



## UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

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### FACTSHEET **RELIGIOUS FREEDOM CONDITIONS IN LIBYA**

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#### USCIRF's Mission

*To advance international freedom of religion or belief, by independently assessing and unflinchingly confronting threats to this fundamental right.*

## Religious Freedom Conditions in Libya

### Overview

Religious freedom conditions in Libya reflect concerning trends. In 2023, authorities in Tripoli continued their campaign of arrest, interrogation, detention, and forced confessions of individuals accused of religious conversion and proselytization. Rival government actors in both the eastern and western parts of the country enforced religiously-justified restrictions on Libyans' online and other expressions unaligned with government-endorsed interpretations of Islam.

Libya has a long history of religious diversity that encompasses ancient Jewish, Christian, and Muslim heritage, sites, and communities. For several decades in the 20th century, Libya maintained a reputation within the Middle East and North Africa region for religious moderation. However, in recent years, pluralism—among other aspects of civil society—has deteriorated. Libya's ongoing lack of stable governance has amplified its vulnerability both to natural disasters such as September 2023's catastrophic Storm Daniel and to rampant political corruption, multi-actor armed conflict, and other factors unfavorable to freedom of religion or belief.

This factsheet reports on recent religious freedom conditions in Libya, identifying some of the various actors, including successive Tripoli governments and their competitors in the east, that have restricted freedom of religion or belief. Both state and nonstate actors—some with the backing of foreign states—have targeted religious minorities, converts from Islam to other religions, migrants and other foreign nationals, as well as Libyan Muslims with dissenting religious views.

### Key Actors Affecting Religious Freedom

#### Rival Governments

Libya has suffered severe political fragmentation and institutional instability since the 2011 populist "Arab Spring" uprisings and North Atlantic Treaty Organization (NATO)-supported forces' *ousting* of former ruler Muammar al-Qaddafi. Rival seats of government in Tripoli, Benghazi, and other cities have exacerbated this fragmentation, as have the numerous armed rebel groups and Islamist militias vying for power throughout the country.



Although in recent years the names, affiliations, and seats of power of various governmental contenders have varied, the east-west regional fault line remains at play in the ongoing political division. In 2015, the United Nations (UN) helped [establish](#) the internationally recognized Government of National Accord (GNA), based in the *de jure* capital of Tripoli on the northwestern coast and in command of western Libyan armed forces supported in part by military aid from countries such as Turkey and Italy.

In 2019, General Khalifa Haftar, a former defector from Qaddafi's military, marshaled a [coalition](#) of armed groups called the Libyan National Army (LNA)—also known as the Libyan Arab Armed Forces (LAAF)—in an attempt to seize Tripoli. The GNA drew on Turkish support to successfully resist an LNA takeover, although Haftar helped set up a rival government based in the eastern port city of Benghazi, claiming control of large amounts of territory in the east and south. Like the GNA, the LNA has had powerful foreign state supporters including Russia and the Russian-backed Wagner Group, France, Egypt, and the United Arab Emirates (UAE)— with the latter two supporting Haftar in part to help [counter](#) the perceived threat of political Islam and the Muslim Brotherhood within the GNA. The LNA has faced challenges from not only the GNA and its successive iterations and competitor governments, but also from several Islamist and rebel militias.

Since a 2020 internationally brokered ceasefire, the political landscape has undergone additional transformation. UN-led negotiations resulted in the formation in 2021 of Tripoli's Government of National Unity (GNU), a provisional government led by Prime Minister Abdul Hamid Dbeiba and intended to replace the

GNA and unify it with the country's interim parliament, the Tobruk-relocated House of Representatives (HoR), in advance of long-anticipated national elections. However, later that year, the HoR passed a vote of no confidence against the GNU and approved the 2022 installation of a new Government of National Stability (GNS) in the central city of Sirte, asserting the leadership of Prime Minister Fathi Bashagha over objections from the UN.

Haftar, bolstered by the LNA and related armed groups, is the presumed animating force behind many eastern-based bodies and their ostensible leaders, with each organization and politician varying in the degree of actual power they wield in the east and south. In May 2023, the HoR, led by House Speaker and potential presidential candidate Aguila Saleh, suspended Prime Minister Bashagha, foiling his aspirations to position himself within the GNS as the chief [rival](#) to Prime Minister Dbeiba's GNU in Tripoli.

The UN has continued to recognize the interim authority of the GNU while pushing for nation-wide presidential and parliamentary elections with "buy-in" from major political actors. Given the weakness of Libya's institutions, electoral legitimacy relies on the consensus of these competing individuals more than that of the organizations they support or lead. One of these actors is Prime Minister Dbeiba, whose possible intention to remain in an originally temporary post could undermine Libyans' confidence in any elections in which he stands.

Under a 2015 agreement, the HoR must collaborate with the High Council of State (HCS) on a new electoral framework for presidential and parliamentary elections. The HCS is a secondary and unelected body that brings

together the competing Tripoli government and the HoR in Tobruk. However, the HCS and HoR each issued [conflicting](#) electoral laws, postponing the 2021 elections. In 2022, the HoR established its own body to draft a constitution, further delaying elections. In July 2023, the HoR and HCS agreed to temporarily [reunite](#) in advance of elections. However, in October the HoR submitted to the United Nations Support Mission in Libya (UNSMIL) a plan for elections by the end of 2023 that, like previous proposals, may not meet the UNSMIL’s [standards](#) for “consensual and implementable” election frameworks. In its initial review of the proposal, UNSMIL [stressed](#) the need for a “national compromise,” calling on all stakeholders to once and for all agree on “a unified government to lead the country to elections and close the chapter of interim governments.” In early December, UNSMIL head Abdoulaye Bathily, the UN’s Special Representative for Libya, urged all Libyan stakeholders to reach a comprehensive political [settlement](#), allowing the country to move ahead with elections.

### Armed Militant Groups

Nonstate actors—including several U.S. designated foreign terrorist organizations—and other armed Islamist groups

have capitalized on Libya’s ongoing government rivalries and lack of centralized state institutions to wage attacks on both political and civilian targets. Some armed groups in Libya resemble typical non-state actors but contribute to the leadership of or otherwise maintain strong links to the rival government institutions across the country. In the absence of a viable national military, each region’s executives have relied on non-state militias to maintain a semblance of order and help protect their seats of power. The LNA and related eastern armed groups—including the Tareq Bin Zayed (TBZ) militia run by Haftar’s son Saddam—have [supported](#) the HoR and the GNS regime, while a Salafist militia called the Special Deterrence Forces (SDF) has been linked to the GNU in Tripoli.

Salafi-Jihadi and other Islamist militias without current government affiliations, territorial control, or governance capacity exist in Libya as well. These include the [U.S.-designated](#) foreign terrorist organizations Ansar al-Sharia, al-Qaeda in the Islamic Maghreb (AQIM), and the self-declared Islamic State in Libya (IS-L), which is an affiliate of the Islamic State in Iraq and Syria (ISIS).

## Religious Freedom Conditions

### Religious Communities

Libya’s population is largely Sunni Muslim. The Amazigh (sometimes called “Berber”) ethnic minority, especially populations in the northwest’s Nafusa mountains, includes practitioners of [Ibadi Islam](#). A small number of Libyans from both the Arab-identified and Amazigh native communities have converted from Islam to other religions, particularly Christianity. Libya’s ancient Jewish population

[diminished](#) dramatically beginning in the mid-20th century—when it numbered 45,000—due to increasing government restrictions, Libyan nationalists’ successive violent attacks, and Jews’ resulting emigration. Since 2002, when the [last](#) community member died, Libya has had no Jewish population.

Year Established	Entity	Cities and/or Regions	Affiliated Security Forces or Armed Groups (examples)
2021	Government of National Unity (GNU)	Tripoli; northwest	Special Deterrence Forces (SDF)
2015-2021	Government of National Accord (GNA)	Tripoli; northwest	Special Deterrence Forces (SDF)
2014	House of Representatives (HoR)	Tobruk and Benghazi; northeast	Libyan National Army (LNA) a.k.a. Libyan Arab Armed Forces (LAAF); Tareq Bin Zayed (TBZ) militia
2022	Government of National Stability (GNS)	Sirtre (north-central); affiliated with the HoR (northeast)	Libyan National Army (LNA) a.k.a. Libyan Arab Armed Forces (LAAF); Tareq Bin Zayed (TBZ) militia
2016	High Council of State (HCS)	Tripoli	

Figure 1: Select Key Actors Affecting Religious Freedom in Libya

Today, the majority of non-Muslims—such as Christians, Baha'is, Hindus, Buddhists, and Ahmadi Muslims—in Libya are migrants or other foreign-born residents. Despite the dysfunction of parallel governments and ongoing security threats from multiple armed groups, Libya is both a final destination and a geographically convenient passing-through point for refugees and economic migrants from other countries in Africa. The country's lack of central authority has only added to its appeal for human traffickers and migrant smugglers to Europe via the Mediterranean. Some migrant communities were religious minorities in their countries of origin. Libya's three Coptic Orthodox churches, for example, serve many Christian job seekers and other immigrants from neighboring Egypt. For other non-Muslim newcomers, such as workers from the Philippines or migrants from Christian-majority communities in Nigeria, life in Libya presents new potential restrictions on their ability to practice or share with others their religious beliefs.

### Religious Freedom Restrictions by Governments

Libya's splintered governments lack an updated constitution, other laws, and a unified judiciary. A 2011 [constitutional declaration](#) by the National Transitional Council, an unelected body, remains in use during the protracted transitional period. This constitution names Islam as the state religion and Shari'a as the main source of legislation but "guarantee[s] for non-Muslims the freedom to practice their religious rituals" and establishes all Libyans' equality before the law "without distinction on the grounds of religion [or] belief." The HoR has called for amendments and posed other [challenges](#) to the 2011 constitutional declaration.

The Libyan Penal Code covers the whole country, although eastern and western authorities may not have the ability to enforce it outside their respective regions. The Penal Code as amended includes [provisions](#) that authorities and legal experts have over the past decade interpreted as prohibitions against apostasy and missionary work, with severe potential sentences. Article 207 criminalizes and makes punishable by death the promotion of "theories or principles aimed at changing the fundamental principles of the constitution or the fundamental rules of the social structure." Law No. 20 of 2016, passed by a GNU body and enforceable in the west, amends article 291 of the Penal Code, which prohibits the renunciation of Islam in word or deed. Although the amendment allows for Muslims accused of apostasy to avoid the death penalty if they return to Islam, it adds

non-Muslims who "publicly insult Islam" to those eligible for the death penalty.

In recent years, converts from Islam to other religions, especially Christianity, have faced harassment and serious punitive measures from government and affiliated actors. In 2022, the Misrata Court of Appeal [sentenced](#) to death a young man for his conversion from Islam to Christianity four years earlier and after he refused to convert back to Islam. The same year, the Internal Security Agency (ISA) of Tripoli, an intelligence and law enforcement organization affiliated with successive western governments, arrested and detained at least [seven](#) young men "opposed to Libyan and Islamic values," later posting alleged forced confession videos in which the detainees admitted "communicating with atheists, agnostics, Quranists, feminists, and secularists both online and in person." The ISA reportedly issued online statements claiming the detainees had conspired to spread atheism.

In 2023, the ISA and other western authorities have continued their pursuit of alleged apostates and proselytizers. In March and April, the ISA made a string of religiously based [arrests](#) targeting converts to and alleged proselytizers of Christianity. One series of investigations resulted in the detention of at least ten Libyans for alleged apostasy and two U.S. citizens and two other foreign nationals for alleged proselytizing. Although the U.S. citizens were released within days, the others are believed to remain in detention, with the ISA asserting their participation in an "organized gang action aiming to solicit and to make people leave Islam." In October, reports suggested the ISA expressed an intention to reopen investigations in the cases of the remaining detainees. These detentions are notable for the ISA's framing of the detainees as an "organized gang"—linking Libyan converts to Christianity, Christian U.S. nationals, and immigrants of Christian background. Further, the cases reflect apparent cooperation between Benghazi's Interior Ministry, which initially apprehended some of the suspects, and the ISA in Tripoli, which carried out interrogations.

Community liaisons describe the Libyan-born Christian population today as almost exclusively "underground" in response to the increasing threat of arrest and detention for alleged personal apostasy or proselytization of friends or neighbors. Christians from minority Protestant denominations have also reported government-initiated eviction from church properties with private owners.

Libyans of Sunni Muslim background also face potential arrest, detention, and prosecution. Increasingly, both eastern and western administrations have used legislation, detention, and courts to target Libyans for perceived violations against official interpretations of Islam.

In February 2023, eastern authorities invoked the House of Representatives' recently-passed Anti-Cybercrimes law in [arresting](#) two high profile women: folk singer Ahlam al-Yamani and blogger Haneen al-Abdali. Benghazi's Interior Ministry accused them of insulting "the status of the chaste and dignified Libyan woman in our conservative society with acts and behaviors that are foreign to us and offend our customs, traditions and true religion."

In May 2023, Tripoli's General Authority for Religious Endowment and Islamic Affairs announced the debut of the Guardians of Virtue program and administrative body, intended to purify society of vice, deviations, and atheism and targeting women, Sufi expressions of Islam, atheists, and apostates. Other Libyan Islamic institutions have [objected](#) to the program as a potential violation of Shari'a in its usurpation and weaponization of religious authority. [Competition](#) between and among these and other leading Islamic institutions itself reflects and fuels heightened Islamism in official circles, leading to increased government monitoring of and restrictions on religious minorities, converts from Islam to other religions, women, and other vulnerable members of the population.

### Militias and Armed Islamist Groups

In Benghazi and other parts of the east, the purportedly secular LNA and allied Salafi Islamist forces with close ties to that region's government have sought to regulate other Islamist groups, ostensibly to fight [terrorism](#)—as in Haftar forces' 2022 killing of suspected Islamic State militants—but with the additional aim of usurping these Islamists' religious power. To that end, LNA and related forces also reportedly control mosques and monitor Islamic sermons in the Benghazi area.

In the west, the SDF, which has reported to recent successive governments in Tripoli, enforces government-approved interpretations of Shari'a. In February 2023, the SDF "kidnapped" and arrested an Iraqi-born female [model](#) who made social media postings allegedly in violation of government-endorsed Islamic norms for women.

Militant Salafi groups throughout the country continue to [vandalize](#) Sufi shrines, objecting to interpretations of Islam that venerate saints.

Amid the political turbulence of the past several years, other armed Islamist groups have targeted religious minorities for attacks, restricted minorities' worship, and enforced Salafist versions of Shari'a, policing Muslims' expression of Islam.

In February 2023, a Libyan driver facilitated the [abduction](#) for ransom of six Christian Egyptians seeking work in eastern Libya, transporting them to a migrant detention facility near the city of Zawiya, reportedly controlled by a powerful western militia. Reports state the captors used [torture](#) against the migrants upon discovering the men were Christians, only releasing them upon their families' payment of a high ransom. In response to Egypt's efforts to achieve the prisoners' release, Tripoli authorities—whom Egypt does not recognize—claimed a lack of jurisdiction over the detention center. In July, the UNSMIL [stated](#) it was "deeply disturbed by the continued abductions, arbitrary arrests, and disappearances of citizens and public figures by various security actors in Libya." While the statement directly addressed the recent abductions and travel bans of HSC and other officials, the UNSMIL admonished "Libyan authorities and security entities to release" any arbitrarily detained people and bring to justice their abductors and jailers.

Other militant groups throughout Libya have targeted Copts from among Egyptian migrants. In previous years, IS-L held considerable power in Sirte and surrounding north-central coastal areas, mounting several deadly attacks on civilians including the 2015 abduction and mass execution by beheading of 21 Copts from Egypt based on their Christian faith. In May 2023, Pope Francis announced the formal [recognition](#) of the Coptic Orthodox victims as martyrs within the Catholic Church. In the same month, the appeals court in the western city of Misrata [sentenced](#) 23 people to death and 14 others to life in prison in connection to that IS-L campaign. International and Libyan military efforts in 2016 pushed IS-L out of Sirte, substantially diminishing its virulence, although it maintains a small presence in the southern and eastern regions.



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### Conclusion

Libya's persistent crisis of governance, prolonged delay in critical elections, and profound lack of security have contributed to a continued decline in conditions for freedom of religion or belief. Multiple actors including competing governments, their affiliated militias, and independent armed terrorist organizations have impeded the rights of Libyans and foreign nationals to worship publicly and freely; change their religion or communicate about religious ideas with members of other religions; or express thoughts divergent from the country's various governments' or militias' approved interpretations of Islam or suggestive of non-belief.

Both eastern and western administrations have imposed systematic and ongoing restrictions on religious freedom, including arrest, interrogation, detention and, in some cases, prosecution of alleged apostates and proselytizers. The Tripoli government's recent invocation of death penalty sentences for apostasy from Islam is an egregious violation of religious freedom demonstrating Libya's dire need for free and fair elections, a central government, and substantial constitutional and legislative reform to ensure freedom of religion or belief.

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