

**Law No. (4) of 1375 FPD
on establishing the National Security Council**

The General People's Congress:

For the purpose of implementing the decisions of the Basic People's Conferences in their annual session for 1374 FDP and upon review of:

- The Declaration on the Establishment of the Authority of the People.
- The Great Green Charter of Human Rights of the Jamahiriya Era;
- Law No. (20) of 1991 AD on promoting freedom;
- Law No. (1) of 1375 FPD on the by-laws of People's Conferences and Committees;
- The law of the financial system of the State;
- Law No. (55) of 1976 AD issuing the Civil Service Law;
- Law No. (15) of 1981 AD on the salary system of national employees in the Great Socialist People's Libyan Arab Jamahiriya;
- Law No. (21) of 1991 AD on mobilisation;
- Law No. (22) of 1428 AD [sic] on protection and safekeeping;
- Law No. (30) of 1430 AD [sic] on planning;
- Law No. (2) of 1369 FPD organising political and consular work;
- Legislation governing civil and military judicial bodies and criminal procedure;
- Legislation of the armed people and military regulations;
- Legislation governing statutory civil bodies;
- And legislation governing units, services, bodies, institutions, offices, departments, and centres engaged in security work.

issued the following law:

Article (1)

A council called "National Security Council" shall be established in accordance with the provisions of this Law. It shall possess legal personality and independent financial liability and be subordinate to the General People's Congress (GPC). It shall be headquartered in the city of Tripoli and may have branches in the Great Jamahiriya.

Article (2)

The National Security Council shall have the following powers:

1. Prepare the State's strategy in the areas of internal and external security, defence, and foreign policy, so as to ensure the protection of national security and the achievement of the State's supreme interests.
2. Direct the State's various bodies to develop their strategies so as to ensure their integrity and consistency, achieve the protection of national security, and identify the mechanisms and procedures necessary to achieve this objective.
3. Develop plans and programs that will strengthen the State's capacity to face national security threats and deal with crises and disasters.

4. Examine the possibilities about problems the country may face in the present and future and develop the appropriate solutions to deal with them.
5. Review policies relating to international relations, review treaties and conventions, and provide opinions on them before ratification.
6. Review and propose policies that would raise the standard of living for individuals, so as to ensure the spread of prosperity and stability.
7. Gather and analyse information between the State's various internal and external branches and draft research and studies to develop such and increase the capabilities thereof.
8. Propose draft laws and regulations that enhance the protection of national security.
9. Provide opinions on State budgets drafts.
10. Propose to declare a state of general mobilization, emergency, and war.

Article (3)

The National Security Council shall be formed as follows:

1. The secretary of the General People's Committee, as chairman
2. The national security advisor, as a member
3. The secretary of the General People's Committee for external communication and international cooperation, as a member
4. The secretary of the General People's Committee for general security, as a member
5. The secretary of the General People's Committee for economy, trade, and investment, as a member
6. The secretary of the General People's Committee for finance, as a member
7. A deputy for the Temporary General Committee for Defence, as a member.

Article (4)

A council member shall have a Libyan father and mother, be born in Libya, and be a holder of Libyan nationality.

Article (5)

The GPC or any entity it commissions shall select a national security advisor to be member of the National Security Council.

The advisor shall be responsible for the following:

1. Oversee all the work of the Council and its administrative, financial, and technical components.
2. Follow up the implementation of the Council's decisions with the bodies concerned.
3. Identify services, bodies, institutions, offices, departments, and information, documentation, and scientific research centres whose work and results are related to the State's national security, and determine the form of their subordination to the Council and the mechanisms and procedures of its achievement.
4. Legally represent the Council domestically and abroad.
5. Draw up the Council's draft budget, submit it for ratification, and take legal action with regards to its ratification.
6. Issue organising and executive regulations for this law.

Article (6)

The Council shall have an advisory body composed of highly experienced members who make up a permanent reflection group in different areas and operate under the supervision of the national security advisor. It shall have a rapporteur appointed by virtue of a decision by the national security advisor.

Article (7)

The Council shall have specialised committees to study and prepare strategies and policies aimed at achieving the supreme interests of the State and maintaining its national security. They shall work under the supervision of the national security advisor and shall have a rapporteur. A decision by the national security advisor, following the approval of the Council, shall be issued to appoint rapporteur and members and determine their powers.

Regulations governing the work of the Council shall determine these committees' powers in detail.

Article (8)

The National Security Council shall convene at the invitation of its chairman once every month or whenever the need arises. It may also be called to convene in case of emergency upon the proposal of the national security advisor. The Council's sessions shall be confidential and quorum shall be attained with the presence of more than half the members, provided the Chairman or advisor is present. The advisor shall perform the tasks of the Chairman if he is absent or if some impediment prevents him from attending.

Article (9)

The Council shall take its decisions by the majority of members present. Its decisions and procedures shall be binding starting from their date of issuance without prejudice to the laws in force.

Article (10)

The Council shall have an independent budget that shall be included in the State's general budget, and it shall include allocations for emergencies and political activity. The Council's fiscal year shall start and end with the State's fiscal year.

Article (11)

Employees of the Council and bodies subordinate thereto may not be investigated and criminal actions may not be filed against them in any matter relating to the performance of their duties without the prior written permission of the national security advisor and consultation with the Council. The Council shall be notified with a copy of the action taken on the subject on the basis thereof.

Article (12)

Any article contrary to the provisions of this law shall be repealed.

Article (13)

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

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