



World Organisation Against Torture (OMCT)

Jointly with **Libyan Anti-torture Network (LAN)**

‘NORMALISED TORTURE IN LIBYA’

JOINT SUBMISSION FOR THE UNIVERSAL PERIODIC REVIEW OF LIBYA

50TH SESSION OF THE UPR WORKING GROUP

World Organisation Against Torture

The World Organisation Against Torture (OMCT) is the largest global NGO group actively standing up to torture and protecting human rights defenders worldwide. It has more than 200 members in 90 countries. Helping local voices be heard, we support our vital partners in the field and provide direct assistance to victims. Its international secretariat is based in Geneva, Switzerland.

Libyan Anti-torture Network

The Libyan Anti-torture Network (LAN) was established in March 2021, with the support of the OMCT, which resumed its Libya programme (originally launched in 2012) in 2020. The LAN brings together a group of civil society organisations from different cities and regions across Libya, including hard-to-access areas. This initiative aims to document and highlight torture, arbitrary detention, enforced disappearance, unlawful killings and other serious human rights violations of Libyans and non-nationals (including people on the move), with larger goal of promoting greater respect for human rights. LAN members had been working independently prior to joining the network.

Introduction

1. Libya remains divided into two rival political administrations vying for authority. Headquartered in Tripoli, the Government of National Unity (GNU) — led by Prime Minister Abdul Hamid Mohammed Dbeibah — operates with consultative backing from the High Council of State. Opposing it is the Government of National Stability (GNS), based in Tobruk and spearheaded by Prime Minister Osama Hamad, deriving its legitimacy from the eastern-based House of Representatives and the Libyan Arab Armed Forces (LAAF) commanded by Field Marshal Khalifa Haftar. Despite international efforts to schedule national elections in December 2021, persistent obstruction by both factions — coupled with systemic instability — forced their indefinite postponement.¹ The United Nations Support Mission in Libya (UNSMIL) has struggled to mediate this impasse, while endemic corruption and fragmented governance frameworks have crippled effective administration. Revenue from Libya's oil wealth and public funds has been siphoned into superficial infrastructure projects, masking institutional decay where state armed factions have exploited displacement crises to seize civilian-owned lands and properties, entrenching economic control and consolidating power among militarized elites.²
2. Libya's protracted instability has institutionalized systemic violations of international human rights (IHRL) and humanitarian law (IHL), characterized by the systematic normalization of torture and ill-treatment against both Libyans and migrants. Due process and judicial safeguards remain structurally deficient, with arbitrary arrests and prolonged detentions routinely perpetrated by state actors, law enforcement entities, and trafficking networks. Armed hostilities have further exacerbated these patterns, expanding the scope of arbitrary detention and torture. Grave incidents have emerged since the last UPR, including the continuous discovery of mass graves containing residents executed, tortured, and forcibly disappeared by Kaniyat groups in Tarhouna city,³ as well as recurrent findings of migrant mass graves in Libya's western and southern regions over the past four years.⁴ International accountability mechanisms, including the UN Security Council's Panel of Experts⁵ on Libya and the UN Independent Fact-Finding Mission⁶ (FFM), have documented violations amounting to crimes against humanity. These encompass not only conflict-related atrocities but also systemic abuses within detention facilities and the widespread abduction and enforced disappearance of

¹ Libya: February 2025 Monthly Forecast, Security Council Report, 30 January 2025.

² "Libya: Entire families are forcefully evicted from their homes", OMCT, 5 April 2023.

³ "Tarhouna – Mass graves and related human rights violations and abuses in Libya", UNSMIL, August 2024.

⁴ "Two mass graves of migrants uncovered in Libya", UN News, 10 February 2025.

⁵ S/2024/983, UN Security Council, 31 December 2024.

⁶ A/HRC/52/83, UN Human Rights Council, 3 March 2023.

activists. The FFM has specifically underscored the militarization of migration governance, where state-aligned actors collude with traffickers to exploit migrants, further entrenching a climate of impunity.

3. Libya's strategic position as a migration transit hub has rendered unlawfully detained migrants, asylum seekers and refugees vulnerable to systematic abuses. Security forces under the Directorate for Combating Illegal Migration (DCIM) and guards operating detention centres routinely subject migrants to torture, inhumane treatment, forced labour, sexual violence, and exploitation, while being directly implicated in trafficking networks that sell migrants to criminal gangs.⁷ Multiple UN reports corroborate widespread torture and unlawful killings in these facilities, with survivors detailing methods such as beatings, electric shocks, and rape perpetrated across detention sites nationwide.⁸ In 2024, the discovery of migrants mass graves confirmed mass expulsion of people on the move into deserted areas highlighting an escalation of lethal practices, and resulting in loss of lives due to starvation and en-route violence.⁹ These patterns underscore state complicity in normalizing atrocities against migrants, further entrenching Libya's role as a conduit for human rights violations on an institutional scale.
4. Regional and global migration policies and practices have systematically exacerbated torture and ill-treatment against vulnerable populations, with Libya, Egypt, and Tunisia implementing convergent strategies to restrict civic space working on migration, suppress political activism, and criminalize irregular entries. While adopting similar policies, States de facto delegitimize human rights advocacy through state-sponsored media campaigns and digital misinformation, amplifying xenophobic rhetoric against civil society organizations (CSOs) and people on the move (migrants, asylum seekers, and refugees).¹⁰ Such narratives have normalized hate speech, eroded public empathy toward marginalized groups, and emboldened security forces to perpetrate abuses under the guise of controlling irregular migration. The European Union (EU) policies and programs —particularly those governing Mediterranean maritime borders — have incentivized stricter border control, enabling Libyan authorities and neighbouring states to detain, torture, and forcibly return people on the move. State affiliated entities in Libya receive technical, logistical, and monetary support from the European Union (its agencies, such as Frontex) and its member States for inter alia the interception and return of people on the move to Libya. This transnational policy framework, prioritizing containment over protection, has institutionalized impunity for systemic rights violations, rendering migrants and activists acutely vulnerable to state and non-state

⁷ "Libya: Death of detainee underscores lethal conditions in migrant detention centres", Euro-Med Human Rights Monitor, 30 August 2023.

⁸ S/2024/642, UN Security Council, 30 August 2024.

⁹ "State Trafficking – Expulsion and sale of migrants from Tunisia to Libya", Border Forensics, 29 January 2025.

¹⁰ "Forcibly Displaced Sudanese Trapped with Their Hopes at North African Borders", OMCT, 18 November 2024.

violence.¹¹

Methodology

5. This joint UPR submission by OMCT and LAN utilizes first-hand information gathered by LAN's field teams across Libya, including survivor and witness testimonies, cross-referenced with trusted international open sources. A multi-source verification process ensures data integrity, aligning with international human rights standards. Secondary sources, including reports from human rights organizations, official data, and UN findings, supplement the primary data, all rigorously analysed to ensure accuracy and to promote accountability.

Libyan Legal Framework for Torture Crimes

6. Libya's third-cycle Universal Periodic Review (UPR) in 2021 highlighted the state's incomplete implementation of both accepted and noted recommendations concerning the prohibition of torture and ill-treatment under international jus cogens norms. While incremental advancements have been observed in limited policy domains — specifically through capacity-building initiatives for judicial and security officials under recommendations to promote good governance and human rights training — these measures remain peripheral to substantive legal reform.
7. Since the last review in 2021, despite endorsing recommendations to ratify core instruments, including the Optional Protocol to the Convention Against Torture (OPCAT), and to harmonize domestic legislation with the United Nations Convention Against Torture (CAT), Libya has exhibited persistent legislative inertia, failing to enact explicitis verbis criminalization of torture in full compliance with Article 1 (definition) of the Convention.
8. Libyan Law No. 10 of 2013 on the criminalisation of torture, forced disappearance and discrimination, while criminalising torture under Article 2, suffers from critical limitations. It unduly restricts liability to acts within state detention facilities, excluding torture by state actors outside these settings and by non-state armed groups controlling territory. This geographic and perpetrator-based limitation contravenes CAT's Article 1 requirement to criminalize torture *ratione personae*. Additionally, the law's ambiguity regarding private actors operating in official facilities leaves room for impunity, necessitating urgent amendment to ensure full compliance with international standards. Article 2 also limits criminalized torture to acts aimed at extracting confessions,

¹¹ "Frontex in the Central Mediterranean - EU agency plays a direct role in Libyan coast guard's interception operations", Lighthouse Reports, 29 April 2021.

discrimination, or revenge. This omits CAT Article 1's broader purposes, such as intimidation, coercion, or punishment, creating a *ratione materiae* gap in protection.¹²

9. Law No. 10 still fails to codify CAT Article 2(2)'s non-derogability of the torture prohibition, even in emergencies, and does not explicitly nullify superior orders as a defence (CAT Article 2(3)). Article 5 imposes liability on political/executive officials and military leaders for failing to prevent torture by subordinates, introducing subjective loopholes inconsistent with CAT Article 4's strict liability for systematic torture.
10. Institutional frameworks remain fragmented, with no prosecutorial or judicial adherence to CAT Article 4 obligations to investigate, prosecute, and redress acts of torture. Notably, Libya has neglected to implement supported recommendations on detention conditions and has not ratified the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), perpetuating a climate of *de facto* impunity.¹³
11. Pending reforms, Libya's transitional framework risks legitimizing *de jure* impunity, necessitating robust international oversight to enforce CAT compliance and dismantle systemic torture infrastructures. The state's non-implementation extends to its refusal to align migration governance with non-refoulement obligations under CAT Article 3 and the 1951 Refugee Convention, compounded by the absence of any national refugee legislation still.
12. Libya persists in violating *erga omnes* obligations by maintaining detention facilities — including Bir Alghnam detention, Tajoura,¹⁴ Shohada Al-Naser detention,¹⁵ and Al-Khoms detention¹⁶— where systematic crimes against migrants have been documented over the last five years.¹⁷ Despite assertions of closure, these sites remain operational under state-affiliated actors collaborating with trafficking networks, repurposed till today for trafficking and unlawful prolonged detention. Conditions within these facilities contravene CAT Article 2(2)'s absolute prohibition of torture, with no remedial measures to ensure detainees' access to healthcare or judicial review.
13. Concurrently, Libya's failure to codify protections for a rights-based counter-trafficking framework entrenches systemic violations, perpetuating cycles of exploitation and institutionalized abuse.

¹² Law No. (10) of 2013 on the criminalisation of torture, forced disappearance and discrimination – Libya, DCAF Legal Databases, 14 April 2013.

¹³ A/HRC/57/54, UN Human Rights Council, 26 July 2024.

¹⁴ "Libya closes three migrant detention centers in west", InfoMigrants, 05 August 2019.

¹⁵ Al Nasr Azzawiyah Detention Centre Profile – Libya, Global Detention Project.

¹⁶ "Migrants center in Al-Khums city shut down", The Libya Observer, 27 January 2018.

¹⁷ "Libya's detention centre closures: lancing lawlessness or consolidating political control?", Euronews, 30 July 2021.

- 14.** The 2025 Transitional Justice Law,¹⁸ ratified by the eastern Libyan parliament establishes a framework for quasi-judicial bodies—including a Truth Commission, Reparations Commission, and Victims’ Compensation Commission—purportedly tasked with addressing grievance and systemic human rights violations. However, the law entrenches preexisting systemic flaws through its failure to delineate *ratione materiae* distinctions between torture as a war crime (per Rome Statute Article 8(2)(a)(ii)), disciplinary torture (as a means of punishment within custodial settings), and systematic torture constituting crimes against humanity (per Rome Statute Article 7(1)(f)).
- 15.** The Reparations Commission’s mandate lacks specificity in quantifying compensation (*restitutio in integrum*) or addressing intersectional harm (e.g., gender-based violence against men/boys, child soldiers). On Amnesty provisions, references to Law No. 6 of 2015 and its amendment in Law No. 4 of 2024 — grant amnesties for “acts undertaken in service of the 2011 revolution” — create ambiguity, as neither law defines “revolutionary acts” nor excludes *jus cogens* crimes (torture, crimes against humanity) from amnesty eligibility. Geographic dispersion of judicial institutions, compounded by the absence of a centralized registry, impedes case referrals to regional transitional justice committees, exacerbating jurisdictional conflicts between courts in different regions.
- 16.** The law’s failure to delineate procedural frameworks for new transitional justice courts or resolve overlapping mandates with existing tribunals — already weakened by divided politicization — undermines judicial independence. Transparency deficits also plague the Truth Commission’s selection process, lacking objective criteria to exclude individuals implicated in war crimes or ensure representation of marginalized groups (Amazigh, Tuareg, Tebu).¹⁹

| Recommendations

1. To ratify OPCAT and establish a National Preventive Mechanism (NPM) to monitor places of deprivation of liberty in Libya.
2. To ratify the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).
3. To amend Law No. 10 of 2013 to explicitly criminalize torture *explicitis verbis* in full compliance with CAT Article 1, expanding liability to all perpetrators, including non-state armed groups and private actors operating outside custodial settings. And Codify CAT Article 2(2) to prohibit torture under any circumstances, including emergencies, and nullify superior orders as a defence per CAT Article 2(3). Repeal subjective liability loopholes in Law No. 10’s Article 5 to align with CAT Article 4,

¹⁸ “Libya’s eastern parliament approves transitional justice law in unity move, MPs say”, Reuters, 8 January 2025.

¹⁹ A/HRC/58/NGO/270, UN Human Rights Council, 21 February 2025.

imposing strict liability on officials for systematic torture by subordinates, irrespective of their “ability to act.”

4. To clarify *ratione materiae* distinctions in the 2025 Transitional Justice Law to explicitly define and classify torture crimes and amend amnesty provisions (Law No. 6 of 2015 and Law No. 4 of 2024) to categorically exclude *jus cogens* crimes (torture, enforced disappearance) from eligibility, per UN Basic Principles on the Right to a Remedy and Reparation.
5. To enact national refugee legislation incorporating CAT Article 3 and 1951 Refugee Convention obligations, prohibiting arbitrary detention and ensuring judicial review for detained migrants’ case by case. And dismantle state-affiliated trafficking networks through prosecutions, prioritizing accountability for officials complicit in systematic abuse.

Torture and Ill-Treatment by State and Non-State Actors in Libya

Context of torture and ill-treatment

17. Since Libya’s last Universal Periodic Review (UPR) in 2021, the Libyan Anti-torture Network (LAN), which is a coalition of civil society organizations coordinated by the World Organisation Against Torture (OMCT), documented widespread and systematic torture and ill-treatment across Libya.
18. Over the past four years, the LAN’s records show more than 1,000 documented cases of individuals subjected to torture or cruel, inhuman, or degrading treatment (CIDT), with 581 extrajudicial killings in detention under torture between 2020 and 2022.²⁰ Between 2022 and January 2025, LAN and OMCT provided assistance to over 200 survivors and families of victims, reflecting the alarming normalization of these violations.
19. Perpetrators implicated in these abuses include state-affiliated entities such as agents of the Internal Security Agency operating nationwide; units of the Libyan Arab Armed Forces (LAAF), notably the Tariq Ben Ziyad Battalion in eastern and southern Libya; the Support and Stability Apparatus and Special Deterrence Force in Tripoli, both affiliated with the Libyan Presidential Council; Brigade 111 whose commander became GNU Secretary of Defence; the Misrata Joint Forces established by the Council of Ministers; and local law enforcement and criminal intelligence personnel in cities including Sabha, Bayda, Tobruk, Almarj, Kufra, Sirte, Benghazi, and Tripoli.
20. People on the move in Libya remain vulnerable to prolonged arbitrary detention, with mass arrests routinely conducted by state security forces targeting individuals in transit,

²⁰ “That Was the Last Time I Saw My Brother - Extrajudicial and Unlawful Killings in Libya”, OMCT, 27 September 2022.

including asylum-seekers and refugees. Under Libyan law, irregular entry is criminalized – under Law No. 19 of 2010 on combatting illegal immigration – without humanitarian exemptions, exacerbating risks for thousands of migrants irregularly entering Libya.²¹ While most migrants come from sub-Saharan countries, a part of them are originally from Arab and Asian countries. Pakistani, Bangladeshi, Palestinians, Yemeni, Lebanese, and Syrians being the most notable nationalities of migrants and refugees coming to Libya. All of them are at high risk of being arrested and detained.

- 21.** Migrants face pervasive torture, sexual violence, and forced labour by trafficking networks during transit, with women and children disproportionately subjected to exploitation.²² Regional disparities in abuse patterns reveal distinct trends. In western Libya, including cities such as Zawiya, Zwara, Sabratha, and areas near the Tunisian border, lawlessness prevails in departure zones for Mediterranean crossings, with migrants detained in either DCIM detention centres or in trafficking hubs. This region records the highest incidence of enforced disappearances, where missing migrants are presumed deceased — through drowning,²³ expulsion into deserts,²⁴ or torture-related fatalities in mass graves.²⁵ Central region and Tripoli witness arbitrary mass arrests by security forces, with detained migrants subjected to cruel, inhuman, or degrading treatment (CIDT) and increasingly sold into exploitative labour in agriculture or domestic servitude.²⁶ Meanwhile, in eastern and southern Libya, units of the Libyan Arab Armed Forces (LAAF) systematically arrest migrants in groups, with evidence since 2024 implicating LAAF agents in profiting from smuggling operations along eastern coastal routes.²⁷
- 22.** While drafting this report, an aggressive campaign of hate speech and racism has been spreading on social media outlets in Libya. People on the move, including those legally residing in Libya, are being targeted, with civilians sharing videos of large groups of Black communities in Libyan cities, claiming that the presence of migrants in Libya is detriment to its prosperity and demanding their mass deportations.
- 23.** The cultural and social landscape in Libya is known to exhibit preeminent racism against migrants, asylum seekers and refugees, but with these policies, practices, and campaigns, it has become obvious that migrants' rights and humane treatment as such are being challenged. Human rights violations and racial discrimination against people on

²¹ Law No. (19) of 2010 on combatting illegal immigration – Libya, DCAF Legal Databases, 28 January 2010.

²² “Libya: Exploitation of the Vulnerable – A Longstanding Human Trafficking Dilemma”, OMCT, 30 July 2024.

²³ “Over 1,000 dead and missing in the Central Mediterranean”, InfoMigrants, 23 August 2024.

²⁴ “Sudanese migrant found dead in Libyan desert”, Anadolu Agency, 11 June 2024.

²⁵ “Libya: UN confirms 93 bodies exhumed from mass graves”, InfoMigrants, 20 February 2025.

²⁶ “How conflict in Libya facilitated transnational expansion of migrant smuggling and trafficking”, Chatham House – International Affairs Think Tank, 21 February 2025.

²⁷ “Libya: The UNHCR must protect the Sudanese refugees camping outside its buildings”, OMCT, 30 November 2023.

the move in Libya call for an immediate change in practice and urge key modifications of the legal, institutional, regulatory and policy framework in compliance with international human rights standards.²⁸

| Recommendations

6. To ratify the 1951 Refugee Convention and provide protection measures to address the torture of migrants, based on national legislation that clearly provides for the protection of refugees and asylum seekers. Deportations, once decided, must proceed on a case-by-case basis, and there must be an immediate cessation of mass expulsions of migrants.
7. To repeal laws criminalizing irregular entry and close all DCIM detention centres and trafficking hubs, where enforced disappearances and torture-related fatalities are rampant. Replace these with monitored reception centres providing access to asylum procedures, healthcare, and legal aid.
8. To halt systematic arrests of people on the move in eastern and southern Libya by LAAF and Zawiya trafficking networks profiting from smuggling operations along coastal routes. Prosecute LAAF agents colluding with trafficking networks and dismantle exploitative labour practices in central Libya/Tripoli, where migrants are sold into agriculture or domestic servitude.
9. To immediately investigate crimes committed against people on the move and provide judicial means to allow for the prosecution of traffickers in Libya, and protection of victims.
10. To actively combat the spread of hate speech and misinformation targeting migrants.

Torture combined with cruel, inhuman, and degrading treatment in Libyan Detention

24. Since Libya's last Universal Periodic Review (UPR), the government accepted recommendations to address overcrowding and strengthen detention oversight but rejected calls to improve conditions in migrant detention centres operated by the Directorate for Combating Illegal Migration (DCIM), under the Ministry of Interiors. According to the Global Detention Project, 23 DCIM facilities remain operational,²⁹ all characterized by severe overcrowding, inhumane living conditions, and systemic abuse.

²⁸ "Libya: Escalating Hate Speech, Xenophobia, and Violence Against Migrants in Libya", OMCT, 19 March 2025.

²⁹ S/RES/2698 (2023), UN Security Council, 29 September 2023.

- 25.** Survivor testimonies and documentation reveal sub-Saharan migrants endure rampant sexual violence, torture, and exploitation by traffickers, guards, and fellow detainees,³⁰ resulting in widespread transmission of sexually transmitted diseases mainly HIV, Hepatitis, and AIDS.³¹ While tuberculosis, and chronic illnesses such as diabetes and hypertension are documented illnesses that usually required OMCT and LAN medical assistance in 2024. LAN also documented that children, particularly Sudanese nationals, frequently develop respiratory diseases like asthma due to prolonged exposure to unsanitary detention environments.
- 26.** Psychological harm is pervasive, with survivors reporting severe mental health deterioration, including psychosis, PTSD, and depression, directly linked to torture and degrading treatment. Deaths from medical negligence are routine, while guards have fatally shot migrants attempting to escape detention.³² Medical care in public hospitals is systematically being denied, even refusing emergency treatment unless migrants produce a 'kafil' (legal guardian), impossible for most detained irregular migrants.³³
- 27.** UN-mandated Fact-Finding Mission (FFM) reports on Libya concluded that torture, sexual violence, slavery, enforced disappearance, deprivation of food, sale of migrants, and deliberate medical negligence in DCIM centres constitute crimes against humanity.³⁴ These practices reflect a systematic campaign of abuse targeting migrants, underscoring institutionalized impunity and Libya's failure to uphold even minimal humane standards in detention.
- 28.** Libya's criminal detention and prison system, nominally under Judicial Police control, holds an estimated 19,000 individuals across 26 documented facilities.³⁵ However, this figure represents only a fraction of the total detained population. The true scale of imprisonment remains obscured by the existence of numerous undeclared facilities operated by the Ministries of Interior and Defence, as well as various armed groups. In these 'shadow prisons,' where oversight is minimal or non-existent, the potential for unchecked torture and abuse is alarmingly high, compounding the already dire situation within the known prison system. The 2,500 detainees held in Garnada and Kwefeya prisons alone underscore the sheer magnitude of the crisis, leaving thousands more vulnerable to systemic torture beyond the reach of accountability.

³⁰ "Abuse and mistreatment of migrant children in Libya's detention centres", Humanium, 4 March 2025.

³¹ "The human cost of migration across Libya & Tunisia, a crisis ignored: Exclusive interview with David Yambio", Refugees in Libya, 20 September 2024.

³² "Libya: Migrants face extreme violence and exclusion from healthcare", MSF, 12 February 2025.

³³ "Libya: The denial of non-Libyan citizens' right to health must be investigated and remedied", African Defenders, 8 February 2021.

³⁴ A/HRC/52/83, UN Human Rights Council, 3 March 2023.

³⁵ World Prison Brief Data – Libya, World Prison Brief – ICPR, 5 May 2023.

- 29.** According to LAN, detention sites vary by authority and purpose, including facilities under state control such as Judicial Police Prisons, which hold individuals accused of ordinary crimes, conflict-related detainees, civil society, political, and social media activists, religious groups, and those detained on security grounds. Facilities like the Special Deterrence Force (SDF) detention in Mitiga and the Support and Stability Apparatus (SSA) facility in Abu Salim, illegally detain individuals for prolonged periods despite legal limits on pre-trial custody. Ministry of Defence prisons, such as Sikit prison in Misrata, and Al-Jaweya Air Base Detention detain military personnel and civilians linked to conflict or national security charges, while intelligence agency facilities—operated by entities like the General Intelligence Service (GIS), criminal investigation departments, and Internal Security Agency — routinely transfer detainees to formal prisons after pre-trial torture.
- 30.** Since 2021, the Libyan Anti-Torture Network (LAN) and OMCT have documented systematic torture during pre-trial investigations at police stations, military headquarters, and notorious sites like Mitiga (SDF), Support and Stability Apparatus (SSA), Kwefeya, Al-Jaweya in Misrata, Mehdeya in Sabha, Garnada, Aljufa Air Base, and Tamanhent Air Base.
- 31.** In January 2025, videos from Garnada exposed horrific practices³⁶, including beatings, electric shocks, forced humiliating postures, and psychological abuse,³⁷ with LAN verifying 976 cases of arbitrary detention or enforced disappearance at the facility, including acquitted detainees held indefinitely and four detainees extrajudicially executed in 2020.
- 32.** Facilities like Garnada and Kwefeya, under Libyan Arab Armed Forces (LAAF) control, predominantly hold political activists and conflict-related detainees from Derna accused of “terrorism,” where family visits and independent legal representation are systematically denied. The Special Deterrence Force (SDF)’s Mitiga detention centre, linked to executions of Christians and others, remains a hub for torture and killings, prompting the International Criminal Court (ICC) to issue an arrest warrant for SDF director Osama Njem Almasri in January 2025 for crimes against humanity.³⁸ LAN confirms that most released SDF detainees exhibit severe physical and psychological trauma, with many later found dead. Both LAAF and SDF forces deliberately deny access of health care professionals causing the death of many detainees under torture or due to medical negligence.³⁹

³⁶ “Leaked torture scenes from inside Garnada”, LCW, 13 January 2025.

³⁷ “Urgent Call: Libyan Arab Armed Forces Must Be Held Accountable for Torture Crimes Committed in Garnada”, OMCT, 20 January 2025.

³⁸ “Situation in Libya: ICC arrest warrant against Osama Elmasry Njeem for alleged crimes against humanity and war crimes”, International Criminal Court, 22 January 2025.

³⁹ “That Was the Last Time I Saw My Brother - Extrajudicial and Unlawful Killings in Libya”, OMCT, 27 September 2022.

| Recommendations

11. To ensure accountability for abuses and end impunity in all detention settings. Investigate and prosecute perpetrators of torture, sexual violence, and other ill-treatment within all detention facilities, including DCIM centres, Judicial Police prisons, and facilities operated by other entities. This should include holding accountable not only direct perpetrators but also those with command responsibility.
12. To guarantee access to adequate healthcare and address the health crisis in detention. Take immediate steps to address the severe health crisis within all detention facilities, ensuring that all detainees, regardless of their status, have access to timely and adequate medical care, including treatment for physical and mental health conditions.
13. To immediately cease arbitrary detention, prolonged pre-trial detention, and ensure due process. Also unconditionally offer access to effective legal representation, judicial review of detainees' detention, and fair trial guarantees.

Shrinking Civic Space and Increasing Violence Against Specific Groups

33. Since the appointment of Abdulhamid Dbeibah as Prime Minister of the Government of National Unity (GNU) in 2021, Libyan authorities have institutionalized policies deliberately targeting civil society organizations, resulting in a systematic constriction of civic space. This repression mirrors practices by Khalifa Haftar's Libyan Arab Armed Forces (LAAF), which since 2014 have arbitrarily detained activists, protestors, journalists, and politically dissenting individuals under the guise of national security, atheism, and violating "morals and traditions of Muslim society".
34. In March 2023, GNU-aligned authorities in eastern and western Libya intensified bureaucratic obstructionism, reactivating draconian provisions of Law No. 19 on the reorganization of NGOs,⁴⁰ failing to submit exhaustive financial and operational reports to state-controlled Civil Society Commissions—a pretext enabling the Internal Security Agency to arrest, detain, and torture human rights activists. The eastern-based parliament's adoption of Law No. 5 of 2022 on cybercrime criminalizes encryption tools under Articles 9 and 39,⁴¹ and further exposed lawyers, and victims of torture and other serious crimes to reprisals and endangers local NGOs documenting abuses.⁴²

⁴⁰ Law No. (19) of 2001 on the reorganization of NGOs – Libya, DCAF Legal Databases, 28 December 2001.

⁴¹ Law No. (5) of 2022 regarding combating cybercrimes, The Law Society of Libya, 27 September 2022.

⁴² "Libya: Law against cybercrime threatens human rights", OMCT, 21 November 2022.

- 35.** This legislative framework has facilitated the direct targeting of local and international NGO staff, with the Libyan Anti-Torture Network (LAN) documenting 43 incidents of arbitrary detention of activists in GNU-controlled territories between March and September 2024, alongside 23 cases in LAAF-held eastern Libya — including one extrajudicial killing. Between 2022 and 2024, 18 Libyan staff members working with international NGOs were arrested and interrogated about their professional activities. Despite nominal political divisions between the GNU and LAAF, their collusion in suppressing dissent reflects a unified policy of entrenching impunity for systematic rights violations.
- 36.** Overall, the two governments have succeeded in limiting fundamental freedoms, including the rights to expression, peaceful demonstration, a free press, unrestricted use of digital space, access to information, freedom from torture, and the right to life.⁴³ Specifically, Libyan internal security apparatuses have intensified the systematic targeting of social media activists, journalists through extra-legal reprisals designed to extinguish ideological nonconformity.⁴⁴ Documented instances included the arbitrary detention of digital social media activists in Tripoli, Benghazi, Misrata, Tobruk, Sirte, and Al-Marj. Following the referral by international organizations, the OMCT corroborated evidence in three cases in December 2024 alone involving media personnel subjected to torture in prolonged preliminary detention at the Jdeida detention facility since their arrest in 2023.
- 37.** In May 2023, the Government of National Unity's (GNU) General Authority for Endowments and Islamic Affairs (GAEIA) institutionalized religious enforcement through the creation of the Guardians of Virtue, a body tasked with enforcing adherence to state-sanctioned Islamic orthodoxy aligned with Madkhali Salafist doctrine.⁴⁵ This policy criminalizes non-Muslim and non-Salafi religious practices as "sinful," conflating theological dissent with statutory illegality. Building on this framework, the Libyan Parliament enacted Law No. 6 of 2024 in 2024,⁴⁶ criminalizing witchcraft, sorcery, and divination, and related practices under broad and ambiguous criteria, with capital punishments that extends to death penalty prescribed for acts deemed to constitute disbelief (kufr). The law's implementation has been marked by a lack of due process specifically when deciding on evidence.

⁴³ "Libya: The LAAF is 'brutally crushing' freedom of expression and peaceful assembly", ReliefWeb, 20 April 2022.

⁴⁴ "Libya: Research briefing on the use of security and religious discourse to justify repression", Cairo Institute for Human Rights Studies (CIHRS), 25 June 2024.

⁴⁵ "Libya's Internal Security Agency must end abuses in name of 'guarding virtue'", Amnesty International, 14 February 2024.

⁴⁶ Law No. (6) of 2024 on the criminalization of witchcraft, sorcery, divination, and related practices, The Law Society of Libya, 15 May 2024.

- 38.** The LAN and the OMCT were informed about the torture and execution of 14 sub-Saharan migrants from Chad, and Sudan, in addition to one Palestinian woman accused of “witchcraft” for possessing religious symbols.⁴⁷ Sub-Saharan migrants, particularly those with facial markings or non-Islamic identifiers, face systematic targeting, arbitrary detention, and torture under accusations of occult practices. A parallel non-judicial arbitration body, jointly administered by the Ministry of Justice and GAEIA, holds exclusive authority to classify acts as sorcery or witchcraft, circumventing judicial oversight and procedural safeguards. This body’s rulings erode secular legal institutions, granting religious authorities unchecked power to prosecute perceived violations.
- 39.** Furthermore, religious persecution extends beyond these legislative measures. Sheikhs representing the Qaderya and Abadeya sects across eastern and western Libya have faced arbitrary detention without statutory justification.⁴⁸ LAN documentation of cases indicate that at least 14 sheikhs⁴⁹ have been incarcerated under spurious allegations.⁵⁰ Judicial harassment frequently invokes charges of “atheism”—a criminal offense sanctioned with the death penalty under Article 290 of the Libyan penal code as amended in 2016.⁵¹ Testimonies from released detainees consistently affirm the use of coerced confessions, extracted through physical duress, psychological humiliation, and threats of reprisal against their families. These confessions are often recorded and disseminated in videotapes, documenting coercive interrogation techniques.⁵² This pattern of abuse highlights the vulnerability of religious minorities and the weaponization of religious laws to suppress dissent and persecute individuals based on their beliefs.

| Recommendations

14. To repeal outdated laws like Law No. 19 of 2001 that criminalize civil society, and repeal or amend Anti-Cybercrime Law No. 10 of 2022, and include Libyan civil society in the drafting of relevant laws to be approved by the parliament in order to ensure fundamental rights protection.
15. To cease arbitrary arrests of political and civil activists and respect fundamental rights and freedoms and rights. To show respect for the mandates of international and local organizations' and protect their staff under Libyan law and as per international agreements that Libya has ratified and signed.

⁴⁷ “LCW condemns extrajudicial killings inside an unofficial prison in Benghazi”, LCW, 29 November 2024.

⁴⁸ “Libya: Urgent call for the immediate release of a religious minority leader”, OMCT, 20 February 2024.

⁴⁹ “LCW condemns extrajudicial killings inside an unofficial prison in Benghazi”, LCW, 29 November 2024.

⁵⁰ “The Sufi Council calls for the immediate release of the detained Zawiya sheikhs in Benghazi”, The Supreme Council for Islamic Sufism in Libya – Official Facebook Page, 30 November 2024.

⁵¹ Law No. 20 of 2016 amending some provisions of the Libyan Penal Code, The Law Society of Libya, 23 February 2016.

⁵² “Seizure of M. '(M.K.A.) who embraced atheism”, Internal Security Agency – Libya, Official Youtube Channel, 14 August 2024.

16. To investigate unlawful conduct against journalists and social media activists and allow freedom of opinion and the press. To allow media to act freely as the voice of the people and a monitor of crimes and violations, and ensure that no journalist or activist is arrested, even if exposing governments.
17. To respect freedom of religion in Libya and protect religious practices as long as they are peaceful and meaningful to the culture of Muslims and non-Muslims. Release immediately the sheikhs of specific religious minorities. Address the prohibition of "witchcraft" under Law No. 6 of 2024, recognizing its vague nature and the lack of clear evidence proving that such practices in fact do harm to others. Ensure that the evaluation of crimes and their sanctions is attributed fully to judicial authorities in Libya.