

**Cabinet Decree No. (513) of 2013
on issuing the executive regulation for Law No. (50) of 2012
on compensation of political prisoners**

The Cabinet:

Upon review of:

- The Constitutional Declaration and the amendments thereof;
- Law No. (17) of 2012 on the rules of national reconciliation and transitional justice;
- Law No. (50) of 2012 on compensation of political prisoners;
- The proposal of the Minister of Justice in Letter No. (3381) of 21/08/2013;
- The decisions of the Cabinet in its 27th ordinary session of 2013;

has decreed:

Article (1)

The provisions of the executive regulation for Law No. (50) of 2012 on compensation of political prisoners shall enter into effect as annexed to this decree.

Article (2)

This decree shall enter into effect from its date of issuance. The competent bodies shall implement it and it shall be published in the Official Gazette.

Cabinet – Libya

Issued on: 27/Shawwal/1434 AH

Corresponding to: 03/September/2013 AD

**Executive Regulation
of Law No. (50) of 2012
on compensation of political prisoners
annexed to Cabinet Decree No. (513) of 2013**

has decreed:

Article (1)

The provisions of this regulation shall apply to every person whose freedoms have been restricted inside Libya due to their political opposition of the former regime, with the exception of the following categories:

1. Persons accused in cases of espionage on behalf of other countries.
2. Persons accused in the crimes of purification stipulated in Law No. (10) of 1997 and the amendments thereof.
3. Persons accused in illegal immigration crimes.
4. Persons accused in rioting crimes, including rioting actions committed against Africans.
5. Demonstration actions that follow sports matches.

Persons that were imprisoned either maliciously or for political reasons, as proven by a judicial ruling, shall be exempted from Paragraphs (1 – 5).

Article (2)

Persons that are entitled to compensation shall be determined in accordance with the security entries presented to the legal team set forth in Article (7) and issued by the following security and military services:

1. The former Internal Security Organisation.
2. The former External Security Organisation.
3. The former Intelligence Service.
4. The former Military Police Department.

Article (3)

A committee shall be formed from the security agencies mentioned in the preceding article. It shall be responsible for reviewing the circumstances of political prisoners from the content of its security archives and systems to verify the identity of persons entitled to compensation and determining the extent to which the regulations apply to them. The committee members shall be persons that are reputed for their integrity and dedication in work.

Article (4)

If the prisoner is unable to prove the duration of his detention to the security agencies even though his detention is actually verified, he shall submit a statement on the designated form specifying the duration of his detention, with a statement of his date of entry to the prison and date of exit therefrom. This statement shall only have legal effect in the following cases:

1. The testimony of two witnesses that are over forty years of age.
2. The testimony must be given before the court that has jurisdiction over the prisoner's place of residence, or his former place of work. As much as possible, it shall be observed that the witnesses be former prisoners in the same prison in which the applicant spent the duration of his imprisonment.

3. The witnesses shall give their testimony before the court after swearing the oath.

Article (5)

Compensation shall be granted within the limits of the budget allocated for this purpose annually. It shall be granted in instalments, each of which shall not exceed the value of 300,000 LYD.

Article (6)

If a difference emerges between the period included in the prisoner's request and the period specified in the security agency entries, the team shall be responsible for approving one of the periods after studying the request and any documents or papers attached thereto. If the difference between the two periods is slight and does not exceed two months, the period contained in the prisoner's request shall be approved.

Article (7)

The legal team formed by First Deputy Prime Minister Decree No. (1) of 2012 shall be responsible for determining the compensation amount for each prisoner in light of the duration they spent. The amount shall then be transferred to the competent agency to proceed with distributing the compensation to the persons entitled thereto.

Article (8)

The entity competent for compensation must coordinate with the State Lawsuits Authority and the Ministry of the Treasury before disbursing any compensation in order to verify any compensation received by the prisoner, whether through reconciliation or a judicial order.

Article (9)

If the compensation received by the prisoner is less than the value specified pursuant to Law No. (50) of 2012, whether the compensation is court-ordered or by agreement, the remaining compensation amount shall be disbursed thereto up to the limit stipulated by the aforementioned Law No. (50) of 2012.