

**Interim National Transitional Council Resolution No. (192) of 2011
on determining and applying integrity and patriotism standards when assuming
leadership positions**

The Interim National Transitional Council:

Upon review of:

- The Victory Statement of the 17 February Revolution issued on 22 February 2011;
- The decree forming the Interim National Transitional Council and specifying its powers;
- The statute and bylaws of the National Transitional Council;
- The Constitutional Declaration issued on 3 August 2011;
- Interim National Transitional Council Law No. (177) of 2011 establishing the Commission;
- Interim National Transitional Council Law No. (15) of 2012 amending National Transitional Council Law No. (177) of 2011;
- Interim National Transitional Council Law No. (16) of 2012 appointing the president and members of the High Commission for the Application of Standards of Integrity and Patriotism;
- And based on what was discussed in the Interim National Transitional Council sessions.

has decided:

Article (1)

The High Commission for the Application of Standards of Integrity and Patriotism shall undertake the application of integrity and patriotism standards referred to in this Resolution. It shall possess legal personality and independent financial liability.

Article (2)

Integrity and patriotism standards shall be taken to refer to the regulations that shall be followed when assuming public positions and functions covered by the provisions of this Resolution. These regulations shall be divided into:

First: Regulations Pertaining to Professional Status

They shall refer to regulations pertaining to the professional status of the person occupying the position or candidate therefor. They shall include all public positions and functions, with the exception of the following public positions and functions whose occupants joined the 17 February Revolution prior to 20 March 2011, as proved by conclusive evidence beyond any doubt, namely:

1. Ministers and ambassadors.
2. Commanders of security services and military forces.
3. Members cooperating with the Interior and External Security Apparatus.
4. Secretaries and members of the secretariats of General People's Congresses (GPCs), as well as the secretaries and members of People's Committees at the district level.
5. Popular Social Leaderships.
6. Heads of cleansing committees.

Second: General Regulations

1. They shall refer to regulations pertaining to the status of the person occupying the position or candidate therefor from the former regime, regardless of his position or positive stance towards the 17 February Revolution, and they shall include the following categories:
2. Members of the Revolutionary Guard, the popular guard, and the Revolutionary Task Force.
3. People with proven membership and authority in the Revolutionary Committees Movement.
4. Heads of student unions.
5. Anyone known to glorify Muammar Gaddafi's regime or advocate the thought of the Green Book, whether in various media outlets or directly to the public.
6. Anyone who adopted a position opposing the 17 February Revolution by way of instigation, assistance, or agreement.
7. Anyone accused of or sentenced for any crime of squandering or stealing public funds.
8. Anyone who participated in any manner whatsoever in imprisoning or torturing Libyan citizens under the former regime.
9. Anyone who carried out acts against Libyan opposition supporters in the country or abroad or participated in carrying out such acts.
10. Anyone who seized the properties of citizens under the former regime or participated in carrying out such acts.
11. Anyone who was implicated in looting the Libyan people's money, became rich at their expense, or acquired wealth and assets in the country or abroad unlawfully.
12. All partners in any business with Muammar Gaddafi's sons or leaders of his regime.
13. Anyone who assumed a leadership position related to Muammar Gaddafi's sons and their institutions.
14. Anyone who was with the opposition abroad, reconciled with the regime, and agreed to work within leadership posts against the interest of the Libyan people.
15. Anyone who received funds or gifts in kind unlawfully from the former regime.
16. Anyone whose graduate studies were on the thought of Muammar Gaddafi and his Green Book.

Article (3)

1. The standards referred to in the previous Article shall exclusively apply to the following jobs, positions, and functions:
2. Chairman and members of the Interim National Transitional Council (NTC).
3. Prime Minister of the transitional government.
4. NTC Office.
5. Prime Minister's Office.
6. Deputy ministers and assistant deputy ministers.
7. Ambassadors and diplomats.
8. Chairmen and members of local councils.
9. Heads and members of local departments, governors, mayors, and municipal council members.
10. Chairmen and members of boards of institutions, agencies, bodies, and public companies.

11. Executive directors of public institutions, agencies, bodies, and public companies.
12. Security and military commanders, commanders of security forces, army commanders, and commanders from passport departments of the first and second grades.
13. Presidents of companies (domestic and foreign investment companies, oil companies, and all national companies without exception).
14. Financial comptrollers.
15. University presidents, faculty deans, heads of departments, and directors of institutes, schools, and all educational and research institutions.
16. Chairmen and members of union councils and heads of student unions.
17. Anyone assigned duties by the NTC or the transitional government.

Article (4)

The Commission referred to in Article No. (1) of this Resolution shall inspect and review the positions and functions covered by its provisions, and consider nominations submitted by relevant parties to award these positions and functions and apply integrity and patriotism standards thereto. Within a maximum period of fourteen days from the date of its consideration of these functions or positions in the first case and from the date of its receipt of nominations in the second case, the Commission shall issue a reasoned decision approving assignment to the position or function or rejecting the nomination.

Article (5)

Persons concerned may appeal the Commission's decision before the president of the competent court of first instance under whose jurisdiction falls the position or function subject of the decision within ten days from the announcement of the decision. The president of the court shall rule on such appeal within fourteen days from its date, in accordance with the procedures stipulated in the Code of Civil and Commercial Procedure. The judgment in this regard shall be final, unappealable, and binding on all parties and persons concerned.

Article (6)

In the event of nomination for the position or function covered by the provisions of this Resolution, the party submitting the nomination shall submit a questionnaire for the candidate to be referred to the Commission, including a detailed resume of the candidate and a financial disclosure with his signature and pledge to bear all legal liability for the accuracy of this data.

Article (7)

The Commission shall have the right to investigate the person holding the position or function or nominated therefor and to request any information or data it deems necessary. It shall also have the right to make use of all necessary means to verify the information and statements referred to in the previous article, as well as make use of all means it deems appropriate to carry out its functions.

Article (8)

The Commission shall issue decrees and regulations pertaining to administrative and financial organisation. It shall also have an allocated budget approved by the NTC, at the proposal of the head of the Commission.

Article (9)

The Commission shall be dissolved and the implementation of these provisions shall end when the transitional period concludes with the first session of the elected legislature.

Article (10)

This law shall enter into force from its date of issuance. Any contrary article shall be repealed. Concerned parties shall implement this Resolution, each with their mandate. The transitional government and local councils shall be notified thereof, and it shall be published in media outlets.

Interim National Transitional Council -- Libya

Issued in Tripoli

16/12/2011