

# POLICY BRIEF



## Libya

Christians caught between chaos, instability, and insecurity

Libya, an oil-rich country in North Africa, has experienced prolonged conflict and instability since the 2011 uprising that led to the removal of Muammar Gaddafi's government. Since 2011, the country has faced political divisions, ongoing fighting, and economic problems, with different governments and armed groups competing for control.<sup>1</sup> The main actors are the United Nations-supported Government of National Unity (GNU) in Tripoli and the de-facto Government of National Stability in the east in Benghazi (supported by Libyan National Army, led by Khalifa

Haftar). Armed militias, also known as government affiliated militias, have become established parts of both governments.<sup>2</sup> Southern Libya is split into areas controlled by different tribes, mainly Tuareg, Tebu, and Arab, with the help of armed groups.<sup>3</sup> Attempts to create one government have failed, so the country remains unstable. Islamist militants with no territorial control or governing power also operate in Libya. These include Ansar al-Sharia, al-Qaeda in the Islamic Maghreb, and the self-declared Islamic State in Libya.

<sup>1</sup> [cfr.org/global-conflict-tracker/conflict/civil-war-libya](https://cfr.org/global-conflict-tracker/conflict/civil-war-libya)

<sup>2</sup> [swp-berlin.org/10.18449/2023C44](https://swp-berlin.org/10.18449/2023C44)

<sup>3</sup> [chathamhouse.org/2020/03/development-libyan-armed-groups-2014/4-armed-groups-southern-libya](https://chathamhouse.org/2020/03/development-libyan-armed-groups-2014/4-armed-groups-southern-libya)

The two broad categories of Christians in Libya, foreign migrant workers and indigenous Libyan Christians, face severe discrimination and harassment in their daily lives because of their faith. Christian migrant workers in Libya must strictly confine their religious worship gatherings to the few remaining churches in the country and are prohibited from sharing their faith with others. Foreign Christians in Libya are at risk of arrest or visa denials on charges of proselytization and distribution of Christian

literature.<sup>4</sup> Migrant Christians crossing through to Europe, mostly from Sub-Saharan Africa, face a higher risk of physical and sexual assault, including rape, both during their transitioning as well as in the detention centers managed by state and non-state actors.<sup>5</sup>

Libya's fragmented governments function without an updated constitution, a unified judiciary, or an integrated legal framework. The country continues to follow the 2011 constitution finalized by the unelected National Transitional Council during the protracted transition period.<sup>6</sup> The 2011 constitution declares Islam as the state religion and Sharia as the primary source of legislation while guaranteeing non-Muslims the freedom to practice their religious rituals.<sup>7</sup> However, several provisions of the Libyan Penal Code (Penal Code) are considered as effectively prohibiting apostasy and missionary work. Indigenous Libyan Christians who have converted from Islam face oppression and harsh consequences for abandoning their faith by the government and its associated actors.<sup>8</sup> They may be subjected to the death penalty if they refuse to recant their faith and return to Islam.<sup>9</sup> Likewise, Sufis and Ibadi Muslims are harassed by the government authorities as well as Salafi militants.<sup>10</sup>

### Restrictions on freedom to leave or adopt a new faith and grave violations of fundamental human rights

Law No. 20 of 2016 amends Article 291 of the Penal Code (applicable exclusively to the territory under GNU) and makes the renunciation of Islam both in word and deed punishable by death. However, the charge of death penalty can be dropped if the individual returns to Islam prior to the execution of the sentence.<sup>11</sup> The rest of the country also enforces a practice of punishing converts to Christianity.<sup>12</sup> Consequently, the small number of indigenous Libyan Christians must keep their faith secret. If discovered, they could suffer severe consequences, including forced divorce, loss of child custody, denied inheritance, termination of employment, violence from their social community or authorities, and potential legal penalties such as arbitrary arrests and detention.<sup>13</sup> They



Former church building which is now in use as an Islamic book shop, Libya

<sup>4</sup> [loc.gov/item/global-legal-monitor/2023-05-25/libya-american-and-libyan-citizens-arrested-and-detained-for-conducting-missionary-work-and-apostasy](https://loc.gov/item/global-legal-monitor/2023-05-25/libya-american-and-libyan-citizens-arrested-and-detained-for-conducting-missionary-work-and-apostasy)

<sup>5</sup> "Libya: Country Dossier", World Watch Research, December 2024, pp.22. Available at WWL Background Information Libya 2024 [opendoorsanalytical.org](https://opendoorsanalytical.org) (password: freedom).

<sup>6</sup> "United States Commission on International Religious Freedom: Libya", USCIRF, Dec 2023, pp.4. Available at [uscirf.gov/sites/default/files/2023-12/2023%20Factsheet%20Libya.pdf](https://uscirf.gov/sites/default/files/2023-12/2023%20Factsheet%20Libya.pdf)

<sup>7</sup> [constituteproject.org/constitution/Libya\\_2011](https://constituteproject.org/constitution/Libya_2011)

<sup>8</sup> USCIRF, Dec 2023, *Ibid*, pp.5.

<sup>9</sup> [theguardian.com/global-development/2023/may/03/six-libyans-face-death-penalty-for-converting-to-christianity](https://theguardian.com/global-development/2023/may/03/six-libyans-face-death-penalty-for-converting-to-christianity)

<sup>10</sup> USCIRF, Dec 2023, *Ibid*, pp.5. Also see "United States Department of State 2023 Report on International Religious Freedom: Libya", US State Department (IRFR 2023), May 2023, pp. 9, 10 & 15. Available at [state.gov/wp-content/uploads/2024/04/547499-LIBYA-2023-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf](https://state.gov/wp-content/uploads/2024/04/547499-LIBYA-2023-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf).

<sup>11</sup> [loc.gov/item/global-legal-monitor/2023-05-25/libya-american-and-libyan-citizens-arrested-and-detained-for-conducting-missionary-work-and-apostasy](https://loc.gov/item/global-legal-monitor/2023-05-25/libya-american-and-libyan-citizens-arrested-and-detained-for-conducting-missionary-work-and-apostasy)

<sup>12</sup> "United States Commission on International Religious Freedom: Libya", USCIRF, March 2025, pp.76. Available at [uscirf.gov/sites/default/files/2025-03/2025%20USCIRF%20Annual%20Report.pdf](https://uscirf.gov/sites/default/files/2025-03/2025%20USCIRF%20Annual%20Report.pdf)

<sup>13</sup> "Libya: Country Dossier", *Ibid*, pp. 16-17.



are prohibited from worshipping in the official churches, which are intended exclusively for migrant Christians.<sup>14</sup> These actions seriously violate not only Freedom of Religion or Belief (FoRB) but also other fundamental human rights, including Right to Family Life, Right to Work, Right to Property, Freedom from Violence and Cruel, Inhuman, or Degrading Treatment, Right to Non-Discrimination, Right to Security and Protection from Arbitrary Arrest, and Right to Peaceful Assembly.<sup>15</sup>

Additionally, Article 207 of the Penal Code criminalizes and makes promoting ideas or principles that change the core tenets of the constitution or the foundational rules of the society punishable by death. Authorities use this to ban non-Islamic religious materials and speech seen as “offensive to Muslims”, thus narrowing the space for Freedom of Expression.<sup>16</sup>

### Extensive oversight and stringent restrictions on churches

Protestant churches in Libya, mostly made up of foreign migrant workers, are closely monitored and must follow strict rules on who can attend their services.<sup>17</sup> Indigenous Libyan Christians are prohibited from attending any non-Islamic religious gathering.<sup>18</sup> Historical expatriate churches, such as the Coptic Orthodox Church and the Roman Catholic Church, are officially recognized. However, constructing a new church or renovating an existing one is extremely difficult, if not impossible.<sup>19</sup> For example, in February 2022, a court ordered the eviction of the Union Church, a government recognized denomination, after several failed attempts of renewing the lease with the property owner.<sup>20</sup> Non-traditional protestant churches do not have legal status and must hold services in private dwellings.<sup>21</sup> As per Open Doors sources, government authorities, local communities, and non-state actors, such as the armed Islamist militant groups mentioned above, closely monitor

the activities of churches. Armed Islamists militants frequently attack religious minorities’ places of worship and attempt to enforce the Salafist version of Sharia.<sup>22</sup>

### Violent abuses and attacks on religious minorities by government affiliated militias, and Islamist militants

As noted at the outset, rival governments, their allied militias, and independent Islamist fighters have restricted the rights of religious minorities. There are numerous instances of abduction, torture, ill-treatment, and detention over the years.<sup>23</sup> These groups have made it difficult for religious minorities to worship openly, express their beliefs, or share views that differ from the versions of Islam approved by the authorities and Islamist militants.<sup>24</sup>

The Tripoli based GNU’s General Authority for Religious Endowment and Islamic Affairs started the Guardians of Virtue program in May 2023, purportedly to purify and protect the Islamic values in the society from apostates, Sufis, and atheists.<sup>25</sup> The Internal Security Agency (ISA), which runs this program, has however been responsible for abusing dozens of men and women. This includes arbitrary arrest and detention, torture, enforced disappearance, and the death penalty. The offenses they are charged with range from “confessing” to converting to Christianity, “embracing Christianity”, apostasy, “insulting Islam”, etc.<sup>26</sup> Abdelghani al-Kikli, a militia leader with close ties to the GNU in Tripoli, controls the ISA.<sup>27</sup> He also controls the state-funded Stability Support Authority militia, one of the main groups involved in Libya’s European Union-supported effort to stop migrants from crossing to Europe.<sup>28</sup>

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<sup>14</sup> *Ibid.*

<sup>15</sup> Right to Family Life – Article 18(4) and 23, ICCPR & Article 16, UDHR; Right to property – Article 17, UDHR; Right to Work – Article 6, ICESCR & Article 23, UDHR; Freedom from Violence and Cruel, Inhuman, or Degrading Treatment – Article 7, ICCPR & Article 5, UDHR; Right to Non-Discrimination – Article 26, ICCPR & Article 2, UDHR; Right to Security and Protection from Arbitrary Arrest – Article 9, ICCPR & Article 3 UDHR; Right to Peaceful Assembly – Article 21, ICCPR

<sup>16</sup> USCIRF, Dec 2023, *Ibid.*, pp.4.

<sup>17</sup> “Libya: Country Dossier”, *Ibid.*, pp.19.

<sup>18</sup> “Libya: Country Dossier”, *Ibid.*, pp.9.

<sup>19</sup> “Libya: Country Dossier”, *Ibid.*, pp.19.

<sup>20</sup> [persecution.com/stories/church-evicted-from-building-after-50-years](https://persecution.com/stories/church-evicted-from-building-after-50-years)

<sup>21</sup> “Libya: Country Dossier”, *Ibid.*, pp.19.

<sup>22</sup> USCIRF, Dec 2023, *Ibid.*, pp.5.

<sup>23</sup> [csw.org.uk/2023/02/21/press/5939/article.htm](https://www.csw.org.uk/2023/02/21/press/5939/article.htm). Additionally, the Independent Fact-Finding Mission on Libya, March 2023 (requested by the Human Rights Council in its resolution 50/2), concluded that persons were detained for their expression of divergent religious views). Available at: A\_HRC\_52\_83\_AdvanceEditedVersion-EN.docx.

<sup>24</sup> *Ibid.*

<sup>25</sup> [middleeastmonitor.com/20230601-libya-moderate-islamic-interpretations-under-threat-as-more-radicals-penetrate-government-institutions](https://middleeastmonitor.com/20230601-libya-moderate-islamic-interpretations-under-threat-as-more-radicals-penetrate-government-institutions)

<sup>26</sup> [amnesty.org/en/latest/news/2024/02/libya-internal-security-agency-must-end-abuses-in-name-of-guarding-virtue](https://www.amnesty.org/en/latest/news/2024/02/libya-internal-security-agency-must-end-abuses-in-name-of-guarding-virtue)

<sup>27</sup> [swp-berlin.org/1018449/2023C44](https://www.swp-berlin.org/1018449/2023C44)

<sup>28</sup> [apnews.com/article/middle-east-africa-libya-migration-7ec5d993bffc1dff597ccd1697a85b5d](https://www.apnews.com/article/middle-east-africa-libya-migration-7ec5d993bffc1dff597ccd1697a85b5d). Also see: [amnesty.org/en/latest/news/2022/05/libya-hold-stability-support-authority-militia-leaders-to-account](https://www.amnesty.org/en/latest/news/2022/05/libya-hold-stability-support-authority-militia-leaders-to-account)

# Recommendations:

To stop the continuous and severe violations of fundamental rights of civilians living in Libya, Open Doors makes the following recommendations:

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**1** To eliminate grievous infringement of fundamental rights, and ensure full respect of freedom of religion or belief of civilians in Libya:

- The **Government of National Unity and the de-facto Government of National Stability** should repeal all provisions criminalizing apostasy and amend the Penal Code to ensure full compliance with international human rights standards;
- The **Government of National Unity and the de-facto Government of National Stability** should urgently stop the arbitrary arrests and detentions based on adopting a different religion apart from Islam, and unconditionally release all imprisoned for this reason;
- The **Government of National Unity and the de-facto Government of National Stability** should urgently withdraw all forms of support for, and discontinue legitimizing, the militia groups affiliated to them and hold them legally accountable for their actions.

**2** To prohibit ill-treatment, abuse, and discrimination of minority faith adherents in Libya, the **European Union** and the **International Community** should ensure that strict accountability standards, including adherence to the rule of law and compliance with international human rights standards, are upheld as non-negotiable conditions and a fundamental prerequisite for funding any programs in the country. Failure to comply should result in immediate revocation of such fundings.

**3** To promote stability and reduce insecurity in Libya, the **International Community** should consider supporting initiatives such as, but not limited to, United Nations Support Mission in Libya (UNSMIL) and the African Union's Charter for Peace and National Reconciliation in Libya, to foster inclusive dialogues and advance sustainable peacebuilding efforts.

**4** To foster trust, mutual understanding, and peaceful co-existence for Christians in Libya – ensuring their freedom to practice their faith and gather for worship – the **Global Church** should consider engaging with the Grand Mufti of Libya and the Organization of Islamic Cooperation, and initiating interfaith peace dialogues. The focus of such strategic engagements should be to explore common values, areas of differences, and work towards solutions that are mutually acceptable and beneficial to all at the community level.