

Law No. (2) of 1377 FDP/2009 AD
on ratifying the Treaty of Friendship, Partnership, and Cooperation between the Great Socialist People's Libyan Arab Jamahiriya and the Republic of Italy

The General People's Congress

- In execution of the resolutions adopted by Basic People's Congresses in their session to set the agenda of 1376 FDP;

Upon review of:

- Law No. (1) of 1375 FDP on the work system of People's Congresses and People's Committees, and the executive regulation thereof;
- Law No. (2) of 1369 FDP on organising political and consular work, and the executive regulation thereof;

formulated the following law:

Article (1)

The Treaty of Friendship, Partnership, and Cooperation between the Great Socialist People's Libyan Arab Jamahiriya and the Republic of Italy that was signed in Benghazi, the city of Communiqué No. 1, on 30 August 1376 FDP/2008 AD is hereby ratified in accordance with the attached text of the treaty.

Article (2)

This law shall enter into force from its date of issuance. It shall be published in the Legal Register.

General People's Congress – Libya

Issued in Sirte

On 5 Rabi' al-Awwal

Corresponding to 1 March 1377 FDP/2009 AD

**Treaty of Friendship, Partnership, and Cooperation
between
the Great Socialist People's Libyan Arab Jamahiriya
and
the Republic of Italy**

Preamble

The Great Socialist People's Libyan Arab Jamahiriya and the Republic of Italy, hereinafter referred to as "the Parties",

- Aware of the deep bond of friendship between their peoples and their common historical and cultural heritage;
- Determined to reinforce peace, security and stability, particularly in the Mediterranean region;
- Engaged in the European Union and the African Union respectively to build the type of cooperation and integration that contributes to peace, economic and social growth, and environmental protection;
- Aware of the importance of Italy's role to survive the ban on the Great Jamahiriya;
- Taking into consideration the Italian initiatives to implement the previous bilateral memoranda of understanding;
- Expressing their mutual will to continue their cooperation, by means to be mutually agreed upon, on the issue of the exiled Libyans of the colonisation era;
- Determined to finally close the painful "chapter of the past", for which Italy has expressed regret in the Joint Communiqué of 1998 for the suffering caused by Italy's colonisation of the Libyan people, by solving all bilateral disputes; and asserting the unwavering will to build a new stage of bilateral relations based on mutual respect, equal dignity, full cooperation, and a fully equal and balanced relationship;
- Expressing, therefore, the intention to make this Treaty the legal framework for developing a "special and privileged" bilateral relationship that is characterized by a strong and broad political and economic partnership in all the remaining areas of cooperation;

have agreed on the following:

**Chapter (1)
General Principles**

**Article (1)
Respect for International Law**

Emphasizing their common vision of the central role of the United Nations in the system of international relations, the Parties undertake to fulfill in good faith the commitments that they have signed, both those arising from universally recognized principles and regulations of international law and those related to respect for the international order.

**Article (2)
Political Equality**

The Parties shall mutually respect their sovereign equality and all the rights inherent thereto, including in particular the right of freedom and political independence. The Parties shall respect the right of each party to determine and freely develop their political, social, economic, and cultural system.

Article (3)

Prohibited Use of Threat or Force

The Parties shall refrain from using threats or force against the territorial integrity or political independence of the other party or any other form that violates the Charter of the United Nations.

Article (4)

Non-Interference in Internal Affairs

1. In the spirit of good-neighbourly relations, the Parties shall refrain from any form of direct or indirect interference in the internal or external affairs falling within the legitimate sovereign jurisdiction of the other Party.
2. In accordance with the principles of international legitimacy, Italy shall not use or permit the use of its territory in any hostile act against Libya, and Libya shall not use or permit the use of its territory in any hostile act against Italy.

Article (5)

Peaceful Settlement of Disputes

In the same spirit that led to the present Treaty of Friendship, Partnership, and Cooperation, the Parties shall settle all the disputes arising between them in a peaceful manner, opting for fair and just solutions that do not prejudice international and regional peace and security.

Article (6)

Respect for Human Rights and Fundamental Freedoms

The Parties shall act, by mutual agreement and in accordance with their respective legislation, in compliance with the goals and principles of the UN Charter and the Universal Declaration of Human Rights.

Article (7)

Intercultural and Intercivilisational Dialogue and Understanding

The Parties, inspired by historical and human ties, shall take all the initiatives that allow for a common cultural space. Such initiatives shall be inspired by the principles of tolerance, coexistence, mutual respect, appreciation and enrichment of common material and non-material heritage in bilateral and regional fields.

Chapter (2)

Closing the Chapter of the Past and Ending Disputes

Article (8)

Basic Infrastructure Projects

1. Based on the proposals made by the Great Jamahiriya and subsequent discussions, Italy shall provide the necessary financial funds for the basic infrastructure projects agreed upon by the two countries in the amount of USD 5 billion, at an annual rate of USD 250 million over twenty years.
2. Italian companies shall implement such projects upon mutual agreement on the value of each project.
3. Projects shall be implemented over a period of twenty years in accordance with the timeline agreed upon by the Italian and Libyan Parties.
4. The allocated financial resources shall be under the direct management of the Italian Party.

5. The Great Jamahiriya shall provide all the necessary lands to carry out the works at no cost for the Italian Party and the implementing companies.
6. The Great Jamahiriya shall facilitate access to locally available material for the Italian Party and the implementing companies. It shall carry out the import customs procedures and exempt them from taxes. Electricity, gas, water, and phone bills shall be settled without tax.

Article (9)

Joint Committee

1. A joint committee shall be formed proportionately of members from both countries. The joint committee shall identify the technical specifications of the projects mentioned in the foregoing article, and it shall determine their overall timeline and deadlines in accordance with the cash flow stipulated by the same article.
2. The Great Jamahiriya, on the basis of understandings pertaining to direct dealing with Italian companies, shall ensure that such companies implement the major infrastructure, industrial, and investment projects in Libya. Projects shall be implemented at the price agreed upon by both parties. The companies shall voluntarily contribute to social work and environmental reform in the areas of the projects, in accordance with established norms.

The Great Jamahiriya shall cancel any procedures and regulatory regulations that impose exclusive limits or constraints on the Italian companies.

3. At the proposal of the Libyan Party, the joint committee shall identify the works, projects, and investments referred to in Paragraph (2), and it shall indicate the timetable and the methods of assignment and implementation of each.
4. The implementation and proper progress of such understandings are essential to building a strong Libyan-Italian partnership in the economic, commercial, industrial, and other sectors to achieve the aforementioned goals in the spirit of honest cooperation.
5. The joint committee has the duty to check the progress of the commitments set forth by Article (8) and the present article. It shall issue a periodical verbal report on the status of the achieved goals and those that are yet to be achieved in relation to the commitments undertaken by the contracting parties.
6. The joint committee shall notify the foreign affairs department of each Party of any violation and it shall provide technical proposals for their solution.

Article (10)

Special Initiatives

1. At the request of the Great Jamahiriya, Italy shall implement the special initiatives below for the benefit of the Libyan people. Both parties shall agree on the total spending amount for such initiatives, and they shall appoint special joint committees to identify the methods for their implementation and their individual annual spending limits with the exception of scholarships set forth in Clause (b).
 - a. Build one hundred housing units in Libya, with the locations and specifications of such units to be determined by mutual agreement.
 - b. Provide college and post-college scholarships throughout the duration of study to one hundred Libyan students, to be renewed at the end of such duration for other students. Renewal shall be determined in accordance with the letters exchanged between both parties to ensure continuity.
 - c. Provide medical treatment in specialized treatment facilities in Italy for the persons who were injured by mines in Libya and who cannot be properly treated in the Benghazi Rehabilitation Centre that was funded by the Italian Cooperation Department.

- d. Resume paying the pensions of civil and military Libyans and their entitled heirs in accordance with the Italian regulations in force.
- e. Return to Libya the antique manuscripts and artifacts that were moved to Italy during colonisation. The joint committee provided for in Article (16) herein shall identify the antique artifacts and manuscripts that would be subsequently subject to special legal procedures pertaining to their return.

Article (11)

Visas for Italians who were banished from Libya

Upon conclusion of the present Treaty, the Great Jamahiriya shall provide the Italian citizens who were banished from Libya in the past with an entry visa as requested by the concerned persons for the purpose of tourism, visit, work, or other purposes, without any impediments or restrictions whatsoever.

Article (12)

Social Fund

1. The Great Jamahiriya shall dissolve the Italian-Libyan Joint Company (ALI) and establish a social fund using the contributions paid by Italian companies to ALI.
2. The social fund shall be used for the purposes stated in Paragraph (4) of the Joint Libyan-Italian Communiqué of 4 July 1998, to initiate the special initiatives prescribed in Clauses (b) and (c) of Article (10) herein, in particular the financing of demining and land reform projects and treatment programs for Libyans who are injured by mines, in addition to other initiatives that serve Libyan youth in college and post-college formation. This shall continue until the fund's balance is depleted, whereupon the Italian Party shall continue the funding in execution of the Treaty.
3. For this purpose, a joint proportionate committee shall be formed to manage the social fund in accordance with the process set forth by the Joint Communiqué.
4. After agreeing on the methods of managing the balance of the social fund and the initiatives to be funded, both parties shall consider the social fund finally depleted.

Article (13)

Debts

1. As regards the outstanding debts of Libyan departments and institutions to Italian companies, the Parties shall reach via correspondence a negotiated solution within the framework of the committee on debts.
2. In the same correspondence, the Parties shall reach a solution for any outstanding tax/administrative debts and dues by Italian companies to Libyan entities.

Chapter (3)

New Bilateral Partnership

Article (14)

Partnership Committee and Political Consultations

1. The Parties shall give a new boost to their bilateral relations at the political, economic, social, cultural, and scientific levels and all other sectors, rectifying for this purpose historical ties and sharing common objectives for the solidarity and progress of humankind.
2. Sharing a desire to strengthen their ties, the Parties have decided to establish a partnership that is built on the level of cooperation and coordination to which they aspire regarding bilateral and regional matters as well as international affairs of mutual interest. For this purpose, the Parties shall:

- a. Hold annual meetings for the partnership committee between the chairman of the General People's Committee and Italian prime minister alternatively in Libyan and Italy.
- b. Hold annual meetings for the monitoring committee between the chairman of the General People's Committee for Foreign Liaison and International Cooperation and Italy's Minister of Foreign Affairs alternatively in Libya and Italy to monitor implementation of the Treaty and other cooperation agreements. Such committee shall report to the partnership committee. If either Party notices that the other Party has breached any of the commitments stated in this Treaty, it shall convene the monitoring committee to an urgent meeting to examine the issue intensively and reach a satisfactory solution.
- c. The partnership committee shall take all necessary procedures to fulfill the commitments set forth in this Treaty. Both Parties shall endeavor to achieve its objectives.
- d. Consultations shall be held regularly by other officials of both Parties.
- e. The chairman of the General People's Committee for Foreign Liaison and International Cooperation and Italy's Minister of Foreign Affairs shall work on reaching a convenient solution upon receiving the notifications stated in Article (9), Clause (6).

Article (15)

Cooperation in Scientific Fields

The Parties shall intensify cooperation in science and technology. They shall conduct post-college training and specialization programs and promote for this purpose developed relations between universities and research and training institutes in both countries. They shall further develop cooperation in the field of health and medical research by advancing relations between the institutions and agencies of both countries.

Article (16)

Cultural Cooperation

1. The Parties shall deepen the traditional cultural relations and bonds of friendship between their two peoples, and they shall encourage direct communication between the cultural institutions and agencies of their countries. Youth exchange and twinning of other district cities and institutions between the two countries shall also be facilitated.
2. The Parties shall further boost cooperation in archeology. A special joint committee shall review the problems pertaining to the return of antique manuscripts and artifacts to Libya. The Parties shall cooperate to return any antiques that were moved out of Libya by any other country during colonisation.
3. On the basis of reciprocity, the Parties shall facilitate the activities of the Italian Cultural Centre in Tripoli and the Libyan Academy in Italy.
4. The Parties agree on the importance of increasing the awareness of future generations of the negative effects of hostility and violence. They shall spread a culture of tolerance and cooperation among people.

Article (17)

Economic and Industrial Cooperation

1. The Parties shall promote technology transfer and industrial cooperation projects, including joint initiatives with other countries.
2. They shall develop cooperation in the sectors of infrastructure, civil aviation, shipbuilding, tourism, environment, agriculture, fauna, biotechnology, fishing, and

hydroculture, as well as the sectors of common interest, with priority to the development of direct investment.

3. They shall support small and medium enterprises and establish joint companies.
4. The Parties shall reach in a short time a technical understanding on economic, scientific, and technical cooperation in the fishing and hydroculture sector. They shall encourage similar understandings in this field between other specialized institutions of their countries.

Article (18)

Cooperation in the Energy Sector

1. The Parties emphasize the strategic importance of cooperation in the energy sector for both countries, and they undertake to reinforce partnership therein.
2. The Parties consider renewable energy highly important and encourage cooperation between the concerned agencies and services in both countries, both at the industrial level or at the level of research and training.

Article (19)

Cooperation in the Fight against Terrorism, Organised Crime, Drug Trafficking, and Illegal Migration

1. The Parties shall intensify their existing cooperation in the fight against terrorism, organised crime, drug trafficking, and illegal migration in accordance with the relevant agreement concluded in Rome on 13/12/2000 and the subsequent technical memoranda of understanding, particularly those pertaining to illegal migration, and the protocols of cooperation signed in Tripoli on 29/12/2007.
2. As regards illegal migration, the Parties shall establish a control system for Libya's land borders to be entrusted to Italian companies with the necessary technical competences. The Italian government shall assume fifty percent of the costs thereof, and the Parties shall ask the European Union to bear the remaining fifty percent, taking into account the understanding that had been concluded at the time between the Great Jamahiriya and the European Commission.
3. The Parties shall cooperate to create bilateral and regional initiatives in the countries of origin of migrants to limit the illegal migration phenomenon.

Article (20)

Cooperation in the Defence Sector

1. The Parties shall advance cooperation in the defense sector between the armed forces of their countries, possibly through special memoranda of understanding governing the exchange visits of experts, trainers, and technicians, the exchange of military intelligence, and joint maneuvers.
2. The Parties shall facilitate a stronger and wider industrial partnership in the field of defence and military industries.
3. In this regard, Italy shall support Libya's request in international forums for compensation for its victims of mine explosions and rehabilitation of affected areas, including all the aspects of demining with all the concerned countries.

Article (21)

Cooperation in Disarmament and Non-Proliferation of Weapons

The Parties shall continue and strengthen cooperation in disarmament and non-proliferation of weapons of mass destruction and their equipment. They shall endeavour to clear the Mediterranean region of such weapons in compliance with the commitments entailed by the relevant international agreements and treaties.

Article (22)

Parliamentary Cooperation between Local Entities

Aware of the importance of the relations between the General People's Congress of the Great Jamahiriya and the Italian parliament, and between local entities in both countries, the Parties shall facilitate the development of such relations to intensify and deepen the exchange of knowledge.

Article (23)

Final Provisions

1. In conformity with international legitimacy, the present Treaty shall constitute the main instrument of reference for developing bilateral relations. It shall be ratified in accordance with the constitutional procedures stipulated by the legal system of each party, and it shall enter into force upon exchange of the ratification documents.
2. The present Treaty shall replace the Joint Communiqué signed on 04 July 1998 and the procès-verbal signed on 28 October 2002, and all the effects thereof shall cease.
3. As of the current year, the Libyan–Italian friendship day shall be celebrated in the Great Jamahiriya and Italy on August 30.
4. The present Treaty shall be amended by prior agreement between the two Parties. The proposed amendments shall enter into force upon receipt of the second notification in which either party is notified of the completion of the relevant internal procedures.

Executed in Benghazi on 30 August 2008 in two original copies of equal legal force in the Arabic and Italian languages.

**For the Great Socialist People's Libyan Arab Jamahiriya
Muammar Gaddafi
Leader of the Revolution**

**For the Republic of Italy
Prime Minister
Silvio Berlusconi**