

Law No. (65) of 2012
on regulating the right to peaceful demonstration

The General National Congress

Upon review of:

- The Constitutional Declaration, and the amendments thereof;
- The bylaws of the General National Congress;
- The Penal Code, and supplementary laws thereto;
- The Code of Criminal Procedure, and its amendments;
- The results of the General National Congress in its session held on 06/11/2012;

issued the following law:

Article (1)

In applying the provisions of this law, the following terms shall have the indicated meanings:

- a. Demonstration: The assembly or march of a number of persons in a peaceful manner in a public location or road, or in proximity to either, with the intention to express an opinion, declare a demand, protest an issue, or ensure that certain demands are met.
- b. Organising committee: The committee organising for the peaceful demonstration

Article (2)

This law aims to:

- a. Organise the right to peaceful demonstration for citizens as a fundamental human right enshrined by the Constitutional Declaration and international covenants and treaties.
- b. Reconcile the nation's integrity and security with the citizens' exercise of their right to peaceful demonstration and to enable the public authorities to protect public and private funds and property, allow the continued operation of public facilities, and uphold public order.

Article (3)

Citizens, political parties, civil society organisations, and professional syndicates shall have the right to organise demonstrations in a manner consistent with the principles of the constitution and the provisions of legislation, and in such a way as does not obstruct the regular operation of public facilities.

Article (4)

Every demonstration shall have an organising committee composed of a chairman and at least two members, to be named by a notice submitted to the security directorate in whose administrative jurisdiction the demonstration will take place. Such committee shall preserve order during the demonstration and prevent any discourse that contravenes public order or morals, or contains incitement to crime.

If the demonstrators do not form a committee, it shall be considered to be composed of the persons who sign the notice.

Article (5)

The committee organising the demonstration shall address a written notice to the security directorate in whose jurisdiction the demonstration will take place containing the date and start time of the demonstration, the place of assembly and departure, the path or endpoint of the march. This shall be done forty-eight hours before the scheduled date of the demonstration.

Article (6)

- a. The relevant administrative bodies and considerations pertaining to upholding security, order, and public safety shall be entitled to modify the start and end time of the demonstration, the place of assembly and departure, and the path of the march, if any of the foregoing could disrupt state agencies or endanger citizens, citizens' properties, or public properties. This shall be done at least 24 hours before the start time of the demonstration.
- b. The administrative body shall provide protection to the demonstration and offer assistance thereto within the bounds of the laws, regulation, and legislation in force.

Article (7)

- a. The authorities stipulated in Article (5) may only forbid a demonstration if it could disturb public security.
- b. The order forbidding the demonstration shall be notified to any or all of the organisers of the demonstration at their chosen location as soon as possible and at least twelve hours before the time scheduled for the demonstration. A copy of the order shall be affixed to the outside door of the body issuing it, and it shall be published in the local newspapers, if possible.
- c. The organisers of the demonstration may file a complaint against the order with the Minister of Interior.

Article (8)

The security directorate shall have the right to ask the committee to end the demonstration, and if this is not possible, the directorate may disperse it in the following cases:

- a. If the demonstration exceeds the limits set forth in the notice or modification made thereto by the administrative bodies.
- b. If rioting breaks out, or acts that constitute crimes or practices that could disrupt public order or prevent the authorities from performing their duties.

Article (9)

- a. No person may carry weapons while participating in a demonstration, even if he is licensed to carry weapons.
- b. In applying the provisions of this law, a "weapon" shall be considered any tool or instrument that cuts or pierces, or any tool that endangers to public safety.

Article (10)

1. Anyone who organises a demonstration or sit-in or calls for the organisation of such without notifying the competent bodies or in spite of an order forbidding the demonstration, in addition to any who participates in the demonstration while aware of this, shall be punished by detention for a period not exceeding six months and a fine not exceeding five thousand dinars, or either of the two.

2. The penalty shall be doubled if the act is committed by a person bearing arms, even if he is licensed to bear them.

Article (11)

In all cases not provided for in this law, relevant provisions in the legislation in force shall apply.

Article (12)

This law shall be published in the Official Gazette and it shall enter into effect from its date of issuance.

General National Congress – Libya

Issued in Tripoli

On Wednesday, 21 Dhu al-Hijja 1433 AH

Corresponding to 06/11/2012 AD