



‘CALL FOR ACCOUNTABILITY’

LCW SUBMISSION TO THE UNHRC ON THE FOURTH CYCLE FOR LIBYA

I. LIBYA CRIMES WATCH (LCW)

Libya Crimes Watch (LCW) is an independent, non-governmental organisation established in 2019 and registered in the United Kingdom, through a field team operating across all Libyan regions, LCW monitors, documents, and reports on human rights violations and international crimes committed against civilians. LCW is dedicated to promoting accountability, advocating for justice, combating impunity, and supporting victims and survivors. By engaging with international mechanisms, LCW strives to enhance human rights protections and influence policies that uphold fundamental freedoms and the rule of law.

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II. INTRODUCTION

1. Since Libya's last Universal Periodic Review (UPR) in 2020, the human rights situation has further deteriorated, particularly concerning the rights to freedom of expression, association, and belief. Deepening institutional fragmentation, entrenched impunity, lack of accountability, and the systematic use of repressive measures by authorities and affiliated groups across both eastern and western Libya have fostered a pervasive climate of fear and suppression. These measures have been systematically deployed to target political dissidents, human rights defenders (HRDs), journalists, religious minorities, and non-religious individuals, further eroding fundamental freedoms.
2. Despite receiving 285 recommendations during the last UPR cycle, 181 of which were accepted, **36 were rejected, and 68 noted**, Libya has failed to uphold key commitments to protect fundamental freedoms. The Libyan authority's failure to submit its mid-term report, due in 2023, further underscores its lack of meaningful engagement with the UPR process. Instead of taking steps to address human rights concerns, authorities have enacted and enforced legislation that further restricts civic space and curtails political and religious freedoms. The use of security agencies to silence dissent, coupled with the judiciary's lack of independence, has exacerbated the human rights crisis.
3. LCW has documented widespread cases of arbitrary detentions, enforced disappearances, and attacks on activists and journalists, as well as the systematic persecution of religious minorities and individuals accused of apostasy. These violations persist due to the entrenched culture of impunity and the complicity of state-affiliated entities, which continue to undermine efforts to uphold human rights and the rule of law.
4. This report highlights three critical areas of concern:
 - **Arbitrary Arrests and Enforced Disappearances.**
 - **Freedom of Belief and Religious Persecution.**
 - **Attacks on Activists, Journalists and the Libyan Civil Society.**

III. METHODOLOGY

5. This report is based on first-hand information gathered through LCW's field monitoring and documentation team, which operates across Libya, including in remote and high-risk areas. We utilise a multi-source verification process, combining field data, survivor and witness testimonies, official records, and open-source analysis, applying rigorous documentation methods in line with international human rights standards. The report also incorporates secondary sources, including reports from national and international human rights organisations, official government data, legal documents, and findings from United Nations

bodies and independent human rights mechanisms. All collected information is cross-checked and analysed to ensure accuracy, reliability, and consistency with international legal frameworks, strengthening efforts to promote accountability and justice.

IV. ARBITRARY ARRESTS AND ENFORCED DISAPPEARANCES

6. Arbitrary arrests and enforced disappearances remain widespread in Libya, with security agencies affiliated with authorities in both eastern and western Libya, including the Internal Security Agency (ISA)¹, the Special Deterrence Force (“Al-Radaa”), the Stability Support Apparatus (SSA), and the Tariq Bin Ziyad Brigade of the Libyan Arab Armed Forces (LAAF), continue to detain individuals without due process. The victims include activists, journalists, HRDs, protesters, social media users, and individuals targeted based on their political opinions, religious beliefs, sexual orientation, and gender identity. Many detainees are held incommunicado for prolonged periods, and families seeking information about their whereabouts face intimidation and reprisals. The absence of accountability has allowed these violations to persist, with security agencies operating with impunity.
7. Despite Libya’s commitments during the third UPR cycle, key recommendations on arbitrary detention and enforced disappearances² Remain unfulfilled. **In 2022, 62 cases** of arbitrary detention were documented, including children, with 26 cases of enforced disappearance. **In 2023, 109 cases** were documented, including children, with 52 cases of enforced disappearance. **In 2024, 122 cases** were documented, including children, with 52 cases of enforced disappearance. The detainees included social media activists, journalists, HRDs, protesters, political activists, government employees, and individuals arrested due to their political opinions, religious beliefs, sexual orientation, and gender identity.
8. These violations persist due to the absence of judicial oversight, lack of accountability for perpetrators, and the use of vague legal provisions to justify arrests. Many detainees remain imprisoned without formal charges or fair trials, while security agencies continue to operate with impunity.

Recommendations

- Ratify and implement the International Convention for the Protection of All Persons from Enforced Disappearance.

¹ As a result of the political and security division, two security agencies were formed under the name of the "Internal Security Agency (ISA)" in Libya, the first affiliated with the Libyan Presidential Council and active in western Libya, and the second affiliated with the Libyan government approved by the House of Representatives and active in eastern and southern Libya.

² Report of the Working Group of the Universal Periodic Review on Libya, January 2021, A/HRC/46/17, para. 148.155, 148.122, 148.123, 148.121, 148.142, 148.128, 148.124, 148.126, 148.21, recommendations by Germany, Zambia, Austria, Russian Federation, USA, Lebanon, Canada, Japan, Oman.

- Release arbitrarily detained individuals and investigate enforced disappearance cases.
- Adopt legislative and legal reforms to end arbitrary detention and improve detention conditions.
- Ensure detainees' rights and provide judicial oversight of detention practices.

V. ATTACKS ON JOURNALISTS, ACTIVISTS, AND LIBYAN CIVIL SOCIETY

9. Repression in Libya continues to escalate, with authorities in both the east and west employing systematic patterns of arbitrary detention, enforced disappearances, and judicial harassment to stifle dissent. LCW has documented the arbitrary detention of 80 individuals between 2022 and 2024, including journalists, HRDs, social media bloggers, and civil society activists. Many were subjected to enforced disappearance, ill-treatment, and unfair trials, highlighting a sustained and deliberate assault on freedom of expression and civic engagement.
10. Despite Libya's commitments during the third UPR cycle, authorities have failed to implement key recommendations they have accepted aimed at protecting journalists and HRDs. Recommendations on ensuring their safety³, on releasing arbitrarily detained media professionals⁴, and on investigating arbitrary detention and restrictions on freedom of expression and assembly⁵. Despite these commitments, authorities continue to violate these rights systematically, failing to implement the accepted recommendations while intensifying their repression of journalists and activists.

Legal Framework Facilitating Repression

11. Despite these commitments, Libyan authorities continue to suppress freedom of expression and association through the misuse of national legislation:
12. **Law No. 06/2014 on Combating Terrorism**⁶ contains broad provisions that enable its misuse against expression, peaceful assembly and association. **Article 2** defines "terrorist acts" in vague terms, allowing for their arbitrary application⁷. **Article 3** extends the law's scope to

³ Report of the Working Group of the Universal Periodic Review on Libya, January 2021, A/HRC/46/17, para. 148.173, 148.174, 148.176, 148.179, recommendations by Drance, Germany, Norway, Republic of Korea.

⁴ Ibid, para. 148.171, 148.165, recommendations by Austria and Norway.

⁵ Ibid, para. 148.159, recommendation by Iceland.

⁶ 'Law No. 3 of 2014 on counter-terrorism', issued on September 19, 2014. Available at: <https://security-legislation.ly/latest-laws/law-no-3-of-2014-on-counter-terrorism/>

⁷ Article 2 provides a broad definition of a "terrorist act," noting that it prevents the government or authorities from carrying out their activities, and gravely disturbs public order by obstructing the provisions of the constitution, laws, or regulations. For more information at: Libya: Submission to Amend Counterterrorism Law, HRW, March 24, 2015. For more information at: <https://www.hrw.org/news/2015/03/24/libya-submission-amend-counterterrorism-law>

include all crimes under Libyan law if committed with the intent of achieving a "terrorist objective" or financing terrorism, heightening the risk of politically motivated prosecutions. **Article 15** further imposes up to 15 years of imprisonment for "propaganda, promotion, or misleading information" related to terrorism, encompassing speech, writing, and online communication, including online platforms.

13. **Law No. 04/2017 amending the Military Penal and Procedure Codes**⁸ Expands military jurisdiction in ways that raise serious concerns. **Article 1** extends its reach to "perpetrators of terrorist offences," a classification linked to the vague definition of terrorism in **Law No. 06/2014**. **Article 2** allows military courts to try civilians for offences labelled as "crimes against state security" or those committed in military-controlled areas. In 2023, the House of Representatives (HoR) reportedly amended the law to prohibit civilian trials in military courts.⁹; however, no official record of this amendment has been published, and such trials persist.
14. **Law No. 05/2022 on Combating Cybercrime**¹⁰: **Article 4** criminalises online activities that violate "public order, public morals, or harm others," allowing broad interpretation and misuse to justify arbitrary arrests¹¹.

Patterns of Abuse

15. Libyan authorities, particularly the ISA and security agencies affiliated with both the Government of National Unity (GNU) and HoR-affiliated government and LAAF, have engaged in systematic violations, including arbitrary detention and enforced disappearance of activists and journalists, torture and ill-treatment in ISA detention facilities and prisons, coerced confessions extracted under duress and used in judicial proceedings, military trials for civilians based on vaguely defined terrorism-related charges¹², public dissemination of forced confessions by the ISA and GNU-affiliated entities to justify arrests and incite public hostility, prosecutorial complicity in admitting confessions obtained through torture, denial of access

⁸ Law No. 04/2017 amending the Military Penal and Procedure Codes, issued on November 28, 2017. Available (In Arabic) at: <https://lawsociety.ly/legislation/قانون-رقم-4-لسنة-2017-م-بشأن-تعديل-بعض-أحكام>

⁹ 'The House of Representatives approve a legislative amendment that prevents military trials for civilians'

¹⁰ 'Law No. 5 of 2022 Regarding Combating Cybercrimes', issued on September 27, 2022. Available at: <https://lawsociety.ly/en/legislation/law-no-5-of-2022-regarding-combating-cybercrimes/>

¹¹ The law includes other articles that go beyond international human rights law, with article 7 allowing censorship of online content and activity, and articles 13 and 47 allowing for arbitrary eavesdropping and monitoring of online communication.

For more information: Libya: 'Repeal anti-cybercrime law now', Article 19, November 10, 2022. Available at: <https://www.article19.org/resources/libya-repeal-anti-cybercrime-law-now/>

Letter from the Special Rapporteurs to the Libyan House of Representatives (HoR) regarding the Compacting Cybercrime Law, OL LBY 3/2022, March 31, 2022. Available at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27150>

¹² For more information: 'Report: Military Trials of Civilians in Eastern Libya', Libya Crimes Watch (LCW), September 30, 2022. Available at: <https://lcw.ngo/report-military-trials-of-civilians-in-eastern-libya/>

to legal representation during detention and the initial prosecution stages, and confiscation of personal property of detainees.

Case Studies

16. On 25 December 2020, security forces affiliated with the ISA's Misrata office (Presidential Council-affiliated) arbitrarily detained **Mohamed Radwan**, a human rights activist and head of the Association for Missing Persons from Tawergha. He was held for 24 hours before being released without charges. His arrest was linked to his advocacy for the rights of Tawergha's forcibly displaced population and missing persons.
17. On 11 July 2024, the ISA (Presidential Council-affiliated) arrested **Ahmed Al-Senussi**, editor-in-chief of Sada Economic Newspaper, near his residence in Tripoli. The arrest followed threats against newspaper staff and the summoning of its managing editor for interrogation by the ISA. Al-Senussi's detention was based on a complaint by the Minister of Economy (GNU) after he published corruption-related documents. He was charged under **Law No. 05/2022** (Combating Cybercrime) and **Law No. 76/1972 (Press Publications)**¹³, accused of "publishing confidential documents without authorisation" and "misleading public opinion." He was released on 14 July 2024 by the prosecutors' office, but on 16 July, the ISA published a forced confession video¹⁴ in which Al-Senussi "apologised" to the authorities, reflecting a broader pattern of using coerced confessions for public shaming and intimidation.
18. On 13 February 2020, the ISA in Derna (LAAF-affiliated) arrested **Hind Abdelaziz Al-Naas** from her home for social media posts criticising the LAAF. She was detained under **Law No. 06/2014 (Counter-Terrorism)** and referred to the Military Prosecutor in Derna before being transferred to the Qarnada Military Prison. She was held for 413 days before being released on 1 April 2021 without formal charges or trial.
19. On 19 September 2023, security forces affiliated with the Tariq Bin Ziyad Brigade (LAAF-affiliated) and the ISA (HoR-affiliated government) arrested **five activists** in Derna after they participated in protests demanding accountability for the collapse of the city's dams¹⁵. The

¹³ The law contains broad definitions that can be interpreted to suppress freedom of expression, including criticism of the authorities.

'Law No. 76 of 1972 AD regarding publications', issued on July 24, 1972. Available (in Arabic) at: <https://lawsociety.ly/legislation/القانون-رقم-76-لسنة-1972-م-بشأن-المطبوعات>

For more information: 'Freedom of Association and human rights defenders' Cairo Institute for Human Rights submission to Libya 4th UPR cycle, para. 19. Available at:

<https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=7929&file=EnglishTranslation>

¹⁴ Video available at the ISA official page on Facebook (Arabic):

<https://www.facebook.com/watch/?v=1301621364130393>

¹⁵ On 10 September 2023, Hurricane Daniel hit the city, and as a result of the collapse of infrastructure due to neglect by the Libyan authorities in eastern and western Libya, the Derna dams collapsed, leaving floods that

detainees were subjected to enforced disappearance for over a week before being released on 28 September 2023 following public pressure. Authorities imposed strict security measures, including roadblocks, internet shutdowns, and arbitrary restrictions on journalists reporting on the disaster. The General Authority for Endowments and Islamic Affairs (GNU and HoR-affiliated) launched a state-sponsored incitement campaign against the protests and demonstrators.

Recommendations

- Immediately release all arbitrarily detained journalists, activists, and human rights defenders and ensure independent investigations into allegations of enforced disappearances, torture, and inhumane treatment.
- Repeal or amend restrictive legislation, including **Law No. 06/2014 (Counter-Terrorism)**, **Law No. 04/2017 (Military Jurisdiction)**, and **Law No. 05/2022 (Cybercrime)**, to bring them in line with international human rights standards
- Cease the prosecution of civilians before military courts and publish the full text of the alleged 2023 amendment prohibiting civilian trials in military courts.
- End the practice of forced confessions and public shaming of detainees

VI. FREEDOM OF BELIEF AND RELIGIOUS PERSECUTION

20. Libya has failed to implement previous UPR recommendations aimed at protecting freedom of thought, conscience, and religion and preventing religious discrimination. The State remained neutral on recommendations calling for protecting and promoting the right to freedom of religion and efforts to combat discrimination, including against religious minorities and Christians, including legislative change and awareness-raising¹⁶, and explicitly rejected recommendations calling for comprehensive anti-discrimination legislation, including protections against religious discrimination¹⁷.

Non-Religious Individuals and Those Accused of Apostasy

21. Libyan authorities continue to criminalise apostasy and religious conversion, leading to the systematic persecution of individuals based on their religious beliefs or lack thereof. Between November 2021 and August 2024, at least **30 individuals**, including four women, two gender

washed part of the city into the sea, leaving more than 5,900 dead, and the search for missing people continues, and led to the displacement of more than 44,800 people.

For more information: ‘Libya Flood Response Flash Appeal Final Report Sept 2023 - June 2024’, OCHA, November 2024. Available at: <https://www.unocha.org/publications/report/libya/libya-flood-response-flash-appeal-final-report-sept-2023-june-2024-issued-november-2024-enar>

¹⁶ Report of the Working Group of the Universal Periodic Review on Libya, January 2021, A/HRC/46/17, para. 148.175, 148.102, recommendations by Holy See and Brazil.

¹⁷ Ibid, para. 148.109, recommendation by Kenya.

non-binary persons, and one minor, were arbitrarily arrested in Tripoli on charges related to apostasy, atheism, and religious conversion.

22. Those targeted included HRDs, civil society activists, and foreign nationals. These arrests were carried out by the ISA (Presidential Council-affiliated), with detainees held at ISA facilities in Tariq al-Sikka and Drebi before being referred to the Bab Ben Ghashir Prosecution after prolonged detention.
23. Detainees were subjected to serious human rights violations, including enforced disappearance, prolonged arbitrary detention without judicial oversight, torture, and other ill-treatment. Some detainees were forcibly subjected to anal examinations at state-run hospitals, including Abu Salim Trauma Hospital, in violation of the absolute prohibition of torture and inhuman or degrading treatment under international human rights law. Coerced confessions were extracted under duress, and detainees were forced to sign documents without legal counsel. The ISA and the Ministry of Foreign Affairs (GNU-affiliated) publicly disseminated forced confessions, exposing detainees to further harm, social stigma, and threats to their safety.
24. Judicial authorities, including Prosecutor **Abdelazim Al-Ghattas** (Bab Ben Ghashir Prosecution), who is reportedly affiliated with the Madkhali-Salafi movement, failed to investigate these abuses, accepted confessions obtained under torture, and prolonged pretrial detention without sufficient evidence. Additional violations included denial of access to legal representation, confiscation of personal property, and discriminatory treatment in detention facilities.
25. Some detainees were sentenced to prison terms ranging from one to ten years, while others remain in detention pending trial. Charges were based on **Article 291** of the Penal Code, as amended by **Law No. 20/2016**, which criminalises apostasy¹⁸, as well as the original **Article 291**, which penalises blasphemy. Additionally, **Article 207** criminalises activities deemed subversive to the state, while **Article 35 of the Telecommunications Law No. 22/2010** restricts online expression. Furthermore, **Article 42 of the Cybercrime Law No. 05/2022** criminalises offences against religious sanctities or rituals.
26. Detainees were held in Al-Jadida Prison, Al-Ruwaimi Prison, Mitiga Prison, and Al-Dhaman Prison ("Tajoura"), and other prisons, where they were subjected to prolonged incarceration, mistreatment, and discriminatory treatment due to the nature of the charges against them.

Recommendations

¹⁸ The legal amendment to the article 291, which criminalizes apostasy, was repealed in 2020 by Law 01/2020 on the repeal of laws issued by the General National Congress. However, the repealed amendment to article 291 was used in the early stages of detention, and later in all cases the charge of "apostasy" based on it was dropped.

- Repeal or amend laws that criminalise blasphemy to ensure the protection of freedom of thought, belief and conscience, including articles of **the Penal Code**, and **Laws 22/2010 (Telecommunications)** and **05/2022 (Cybercrime)**.
- Conduct independent and transparent investigations into cases of arbitrary arrests, enforced disappearances, torture, and ill-treatment based on religious beliefs, ensuring those responsible are held accountable.
- Guarantee fair trial rights and due process for all individuals accused of religious offences, including access to legal representation, protection from coerced confessions, and adherence to international fair trial standards.

Sufi Orders and Religious Persecution

27. In 2024, the HoR enacted **Law No. 06/2024**¹⁹, ostensibly to combat “sorcery, witchcraft, and divination.” The law contains vague and overly broad provisions, particularly in **Articles 1 and 3**, enabling its misuse for politically and religiously motivated arrests. **Article 4** allows convictions based on confessions and unverified testimonies, facilitating arbitrary prosecutions. The law was introduced by the General Authority of Endowments and Islamic Affairs (GNU-affiliated) and the Ministry of Endowments and Islamic Affairs (HoR-affiliated), both controlled by the Madkhali-Salafi movement.²⁰ Which regards Sufi practices as heretical.
28. Since January 2024, at least **10 adherents of Sufi orders**²¹ Have been arbitrarily arrested and forcibly disappeared under accusations of engaging in sorcery and witchcraft. These arrests took place in Benghazi, Tobruk, Derna, Marj, and Sirte, targeting individuals solely for their religious beliefs. Among those detained were four elderly men aged 65 and older.
29. Between January and February 2024, **5 individuals** were arrested by the Directorates Support Force (DSF), a unit within the Ministry of Interior of the (HoR-affiliated government) under the command of **Mahmoud Buhairi**. These arrests were carried out under the supervision of **Saleh Sweiri**, who was directly responsible for the detentions and interrogations. The detainees were later transferred to Qarnada Military Prison, controlled by the Tariq Bin Ziyad Brigade and the Military Police and Prisons Administration of the LAAF. Their families and

¹⁹ ‘Law No. 6 of 2024 on the Criminalization of Witchcraft, Sorcery, Divination, and Related Practices’, issued on January 9, 2024. Available (in Arabic) at: <https://lawsociety.ly/legislation/-م-في-شأن-تجريم-السحر-وال-السنن-رقم-6-لسنة-2024>

²⁰ A hardline Islamist movement close to the authorities in eastern and western Libya, and enjoys wide political, military, social and economic influence in Libya. More information on: ‘Addressing the Rise of Libya’s Madkhali-Salafis’, International Crisis Group, April 25, 2019, Available at: <https://www.crisisgroup.org/middle-east-north-africa/north-africa/libya/addressing-rise-libyas-madkhali-salafis>

²¹ A vulnerable Islamic group in Libya, distinguished by its unique spiritual and ritual practices. More information on: ‘The Sufi-Salafi Rift’, Carnegie Endowment for International Peace, January 23, 2018. Available at: <https://carnegieendowment.org/middle-east/diwan/2018/01/the-sufi-salafi-rift?lang=en>

lawyers have been denied access, and their whereabouts remain unknown, constituting enforced disappearance under international human rights law.

30. On 4 February 2024, armed men in civilian clothing and unmarked vehicles abducted **Sheikh Muftah Al-Amin Al-Biju**, a 78-year-old leader of the Qadiriyya Sufi order, from his farm in Abu Atni, south of Benghazi. His family was physically assaulted, women and children were threatened, and his home was looted. He remained forcibly disappeared for three months before his relatives learned he was being held at an unofficial detention facility within the Qarnada Prison Complex, controlled by the Tariq Bin Ziyad Brigade. Over a year later, he remains detained without charge, denied access to legal representation, and has not been brought before a prosecutor.
31. Between October and November 2024, **5 Sufi adherents** were arrested by the Benghazi branch of the General Directorate of Security Operations, led by Mahmoud Bushairi. They were detained at an unofficial facility in Ras Al-Manqar, where one detainee was subjected to torture, including beatings with plastic pipes and asphyxiation techniques, for three consecutive days. He was held for an additional five days before being released under social and tribal pressure. During his detention, he witnessed the torture of five other detainees.
32. Between 3 and 25 November 2024, **2 detainees** died²² Under suspicious circumstances at the Ras Al-Manqar facility. One body bore visible signs of torture, yet authorities refused to provide medical reports, burial permits, or explanations to the victims' families, who were also threatened into silence.

Recommendations

- Repeal or amend **Law No. 06/2024 (Counter-Witchcraft)** to ensure compliance with international human rights standards and prevent its misuse to criminalise religious practices.
- Immediately release all individuals detained for their religious beliefs, including followers of Sufi orders, and conduct independent investigations into cases of enforced disappearance, torture, and deaths in custody.

²² For more information: 'Statement: LCW condemns extrajudicial killings inside an unofficial prison in Benghazi', Libya Crimes Watch (LCW), November 29, 2024. Available at: <https://lcw.ngo/en/blog/lcw-condemns-extrajudicial-killings-inside-an-unofficial-prison-in-benghazi/>