

**General People's Committee**  
**Decree No. (584) of 1377 FDP (2009 AD)**  
**publicising the by-laws of the al-Athal Association**  
**for the Families of Combatants, Martyrs, Missing Persons, and Injured**

**The General People's Committee:**

**Upon review of:**

- Law No. (1) of 1375 FDP on the rules of procedure of the People's Congresses and the People's Committees, and the implementing regulations thereof;
- Law No. (19) of 1369 FDP on on the reorganization of community associations, and the implementing regulations thereof;
- Based on the proposal of the Secretary of the General People's Committee for Social Affairs in Letter No. (312) dated 19/10/2009 AD;
- The decrees issued by the General People's Committee in its thirty-third ordinary meeting of 1377 FDP;

**has decreed:**

**Article (1)**

The by-laws of the al-Athal Association for the Families of Combatants, Martyrs, Missing Persons, and Injured appended hereto shall be publicised.

**Article (2)**

This Decree shall enter into force on the date of its issue, and it shall be implemented by the competent bodies.

**The General People's Committee – Libya**

**Issued on 8 Dhu al-Hijja**

**Corresponding to: 24/11/2009 AD**

## **By-laws of the al-Athal Association for the Families of Combatants, Martyrs, Missing Persons, and Injured**

### **Article (1)**

The founding members signatory to these by-laws, named below, agree to establish a community association in accordance with Law No. (19) of 1369 FDP on reorganizing community associations. The association shall be called the al-Athal Association for the Families of Combatants, Martyrs, Missing Persons, and Injured and shall seek to achieve the following goals:

The Association aims to support the families of combatants, martyrs, missing persons, and war injured, provide them with assistance in all areas, help them overcome the obstacles they face, and strengthen their sense of their national role and pass it on to the coming generations, through the following:

1. Advance the cultural, social, health, and economic level and develop a sense of national belonging and social cohesion among members in particular and between them and other social segments more generally.
2. Promote and support a spirit of social solidarity among association members and their families within the framework of Islam, Jamahiriyan behaviour, and the related state laws.
3. Highlight the high humanitarian and civilizational goals of Jamahiriyan society in the various fields of concern, especially that shown by the bodies concerned with the families of martyrs and the like through all means.
4. Encourage combatants and families of martyrs, missing persons, and war injured to pursue academic and intellectual achievements as appropriate to their abilities and interests and the needs of society, support and develop a spirit of invention and the acquisition of modern technical skills, and follow their development and self-reliance in solving problems, within the framework of the laws and prevailing values.
5. Monitor the status of combatants and the families of martyrs, missing persons, and war injured, provide all possible facilities in the areas of health deficits, and work to enrol them in treatment institutions and rehabilitation centres.
6. Conduct studies and research and issue publications that work to deepen awareness in areas relating to combatants and the families of martyrs, missing persons, and war injured and everything relating to their affairs.

These goals shall be achieved through circulation of the various plans and programs, in particular:

1. Extend bridges of communication to all combatants and families of martyrs, missing persons, and war injured.
2. Study the circumstances of Association members and work to improve their living conditions at the national level.
3. Seek to find suitable and respectable work opportunities with official state bodies for these segments and strive to utilise their abilities and specializations in the public and private sector.
4. Encourage members and their families to continue their academic and technical achievement and facilitate their enrolment in schools, institutes, and universities inside the country and abroad, in coordination with the related entities.
5. Encourage members to establish small industrial, agricultural, and commercial production projects, provide them with studies, and support them through soft loans.

6. Work to participate in religious, community, and national events and promote bonds of social connection on various occasions.
7. Survey and identify families of combatants, martyrs, missing persons, and war injured, and categorize them by work specialization, academic level, and geographical area.
8. Conduct social research and studies related to these segments, hold cultural, academic, and professional symposiums and meetings, and participate in such both at home and abroad.
9. Publish study and research results and issue a magazine on these segments to shed light on their issues and affairs.

#### **Article (1) [sic]**

The by-laws of the al-Athal Association for the Families of Combatants, Martyrs, Missing Persons, and Injured appended hereto shall be publicised.

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

The Association shall have its administrative centre at the Mitiga International Airport in the city of Tripoli.

#### **Article (4) [sic]**

Conditions for acquiring membership in the Association:

1. Must be a citizen of the Great Jamahiriya.
2. Must be of good character and conduct.
3. Must not have been convicted of a felony or a crime of moral turpitude.
4. Payment of the Association membership fee.
5. Adhere to the rules and regulations in place at the Association.

Membership shall be lost or lapse in the following circumstances:

- a. Withdrawal or resignation.
- b. Death.
- c. Violation of a membership condition.
- d. Failure to pay the annual membership fee.
- e. Using the Association to achieve personal objectives.
- f. Performance of activities that harm the Association or the goals thereof.

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

Association members shall have the same rights and duties provided or imposed pursuant to Law No. (19) of 1369 FDP on the regulation of community associations, the implementing regulations thereof, and the decrees issued pursuant thereto or pursuant to these By-laws or the decrees issued by the Association's Congress or People's Committee.

Each member shall exercise their rights without harming the rights of the other members, and must perform all of the duties incumbent thereon.

Members may withdraw from the Association at any time, unless they have undertaken to remain therein for a specific time.

The Association's People's Committee may dismiss any member by a substantiated decision. Members who withdraw or are dismissed shall not have any right to Association property.

### **Article (6)**

The Association Congress shall hold the following competencies:

1. Draw up the by-laws and make any amendment thereto.
2. Select the Congress secretariat, secretary, and members of the Association's People's Committee from among the Association's members and dismiss and accept the resignation thereof.
3. Monitor the activities of the Association's People's Committee and hold it accountable therefor.
4. Review the Association's activity report and work program, and approve the budget, balance sheet, and auditor's report.
5. Establish branches of the Association.
6. Any other matters that fall within its competencies under the aforementioned Law No. (19) of 1369 FDP and the implementing regulations thereof, or that are assigned thereto by the Association's by-laws.

### **Article (7)**

The Association's Congress shall meet once a year during the three months following the end of the Association's financial year, at the invitation of the Congress Secretariat in coordination with the Association's People's Committee. Such meetings shall only be valid with an absolute majority of members in attendance. If this number is not present, the meeting shall be postponed two weeks. The second meeting shall be valid regardless of the number of members in attendance, and this shall be stated in the invitation letter.

Decisions shall be adopted by consensus of the members in attendance. If this is not possible then such shall be by a two-thirds majority of the members in attendance.

Decisions of the Association's Congress shall only be valid if issued in the matters listed in the agenda, unless consideration of such is approved by one-third of the members in attendance.

### **Article (8)**

The Secretariat of the General People's Congress or the Secretariat of the People's Congress for the district, as the case may be, or the Association's People's Committee may call an extraordinary meeting of the Association's Congress whenever necessary. One-fourth of the members may also ask the Association's People's Committee in writing to call a meeting of the Congress, stating the objective of such. If the People's Committee does not respond within a month from the date the request was submitted, they may invite the members of the Association's Congress to meet directly. In all cases, a copy of the agenda must be attached to the invitation letter.

### **Article (9)**

The Association shall be managed by a people's committee consisting of a secretary and at least four members selected by the Association's Congress for a four-year term. This term shall be renewable one time.

### **Article (10)**

Both the Association's Secretariat and People's Committee shall hold an ordinary meeting called by the secretary thereof at least once a month. Extraordinary meetings may be held by invitation of the secretary or one-third of the members thereof.

Meetings of the Secretariat or People's Committee shall only be valid with the attendance of half of the members, including the secretary or substitute therefor in the event of his absence or unavailability. The Association's People's Committee shall issue its decisions by consensus of the members attending the meeting. If a consensus is not achieved, the matter shall be resubmitted at a following meeting. In this case, the decision shall be issued by majority when a consensus cannot be achieved. In the event of a tie, the secretary shall have the casting vote.

The Association's People's Committee may not review a matter not listed in its agenda, unless one-third of the members in attendance agree to such.

### **Article (11)**

The secretary of the Association's People's Committee, or substitute therefor in the event of his absence or unavailability, shall conduct the meetings, regulate the discussions, and sign the minutes and decisions thereof. The secretary has the right to supervise and monitor the members working for the Association's People's Committee.

### **Article (12)**

The Association's People's Committee shall hold competence to perform all of the activities related to managing the Association's affairs, in particular the following:

1. Implement and follow up on the decisions of the Association's Congress.
2. Manage the Association's property, direct its activities, and set up programs ensuring the achievement of the Association's goals.
3. Call Association Congress meetings and write up the agenda thereof.
4. Prepare reports related to the Association's activities and work programs and its draft budget and balance sheet.
5. Accept the legally allowed assistance, gifts, and donations.
6. Make any assignments to any of its members that it deems fit, within the framework of its work.
7. Assign the executive director of the association and specify his remuneration.
8. Issue the internal regulations to facilitate the work of the Association's People's Committee.
9. Any other competencies assigned thereto by the Association's Congress.

### **Article (13)**

The secretary and members of the Association's People's Committee shall be jointly liable for the Association's management to the Association's Congress for any damages sustained due to the failure to perform the duties incumbent thereon under the aforementioned Law No. (19) of 1369 FDP and the implementing regulations thereof, or negligence in the performance thereof, without prejudice to their criminal or civil liability as required.

#### **Article (14)**

The Association's executive director, under the supervision of the People's Committee, shall perform the daily executive activities in accordance with these By-laws and the People's Committee Decree issued on his assignment setting out the detailed powers of the Association's executive director.

#### **Article (15)**

The Congress Secretariat, and the secretary and members of the Association's People's Committee shall not receive any salaries or remuneration for the performance of the functions for which they were selected, although they may be reimbursed for any expenses they may incur while performing their duties.

#### **Article (16)**

The Association's financial resources shall consist of:

1. The membership fees collected from the members, namely:
  - a. Joining fee of ten dinars (LYD 10)
  - b. Monthly fee of three dinars (LYD 3)

Membership fees shall be specified and memberships may not be approved.

2. Revenue from its activities and investments.
3. Donations and gifts that it is licensed to receive and legally authorized to accept.

The Association shall specify how its financial resources are used and disposed of, in a manner that does not conflict with its objectives or the legislation in force.

#### **Article (17)**

The Association shall spend its funds on the achievement of its objectives, and may invest its revenue in projects with a guaranteed return, provided such not impact its activities.

#### **Article (18)**

The Association's accounts shall be recorded in registers created for this purpose, setting out all the details related to expenses and revenue, including donations and gifts and the sources thereof.

#### **Article (19)**

The Association's cash funds shall be deposited under its publicised name in the bank specified by the Association's People's Committee. Disbursements shall be made by checks signed by the secretary of the People's Committee and the executive director of the Association. Cash balances exceeding one month's expenses may not be kept outside of the bank.

#### **Article (20)**

The Association's Congress may amend its by-laws with the approval of two-thirds of its members. Such amendment shall not be deemed to be in force until it is recorded and publicised and a decree on such has been issued by the competent publicising body.

### **Article (21)**

Associations that have been publicised at the district level may establish branches at the Basic People's Congress level in the district and associations publicised on the level of the Great Jamahiriya may establish branches in the districts, all in accordance with the terms set out in Article (5) of the implementing regulations of aforementioned Law No. (19) of 1369 FDP.

Detailed provisions specifying how the branches shall be managed and their relationship to the parent association shall be set out.

### **Article (22)**

The Association shall have an auditor selected annually by the Association's Congress who is not a member of the Association's People's Committee. Such selection may be renewed. The auditor shall hold competence to audit the Association's accounts and monitor disbursements within the limits of the budget approved by the Association's Congress. The auditor must submit a report on the audit results to the People's Committee and the Association's Congress and notify the secretary of the People's Committee in writing of any shortcoming, error, or violation necessitating protest. If the secretary of the Association's People's Committee does not address the shortcoming, correct the error, or remove the causes of the violation, the auditor must bring the matter immediately to the Association's People's Committee and include such in his report.

### **Article (23)**

The Association's annual budget, balance sheet, and People's Committee and auditor reports must be submitted to the Association's Congress at least eight days prior to its annual meeting for approval thereof.

### **Article (24)**

The Association may be dissolved in the circumstances set out in Article (36) of Law No. (19) of 1369 FDP on the reorganisation of community associations, by a ruling from the competent court or a decree from the Secretariat of the General People's Committee or People's Committee, as the case may be.

### **Article (25)**

The body that issued the decree dissolving the association may appoint a liquidation committee and set the remuneration of its chairman and members. Association directors shall turn over to the liquidation committee the Association's property, documentation, and records. Such directors, the body where the Association's funds are deposited, and the Association's debtors shall refrain from disposing of any of the Association's affairs or rights except by written permission from the liquidation committee.

After completion of the liquidation, the liquidation committee shall disburse the remaining funds as follows: "Determine the manner by which the Association's remaining funds will be distributed," without prejudice to Article (4) of aforementioned Law No. (19) of 1369 FDP. If the manner of distribution set out in the Association's by-laws is not possible, the liquidation committee shall gift the remaining property to the Social Solidarity Fund.

### **Article (26)**

The term of the Association shall be 25 years "indicate a term not exceeding 25 years," starting from the issue date of the decree publicising the association by the competent body. The Association's Congress may extend the Association's term with the approval of at least two-thirds of its members. The Congress's decision in this regard shall not be deemed to be in force until it is approved by the competent publicisation body.

At the end of the Association's term, the competent publicisation body shall assign the liquidation committee [and] set the remuneration of its chairman and members. The provisions contained in Article (25) of these By-laws shall apply with regard to the liquidation procedures.

### **Article (27)**

The Secretariat of the Congress and the People's Committee and the executive director, each within their purview, shall observe the implementation of these By-laws, without prejudice to aforementioned Law No. (19) of 1369 FDP and the implementing regulations thereof.

### **Article (28)**

The founding members selected a founding committee consisting of:

1. Aboul-Qasim Mohamed Amseek, Chairman\*
2. Combatant Mohammed Abdel-Salam al-Seed al-Takhouri, Member\*
3. Combatant al-Mabrouk Omar Mas'oud al-Qahis, Member\*

In accordance with aforementioned Law No. (19) of 1369 FDP and the implementing regulations thereof, the procedures necessary to establish and publicise the Association and call the Association's Congress to meet shall be completed in accordance with the law.