

## **Law No. (22) of 1428 FDP on security and protection**

### **The General People's Congress:**

In execution of the resolutions adopted by the Basic People's Congresses in their annual session of 1428 FDP, and formulated by the General Forum of Basic People's Congresses, People's Committees, syndicates, professional associations, and unions (the General People's Congress) in their annual session from 19 to 26 Shaaban, corresponding to 8 to 15 December 1428 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;
- The Penal Code and the Code of Criminal Procedure;
- The Military Penal Code and Military Code of Criminal Procedure.
- Law No. (75) of 1976 establishing the Jamahiriya Security Organisation;
- Law No. (40) of 1974 on service in the Armed Forces and its amendments;
- Law No. (35) of 1977 on the reorganization of the Armed Forces;
- Law No. (5) of 1978 amending some of the provisions of military laws as amended by Law No. (9) of 1981;
- Law No. (10) of 1992 on the police;
- Law No. (30) of 1423 FDP on security and protection;
- Law No. (1) of 1425 FDP on the bylaws of people's congresses and people's committees, and its amendments.

### **drafted the following law:**

#### **Article (1)**

Guarding, protection, security, defence, and liberation shall be a sacred duty to those who are entrusted with them. Personnel that breach this duty shall be punishable under the provisions of this law.

#### **Article (2)**

The process and method to implement the duty of guarding, protection, security, defence, and liberation and the units entrusted therewith shall be determined by virtue of a decree from the General Interim Committee for Defence.

Standing orders and regulating decisions shall be considered as law.

#### **Article (3)**

Any personnel entrusted with the duty of guarding, protection, security, defence, and liberation, and who neglects, disrupts, or breaches his duty or disobeys orders issued to him shall be punished by imprisonment for no less than ten years. He shall be punished by the death penalty in the event the crime entailed serious harm or was committed during hostilities.

#### **Article (4)**

Personnel entrusted with the duty of guarding, protection, security, defence, and liberation who neglect the duty or fail to take the necessary security measures therefor, and which results in their becoming unable to carry out their mission, shall be punished by life imprisonment.

The death penalty shall be imposed in the event the crime entailed serious harm or was committed during hostilities or in the event that lives, properties, or means of transport were endangered.

#### **Article (5)**

Personnel who refrain from or neglect to defend the target they were assigned to guard, protect, secure, defend, or liberate shall be punished with life imprisonment.

The death penalty shall be imposed in the event the crime entailed serious harm or was committed during hostilities.

#### **Article (6)**

Personnel entrusted with the duty of guarding, protection, security, defence, and liberation, and who disobey orders issued to them to suppress rebellion and disobedience.

They shall be punished by death penalty in the event the crime entailed serious harm or was committed during hostilities.

#### **Article (7)**

Personnel who inadvertently disclose any secrets relating to the duties of guarding, protection, security, defence, and liberation shall be punished by imprisonment.

The sentence shall be life imprisonment if they intentionally disclose them and the death penalty shall be imposed in the event the crime entailed serious harm or was committed during hostilities.

#### **Article (8)**

Personnel who embezzle, steal, sell, pawn, squander, destroy, buy, pledge, conceal, neglect, deposit knowingly, lose, or allow the seizure of weapons, ammunition, vehicles, devices, or other equipment they may have in their possession or that were handed over to them to carry out the duty of guarding, protection, security, defence, and liberation shall be punished by imprisonment for no less than ten years and fined double the value of the equipment.

They shall be punished by life imprisonment in the event the crime entailed serious harm or was committed during hostilities.

#### **Article (9)**

The commander of the legion, formation, or unit, sentry officer or the equivalent shall be punished by imprisonment for orders issued to personnel under his command that result in their not carrying out their duties fully or in the event these orders do not specify the duty precisely, including the type of weapon and vehicle to be used, the location where the assigned soldier should be positioned or entrenched, and the cases that require the use of arms without asking for the permission of the commanding officer.

### **Article (10)**

Personnel who disregard any of the crimes set forth in this law and were able or assigned to prevent it and did not carry out their duty shall be punished with life imprisonment.

The death penalty shall be imposed in the event the crime entailed serious harm or was committed during hostilities.

### **Article (11)**

The provisions of this law shall apply to personnel assigned to carry out any duty set forth therein, whether the assignment is direct or indirect, whether they are from units originally tasked with the duties of guarding, protection, security, defence, and liberation, units tasked with related duties, the Revolutionary Guards, the People's Guards, and other formations, or are employees of statutory bodies, regardless of whether their functions are military or civilian.

### **Article (12)**

Acts stipulated in this law shall be considered military crimes punishable by the penalties contained therein and military tribunals shall be competent to adjudicate them.

The application of the penalties provided for in this law shall be without prejudice to any more severe penalties provided for in any other law.

### **Article (13)**

Law No. (30) of 1423 FDP on guard and protection shall be repealed.

### **Article (14)**

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

**The General People's Congress -- Libya**

**Issued in Sirte**

**Corresponding to 15 December 1428 FDP**