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ACHPR Country Briefing Report	
Country	LIBYA
Date	October 2025 – April 2026

# **LIBYA: ACHPR COUNTRY BRIEFING REPORT: HUMAN RIGHTS VIOLATIONS AND VIOLATIONS OF THE AFRICAN CHARTER (OCTOBER 2025 – APRIL 2026)**

**COMMITTEE FOR JUSTICE  
(CFJ)**

**Geneva office:**

7 chemin de Balaxert, Châtelaine  
1219 Geneva, Switzerland  
Tel: +41 22 940 35 38

**Paris office:**

60, rue François 1er  
75008 Paris, France  
Tel: +33 6 85 03 50 85

**Gambia office:**

in front of the Independence Stadium  
Gate, Bakau Newtown, Gambia.  
Tel: +220 238 4045

Website: [www.cfjustice.org](http://www.cfjustice.org)

E-Mail: [oc@cfjustice.org](mailto:oc@cfjustice.org)

X: [@Cfjusticeorg](https://twitter.com/Cfjusticeorg)

Facebook: [Cfjusticeorg](https://www.facebook.com/Cfjusticeorg)



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## INTRODUCTION

Libya has been experiencing a decade-long human rights crises since its landmark political uprising in 2011. There has been an increase in human rights violations carried out by security services and militias associated with the western Libya-based Government of National Unity and the authorities in eastern and southern Libya. The Libyan government has failed to take concrete and measurable steps to ensure the respect and protection of fundamental rights, put an end to the conflict, prevent institutional collapse and to combat widescale corruption and impunity.

Libya is faced with a volatile human rights situation as clashes between militia and other armed groups persist, especially in the eastern and southern parts of Libya. The situation in Libya is marked by serious and gross human rights violations ranging from arbitrary arrests, enforced disappearances, restrictions of freedom of movement and widespread attacks against human rights defenders and activists.<sup>1</sup>

The purpose of this report is to draw attention to past and ongoing human rights violations prevalent in Libya. By so doing, this report aims to highlight violations of the African Charter on Human and Peoples' Rights<sup>2</sup> (hereinafter referred to as the "African Charter"), with particular focus on the right to fair trial, freedom from arbitrary arrest and detention, freedom from enforced disappearances, protection of human rights defenders, and the means to ensuring state accountability for these violations.

This report draws inspiration from Article 4, 5, 6, 7 and 18 of the African Charter and the extent to which Libya has complied or violated the rights therein enshrined between the period of October 2025 and April 2026. It shall further examine the institutional and legal frameworks adopted by the Libyan government in ensuring the protection of human rights in Libya. This report adopts a methodology that is from secondary sources including communications and reports of local, regional and international human rights organizations, including information from the African Union and United Nations monitoring mechanisms.

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<sup>1</sup> Independent Fact-Finding Mission on Libya between 11 October 2021 and 27 June 2022.

<sup>2</sup> African Charter on Human and Peoples' Rights, Adopted 27 June 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force 21 October 1986.

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Facebook: Cfjusticeorg



## LEGAL AND INSTITUTIONAL FRAMEWORK

### a. Reporting Obligations under the African Charter:

Libya has been a signatory to the African Charter since May 30, 1985, and ratified the Charter on June 19, 1986. Since Libya's date of ratification of the African Charter, it has sent only 5 Periodic Reports to the African Commission on Human and Peoples' Rights; namely: 1986 – 1991, 1990 – 1992, 2002 – 2005, 2006 – 2008, and 2009 – 2011. Libya has 6 overdue reports that have not been sent.<sup>3</sup>

As a State Party to the African Charter, Libya is under a legal obligation to “undertake to submit every two years, a report on the legislative or other measures taken with a view to giving effect to the rights and freedoms recognised and guaranteed by the present Charter”.<sup>4</sup> These reports are to be submitted to the African Commission on Human and Peoples' Rights (hereinafter referred to as the “African Commission”), based in Banjul, The Gambia. The African Commission, through Articles 45 and 62 of the African Charter is mandated with the powers to promote human rights in African Member States, through amongst others, the receipt and examination of States' reports in fulfillment of their human rights obligations under the African Charter.

State Reports represent a crucial benchmark through which the African Commission can fulfill its mandate to ensure the promotion and protection of human rights. Consequently, this places an unwavering obligation on Libya “to adopt legislative and other measures to give effect” to the “rights, duties and freedoms enshrined in the African Charter”<sup>5</sup> and report on such measures in a periodic manner to the African Commission. Contrary to misconceived impressions – often propagated by State officials, State Reports are not a witch-hunt exercise designed to serve as an opportunity for shame or ridicule of any State, rather, they serve as a viable opportunity for States' accountability and strengthened cooperation and partnership with the African Commission. Hence, these reports represent “the urgent desire [...] to create a channel for constructive dialogue”<sup>6</sup> on the measures that a State Party, in this case – Libya – has adopted in compliance with the provisions of the African Charter.

<sup>3</sup> <https://achpr.au.int/en/states-reporting-status>

<sup>4</sup> African Charter on Human and Peoples' Rights, Adopted 27 June 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force 21 October 1986, Article 62.

<sup>5</sup> Ibid., Article 1.

<sup>6</sup> National State Reporting Guidelines 1988, African Commission on Human and Peoples' Rights.

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## **b. National Legal Provisions Related to Detention, Fair Trial, Freedom from Torture**

The Libya Constitutional Declaration enacted in 2011, which serves as the interim constitution, declares Islam as the state religion and places Sharia as the primary source of legislation.<sup>7</sup> The constitution also states that “human rights and basic freedoms shall be respected by the State”,<sup>8</sup> including freedom of movement, and assembly.<sup>9</sup> These rights are further consolidated by the Code of Criminal Procedure which provides rights to an accused to fair trial, including the prompt hearing of their case within 24 hours, resumption of innocence and the provision of a legal counsel.<sup>10</sup>

However, despite these legal provisions, there are several reports of gross violations of these constitutional rights – leaving individuals at risk of arbitrary detentions, torture and without fair trial. There are multiple reports of human rights defenders, refugees, asylum seekers, migrants being arbitrarily arrested and detained in centers under the government, and under the Libyan National Army (LNA)’s control.

## **c. Contradictions Between National Laws and Charter Obligations.**

While Libya’s 2011 Constitutional Declaration and other national legislations recognize the protection of fundamental human rights, including the prohibition of torture, and other degrading treatment, the effective implementation of these laws is still lacking.

The Code of Criminal Procedure, for instance, in Article 30 and Article 31 provides that “No individual may be arrested or detained without an order from the legally competent authority”, and that “Individuals may only be detained in prisons designed for this purpose”, respectively. However, the Libyan government continues to fail in exercising control over police and armed groups – carrying out arbitrary arrests and detention. This failure on the Libyan government is in violation of the obligations under Article 1 of the African Charter which mandates not only the recognition of the rights in the Charter, but also imposes an obligation on Libya to take concrete and actionable steps in bring its laws, policies and practices in conformity with the spirit of the Charter – thereby ensuring the protection of the rights enshrined therein.

Furthermore, Article 7 of the Code of Criminal Procedure places a statute of limitation on the prosecution of violations in the event the victim dies. Hence, violations are only actionable if filled at the while the victim is alive. This provision violates the principle of access to justice and fair trial guaranteed under Article 7 of the African Charter. Such a statute of limitation promotes a culture of impunity in Libya and drastically increases the chances

<sup>7</sup> Libya Constitutional Declaration of 2011 – Consolidated, Article 1. (Available from <https://security-legislation.ly/latest-laws/constitutional-declaration-of-2011-consolidated/>).

<sup>8</sup> Ibid., Article 7.

<sup>9</sup> Ibid., Article 14.

<sup>10</sup> Libya Code of Criminal Procedure, Article 26. (Available from <https://security-legislation.ly/latest-laws/the-code-of-criminal-procedure/>).

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of further harm and assignations to victims of human rights violations when seeking judicial redress for their violations suffered.

Finally, Over the past decade, the Libyan authorities, both de facto and official, have increasingly relied on arbitrary measures to stifle dissent, criminalize civil activism, and suppress independent voices. This pattern is evident in legislative tools, administrative practices, and extrajudicial tactics deployed to curtail basic civic freedoms. For instance, in March 2023, the Director of the Department of Foreign Affairs and International Cooperation at the Prime Minister's Office of the Government of National Unity in Libya issued Circular No. 5803, requesting the competent authorities in Libya to withdraw the licenses of all non-governmental organizations established since 2011. This measure effectively renders all civil society organizations illegal, ultimately leading to the complete closure of civic space in Libya. This law violates Article 1, 10, 11 and 13 of the African Charter.

During the reporting period (October 2025 – April 2026), no significant legislative reforms were adopted to address the structural deficiencies in Libya's human rights framework. Instead, governance continued to rely on fragmented executive decisions issued by competing authorities, including the Government of National Unity and parallel structures in eastern Libya. Efforts to advance electoral legislation remained stalled due to institutional divisions, further entrenching legal uncertainty. The absence of unified legislative action and continued reliance on dedicated administrative measures reflect a persistent failure to comply with Libya's obligations under Article 1 of the African Charter to adopt effective legislative and other measures to give effect to protected rights.

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## MAIN VIOLATION IDENTIFIED

During the reporting period from October 2025 to April 2026, the Committee for Justice (CFJ) monitored 37 incidents involving 278 individuals across Libya. These included 19 cases of enforced disappearance, 13 cases of deprivation of liberty, 4 cases of torture, 12 cases of extrajudicial killings, and 221 victims of human trafficking. The violations documented in this section are illustrative and not exhaustive, reflecting broader and persistent patterns of abuse across western, eastern, and southern Libya. These patterns demonstrate a continued failure by Libyan authorities—both de jure and de facto—to comply with their obligations under the African Charter on Human and Peoples’ Rights, particularly Articles 1, 4, 5, 6, and 7.

### d. Arbitrary Arrest, Deprivation of Liberty, and Enforced Disappearance

Arbitrary arrest, deprivation of liberty, and enforced disappearance remained among the most recurrent patterns documented by CFJ during the reporting period. CFJ monitored 19 cases of enforced disappearance and 13 cases of deprivation of liberty, reflecting the continued use of detention outside judicial oversight as a tool of control, intimidation, and repression. These violations were carried out by security actors and armed groups operating across fragmented areas of authority, often without warrants, without prompt referral to the Public Prosecution, and without access to lawyers, families, or effective remedies.

CFJ reported the arbitrary arrest and enforced disappearance of [a citizen in Tripoli](#), who was held outside the protection of the law for nearly three weeks before being released without meaningful judicial review. In eastern Libya, CFJ [documented](#) the continued detention of individuals despite judicial and prosecutorial release orders, including in Al-Kuwayfiah, Abu Dizrah, and Qarnada prisons, where detainees remained held in disregard of binding legal decisions and fair trial guarantees.

Enforced disappearance was also used against activists and individuals exercising their right to comment on public affairs. CFJ documented the enforced disappearance of [activist Al-Mahdi Abu Al-Qasim](#) following his criticism of corruption and public issues. CFJ also documented the arrest of civil society activist [Youssef Al-Mejrab](#) after public posts concerning matters of public interest, with calls for the disclosure of his fate and whereabouts.

The impact of enforced disappearance also extended to families seeking truth and accountability. CFJ documented acts of intimidation and armed threats against the family of [disappeared parliamentarian](#)

**Geneva office:**

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[Ibrahim Al-Darsi](#) after they sought information regarding his fate. Such conduct deepens the violation by punishing families for pursuing truth, obstructing access to justice, and reinforcing a climate of fear around disappearance cases.

These practices violate Libya's obligations under Articles 6 and 7 of the African Charter, which protect the right to liberty and security of person and the right to fair trial. They also engage Article 1, as Libya remains obligated to adopt and enforce effective legislative, judicial, and administrative measures to prevent arbitrary detention and enforced disappearance, ensure judicial oversight over all places of detention, disclose the fate and whereabouts of disappeared persons, and provide effective remedies to victims and their families.

#### **e. Human Trafficking, Migrant Abuses, and Related Violations**

Violations against migrants, refugees, and asylum seekers constituted the largest category of victims monitored by CFJ during the reporting period, with 221 victims of human trafficking documented between October 2025 and April 2026. This reflects the continued exposure of migrants in Libya to overlapping patterns of exploitation, arbitrary detention, violence, extortion, and abuse by trafficking and smuggling networks, including in contexts where such networks operate alongside, or with the tolerance of, security actors and local authorities.

CFJ expressed grave concern over [the discovery of mass graves](#) and secret detention sites in eastern and southeastern Libya, including an underground site in Kufra where hundreds of migrants, including women and children, had reportedly been held in harsh and inhuman conditions. The same incident involved reports of at least 21 bodies found near Ajdabiya, underscoring the lethal consequences of unchecked trafficking, unlawful detention, and the absence of effective protection mechanisms.

Migrants and refugees attempting to flee Libya by sea also continued to face life-threatening risks. CFJ documented [the drowning of at least 53 migrants](#) and refugees off the coast of Zuwara after a rubber dinghy carrying 55 people capsized, leaving only two survivors. CFJ also documented rising deaths in the Mediterranean, including [nearly 1,000 migrant deaths](#) since the beginning of 2026, according to IOM data cited by CFJ, amid continued departures from Libya's coastline and repeated shipwrecks on the Central Mediterranean route.

These documented incidents are consistent with wider findings by [OHCHR](#) and [UNSMIL](#), which described violations against migrants, refugees, and asylum seekers in Libya as a systematic model of exploitation involving killings, torture, sexual violence, forced labour, extortion, arbitrary detention, and human trafficking.

**Geneva office:**

7 chemin de Balaxert, Châtelaine  
1219 Geneva, Switzerland  
Tel: +41 22 940 35 38

**Paris office:**

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Such practices expose migrants to severe violations of the rights to life, dignity, liberty, security, and freedom from torture and ill-treatment.

These violations engage Libya's obligations under Articles 4, 5, and 6 of the African Charter, as well as its duty under Article 1 to prevent, investigate, and punish abuses committed against all persons within its jurisdiction, without discrimination. They also require urgent measures to dismantle trafficking networks, close secret detention sites, protect survivors and witnesses, ensure the identification and dignified treatment of victims' remains, and establish safe, rights-based protection pathways for migrants, refugees, and asylum seekers.

#### **f. Extrajudicial Killings and Right to Life Violations**

Extrajudicial killings and unlawful deprivation of life remained a grave concern during the reporting period. Between January and April 2026 CFJ monitored 12 cases of extrajudicial killings, reflecting the continued use of lethal violence by armed actors and security forces in circumstances marked by abduction, arrest, torture, and the absence of effective judicial oversight. These incidents demonstrate the persistent failure of Libyan authorities to protect the right to life, prevent arbitrary killings, and ensure prompt, independent, and impartial investigations.

CFJ documented the killing of a young man in Sabha following his [arrest](#), where visible signs of torture were reportedly found on his body. This case illustrates the heightened risk faced by individuals once they fall under the control of armed or security actors, particularly where arrest is followed by incommunicado detention, ill-treatment, and the absence of judicial safeguards.

CFJ also documented the killing of six civilians following their [abduction](#) during an armed attack in Al-Tuwibiyah. The incident reflects the broader pattern of armed group violence against civilians, including abduction and execution-style killings, in a context where perpetrators continue to operate with limited accountability and where victims' families are often left without truth, justice, or remedies.

In another documented case, CFJ raised concerns over the killing of [Saif Al-Islam](#), describing the incident as further evidence of escalating impunity and the normalization of unlawful killings in Libya. Such cases are not isolated incidents but rather form part of a broader pattern in which armed actors exercise coercive power outside the rule of law, while state institutions remain unable to ensure effective protection.

These violations constitute serious breaches of Article 4 of the African Charter, which guarantees the inviolability of human life and prohibits arbitrary deprivation of life. They also engage Libya's obligations under Article 1 to prevent violations, investigate unlawful killings, prosecute those responsible, and provide effective remedies to victims and their families. The repeated failure to investigate such killings reinforces a climate of impunity and increases the likelihood of further violations.

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7 chemin de Balaxert, Châtelaine  
1219 Geneva, Switzerland  
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75008 Paris, France  
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### **g. Torture, Ill-Treatment, and Deaths in Custody**

During the reporting period, CFJ documented 4 cases of torture, in addition to several monitored incidents where deaths in custody, visible signs of abuse, or prolonged denial of safeguards raised serious concerns regarding torture or cruel, inhuman, or degrading treatment. These cases reflect the continued exposure of detainees to violence, coercion, intimidation, and abuse, particularly in facilities operating without effective judicial or independent oversight.

CFJ documented the torture and arbitrary detention of a woman in [Al-Bayda](#), alongside the failure to implement a prosecutor's release order issued in her favour. The case illustrates the intersection between arbitrary detention, torture, and the non-enforcement of judicial decisions, and demonstrates how detainees may remain at risk even when prosecutorial authorities have ordered their release.

CFJ also documented the kidnapping, torture, and nine-month arbitrary detention of a [citizen](#) without trial, further reflecting the use of torture in contexts of prolonged unlawful detention. Such practices place victims outside the protection of the law and expose them to severe physical and psychological harm, while depriving them of access to legal counsel, medical care, and effective remedies.

Deaths in custody further indicate the lethal consequences of torture, ill-treatment, and neglect. CFJ documented the death of a prisoner in [Al-Kuwayfiah](#) prison in Benghazi due to torture and medical neglect. CFJ also documented the death of a detainee in the same [prison](#), calling for an investigation into the circumstances of his death. These cases raise serious concerns regarding the absence of effective safeguards, oversight, medical care, and accountability inside detention facilities.

These practices violate Article 5 of the African Charter, which prohibits torture and cruel, inhuman, or degrading punishment and treatment. They also engage Articles 6 and 7, where torture occurs in the context of arbitrary detention, denial of due process, or incommunicado detention. Under Article 1 of the Charter, Libya is required to recognize these rights and adopt effective legislative, judicial, administrative, and other measures to give them practical effect. This requires, in practice, ensuring effective safeguards against torture and ill-treatment, independent oversight of all places of detention, prompt and impartial investigations into allegations of abuse, accountability for perpetrators, and effective remedies for victims and their families.

### **h. Inhuman Detention Conditions and Denial of Medical Care**

We documented incidents indicating severe overcrowding, lack of adequate healthcare, deprivation of basic supplies, poor hygiene, and the failure to respond to urgent medical needs. These conditions placed detainees at heightened risk of preventable illness, suffering, and death, particularly in facilities where independent inspection and judicial oversight remain absent or ineffective.

#### **Geneva office:**

7 chemin de Balaxert, Châtelaine  
1219 Geneva, Switzerland  
Tel: +41 22 940 35 38

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60, rue François 1er  
75008 Paris, France  
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CFJ documented a tuberculosis case inside [Western Mountain Prison](#), warning of deteriorating health conditions and the risk of disease transmission inside detention facilities. The case illustrates the consequences of inadequate medical screening, poor health infrastructure, and the failure to ensure timely and appropriate treatment for detainees.

CFJ also documented complaints of ill-treatment and deprivation of basic supplies at [Mitiga Prison](#), including concerns regarding the denial of essential needs and the absence of effective oversight. Such conditions not only undermine detainees' dignity but may also amount to cruel, inhuman, or degrading treatment where authorities fail to ensure minimum standards of detention.

We documented the death of an Algerian prisoner in [Al-Jadida B Prison](#) due to medical negligence, the death of a 77-year-old woman inside [Al-Kuwayfayah Prison](#), and the deaths of 18 detainees in [Al-Kuwayfayah Prison](#) due to medical negligence. These incidents demonstrate that denial of medical care is not isolated, but forms part of a broader pattern of life-threatening detention conditions.

These practices violate Article 5 of the African Charter, which protects the dignity of every person and prohibits cruel, inhuman, or degrading treatment. They may also engage Article 4, where denial of medical care or unsafe detention conditions result in preventable deaths.

#### **i. Violations Against Human Rights Defenders, Activists, Artists, and Civic Space**

The reporting period also witnessed continued restrictions on civic space and the targeting of individuals who exercised their rights to freedom of expression, association, and participation in public affairs. Activists, artists, civil society actors, and relatives of disappeared persons remained exposed to arrest, intimidation, enforced disappearance, and other forms of reprisal, particularly when they criticized public authorities, raised concerns about corruption, or sought accountability for violations.

CFJ documented the detention of artist [Faraj Abd Al-Karim](#) after his participation in an artistic work addressing social issues. The case reflects the use of detention to suppress artistic expression and intimidate individuals engaging with matters of public concern. CFJ also documented the enforced disappearance of activist [Al-Mahdi Abu Al-Qasim](#) following his criticism of corruption and public affairs, as well as the arrest of civil society activist [Youssef Al-Mejrab](#) after posts concerning matters of public interest.

The targeting of civic actors also extended to families seeking truth and accountability. CFJ documented intimidation and armed threats against the family of disappeared parliamentarian [Ibrahim Al-Darsi](#) after they sought information regarding his fate. Such acts create a chilling effect on families of victims, discourage public reporting of violations, and obstruct efforts to pursue justice and accountability.

These incidents are part of a broader pattern of shrinking civic space in Libya, where security actors and armed groups use detention, disappearance, threats, and coercion to silence dissent and deter public scrutiny. They

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violate Articles 9, 10, and 11 of the African Charter, which protect freedom of expression, association, and peaceful assembly, as well as Article 13, which protects the right to participate freely in public affairs. Under Article 1 of the Charter, Libya is required to adopt legislative and other measures to give practical effect to these rights, including by protecting civic actors from reprisals, ending the use of detention and disappearance against peaceful expression, and ensuring accountability for attacks against civil society actors and their families.

## Reactions by Regional and International Human Rights Mechanisms

During the reporting period, regional and international mechanisms continued to express concern regarding the human rights situation in Libya, particularly in relation to violations against migrants, refugees, and asylum seekers, arbitrary detention, trafficking, detention conditions, civic space restrictions, and the absence of accountability. However, CFJ's review did not identify any new public communications addressed to Libya by UN Special Procedures between October 2025 and April 2026. In the absence of such communications, engagement during this period was reflected primarily through statements by the African Commission, OHCHR/UNSMIL reporting, and Libya's review under the Universal Periodic Review process.

The African Commission on Human and Peoples' Rights issued several statements addressing the situation of migrants in Libya. In January 2026, the Commission expressed deep concern over reports of the discovery of [mass graves](#) and clandestine detention sites for migrants in eastern and south-eastern Libya, including an underground detention site in Kufra where more than 200 migrants, including women and children, were reportedly held in inhuman conditions. The Commission recalled that human trafficking, illegal detention, and cruel, inhuman, or degrading treatment constitute serious violations of the African Charter, particularly Articles 4, 5, and 6.

In February 2026, the African Commission also responded to the shipwreck off the coast of [Zuwara](#) which resulted in the death or disappearance of at least 53 migrants and refugees, including two infants. The Commission recalled that the African Charter protects the rights to life, dignity, freedom from cruel, inhuman, or degrading treatment, and freedom of movement, regardless of migration status. This statement also emphasized the positive obligations of States to prevent, protect, assist, investigate serious violations, cooperate in rescue at sea, and combat criminal networks exploiting migrants' vulnerability.

These country-specific reactions were reinforced by the Commission's broader statement on [International Migrants Day](#), in which it reaffirmed that all migrants are rights holders and that States Parties must respect, protect, and fulfil the rights of all persons within their jurisdiction, irrespective of migration status. The Commission called on States to prevent migrant deaths and disappearances, strengthen search and rescue operations, end refoulement, collective expulsions, and systematic detention on migration grounds, and ensure effective judicial review in removal procedures.

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At the UN level, OHCHR and UNSMIL released [a joint report](#) in February 2026 documenting systematic violations and abuses against migrants, refugees, and asylum seekers in Libya. OHCHR described these violations as part of a systematic, exploitative model, including killings, torture, trafficking, extortion, modern slavery, forced labour, sexual violence, and arbitrary detention. The report further noted that criminal trafficking networks often operate with ties to Libyan authorities and that migrants are transferred to detention facilities without due process, frequently at gunpoint.

Libya was also reviewed under the fourth cycle of the Universal Periodic Review on 11 November 2025, with the review based on the national report, UN information, and submissions from stakeholders, including civil society. The UPR outcome was later considered during the 61st session of the Human Rights Council. In this context, CFJ submitted [a written statement under Agenda Item 6](#) on Libya highlighting persistent patterns of deprivation of liberty, enforced disappearance, torture and ill-treatment, extrajudicial killings, civic space restrictions, violations against migrants and refugees, and the absence of accountability.

Civil society organizations also used the UPR outcome to raise concerns regarding Libya's failure to translate accepted recommendations into meaningful reforms. Many independent human rights organizations noted that Libya accepted many recommendations but did not accept recommendations calling for stronger protection of freedom of expression or the repeal of restrictive laws governing civil society organizations, while also warning that commitments on detention would remain symbolic without independent oversight. Further concerns were raised regarding detention abuses, women's rights, migrants and refugees, restrictive legislation affecting civil society, and the need for accountability and victims' rights to justice and reparation.

Overall, these reactions confirm that the violations documented by CFJ are not isolated incidents, but form part of wider patterns repeatedly identified by regional and international mechanisms. They also demonstrate the continued relevance of the African Commission's mandate in monitoring Libya's compliance with the African Charter, particularly with respect to the rights to life, dignity, liberty, fair trial, freedom of expression, association, peaceful assembly, and the protection of migrants, refugees, detainees, and civil society actors.

**Geneva office:**

7 chemin de Balexert, Châtelaine  
1219 Geneva, Switzerland  
Tel: +41 22 940 35 38

**Paris office:**

60, rue François 1er  
75008 Paris, France  
Tel: +33 6 85 03 50 85

**Gambia office:**

in front of the Independence Stadium  
Gate, Bakau Newtown, Gambia.  
Tel: +220 238 4045

Website: [www.cfjustice.org](http://www.cfjustice.org)

E-Mail: [oc@cfjustice.org](mailto:oc@cfjustice.org)

X: [@Cfjusticeorg](https://twitter.com/Cfjusticeorg)

Facebook: [Cfjusticeorg](https://www.facebook.com/Cfjusticeorg)



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## Conclusion

The reporting period from October 2025 to April 2026 demonstrates that Libya continues to face a deeply entrenched human rights crisis marked by institutional fragmentation, armed group control, weak judicial oversight, and persistent impunity. CFJ's monitoring of 37 incidents involving 278 individuals reflects recurring patterns of enforced disappearance, arbitrary deprivation of liberty, torture and ill-treatment, extrajudicial killings, human trafficking, violations against migrants and refugees, and reprisals against activists, artists, civil society actors, and families seeking truth and accountability.

These violations are not isolated incidents. Rather, they reflect structural failures in Libya's legal, judicial, security, and detention systems. The continued non-enforcement of judicial and prosecutorial release orders, the use of enforced disappearance against critics and activists, the recurrence of deaths in custody, and the exposure of migrants to trafficking, secret detention, and lethal sea crossings all demonstrate the absence of effective protection mechanisms.

Libya's obligations under the African Charter require more than formal recognition of rights in national law. Under Article 1 of the Charter, Libya must adopt legislative and other measures to give practical effect to the rights protected under the Charter, including the rights to life, dignity, liberty, fair trial, freedom from torture, freedom of expression, association, peaceful assembly, and participation in public affairs. The continuing gap between legal guarantees and actual practice remains one of the central drivers of violations in the country.

The African Commission therefore has an important role to play in urging Libya to address these violations through concrete, measurable, and time-bound reforms, while ensuring continued regional monitoring of the situation and sustained engagement with victims, families, civil society, and human rights defenders.

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1219 Geneva, Switzerland  
Tel: +41 22 940 35 38

**Paris office:**

60, rue François 1er  
75008 Paris, France  
Tel: +33 6 85 03 50 85

**Gambia office:**

in front of the Independence Stadium  
Gate, Bakau Newtown, Gambia.  
Tel: +220 238 4045

Website: [www.cfjustice.org](http://www.cfjustice.org)

E-Mail: [oc@cfjustice.org](mailto:oc@cfjustice.org)

X: @Cfjusticeorg

Facebook: Cfjusticeorg



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## Recommendations

### The State of Libya should:

1. End arbitrary detention and enforced disappearance, disclose the fate and whereabouts of disappeared persons, and ensure all detainees are held only in official places of detention under judicial oversight.
2. Enforce all judicial and prosecutorial release orders without delay and ensure that security bodies, prison authorities, and armed groups do not override court decisions.
3. Investigate torture, ill-treatment, deaths in custody, extrajudicial killings, abductions, and human trafficking promptly, independently, and impartially, and hold perpetrators accountable.
4. Improve detention conditions, ensure access to adequate medical care, food, hygiene, and disease prevention, and allow independent monitoring of all places of detention.
5. Close secret and unofficial detention sites, including those used to hold migrants, refugees, and asylum seekers, and provide survivors with protection, medical care, and access to justice.
6. Protect migrants, refugees, and asylum seekers from trafficking, exploitation, arbitrary detention, forced labour, extortion, violence, and refoulement.
7. End reprisals against human rights defenders, activists, artists, journalists, civil society actors, and families of victims exercising their rights or seeking accountability.
8. Review and amend laws, regulations, and administrative measures restricting civic space to ensure compliance with the African Charter.
9. Cooperate fully with the African Commission and submit overdue periodic reports under Article 62 of the African Charter.

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1219 Geneva, Switzerland  
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75008 Paris, France  
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**The African Commission should:**

1. Urge Libya to take immediate and measurable measures to end enforced disappearance, arbitrary detention, torture, extrajudicial killings, migrant abuses, and reprisals against civic actors.
2. Call on Libya to submit its overdue periodic reports under Article 62 of the African Charter and provide updated information on measures taken to implement Charter rights.
3. Request information from Libya on unofficial detention sites, migrant detention facilities, deaths in custody, non-enforcement of release orders, enforced disappearance cases, and measures taken to ensure accountability.
4. Encourage relevant Special Mechanisms to engage Libya on detention conditions, torture prevention, human rights defenders, migrants and refugees, freedom of expression, and accountability.
5. Support safe engagement with Libyan civil society, victims' families, lawyers, and human rights defenders, while taking measures to prevent reprisals against those cooperating with the Commission.
6. Continue public monitoring of migrant-related violations in Libya, including trafficking, secret detention, mass graves, deaths at sea, and abuses against refugees and asylum seekers.

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