

**Law No. (71) of 1972
on criminalising partisanship**

In the name of the people

The Revolutionary Command Council

Upon review of:

- The Constitutional Declaration issued on 2 Shawwal 1392 AH corresponding to 11 December 1969 AD;
- The Revolutionary Command Council decree issuing the bylaws of the Arab Socialist Union on 17 Rabi' al-Thani 1391 AH corresponding to 11 June 1971 AD;
- The Penal Code and the Code of Criminal Procedure;
- And based on the proposal of the Prime Minister and the approval of the Cabinet;

issued the following:

Article (1)

The Arab Socialist Union is the sole popular political organisation in the Libyan Arab Republic, and through it citizens shall exercise freedom of opinion and expression within the limits of the people's interest and the principles of the revolution, in accordance with the provisions of the bylaws of the Arab Socialist Union.

Article (2)

Partisanship is treason against the rights of the nation and the alliance of popular forces working and represented in the Arab Socialist Union. Partisanship shall be construed to mean any assembly, organisation, or formation, of any form or number of members, that is based on a political ideology that is contrary to the principles of the 1 September Revolution whether in aims or means, or which aims to harm its constitutional institutions whether clandestinely or openly, and regardless of whether the ideology on which it is based is formulated in writing or not, and regardless of whether its advocates and supporters use material or non-material means.

Article (3)

The following offenses shall be punishable by the death penalty: anyone who advocates the establishment of any assembly, organisation, or formation that is prohibited under the law; anyone who founds, organises, manages, finances, or provides a location for meetings of such a body; anyone who adheres to or encourages adherence to such a body by any means or provides any assistance thereto; and anyone who directly or indirectly and by any means receives or obtains money or benefits of any type and from any person or any entity with the intent to establish or prepare to establish the assembly, organisation, or formation. In application of this penalty, no distinction in severity shall be made between the superior and subordinate, however low their rank in the party, assembly, organisation, formation, group, cell, or the like.

Article (4)

Anyone who is aware of any of the crimes set forth in this law and who does not report them shall be punished by imprisonment for a period of no less than ten years.

Article (5)

Anyone who notifies the administrative or judicial authorities of the crimes set forth in this law before they are uncovered shall be exempted from the penalties prescribed for such crimes.

Article (6)

In any event, the court shall close the headquarters and branches of formations prohibited under this law; confiscate the property, equipment, documents and anything else used in the commission of the crime, as well as any property that reverts to the perpetrator as a result of the crimes set forth in this law.

Article (7)

Upon a decree from the Revolutionary Command Council (RCC), special courts may be formed to try those accused of the crimes set forth in this law. The rulings of such courts shall be subject to the ratification of the RCC, which shall have the authority to overturn or mitigate the ruling, or re-try the case.

Article (8)

The provisions of this law shall not prejudice any severer penalty set forth by the Penal Code or any other law.

Article (9)

The provisions of the Penal Code shall apply where no text exists in this law. In investigating the crimes set forth in his law and referring them to trial, the provisions of the Code of Criminal Procedure on investigating crimes stipulated in Book (2), Part (1) of the Penal Code shall apply to the trial, whether such crimes are heard before ordinary courts or special courts.

Article (10)

Anyone who commits an act contrary to the provisions of this law shall be exempted from the penalty prescribed thereby if within thirty days from the date of the act, he presents to the Minister of Interior in person or through an intermediary all the data and information about the assembly, organisation, or formation, and surrenders the relevant property or assets that is in his possession.

Article (11)

The ministers, each within their mandate, shall implement this law, and it shall enter into effect from the date of its publication in the Official Gazette.

**Revolutionary Command Council -- Libya
(Col. Muammar Gaddafi)
Prime Minister**

**Issued on 17 Rabi' al-Thani 1392 AH
Corresponding to 30 May 1973**