



ADF INTERNATIONAL

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UNIVERSAL PERIODIC REVIEW – FOURTH CYCLE

**Submission to the 50<sup>th</sup> Session of the Human Rights Council's  
Universal Periodic Review Working Group**

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**LIBYA**

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## Introduction

1. ADF International is a faith-based legal advocacy organization that protects fundamental freedoms and promotes the inherent dignity of all people.
2. This report addresses the situation of religious minorities in Libya, including the impact of laws prohibiting “offenses against religion”, such as blasphemy, or restricting the peaceful propagation of one’s religion and other forms of expression deemed to create societal harm. It also highlights the de facto criminalization of apostasy, punishable by death, and the consequences of political instability and insecurity resulting from the targeted activities of violent militias and extremist groups against vulnerable religious and other minorities.

### (a) Freedom of Religion or Belief and Freedom of Expression

3. Based on the World Religion Database, in 2020 the Libyan population was almost 99% Muslim, mostly Sunni, with Christians and other religious groups making up less than one percent.<sup>1</sup> Other sources estimate the proportion of Christians at closer to two to three percent.<sup>2</sup>
4. In 2024, Open Doors ranked Libya as fourth most difficult country for Christians to live in.<sup>3</sup> This is attributed to the influence Islamic extremism, the operations of militia groups targeting particularly converts from Islam, and the adverse impact of laws prohibiting, inter alia, blasphemy, apostasy and peaceful proselytism.<sup>4</sup>
5. Similarly, the latest Pew Research report marks Libya as “high” on government restrictions and social hostilities based on religion, placing it among the top 10 countries globally for the latter.<sup>5</sup>
6. During the previous UPR cycle, Libya received three recommendations to prevent and address discrimination based on religion, as well as one recommendation to promote religious freedom for all.<sup>6</sup> None were supported at the time.<sup>7</sup>
7. The Government of National Unity (the “GNU”), recognized by the United Nations as the official government of Libya, is based in Tripoli. The rival Government of National Stability (the “GNS”), established by the House of Representatives (the “HoR”) after a no-confidence motion against the GNU, operates out of Tobruk.<sup>8</sup> Libya’s ongoing

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<sup>1</sup> World Religion Database - Libya (2025) <https://www.worldreligiondatabase.org/> (login needed).

<sup>2</sup> Voice of Martyrs ‘Global Prayer Guide - Libya’ (2025) <https://www.persecution.com/globalprayerguide/libya/>.

<sup>3</sup> Open Doors ‘World Watch List 2025’ (2025) <https://www.opendoors.org/en-US/persecution/countries/>.

<sup>4</sup> Open Doors ‘Libya: Persecution Dynamics’ (December 2024)

[https://www.opendoors.org/persecution/reports/Libya-Full\\_Country\\_Dossier-ODI-2025.pdf](https://www.opendoors.org/persecution/reports/Libya-Full_Country_Dossier-ODI-2025.pdf), 7.

<sup>5</sup> S. Majumdar ‘Government Restrictions on Religion Stayed at Peak Levels in 2022’ (December 2024) *Pew Research Center*, <https://www.pewresearch.org/religion/2024/12/18/government-restrictions-on-religion-stayed-at-peak-levels-globally-in-2022/>.

<sup>6</sup> UN Human Rights Committee ‘Report of the Working Group on the Universal Periodic Review - Libya’ (5 January 2021) UN Docs A/HRC/46/17, <https://docs.un.org/en/A/HRC/46/17>, 148.98, 148.109, 148.175.

<sup>7</sup> UN Human Rights Committee ‘Report of the Working Group on the Universal Periodic Review – Libya, Addendum’ (8 March 2021) UN Docs A/HRC/46/17/Add.1, <https://docs.un.org/en/A/HRC/46/17/Add.1>.

<sup>8</sup> T. Hassan ‘Libya – Events of 2023’ (2024) *Human Rights Watch*, <https://www.hrw.org/world-report/2024/country-chapters/libya>.

political and security instability has eroded the rule of law, with various militias exerting significant influence over the judiciary.<sup>9</sup>

8. Armed groups compete for control, with some of their members holding positions of authority within both the GNU and the GNS. This contributes to the already volatile political and legal environment.<sup>10</sup> These groups enforce Islamic law, arbitrarily detaining individuals who are suspected of violations. They act with impunity, conducting violent attacks at checkpoints, leading to kidnappings and arbitrary arrests of Christians, especially sub-Saharan migrants.<sup>11</sup>

### *Legal Framework*

9. Pending the adoption of a new Constitution, the 2011 Constitutional Declaration is Libya's highest legal document. Article 1 establishes: "Islam shall be its religion and Islamic Shari'a shall be the main source of legislation." It further clarifies: "The State shall guarantee for non-Muslims the freedom to practice their religious rituals."<sup>12</sup>
10. Article 6 of the Constitutional Declaration guarantees equality before the law without discrimination due to religion.<sup>13</sup> Article 14 enshrines freedom of opinion, expression, freedom of communication, freedom of assembly, and related rights.<sup>14</sup>
11. Part 4 of the Libyan 1954 Penal Code outlines "offenses against religion", including:
  - Article 290, which prohibits "attacks, by any means of publicity, on any religious faith".<sup>15</sup>
  - Article 291 punishes "anyone who publicly attacks the Islamic religion, which is the official religious of the State [...], through expressions that are inappropriate for God, prophets or messengers" with up to 2 years imprisonment.<sup>16</sup>
12. Furthermore, Article 207 of the Penal Code prohibits the circulation, by any means, of "any views or principles that aim to alter fundamental constitutional principles, or the fundamental structures of the social order" or "to overthrow the political, social or economic order of the State", punishable by death. This includes "anyone who possesses books, leaflets, drawings, slogans, or any other items with the purpose of advocating the said acts, or who advocates them in any other way".<sup>17</sup> As reported in this submission, this provision has been invoked to sentence individuals accused of proselytism, particularly converts from Islam.
13. The former legislative body active between 2012 and 2014, the General National Congress, enacted a law which ascribed the death penalty for apostates from Islam that do not recant their new faith. After the dissolution of this body, the HoR, as the new legislative body, declared all laws passed by the Congress to be cancelled. Later,

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<sup>9</sup> D. Bovolenta 'Libya: Christian Sentenced to Death for Apostasy' (20 September 2022) *Bitter Winter*, <https://bitterwinter.org/libya-christian-sentenced-to-death-for-apostasy/>.

<sup>10</sup> W. Lacher 'Libya's Militias Have Become The State' (31 July 2023) *SWP Comment 2023/C 44*, <https://www.swp-berlin.org/10.18449/2023C44/>.

<sup>11</sup> Open Doors 'Libya: Persecution Dynamics' (December 2024) [https://www.opendoors.org/persecution/reports/Libya-Full\\_Country\\_Dossier-ODI-2025.pdf](https://www.opendoors.org/persecution/reports/Libya-Full_Country_Dossier-ODI-2025.pdf), 12.

<sup>12</sup> Constitution of Libya (2011) [https://www.constituteproject.org/constitution/Libya\\_2011](https://www.constituteproject.org/constitution/Libya_2011), art. 1.

<sup>13</sup> *Id.*, art. 6.

<sup>14</sup> *Id.*, art. 14.

<sup>15</sup> Libya Penal Code (1954, last amended 2014) <https://security-legislation.ly/latest-laws/penal-code/>, art. 290.

<sup>16</sup> *Id.*, art. 291.

<sup>17</sup> *Id.*, art. 207.

however, the Supreme Court in Tripoli declared this decision invalid, opening the door to the re-application of the former laws, including the law on apostasy, by local courts.<sup>18</sup>

14. Furthermore, the 2010 Law on Telecommunications criminalizes publishing information that “harms the political, economic, social or cultural heritage of Libyan Arab society”.<sup>19</sup>
15. In 2022, the HoR enacted a Law Regarding Combating Cybercrimes (the “Cybercrime Law”). This law requires that “public order and morality” be respected in the use of information and communication technologies.<sup>20</sup> Local actors report that the Cybercrime Law is enforced by the GNU.<sup>21</sup>
16. Under the Cybercrime Law, authorities can block or remove content without a court order in the name of “security requirements” or “public morality”. Moreover, encryption use is illegal without a license or permit.<sup>22</sup> The National Information Security and Safety Authority, which falls under the Ministry of Telecommunications, is entitled under this law to monitor online activity and block content deemed to “incite discord or ideas that may destabilise society’s security and stability or harm its social peace”.<sup>23</sup>
17. Due to its vague and overbroad terminology and the sweeping powers it entrusts authorities with, the Cybercrime Law has received significant international criticism for violating freedom of expression, privacy, and targeting religious minorities.<sup>24</sup>
18. Shari’a law governs all personal status matters involving at least one Muslim, while there is no civil law framework for non-Muslims.<sup>25</sup> Muslim men are permitted to marry women of the Abrahamic faiths, but Muslim women may only marry Muslim men. Marriages violating this rule are annulled.<sup>26</sup> Christian wives of Muslim men retain custody of their children unless “it is proven that she is raising the children in a religion other than that of their Muslim father”.<sup>27</sup>

### *Government Policy*

19. In 2023, the GNU launched the Guardians of Virtue Program under the General Authority for Endowments and Islamic Affairs to combat “religious, intellectual and moral deviations”.<sup>28</sup> While initially announced as a mere awareness program, it has been led to increased targeting and violence of both Libyans and migrants belonging

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<sup>18</sup> D. Bovolenta ‘Libya: Christian Sentenced to Death for Apostasy’ (20 September 2022) *Bitter Winter*, <https://bitterwinter.org/libya-christian-sentenced-to-death-for-apostasy/>.

<sup>19</sup> Law No. 22 on Telecommunications (2010) <https://security-legislation.ly/latest-laws/law-no-22-of-2010-on-communications/>, art. 35.

<sup>20</sup> Law No.5 Regarding Combatting Cybercrimes (27 September 2022) <https://lawsociety.ly/en/legislation/law-no-5-of-2022-regarding-combating-cybercrimes/>, art. 4.

<sup>21</sup> Information on file with author.

<sup>22</sup> *Id.*, art. 9.

<sup>23</sup> *Id.*, art. 7.

<sup>24</sup> Human Rights Watch ‘Libya: Revoke Repressive Anti-Cybercrime Law’ (3 April 2023) <https://www.hrw.org/news/2023/04/03/libya-revoke-repressive-anti-cybercrime-law>.

<sup>25</sup> Law No. (10) of 1984 Concerning the Specific Provisions on Marriage and Divorce and their Consequences (1984, last amended 2015).

<sup>26</sup> *Id.*, arts. 12 & 46.

<sup>27</sup> *Id.*, art. 64.

<sup>28</sup> K. El Hasse ‘Could Libya Become Africa’s Afghanistan?’ (26 July 2023) *Fikra Forum*, <https://www.washingtoninstitute.org/policy-analysis/could-libya-become-africas-afghanistan>.

to religious minorities.<sup>29</sup> There is an ongoing legal and constitutional debate around the scope of the power that has been given to the General Authority to monitor and police the general public under this program.<sup>30</sup>

### *Violence and Targeting of Christians and Other Religious Minorities*

20. Christians, including converts from Islam, have been specifically targeted by militia groups during the reporting period.
21. In September 2021, a group of Egyptian Coptic Christians living in Tripoli went missing, with speculation as to whether they were detained by police or abducted by armed groups.<sup>31</sup>
22. In December 2021, the Libyan Ministry of Interior issued a formal warning to citizens against celebrating Christmas, leading to shop closures and confiscation of Christmas decorations by law enforcement.<sup>32</sup>
23. In September 2022, the Union Church in Tripoli received an order to vacate their building, which had been a Christian worship center for over 50 years. A year earlier, the owners had initiated legal eviction procedures on the basis that it was against their Islamic faith to rent the building for non-Muslim worship.<sup>33</sup>
24. In 2022, a Christian convert who had been previously arrested and detained by militias multiple times was charged with apostasy and sentenced to death by the Court of Appeal of Misrata under the old law reinstated by the Supreme Court in Tripoli.<sup>34</sup> The convert was tried without legal representation and was made to publish his conviction in a local newspaper and radio station, and display it outside his residence and the court.<sup>35</sup>
25. In February 2023, six Christian men were held at an armed checkpoint near Zawiya and detained until a ransom was paid for their release.<sup>36</sup>
26. In April 2023, two American school teachers were deported after being detained for being “missionaries inviting Muslim Libyans to convert to Christianity”.<sup>37</sup>

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<sup>29</sup> Amnesty International ‘Libya: Internal Security Agency must end abuses in name of ‘guarding virtue’ (14 February 2024) <https://www.amnistia.org/en/news/2024/02/25792/libya-internal-security-agency-must-end-abuses-in-name-of-guarding-virtue>.

<sup>30</sup> M. Fetouri ‘Libya moderate Islamic interpretations under threat as more radicals penetrate government institutions’ (1 June 2023) *Middle East Monitor*, <https://www.middleeastmonitor.com/20230601-libya-moderate-islamic-interpretations-under-threat-as-more-radicals-penetrate-government-institutions/>.

<sup>31</sup> International Christian Concern ‘Egyptian Coptic Christians Disappear in Libya’ (22 October 2021) <https://www.persecution.org/2021/10/22/egyptian-coptic-christians-disappear-libya/>.

<sup>32</sup> Middle East Concern ‘Libya: Authorities act against Christmas celebrations’ (12 January 2022) <https://www.meconcern.org/2022/01/12/libya-authorities-act-against-christmas-celebrations/>.

<sup>33</sup> N.K. Chintom ‘Egyptian Christians in Libya face ‘toxic mix of racism and religious hostility’ (23 February 2023) *Crux Now*, <https://cruxnow.com/church-in-africa/2023/02/egyptian-christians-in-libya-face-toxic-mix-of-racism-and-religious-hostility>.

<sup>34</sup> Middle East Concern ‘Libya: Convert sentenced to death for apostasy’ (12 September 2022) <https://meconcern.org/2022/09/12/libya-convert-sentenced-to-death-for-apostasy/>.

<sup>35</sup> *Id.*

<sup>36</sup> J. Jeffery ‘Egypt says 6 Christian nationals freed from Libya detention’ (17 February 2023) AP News, <https://apnews.com/article/politics-libya-government-egypt-tripoli-ff3d406c4582536089c1886d63f0cf9a>.

<sup>37</sup> Middle East Eye ‘Libya arrests US citizens over Christian proselytising’ (13 April 2023) <https://www.middleeasteye.net/news/libya-us-citizens-arrests-over-christian-proselytising>.

27. In May 2023, six Libyan Christian converts were sentenced to death for alleged proselytism. The Internal Security Agency (the “ISA”) claimed to have made the arrests “to stop an organized gang action to solicit and make people leave Islam”.<sup>38</sup>
28. Numerous reports indicate widespread abductions, forced conversions, and forced marriages of Christian women and girls in Libya. Women and girls suspected of converting away from Islam risk facing house arrest, domestic violence, and, worse, honour killings. This situation is exacerbated by a lack of legislation on domestic violence and sexual harassment, as well as the reluctance of law enforcement to conduct investigations.<sup>39</sup>
29. Sufis are also reportedly targeted with violence. In February 2024, a prominent Libyan Sufi leader was abducted near Benghazi by a large group of men in civilian attire, alleged to be affiliated with the ISA. He is being held incommunicado in prison and suffering from deteriorating health.<sup>40</sup>

### *Freedom of Religion or Belief and Expression in International Law*

30. Article 18 of the International Covenant on Civil and Political Rights (the “ICCPR”) guarantees the right to the “freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching”.<sup>41</sup> Article 19 protects the right to freedom of opinion and expression, including the right to seek, receive, or impart information and ideas of “all kinds”.<sup>42</sup>
31. Libya’s criminalization of so-called “religious offenses”, proselytism and related expression, including online, do not constitute permissible limitations on the exercise of these rights in line with the narrow scope outlined in Articles 18.3 and 19.3 of the ICCPR respectively.<sup>43</sup> Furthermore, the vague wording and subjective interpretation of the provisions criminalizing so-called “expressions that are inappropriate for God” and those contrary to “public morality” opens the door to arbitrary and unjustified restrictions and penalties, while also creating a chilling effect on the expression of ideas or beliefs.
32. According to ICCPR Article 6: “In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes.”<sup>44</sup> In no way its apostasy or other so-called “religious offenses” can be regarded as most serious crimes, therefore the imposition of the death penalty in such circumstances is fundamentally incompatible with this treaty provision.

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<sup>38</sup> Z. M. Salih ‘Six Libyans face death penalty for converting to Christianity’ (3 May 2023) <https://www.theguardian.com/global-development/2023/may/03/six-libyans-face-death-penalty-for-converting-to-christianity>.

<sup>39</sup> Open Doors ‘Libya: Persecution Dynamics’ (December 2024) [https://www.opendoors.org/persecution/reports/Libya-Full\\_Country\\_Dossier-ODI-2025.pdf](https://www.opendoors.org/persecution/reports/Libya-Full_Country_Dossier-ODI-2025.pdf), 24-25.

<sup>40</sup> Amnesty International ‘Urgent Action: Older Sufi Sheikh Forcibly Disappeared for a Year’ (4 February 2025) <https://www.amnesty.org/en/wp-content/uploads/2025/02/MDE1990012025ENGLISH.pdf>.

<sup>41</sup> International Convention on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR), art. 18.

<sup>42</sup> Id., art. 19.

<sup>43</sup> Id. arts. 18(3) & 19(3).

<sup>44</sup> Id. art. 6.

33. Article 26 ICCPR mandates States Parties to “prohibit any discrimination and guarantee to all persons equal and effective protection from discrimination” including on the ground of religion.<sup>45</sup> Relatedly, Article 27 ensures that religious minorities “shall not be denied the right, in community with other members of their group, [...] to profess and practice their own religion”.<sup>46</sup>
34. The lack of adequate legal protections for the fundamental freedoms of persons belonging to religious minorities, including the inability for converts from Islam to practice their faith, highlight a critical gap in Libya’s implementation of its international human rights obligations. To remedy this situation, Libyan authorities must inter alia redouble their efforts to ensure their full and equal enjoyment of human rights, including by guaranteeing their effective protection from violence and other targeted violations and abuses.

#### **(b) Recommendations**

35. In light of the aforementioned, ADF International suggests the following recommendations be made to Libya:
- a. Ensure that the new Constitution explicitly recognizes and guarantees the right to freedom of religion or belief, including the freedom to change one’s religion or belief and to manifest it, in accordance with its obligations under international human rights law;
  - b. Repeal or review laws and policies that violate freedom of expression, including those criminalizing blasphemy, peaceful proselytism and other so-called “offenses against religion”;
  - c. Decriminalize apostasy;
  - d. Abolish the death penalty for religious offenses such as apostasy and proselytism;
  - e. Ensure the effective protection of persons belonging to religious minorities, including migrants and converts, from all acts of violence, harassment and abuse by state and non-state actors;
  - f. Effectively fight impunity by investigating and prosecuting all cases of extrajudicial, summary or arbitrary executions of Christians and other persons belonging to religious minorities, including where perpetrated by State actors;
  - g. Take all measures to eliminate the practice of abductions, forced religious conversion and forced marriage of women and girls, especially from religious minorities,

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<sup>45</sup> Id., art. 26.

<sup>46</sup> Id., art. 27.





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