 2021, did little to

reduce restrictions on freedom of expression. The 2022 Anti-Cybercrime Law included broad definitions that human rights defenders warned could enable prosecution of peaceful expression, such as a provision permitting the use of the internet and new technologies only if “public order and morality” were respected. Observers reported individuals censored themselves in everyday speech. Civil society organizations practiced self-censorship because members of armed groups previously threatened or killed activists. Skirmishes in major urban areas deepened the climate of fear and provided cover for armed groups to target vocal opponents with impunity. Freedom House’s February *Freedom in the World* report found activities by nonstate armed actors caused many citizens to “withdraw from public life or avoid criticism of powerful figures.”

In April, local media reported the Benghazi-based ISA arrested Ali Abu Sbeha, head of the Fezzan Tribes and Cities Council and a representative of Seif al-Islam Gaddhafi in the Presidential Council’s national reconciliation conference preparatory committee, near the southern city of Sabha. The nongovernmental organization (NGO) Libya Crimes Watch noted Abu Sbeha was arrested hours after posting a Facebook message calling for presidential elections and supporting Seif al-Islam’s candidacy for president. He was released in July.

In a June report on the use of security and religious discourse to justify repression, regional human rights organization Cairo Institute for Human Rights Studies found that the Tripoli- and Benghazi-based ISAs “escalated [their] crackdown on freedom of expression,” particularly targeting youth who worked on or spoke out regarding the rights of lesbian, gay, and bisexual individuals, as well as ethnic or religious minorities.

The August UNSMIL report to the UN Security Council cited the “continued arbitrary use of laws to curtail the rights to freedom of expression, association, and peaceful assembly,” pointing to the “Government of National Stability’s” May campaign targeting persons involved in “defamation, insults, and slander” under the cybercrime law. UNSMIL reported the Benghazi-based ISA arrested several persons between May 1-3 as part of this campaign. The arrested individuals were later released.

### **Physical Attacks, Imprisonment, and Pressure**

The international NGO Reporters Without Borders reported all sides used threats and violence to intimidate journalists. Harassment, threats, abductions, violence, and killings made it nearly impossible for media to operate in any meaningful capacity in several areas of the country. Freedom House’s annual report on internet freedom found activists and journalists continued to experience physical insecurity, with several individuals kidnapped, arrested, and physically assaulted in retaliation for posting of online content perceived to be critical of the ruling group.

Impunity for attacks on members of media exacerbated the problem, with no monitoring organizations, security forces, or functioning judicial system to constrain or record these attacks.

Many armed groups and security services aligned with the government or the LNA maintained databases of persons being sought for their alleged opposition activities or due to their identity. Some journalists and human rights activists chose to depart the country rather than remain and endure harassment. Armed groups reportedly used social media to monitor and target political opponents, incite violence, and engage in hate speech.

In July, local and international press reported the Tripoli-based ISA detained economic journalist Ahmed Senussi after his media organization published documents purporting to reveal financial corruption by the GNU Ministry of Economy and Trade. During his detention, the Tripoli-based ISA interrogators filmed and posted to social media a reportedly forced confession in which Senussi named his sources. According to the August UNSMIL report, the Tripoli-based ISA subsequently arrested at least two other persons connected to Senussi’s case. The Tripoli-based ISA released

Senussi after three days in detention, following local and international outcry. The other individuals arrested in connection with Senussi's case were also released.

According to UNSMIL, various news publications and television stations published calls to violence, intentionally spread false news, and permitted defamation.

### **Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups**

Journalists practiced self-censorship due to intimidation and the lack of security. The unstable security situation created hostility towards civilians and journalists associated with opposing armed groups or political factions. International news agencies reported difficulties obtaining journalist visas, encountered refusals to issue or recognize press cards, and were barred from reporting freely in certain areas, especially eastern cities. UNSMIL documented restrictions imposed by the Foreign Media Department at the Ministry of Foreign Affairs seriously affecting the operations of journalists in Tripoli. Press freedoms were limited in all forms of media, creating an environment in which virtually no independent media existed.

In September, local media reported the Benghazi-based ISA detained Mostakbal TV journalist Ikram Rajab and raided her house, threatened her family, and confiscated her personal documents. In October, the Benghazi-based ISA arrested Rajab's parents and lawyer after they went to the Benghazi-based ISA headquarters to try to confirm rumors regarding her death in custody. Rajab was released on October 22, as were her parents and lawyer shortly thereafter.

## **b. Worker Rights**

### **Freedom of Association and Collective Bargaining**

The law did not provide for the right of workers to form and join independent unions. It provided for the right of workers to bargain collectively and conduct legal strikes, with significant restrictions. The penalties for violating these rights were less than those under other laws involving denials of civil rights. Information on how regularly violators faced penalties was not available. The law neither prohibited antiunion discrimination nor required reinstatement of workers fired for union activity. The government did not effectively enforce laws protecting workers' freedom of association, collective bargaining, and the right to strike.

By law, workers in the formal sector were automatically members of the General Trade Union Federation of Workers, although they could elect to withdraw from the union. Only citizens could be union members, and regulations did not permit foreign workers to organize. The government was limited in its ability to enforce applicable labor laws. The requirement that all collective agreements conform to the "national economic interest" restricted collective bargaining. Freedom House found security conditions and weaknesses in the legal system prevented unions from conducting normal collective bargaining activity. Workers could call strikes only after exhausting all conciliation and arbitration procedures. The government or one of the parties could demand compulsory arbitration, thus severely restricting strikes. The government had the right to set and cut salaries without consulting workers. Employees organized spontaneous strikes, boycotts, and sit-ins at a number of workplaces, generally to protest unpaid salaries.

## Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## Acceptable Work Conditions

### Wage and Hour Laws

There was a national monthly minimum wage but no set official poverty income level. According to a 2021 needs assessment conducted by the humanitarian initiative REACH, “little information exists about income, expenditure, and poverty within Libya. Due to the fragmented governance system in Libya, income data is scarce and rarely covers all regions.” The law stipulated a workweek of 40 hours, standard working hours, night shift regulations, dismissal procedures, and training requirements. The law did not specifically prohibit excessive compulsory overtime work.

### Occupational Safety and Health

The Ministry of Labor was responsible for occupational safety and health (OSH) issues, but no information was available on enforcement and compliance. OSH standards were appropriate for the main industries, but the government generally did not enforce them. Certain industries, such as the petroleum sector, attempted to maintain standards set by foreign companies. Responsibility for identifying unsafe situations remained with OSH experts and not the worker. The law provided OSH standards and granted workers the right to court hearings regarding abuses of these standards. The law did not provide workers the right to remove themselves from a hazardous workplace without jeopardizing their employment.

### Wage, Hour, and OSH Enforcement

The government did not effectively enforce minimum wage, overtime, and OSH laws. Penalties were generally less severe than those for fraud and negligence and were rarely applied against violators.

The Ministry of Labor was responsible by law for enforcing wage, hour, and OSH laws. The number of labor inspectors was not sufficient to enforce compliance. The law did not indicate whether inspectors had the authority to make unannounced inspections and initiate sanctions.

No accurate data on the size of the informal economy was available. The law did not provide OSH standards for workers in the informal economy.

## c. Disappearance and Abduction

### Disappearance

Armed groups aligned with the government and the LNA, other nonstate armed groups, criminal gangs, and tribal groups committed an unknown number of enforced disappearances across the country. Domestic and international human rights organizations reported security services and armed groups throughout the country forcibly disappeared and detained dozens of civil society activists, politicians, judges, and journalists for making comments or pursuing activities perceived to be critical of the government or the LNA. Some individuals were illegally detained and later released, while the bodies of other missing and disappeared persons were found in locations throughout the country, including in mass graves. Authorities made few effective efforts to prevent, investigate, or penalize enforced disappearances.

In February, local media reported armed groups aligned with the LNA forcibly disappeared Sufi Sheikh Muftah al-Amin al-Biju. According to a September Amnesty International report, approximately 20 armed men arrested Biju from his home in Benghazi. The report noted Biju's relatives were unable to visit him or obtain confirmation regarding his place of detention. Biju's whereabouts remained unknown at year's end.

In May, local and international media reported unknown armed men kidnapped House of Representatives member Ibrahim al-Darsi in Benghazi. His bloodstained car was found the day after his disappearance in Benghazi's Sidi Faraj neighborhood. He remained missing as of year's end. The whereabouts of Siham Sergiwa, a parliamentarian abducted from her home in 2019 after criticizing the LNA's Tripoli offensive in a televised interview, also remained unknown as of year's end.

Refugees, asylum seekers, other migrants, and other foreign nationals were especially vulnerable to kidnapping. UNSMIL received reports that hundreds of migrants and refugees whom the Libyan Coast Guard intercepted subsequently went missing. The International Organization for Migration (IOM) reported such individuals remained vulnerable to seizure by armed groups engaged in human trafficking or migrant smuggling.

### **Prolonged Detention without Charges**

Neither the 2011 Constitutional Declaration nor the Gaddhafi-era criminal code prohibited arbitrary arrest and detention, nor did they provide for the right of any person to challenge the lawfulness of their arrest or detention in court. The government had weak control over police and armed groups providing internal security, and some armed groups carried out illegal and arbitrary detentions unimpeded. The low level of international monitoring meant there were no reliable statistics on the full number of arbitrary detentions. The UN Office of the High Commissioner for Human Rights' (OHCHR) June report found an increase in arbitrary arrests and detentions and enforced disappearances of "actual or perceived political opponents or their family members" since the UN Fact Finding Mission's March 2023 final report. As of June, OHCHR and UNSMIL had verified at least 60 cases of arbitrary detention for "the peaceful expression of political views." The report stated the figure was likely higher, and arrests continued throughout the year.

The law required an arrest warrant for a formal arrest, but authorities could detain persons without charge for as long as six days and could renew detention for up to three months, provided there was "reasonable evidence." The law also specified that authorities were required to inform detainees of the charges against them and have a detainee appear before a judicial authority every 30 days to renew a detention order, although these rights were not respected, according to UNSMIL. The law gave the government power to detain persons for up to two months if considered a "threat to public security or stability," based on their "previous actions or affiliation with an official or unofficial apparatus or tool of the former regime." Various government-aligned and nonstate armed groups arrested and detained persons arbitrarily throughout the year. Repeatedly throughout the year, UNSMIL called for the release of all arbitrarily detained individuals and stressed that any security operations should fully respect the rights and freedoms of the population.

In August, local media reported the Tripoli-based ISA arrested several employees of the Central Bank of Libya, following attempts by the Presidential Council and GNU to remove Central Bank Governor Saddek al-Kaber. In a statement following the arrests, UNSMIL stressed the urgent need to “guarantee the safety of Central Bank employees and protect them from threats and arbitrary arrest.”

In his April report on UNSMIL, the UN Secretary General noted at least 25 women and 24 children allegedly associated with the Islamic State remained in arbitrary detention without due process or access to basic services. The report added that the women and children were often exposed to sexual violence or other human rights abuses. UNSMIL and UNICEF urged authorities to ensure due process, release those arbitrarily detained, and facilitate repatriation processes.

Although the country signed the UN Convention on the Rights of the Child, which prohibited the detention of children, UNICEF reported as recently as October that authorities continued to arbitrarily detain migrant children in detention centers in and around Tripoli, including in the Abu Slim detention center in Tripoli, and an unofficial detention center in Bir al-Ghanam. These children lacked access to legal assistance, due process, and basic protection and health services, according to UNICEF. While authorities had to order detention for a specific period not exceeding 90 days, an ambiguity in the language of the law permitting judges to renew the detention period if the suspect was of “interest to the investigation” resulted in extended pretrial detentions. In addition, limited resources and court capacity caused a severe backlog of cases. According to international NGOs, many pretrial detainees were held for periods longer than the sentences for the minor crimes they allegedly committed. The OHCHR found many detainees remained in pretrial detention for prolonged periods. Some detainees were imprisoned for years without appearing before a judge, and authorities frequently ignored release orders. In an August report, UNSMIL estimated pretrial detainees constituted more than 60 percent of the prison population. UNSMIL continued to call on the Ministry of Justice to apply international standards for pretrial detention.

The number of persons held in pretrial detention in Ministry of Interior, Ministry of Defense, and extralegal detention facilities was unknown.

Armed groups held most of their detainees without charge and outside the government’s authority. With control of the security environment divided among various armed groups and a judicial system that provided limited protections to detainees, circumstances prevented most of these detainees from accessing due process.

The law allowed a detained suspect to challenge pretrial detention before the prosecutor and a magistrate judge. If the prosecutor did not order release, the detained person could appeal to the magistrate judge. If the magistrate judge ordered continued detention following review of the prosecutor’s request, and despite the detainee’s challenge, there was no further right to appeal the assigned detention order. A breakdown in the court system, intimidation of judges, and difficulties in securely transporting prisoners to the courts effectively limited detainees’ ability to challenge their detention. For persons held in migrant detention facilities, there was no access to immigration courts or due process.

#### **d. Violations in Religious Freedom**

See the Department of State’s annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

#### **e. Trafficking in Persons**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3.

## Security of the Person

### a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The 2011 Constitutional Declaration and postrevolutionary legislation prohibited torture, but there were credible reports government officials and nonstate armed actors engaged in it.

An unknown number of individuals, including refugees, asylum seekers, and other migrants, were held in facilities under the control of armed groups affiliated with either the government or the LNA, or in extralegal facilities run by smugglers and other nonstate actors. The criminal and nonstate armed groups controlling extralegal facilities routinely tortured and abused detainees, subjecting them to arbitrary killings, rape and sexual violence, beatings, electric shocks, burns, forced labor, and deprivation of food and water, according to dozens of testimonies shared with international aid agencies and human rights groups. In many instances, the purpose of this abuse was reportedly to extort payments from detainees' families.

Impunity was a significant problem in the security forces. The government took limited steps to investigate, prosecute, and punish officials who committed human rights abuses within its area of reach; however, political considerations restricted its ability and willingness to prosecute and punish perpetrators. In August, the attorney general's office reported on Facebook it had dismantled a human trafficking network operating in the country's southwest and arrested members of the group. The reported investigation documented violations affecting 1,300 migrants, including cases of torture, forced detention, and extortion.

The UN Secretary General's April report on UNSMIL to the UN Security Council noted that conditions in official and unofficial migrant detention centers across the country had deteriorated due to limited humanitarian access and the increase in detained individuals over the past year.

As of September, the United Nations High Commissioner for Refugees (UNHCR) and its partners had conducted 259 monitoring visits to Directorate for Combating Illegal Migration facilities during the year to administer aid and register refugees and asylum seekers.

International organizations documented extensive cases of violence against women and girls, as well as against men and boys. Observers reported rape was often used as a form of torture and in some cases resulted in death.

### b. Protection of Children

## **Child Labor**

The law prohibited and criminalized the worst forms of child labor and provided for a minimum age of employment, prohibiting children younger than 18 from employment except in a form of apprenticeship. The law stipulated employees, including those in apprenticeships, could not work more than 48 hours per week or more than 10 hours in a single day. The law set OSH restrictions for children. The government lacked the capacity to enforce the law. No information was available to determine whether abuses of child labor laws incurred penalties commensurate with those for other analogous serious crimes, such as kidnapping. In August 2023, UNSMIL reported that a nonstate armed group subjected some children abducted from the Sudan to forced labor in military camps without payment. These accounts were difficult to verify due to the absence of independent monitoring organizations.

## **Child Soldiers**

The Secretary of State determined elements of government-supported armed groups in Libya coordinated with a nonstate armed group in Syria that recruited or used Syrian children in support roles during the reporting period of April 2023 to March 2024. See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Child Marriage**

The minimum age for marriage was 18 for both men and women, although judges could permit those younger than 18 to marry. LNA authorities reportedly continued to impose a minimum age of 20 for both men and women. Comprehensive statistics on underage marriage were not available due to the lack of a centralized civil registry system. The National Democratic Institute stated in 2022 that after “trending downwards for several years, the number of cases of child marriage has skyrocketed this year” because of a government program providing up to 40,000 Libyan dinars (approximately \$8,700) to newlywed couples. A similar program in the east provided up to 50,000 Libyan dinars (approximately \$10,800) to all married couples. Families reportedly forced their daughters to get married to receive the government stimulus, increasing the number of child marriages by an unknown number.

There were anecdotal reports of child marriage occurring in some rural and desert areas where tribal customs were more prevalent. There were also unconfirmed reports that civil authorities could be bribed to permit underage marriage.

## **c. Protection to Refugees**

Government cooperation with UNHCR, IOM, and other international agencies operating within the country was inconsistent, and government-imposed restrictions often prevented humanitarian access and movement. These agencies were allowed to assist refugees and migrants in some geographic areas and facilities across the country. UN agencies monitored and publicly reported on refugees and migrants in the country, including those in government detention centers. International aid organizations provided basic services directly and through domestic implementing partners to refugees and asylum seekers.

## **Provision of First Asylum**

The country was not party to the 1951 Refugee Convention or its 1967 Protocol, although the 2011 Constitutional Declaration recognized the right of asylum and forbade forcible repatriation of asylum seekers. The government had not established a system for protecting refugees or asylum seekers by year's end. Absent an asylum system, authorities could detain and deport asylum seekers without giving them the opportunity to request asylum. The government did not legally recognize asylum seekers without documentation as a class distinct from migrants without residency permits.

Authorities permitted UNHCR to register refugees and asylum seekers in Tripoli only. According to UNHCR, the total number of registered refugees and asylum seekers in the country as of September was 66,679, an approximately 30 percent increase from 2023 largely driven by refugees fleeing the Sudan conflict. The vast majority of refugees were from nine registered nationalities, among whom Sudanese, Syrians, and Eritreans made up the largest groups. Each adult asylum seeker was issued a printed UNHCR asylum seeker certificate that included a photograph and basic biodata serving as evidence the bearer was entitled to protection and assistance under the UNHCR mandate.

Authorities made no progress in the registration of migrants and refugees at disembarkation points after interception operations, or in detention facilities. Due to the complexity of direct resettlement out of the country, UNHCR relied on processes such as the Emergency Transit Mechanism to resettle vulnerable populations of concern.

## **d. Acts of Antisemitism and Antisemitic Incitement**

The majority of the country's once-thriving Jewish community departed between 1948 and 1967. No members of the Jewish community were believed to remain in the country.

GNU-recognized Grand Mufti Sheikh Sadiq al-Gharyani and those associated with him made anti-Semitic comments. In October video remarks posted to social media, Gharyani criticized a U.S. government statement regarding hostilities in Lebanon, suggesting the United States did not care about the Lebanese people and was concerned only with the interests of Jews.

For further information on incidents in the country of antisemitism, whether or not those incidents were motivated by religion, and for reporting on the ability of Jews to exercise freedom of religion or belief, see the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.