

Law No. (24) of 1378 FDP / 2010 AD
on provisions of Libyan nationality

The General People's Congress

- In implementation of the resolutions of the Basic People's Congresses in their annual session of 1377 FDP;

And upon review of:

- The Declaration of the Establishment of the Authority of the People;
- The Great Green Charter of Human Rights of the Jamahiriya Era;
- Law No. (20) of 1991 on promoting freedom;
- Law No. (17) of 1954 on nationality;
- Law No. (18) of 1980 on provisions of the Law of Nationality, and the amendments thereof;
- Law No. (1) of 1375 FDP on the work system of People's Congresses and People's Committees;

formulated the following law:

Article (1)

Libyan nationality is the nationality of citizens of the Great Socialist Libyan Arab People's Jamahiriya.

Article (2)

In accordance with the preceding article, any person who regularly resided in Libya on 07/10/1951 who did not hold foreign nationality or citizenship, shall be considered Libyan, if one the following conditions is met:

- a. He is a Libyan born in Libya.
- b. He was born outside Libya and one of his parents was born in Libyan.
- c. He was born outside Libya and regularly resided there for a period of no less than ten consecutive years before 07/10/1951.

Article (3)

The following persons shall be considered Libyan:

- a. Anyone who was born in Libya to a Libyan father, if his father's nationality was acquired by virtue of birth or naturalization.
- b. Anyone who was born outside Libya to a Libyan father. In this case, the son's birth shall be recorded within one year from the date thereof at a People's Bureau or Brotherhood Bureau abroad, or at any body approved by the Secretary of the General People's Committee for General Security. If the person to whom this paragraph applies acquires a foreign nationality by virtue of his birth abroad, he shall not lose his Libyan nationality, unless he has the right to choose the foreign nationality that he acquired upon the age of majority.
- c. Anyone born in Libya to a Libyan mother and father of unknown nationality or with no nationality, or if both parents are unknown.

- d. The executive regulation shall determine the guidelines pertaining to the implementation of this article.

Article (4)

Any person may choose Libyan nationality based on the provisions of this law provided that he is of Libyan origin and was born before 07/10/1951, and did not reside in Libya on that date, if either of the following two conditions is met:

- a. He was born in Libya.
- b. He was born outside Libya, and his father or paternal grandfather were born in Libya.

Article (5)

Anyone who acquires a foreign nationality by choice shall forfeit Libyan nationality, unless granted permission by the General People's Committee for General Security.

The executive regulation shall determine the guidelines pertaining to the implementation of the provisions of this article.

Article (6)

Committees for nationality shall be formed by a decision by the Secretary of the General People's Committee for General Security, and they shall have the following competencies:

- a. Provide a reasoned opinion on the validity of the Libyan origin of applicants for Libyan nationality for those residing within their jurisdiction, in accordance with Article (4) of this law.
- b. Receive and review applications for Libyan nationality submitted by foreigners residing in their jurisdiction.

Article (7)

The Libyan origin of those seeking to choose Libyan nationality under Article (4) of this law shall be proven according to the following guidelines:

- a. He shall prove Libyan origin by virtue of legal documents proving the truth thereof.
- b. A decision by the Secretary of the General People's Congress for General Security shall be issued determining the necessary documents to prove Libyan origin. In any case, the testimony of witnesses shall not be accepted to establish Libyan origin.
- c. The person seeking to choose Libyan nationality shall be registered in the record of the Brotherhood Bureaus or People's Bureaus in the country where he emigrated or settled.

Article (8)

Libyan emigrants who acquire the nationality of the country to which they emigrate may recover Libyan nationality upon submitting the necessary documents that confirm their Libyan origin.

Article (9)

Libyan nationality may be granted to those who wish to acquire it by virtue of a decision by the General People's Committee based on a proposal by the Secretary of the General People's Committee for General Security, if the following conditions are met:

1. The person shall have attained the age of majority and enjoy full capacity.

2. He must have entered the Great Jamahiriya legally by virtue of a valid travel document issued by the official authorities of the state whose nationality he holds.
3. He must be a continuous legal resident of Libya for ten years from his date of entry, and have a legal and proven source of income.
4. He must be of good character and conduct, and he may not have been convicted of any felony or misdemeanour or a misdemeanour of moral turpitude or that undermines security, unless he has been rehabilitated.
5. He must be free of infectious or communicable diseases.
6. He must not be older than fifty years old at the time the application is submitted.

Other conditions may be added that are required by the public interest, in accordance with the stipulations of the executive regulation of this law.

In all cases, citizenship may not be granted to Palestinians except for Palestinian women who are married to Libyans.

Article (10)

Persons of the following categories are exempted from the conditions set forth in Items (2) through (6) of Article (9) of this law:

1. Persons with special expertise or higher qualifications that Libya needs.
2. Foreign women who are married to Libyan men, provided that the marital relationship has continued for a period of no less than two years at the time the application is submitted.
3. Widows and divorcees of Libyan citizens.
4. Children who have attained the age of majority and who were not listed on their father's citizenship certificate.
5. Anyone who provides distinguished service to the Great Jamahiriya.

Article (11)

The children of Libyan women married to non-Libyans may be granted Libyan nationality. The executive regulation shall determine the guidelines for implementation of this article.

Article (12)

Holders of Libyan nationality shall lose their nationality if it was obtained based on false information or incorrect or counterfeit documents, or if the person concealed facts relevant to nationality. If the person who loses his nationality is the father, the loss thereof shall apply to the children as well.

Article (13)

Libyan nationality may be withdrawn from any non-Libyan who obtained it under the provisions of this law within ten years following his obtaining it, in the following circumstances:

1. If he performs actions that undermine the security of Libya or harms its interests.
2. If he resides outside of Libya for two consecutive years during the ten years following his acquisition of Libyan nationality, without an excuse accepted by the General People's Committee for General Security.

Article (14)

A decision withdrawing nationality shall be issued with the justification therefor by the General People's Committee, based on a proposal by the Secretary of the General People's Committee for General Security. Issuance of such decision shall entail the revocation of all the rights and effects that arise from acquiring Libyan nationality.

Article (15)

Libyan nationality shall be established for Libyan citizens by virtue of a Libyan citizenship certificate in accordance with the provisions of this law. The granting of Libyan nationality to non-Libyans shall be by a decision from the General People's Committee based on a proposal by the Secretary of the General People's Committee, and the Libyan citizenship certificate shall be issued in accordance with the template prepared for this purpose.

Article (16)

The person who acquires Libyan nationality by naturalisation under the provisions of this law shall enjoy the rights of Libyan citizens and shall uphold his duties according to the legislation in force, with the exception of the right to hold higher administration posts, or assume the duties of secretaries of Basic People's Congresses, People's Committees, trade unions, syndicates, or professional associations. This prohibition shall remain in force for a period of ten years after the date that Libyan nationality was obtained.

Article (17)

The executive regulation of this law shall be issued by a decree of the General People's Committee, based on a proposal by the Secretary of the General People's Committee for General Security.

Article (18)

Law No. (17) of 1954 on Libyan nationality and Law No. (18) of 1980 on provisions of the aforementioned law shall be repealed. Any other provision contrary to the provisions of this law shall also be repealed.

Article (19)

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

General People's Congress – Libya

Issued in Sirte

On 13 Safar 1378 FDP

Corresponding to 28 January 2010 AD