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LIBYA 2022 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The 2011 Constitutional Declaration functions as the interim constitution and states that Islam is the state religion and sharia the principal source of legislation. Proselytizing and the distribution or publication of information aimed at changing the country's "social structure" is effectively illegal, and the circulation of non-Islamic religious materials, missionary activity, or speech considered "offensive to Muslims" is banned. The criminal code effectively prohibits conversion from Islam, according to scholars and human rights advocates.

Between November 2021 and March 2022, the Tripoli-based Internal Security Agency (ISA), closely aligned with Government of National Unity (GNU) Prime Minister Abdulhamid Dabaiba, arrested several young activists and subjected them to intimidation, harassment, forced confessions, and torture. According to Amnesty International, the ISA posted videos of seven men "'confessing' under apparent duress and communicating with atheists, agnostics, Quaranists, feminists, and secularists both online and in person."

According to press and social media reports, the Special Deterrence Forces (SDF or Rada), a Salafist armed group that reports to the Presidential Council in Tripoli, continued to enforce Islamic law in some parts of the capital and, according to human rights activists, arrest and detain individuals whom it suspected of violating Islamic law. Following a February 15 hearing, a court ordered the Union Church of Tripoli, a Christian congregation, to vacate its building or face forcible eviction. The church had used the building as its house of worship for over 50 years, having moved there after the government expropriated its building. After receiving initial permission to dock in Libyan ports, local governments withdrew their approvals for port calls by the *MV Logos Hope*, a ship operated by a German faith-based organization whose website describes it as the "world's largest floating bookfair." The local government withdrawal of permission to make port calls followed an outcry by prominent individual Muslims and Islamic organizations, who said that the mission of the ship was Christian proselytism.

Some areas of the country, including the eastern part, operated under the influence of the self-styled Libyan National Army (LNA) and LNA-affiliated armed

groups. Nonstate actors and militias continued to operate and control territory throughout the country, including in parts of Tripoli and in Benghazi, where there were reports of armed groups restricting religious practices, enforcing compliance with sharia according to their interpretation, and targeting those viewed as violating their standards. An armed group affiliated with the LNA destroyed a church in the southern city of Sebha, in what local leaders claimed was an operation against smuggling and trafficking but provided no compensation for the destruction. According to media reports, elements of the Madkhali Salafist movement affiliated with the LNA continued to crack down on activities not sanctioned by their strict interpretation of Islam, including the sale of books deemed un-Islamic and events where men and women mixed. Multiple contacts reported that, as in previous years, Sufis were able to practice more openly in the western part of the country compared with previous years, and Libyans engaged in public Sufi religious celebrations in Tripoli and Zliten.

According to Christian nongovernmental organizations (NGOs) such as Middle East Concern (MEC), Open Doors USA, and The Voice of the Martyrs, Muslims who converted to another religion faced intense social and economic pressure to renounce their faith and return to Islam. Sources also reported converts to other religions, as well as atheists and agnostics, faced threats of violence or dismissal from employment and hostility from their families and communities because of their beliefs. According to the World Organization of the Jews of Libya, authorities continued conversion of an abandoned synagogue in Tripoli into an Islamic religious center without permission.

The U.S. Embassy to Libya operated from Tunis, Tunisia, while U.S. diplomats made infrequent, short-duration trips to the country. While the U.S. diplomatic presence is limited, embassy representatives discussed religious freedom on a number of occasions with a variety of local and national leaders. Embassy officials met with human rights activists, including MEC, the Arab Organization for Human Rights – Libya (AOHRL), Human Rights Watch, clergy in Libya, and independent activists and researchers to address religious freedom issues. The embassy funded a program to counter disinformation and hate speech in the country, including religious hate speech. The program included an online campaign that had reached 208,000 followers by October. The embassy also partnered with local and international NGOs to implement media literacy training and social media campaigns aimed at curbing hate speech and disinformation.

The U.S. government supported international efforts to establish a unified, stable, democratic, and tolerant Libyan state, and continued to raise issues of religious freedom in conversations with authorities, NGOs, academics, and other human rights advocates.

Section I. Religious Demography

The U.S. government estimates the total population at 7.1 million (midyear 2022). According to reports by the International Organization for Migration, 12 percent of the population are migrants. Sunni Muslims represent between 90 and 95 percent of the population, Ibadi Muslims account for between 4.5 and 6 percent, and the remainder includes small communities of Christians, Hindus, Baha'is, Buddhists, and Ahmadi Muslims, most of whom are foreigners. Many members of the Amazigh ethnic minority are Ibadi Muslims. Nearly all non-Muslim residents in the country are foreigners. Some Libyan Muslims practice Sufism.

According to Boston University's 2020 World Religions Database, the population includes approximately 6.8 million Muslims, 36,000 Christians, and populations of Buddhists, Hindus, atheists or agnostics, and Sikhs that are all less than 20,000.

Estimates of the number of Christians vary. According to Open Doors USA's 2022 World Watch List Country Profile (covering 2021), there are 34,600 Christians. In 2015, Open Doors USA estimated 150 to 180 of these were Libyan nationals who converted from Islam, and the remainder migrant workers.

Foreign Christian communities consist almost exclusively of sub-Saharan African migrants and Filipino foreign workers, with smaller numbers of Egyptian migrants and a small number of other foreign residents of European nationalities.

According to Christian groups in Tripoli, most Egyptian Christians are followers of the Coptic Orthodox Church. Most Filipino and some sub-Saharan African migrants are Catholic; the Catholic diocese of Tripoli estimates its followers include 3,000 sub-Saharan Africans and 400 Filipinos, a decline of 100 Filipino Catholics, from the previous year. Estimates of the numbers of other Christian groups vary. According to Open Doors USA, these include Anglicans, Greek and Russian Orthodox Church members, Protestants, and nondenominational Christians.

According to the World Holocaust Remembrance Center Yad Vashem, no Jews reside permanently in the country.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The 2011 Constitutional Declaration functions as the interim constitution. It states Islam is the state religion and sharia is the principal source of legislation, but it accords Christians and Jews the freedom to practice their religions and guarantees state respect for their personal status laws. The Constitutional Declaration prohibits any form of discrimination based on religion. Christian and Jewish familial religious matters, such as divorce and inheritance, are governed according to the practices of the religious community to which the individual belongs, provided they are consistent with the law. Sharia, however, applies in any case in which a Muslim is involved. The Constitutional Declaration also states, “There shall be no discrimination among Libyans on the basis of religion or sect” with regard to legal, political, and civil rights. The penal code and other laws provide criminal penalties for convictions of defamation and insults to religion; in practice these are generally applied only to cases involving Islam. The law does not recognize religious minority communities other than Christians and Jews and does not accord these other groups equal rights under the law. The laws governing religious practice predate the internal conflict.

The Ministry of Endowments and Islamic Affairs (MEIA) administers mosques, supervises clerics, and has primary responsibility for ensuring all Islamic religious practices conform to state-approved Islamic norms.

Sharia courts govern family matters for Muslims, including inheritance, divorce, and the right to own property. Under the law, a Christian or Jewish woman who marries a Muslim man is not required to convert to Islam; however, a non-Muslim man must convert to Islam to marry a Muslim woman. Marriages between Muslim men and women of non-Abrahamic faiths are illegal, and such marriages are not recognized, even when conducted abroad. The MEIA administers non-Muslim family law issues, although there is no separate legal framework governing non-Islamic family law. The ministry draws upon neighboring countries’ family law precedents for non-Muslims and determines whether

practices of other religious communities pertaining to family issues are consistent with the law.

Religious instruction in Islam is required in public and private schools. Attendance at religious instruction is mandatory for all students, with no opt-out provisions.

There is no law providing for individuals' right to choose or change their religion or to study, discuss, or promulgate their religious beliefs. There is no civil law explicitly prohibiting conversion from Islam to another religion or prohibiting proselytizing; however, the criminal code effectively prohibits missionary activities or conversion, according to scholars and human rights advocates. It includes prohibitions against "instigating division" and insulting Islam or the Prophet Muhammad, charges that carry a maximum sentence of death. The criminal code prohibits the circulation of publications that aim to "change the fundamental principles of the constitution or the fundamental rules of the social structure," which authorities use to criminalize the circulation of non-Islamic religious materials and speech considered "offensive to Muslims."

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

Between November 2021 and March 2022, the Tripoli-based ISA, which is closely aligned with GNU Prime Minister Abdulhamid Dabaiba, arrested several young activists who were reported to be peacefully exercising their right to freedom of expression and detained them with little or no contact with the outside world. According to UN bodies and human rights organizations, the ISA arrested the activists arbitrarily and subjected them to intimidation, harassment, forced confessions, and torture. According to Amnesty International, the ISA posted videos of seven activists "'confessing' under apparent duress" as well as their "alleged communications with atheists, agnostics, Quaranists, feminists, and secularists both online and in person." In March, Amnesty reported that authorities transferred the men to two prisons. The NGO Humanists International reported that at least five of those arrested were members of an affiliate in country, the Tanweer ("Enlightenment") Movement. Tanweer announced its closure on March 13.

On March 26, the public prosecutor announced that several members of Tanweer had been charged with “spreading atheism.” His statement also said that ISA was opening an investigation into the Tanweer movement and confirmed the prosecution of the individuals for “calling for the abandonment of religion” and “attempting to destroy one of the fundamental structures of the social order.” According to the Office of the UN High Commissioner for Human Rights, members of Tanweer’s board, fearing for their safety, fled overseas, while other individuals identified in the activists’ “confessions,” went into hiding after receiving death threats. In September, the UN Support Mission in Libya and NGOs reported that authorities had systematically denied the individuals’ rights to due process and a fair public trial. In December, four of the activists were sentenced to three years in prison for “insulting the State’s religion” and “misusing the internet.” Both the prosecution and the defense have the option to appeal.

Human rights observers reported that the government continued to harass and prosecute Christians who had converted from Islam.

Multiple authorities and armed groups continued to vie for influence and territorial control in the country, with GNU control limited primarily to the more populous northwest of the country. The GNU, however, was dependent on the assistance of armed groups, and the LNA controlled the larger territory, primarily in the east and south. The aspiring rival Government of National Stability claimed authority but showed limited ability to control the areas in the south and east where it was able to operate, was largely unrecognized abroad, and fell under influence of the LNA. Foreign military forces, fighters, and mercenaries continued to operate in the country, reinforcing units aligned with both the GNU and the LNA. Informal, nonstate armed groups were the main security actors across the country.

According to press and social media reports, the SDF, a nominally GNU-aligned armed group in Tripoli, continued to enforce Islamic law in some parts of the capital and, according to human rights activists, arrest and detain individuals whom it suspected of violating Islamic law. Human rights activists said freedom of conscience for converts to Christianity, atheists, and Muslims who deviated from Salafist interpretations of Islam was not respected. Christian groups operating in the country again identified the SDF as among the Islamic militant groups involved in the harassment of Christians.

Armed groups provided security and administered detention centers for migrants and refugees in the country, where, according to multiple international human rights organizations, Christians said they faced a higher risk of physical assault, including sexual assault and rape, than other migrants and refugees. According to an international organization, in 2021, an underage migrant girl taken to a detention center survived sexual abuse and rape at the hands of traffickers and was insulted and mistreated because of her Christian faith.

Because religion and ethnicity are often closely linked, it was difficult to categorize many incidents as being solely based on religious identity.

The Christian rights advocacy group MEC reported that in May, MEIA called on the General Authority for Communications and Information to close and forbid several types of websites, including those calling for “youth to follow other religions” or advocating “atheism and devil worship.”

Some detention facilities had no provision for non-Islamic burials.

Following a February 15 hearing, a court ordered the Union Church of Tripoli, a Christian congregation, to vacate its building or face forcible eviction. The church had used the building as its house of worship for over 50 years, having moved there after the government expropriated its building. Three other Protestant multinational churches also used the building for worship. The court decision came as the result of the government returning this property to the heirs of the original owners from whom the building had been expropriated. As of October, the church was looking into other rental opportunities but had not yet secured a location.

The Ministry of Education said it continued to work to promote religious tolerance in the country through the dissemination of civil education curricula for grades four through nine designed to promote inclusivity and tolerance. According to the ministry, the curricula aimed to replace previous material containing discriminatory language directed at non-Muslims.

According to human rights activists, civil society figures, and politicians, the role of Islam in policymaking remained a major point of contention among supporters and opponents of political Islam, Salafist groups, and those who wished for a

greater separation between religion and politics. According to a University of Massachusetts academic, supporters of political Islam encompassed a range of political movements concerned with giving Islam an authoritative status in political life, including political groups affiliated with the Muslim Brotherhood and others.

Members of some religious groups reported that religious staff had difficulties securing visas to travel or reside in the country.

The Ministry of Endowments and Islamic Affairs issued instructions to imams in September to warn citizens of the heresy of celebrating the Prophet's birthday, a Sufi tradition.

The *MV Logos Hope*, a ship whose website describes it as the "world's largest floating bookfair" and operated by a German faith-based organization, received permission to dock in Benghazi, Misrata, and Tripoli in August. Sheikh al-Sadiq al-Ghariani, regarded by the Muslim Brotherhood and others as the country's Grand Mufti, accused the ship of proselytism, and the High Commission for Fatwa, a quasi-governmental authority, issued a fatwa against the ship and urged Libyans to "fight the attack on their faith" and "do whatever you can to prevent this plague from docking in any port...." The chief censor of the Publications Department of the Ministry of Education asked the boat operators to remove 260 books from the list of exhibited books, to which the ship's operators agreed.

The mayor of Misrata issued a statement asking the security of the Misrata Port to prevent the ship from docking, which resulted in the cancellation of the ship's permission to dock in that city. After the *Logos Hope* was able to dock in Benghazi, the Islamic Awqaf in Benghazi issued a statement on August 8 calling on Libyans to boycott the ship and prevent any kind of communication with it. In a video posted on their Facebook page, they accused the ship of trying to "Christianize" Libyans and called it a threat to the Islamic faith, quoting Quranic verses critical of Christians and Jews. On August 10, the Benghazi Awqaf issued a statement to imams, directing them to speak in their Friday sermons against "Christian proselytization." A senior imam who headed the Committee for Cultural and Proselytization Issues at the Benghazi Awqaf posted a 20-minute speech on Facebook about the ship in which he called Christians "the enemy of God, poisonous, dirty, and deceptive," and he said they aimed to convert Muslim

youth. According to an NGO, the contractor hired to organize the ship's port visits said that as a result of threats and harassment, the vessel could no longer dock in the country, and he had to move the ship to another country and was unable to return to Libya.

There was no information available regarding whether authorities conducted investigations of credible allegations of mistreatment or allowed prisoners and detainees access to visitors or religious observance.

Actions by Foreign Forces and Nonstate Actors

Throughout the year, nonstate actors and armed groups continued to operate and control territory throughout the country, including in the capital and all major cities. Some areas of the country, including the eastern part, operated under the influence of the LNA and LNA-affiliated armed groups.

On January 23, a militia affiliated with the LNA destroyed a building in Sebha that according to press reporting, had been used as a church for decades. Local officials said the destruction was part of an operation in the area against smuggling, human trafficking, and other illegal activities. Bystanders confirmed that other buildings in the vicinity were also destroyed in the operation. To date, neither the LNA nor other authorities have provided compensation for the destruction or offered a replacement for the building, which served as the city's only church.

LNA-aligned Salafist-Madkhali groups as well as the SDF continued to act as self-appointed morality police, according to knowledgeable observers, cracking down on activities not sanctioned by their strict interpretation of Islam, including the sale of books deemed un-Islamic and events where men and women mixed.

In recent years, Salafist groups, including Madkhalis, targeted Sufi holy sites and suppressed Sufi practices, according to the al-Mostaghir Billah Center. The center stated that more than 530 Sufi religious sites were destroyed between 2011 and 2020. Participation in public Sufi ceremonies declined significantly after the 2011 revolution, according to embassy contacts, press reporting, and other sources, as Sufis feared reprisals for practicing in public. During October, Sufis celebrated the birthday of the Prophet Muhammad in the Old City of Tripoli, and they resumed

celebrations of Sheikh Abd al-Salam Asmar in the city of Zliten, as they did in 2021 and 2020.

In Tripoli, according to civil society representatives, some armed groups, such as the SDF, continued to impose restrictions on women's dress and punish behavior by men that they deemed "un-Islamic."

In March, an unidentified militia group released Nigerian pastor Femi Abraham, whom it had detained without charges in 2021. A relative of the man who had detained Abraham said his detention was due to the pastor's attempt to open a church.

MEC reported that police arrested foreign Christians, along with some non-Christian Libyans, celebrating Christmas and the New Year in Misrata following a warning that they did not represent the country's (Muslim) religion or beliefs.

According to academic researchers, the General Administration for Criminal Investigation in Benghazi continued to conduct investigations of citizens for denigrating Islam, for converting others to Christianity, and for proselytizing on social media.

According to human rights activists and political analysts, authorities in the east of the country continued to provide texts for Friday services to imams, often including political and social messages.

U.S.-designated foreign terrorist organizations, including AQIM and ISIS, continued to operate in a limited fashion within the country, particularly in the south, but they no longer controlled territory inside it. On December 19, the press reported that a Tripoli prosecutor announced that a court had sentenced 17 former ISIS members to death for joining the group and killing 53 people in the western city of Sabratha. The court also gave 16 defendants lesser sentences and sentenced two individuals to life imprisonment.

On August 27, clashes between armed groups in Tripoli resulted in minor damage to a church building, though there was no evidence that the church was specifically targeted for violence. There were no reports during the year of explicitly religiously motivated attacks by these groups.

Section III. Status of Societal Respect for Religious Freedom

Sheikh al-Sadiq al-Ghariani, whom the Muslim Brotherhood and others regard as the country's Grand Mufti, continued to make statements denigrating other religions. In a September sermon, he said Christianity and Judaism are polytheistic religions and not the religion of Abraham.

AOHRL continued to report a restrictive social environment for religious freedom throughout the country that included intense social and economic pressure on former Muslims to return to Islam. NGOs stated Salafist interpretations of sharia continued to contribute to the restrictive environment. Religious minorities again said converts to other religions, as well as atheists, agnostics, and other nonreligious persons, faced threats of violence or dismissal from employment and hostility from their families and communities because of their beliefs.

Christian NGOs such as Middle East Concern, Open Doors, and The Voice of the Martyrs said Christians who converted from Islam practiced their faith in semi-secrecy and faced violence and intense pressure from their families and communities to renounce their faith. Christians said they felt pressure to refrain from missionary activities as a result of security threats and social pressure from the local community, as well as because of legal prohibitions against conversion and missionary activity. Christians who had not converted from Islam said they often felt uncomfortable wearing outward displays of their religion, such as crosses or rosaries, for fear that it could lead to harassment.

Small Christian communities continued to exist in Tripoli, where Catholic, Anglican, and Protestant churches operated for foreigners. Christian communities were also present in Misrata, al-Baida, Benghazi, Tubruq, Sebha, Ghat, Ubari, and Murzuq, among other cities. In some cases, Catholic communities continued to worship in places other than church buildings, including in Benghazi, where ISIS had destroyed church properties in 2015. The Catholic cathedral in Benghazi, damaged in fighting in 2013-15, remained inaccessible.

Members of the Jewish Libyan diaspora community reported that as of December, an abandoned synagogue in Tripoli remained closed-off by local security actors and that they were concerned about its preservation. In April 2021, the World Organization of the Jews of Libya and the press had reported

that unknown persons had begun work on the building without permission from members of the Libyan Jewish diaspora. According to a representative of the World Organization of the Jews of Libya, at that time, the synagogue was being turned into an Islamic religious center without permission. The representative called for the renovation to stop; he said he hoped that the synagogue would one day be restored. At year's end, no updates were available, as access to the site remained restricted. Members of Jewish diaspora organizations, however, were not aware of continued construction activity at the site in 2022.

Harassment of, and incitement against, the Ibadi Muslim minority by Salafist groups continued, according to multiple observers. In October 2021, Salafist Sheikh Tariq Dorman publicly stated that Ibadism was based on a rejection of Islam and on spreading chaos.

Religious scholars continued to form organizations, issue fatwas, and provide advice to followers. The fatwas did not have legal weight but conveyed considerable social pressure, according to tribal and religious leaders. The GNU did not exercise administrative control of mosques or supervision of clerics in GNU-controlled areas.

Section IV. U.S. Government Policy and Engagement

Since the 2014 evacuation from Tripoli and suspension of embassy operations there, U.S. diplomats have operated out of Tunis, Tunisia; U.S. diplomats continued to make infrequent, short duration trips into Libya to engage directly with Libyan interlocutors, while also engaging with Libyans from Tunis, both in person and virtually. The U.S. government continued to support international efforts to end the conflict and to establish a unified, stable, democratic, and tolerant Libyan state.

Embassy representatives discussed religious freedom on a number of occasions with a variety of local and national leaders. The embassy also continued to partner with the Ministry of Education to disseminate new civil education curricula for grades four to nine designed to promote inclusivity and tolerance.

Embassy officials met with human rights activists, including the MEC, AOHRL, Human Rights Watch, clergy in the country, and independent activists and

researchers to address religious freedom issues. The embassy funded a program to counter disinformation and hate speech in the country, including religious hate speech. The program included an online campaign that had reached 208,000 followers by October 2022. The embassy also partnered with local and international NGOs to implement media literacy trainings and social media campaigns aimed at curbing hate speech and disinformation.