**Law**

**on establishing compulsory military service**

We, Idris I, King of the Kingdom of Libya,

upon the approval of the Senate and House of Representatives,

hereby ratify and enact the following Law:

**Part (1)**

**Requirement of Compulsory Military Service**

**Chapter (1)**

**Compulsory Service and Period Thereof**

**Article (1)**

Military service shall be required of every Libyan male who has reached eighteen years of age. Those who have completed thirty-two years of age may not be asked to perform compulsory service except in the cases set out in Article (31).

**Article (2)**

Those called up for military service shall perform such service in one of the three branches of the armed forces (the army, air force, or navy).

**Article (3)**

The period of compulsory military service shall be eighteen months.

**Article (4)**

Graduates conscripted from universities and higher institutes may request to perform mandatory service as an officer. In such cases, they shall be selected after the basic training period by a committee formed for this purpose pursuant to a decree from the Minister of Defence and shall enrol in a school for officers for a period or not more than four months. Following graduation, they shall be given a rank of second lieutenant for the remaining period. This rank shall have no effect after completion of their conscription period, unless they are called up in the cases set out in Article (29).

**Chapter (2)**

**Exception and Exemption from Compulsory Service**

**Article (5)**

The persons mentioned below shall be excepted from compulsory service:

1. Graduates of institutes designed to graduate officers for service in the armed forces, security forces, and customs guards as long as they are still in active service, as well as students of such institutes on condition that they continue their studies and graduate. If they do not complete their studies, the periods spent at the institute shall count toward the compulsory service period.
2. Graduates of colleges and higher institutes appointed as officers in the armed forces.
3. Anyone who volunteered for the armed forces and spent a period not less than the compulsory service period in military service. If less, they shall be enlisted for the remaining period.

**Article (6)**

The persons mentioned below shall be exempted from military service:

1. Anyone who does not meet the physical fitness requirements for such service.
2. Sole providers for their parents, father, mother, or siblings, for as long as they are the sole provider.

In order to be exempted as a provider for one's parents or father, the father must be incapable of earning a living due to disability, illness, or having reached the age of sixty.

In order to be exempted as a provider for one's mother, the mother must be a widow or irrevocably divorced or her spouse must be absent or incapable of earning a living for one of the aforementioned reasons.

In order to be exempted as a provider for one's siblings, the siblings must be incapable of earning a living for one of the aforementioned reasons or under eighteen years of age. In order to be exempted as a provider for one's sisters, the sisters may not be married.

In all cases, in order to be exempted as a provider, those supported may not have another provider capable of earning a living, legally bound to support them, twenty-one years of age, and unfit for conscription. If this other provider has postponed conscription in accordance with Article (7), the first provider shall remain eligible for exemption.

In all cases, a provider's exemption shall expire when the reason for such exemption ends.

Anyone whose reason for exemption has ended must notify the conscription department by registered letter within a month from the date this reason ends.

**Chapter (3)**

**Postponement of Compulsory Service**

**Article (7)**

1. In times of peace, the conscription of students of universities and higher institutes shall be postponed until they reach twenty-seven years of age.
2. Conscription shall also be postponed for students of secondary schools and the like until they reach twenty-five years of age. If they complete their studies and enrol in a university or higher institute prior to passing this age they shall be treated in accordance with paragraph (1) of this Article.
3. College deans and administration officials of the institutes and schools referred to in the two preceding paragraphs and state consuls abroad or representatives thereof must notify the conscription department of the dismissal of a student from a college, institute, or school if they have postponed conscription due to enrolment therein or as soon as they reach twenty-nine or twenty-five years of age, as the case may be.

**Article (8)**

1. If one of two or more brothers is enlisted, the conscription of the other brother or next eldest brother shall be postponed until the enlisted brother completes the active service period. If the enlisted brother deserts, the Minister of Defence may immediately conscript the brother whose conscription has been postponed.
2. If there are multiple brothers, only one of the brothers may postpone conscription.
3. In order for this Article to apply, there may not be one brother entitled to exemption or unfit for service who, in both cases, is capable of earning a living or a brother who fails to enlist or is over the age of thirty-two.

**Part (2)**

**Regulation of Conscription Activities**

**Chapter (1)**

**Conscription Committees**

**Article (9)**

1. A committee called an conscription committee shall perform conscription activities in one or more governorates. The committee shall be formed by a decree from the Minister of Defence and presided over by an officer holding a rank not lower than sergeant, and have as members two active officers, a delegate from the governorate, and a notable from the district where the committee meetings are held, both nominated by the governor.
2. Committee meetings shall not be valid unless attended by at least three members, including two officers. Committee resolutions shall be passed by majority vote. In the event of a tie, the chairperson shall have the casting vote. In the event of his absence, the chairperson shall be represented by the most senior officer.
3. The committee may seek opinions or information from any notables from the area where conscription is taking place that it deems fit.

**Article (10)**

The conscription committee shall meet once a year in each district. Meeting locations and times shall be designated by a decree from the director of the conscription department. The governor and the district administrator shall be notified of this decree. The committee chairman shall also be notified of such decree and it shall be published in the Official Gazette and hung in visible locations in the headquarters of the governorate, district, and other administrative and security bodies. Such must take place at least thirty days prior to the commencement of the committee's activities.

**Article (11)**

1. The conscription committee shall hold competence to issue decisions on conscription postponement requests submitted by applicants, and on any reasons for exception to exemption from service, and shall also handle the other activities assigned thereto under this Law.
2. The person concerned may file grievances against the decisions of this committee within thirty days from the date they are informed of the decision. Such grievances shall be submitted to a body presided over by an employee of the Ministry of Defence holding a grade not lower than director-general and having as members an officer holding a rank not less than major and a legal consultant from the Ministry of Defence.
3. This body shall be formed and the procedures thereof defined by a decree issued by the Minister of Defence. Committee decisions shall be final.

**Chapter (2)**

**Preparation of Lists**

**Article (12)**

1. Prior to January 1 of each year, each municipality or district shall prepare the following lists:
2. A list of the names of those registered in the birth records who are turning eighteen years of age during the year, in addition to the names of unregistered individuals who are likely to reach this age during the year.
3. A list of the names of residents of such bodies who are turning eighteen years of age during the year and those not over thirty-two years of age who have not previously been registered in the municipality or district birth records.
4. A list of those whose names were listed in the two previous lists after removing those determined to be deceased from death records.
5. Libyan consulates abroad or any party acting in their place shall, prior to January 1 of each year, prepare a list of the names of Libyans residing in their jurisdiction who are turning eighteen years of age during the year and those not over thirty-two years of age who have not previously been registered thereby. The list shall be displayed in the headquarters of the consulate or the body acting in its place. Individuals mentioned therein shall be notified and the consul or person acting in their place shall record the statements of those written on the list or others whose statements they deem necessary to hear and shall receive the papers and documents supporting their statements and send them along with the list to the conscription director.

In the application of this Law, persons residing abroad shall be considered as if they are residing in the governorate to which they belong.

1. The definition of resident and the regulations on preparing and submitting the lists shall be set out in a decree issued by the Minister of Defence.

**Article (13)**

Grievances against errors that might appear on the lists with regard to the wrongful inclusion or omission of names or other data included thereon may be made to the competent conscription committee or consulate. Grievances against decisions of the conscription committee or consul or representative thereof may be made to the body set out in the second paragraph of Article (11).

**Article (14)**

Those whose names are included in the list mentioned in Article (12)(c) shall be summoned to appear for medical examination on the date set for the conscription committee's meeting. The decree referred to in Article (12) shall specify the manner of such summons.

**Article (15)**

Municipalities, districts, and consulates shall draw up complete lists of families of persons who meet one of the reasons for exemption. Such lists shall be certified by the mayor, district administrator, or consul and subject to the approval of the conscription committee.

**Chapter (3)**

**Medical Committee and Medical Authority**

**Article (16)**

Each conscription committee shall have a medical committee attached thereto composed of at least two government doctors.

**Article (17)**

The conscription department shall have a medical authority attached thereto composed of not less than three various specialists appointed by a decree issued by the Minister of Defence. This authority's decisions shall be final.

**Article (18)**

The medical committee set out in Article (16) shall undertake the following:

1. Determine the age of the unregistered persons referred to in Article (12)(1)(a).
2. Conduct medical examinations of those called to determine the extent of their fitness for service in accordance with the rules set out by the Ministry of Defence.
3. Examine parents, siblings, and mothers' spouses to determine the extent of their physical ability in accordance with Article (6).

**Article (19)**

The medical authority shall examine parents, siblings, and mothers' spouses to determine their physical ability to support themselves and their families in the following cases:

1. If they have not previously been examined by the medical committee referred to in Article (16).
2. If they were transferred to the authority by the aforementioned medical committee.
3. If they were transferred to the authority by the conscription department director, whether by his own initiative or based on a complaint.

**Chapter (4)**

**Conscription Committee Activities**

**Article (20)**

Conscription committees shall correct the list set out in Article (12)(c) by removing those who are determined to be deceased and not listed in the death records, those who have not reached the age of service, those over thirty-two years of age, and those citizens treated based on their place of birth.

**Article (21)**

In cases of exception or exemption from service, the conscription committee shall issue decisions with regard to those determined to be physically fit, pursuant to the lists set out in Article (15). The committee may hear statements from those named on the list and others whose statements or testimony it deems necessary to hear and may place such persons under oath and order them to appear if they fail to do so.

**Article (22)**

The conscription committee shall determine conscription priority numbers of those determined to be fit in accordance with Article (18), as well as the numbers of those failing to appear, postponing, and those whose grounds for exception or exemption have lapsed.

**Article (23)**

1. After completion of the previous process, the conscription committee shall, in cooperation with the municipalities and districts create a list with five sections. The first section shall have the names of those fit for service, those failing to appear, and those whose reason for exception or exemption have lapsed, in order of conscription priority numbers. The second section shall have the names of those for whom a temporary exception or exemption has been issued. The third sections shall have the names of those for whom a final exception or exemption has been issued. The fourth section shall have the names of those not fit for service. The fifth section shall have the names of those removed due to death pursuant to administrative reports or for another reason for removal to be stated therein.
2. Said report shall be drawn up in three copies to be approved by the conscription committee chairmen and members. One copy shall be kept on file with the committee, one sent to the conscription department, and one sent to the governorate.

**Article (24)**

The director of the conscription department may, on his own initiative or at the request of the concerned party, submit to the authority set out in Article (11) the names of those whose names were not included in the list or the names of those wrongfully included. Said authority may include or remove names in accordance with the law.

**Part (3)**

**Article (25)**

Individuals who undergo medical examination and are determined to be fit for service shall be placed on call and must inform the conscription department of any change in their place of residence by registered letter within a month of such change, if occurring during the year in which they may be called for conscription in accordance with the following Article.

**Article (26)**

1. Conscription of those determined to be fit shall be according to the needs of the armed forces. A number of those determined to be fit in accordance with Article (23) and those delaying shall be called each year from the conscription priority lists by conscription priority number and from among those exempted or postponing service whose reason for such has lapsed, to join one of the branches of the military forces set out in Article (2).
2. The Ministry of Defence shall determine the percentage of those included in the conscription priority lists of that year to be called to enlist in groups.
3. The conscription department shall notify each conscription committee of the names of those called in each group for medical examination by the medical authority. Individuals shall be called according to their order on the conscription priority lists, and at the same percentage among members of each district or municipality. Those called to appear shall be served notice not less than fifteen days before the day set for their medical examination. The medical authority shall state each person's level of fitness for military service. Everyone determined to be fit shall join the service.

**Article (24)**

1. After meeting the army's need for individuals in a given year in accordance with the preceding Article, those who were not called in that year, i.e., those whose turn for conscription did not come, shall remain on call for a period of three years during which they shall be enlisted in groups in the manner and method set out in a decree issued by the Minister of Defence, unless they turn thirty-two years of age during such period, in which case Article (21) shall be applied with respect thereto.
2. If they are not enlisted within the stated three-year period, they may be enlisted before they turn thirty-two years of age in cases of necessity by a decree from the Cabinet.

**Article (28)**

Anyone enlisted for compulsory service may request renewal of their service for a period of at least two years and not more than five years. The renewal shall take place with the approval of the Ministry of Defence. Multiple renewals may be made, provided the enlisted individual does not thereby exceed forty years of age, unless promoted to the rank of deputy officer, in which case they may remain in service until forty-five years of age. If enlisted individuals who served as officers in accordance with Article (4) wish to continue to serve, they shall be appointed to the rank of first lieutenant and the special provisions for officers set out in the Army Law shall apply with regard thereto.

**Article (29)**

1. Compulsory military service shall end with the completion of the term thereof. However, in cases of war, mobilization, emergency, or active movements those who have completed their service period may be held in service pursuant to a decree from the Minister of Defence and those who have previously performed compulsory military service less than seven full years prior may be called up. For volunteers to the armed forces, the last period shall commence after completion of their eighteenth-month in service.
2. Each person who performed compulsory military service must declare their place of residence and each change thereto to the body affiliated to the Ministry of Defence within ten days from the date of the change of residence.

**Part (4)**

**General Provisions**

**Article (30)**

Each person called for compulsory service shall be subject to the provisions of military laws throughout the period of their service therein. Each person summoned in accordance with Article (29) shall also be subject to these provisions, commencing from the date set for their appearance.

**Article (31)**

Each Libyan who has turned twenty-one years of age and was not treated in accordance with this Law must present themselves to the conscription committee within three months from the date they turn such age to determine their treatment.

**Article (32)**

Each Libyan who has turned twenty-one years of age and was not treated in accordance with this Law must present themselves to the conscription committee within three months from the date they turn such age to determine their treatment.

**Article (33)**

After completion of the training period, enlisted persons shall swear the oath of allegiance to the king, nation, and flag using the wording set out in Article (13) of the Army Law before the Chief of Staff of the armed forces or an officer representing him in the presence of the Imam.

**Article (34)**

Salaries, remuneration, rank system, promotion, and treatment of enlisted persons shall be set out under a decree from the Cabinet based on the submission of the Minister of Defence and proposal of the Chief-of-Staff.

**Article (35)**

The Ministry of Defence shall provide the following certificates free of charge to those who request them:

1. Certificate of exemption from compulsory military service in accordance with Article (6).
2. Certificate of performance of compulsory military service.
3. Certificate of exception from compulsory service in accordance with Article (5).
4. Certificate of postponement of compulsory service in accordance with Articles (7) and (8).
5. Certificate that the person is on call in accordance with the first paragraph of Article (27).

**Article (36)**

1. Government ministries and authorities, public authorities and institutions, and institutions subject to the Labour Law must hold the original job, or a job similar thereto, for any of their employees or workers who are enlisted or called to serve. It may hire a temporary replacement for the enlisted or called-up employee or worker until they complete military service.
2. Employees or workers may, within thirty days from the date of their release from military service, request to return to the job held for them. The entity for which they were working must respond to their request within two months from the date the request is submitted if they are physically fit for the job held for them. Physical fitness shall be established in the certificate given to them upon their release from military service. If they are not fit for such due to a disability acquired while in service, considerations shall be made to the extent possible to place them in any job they are able to perform.

**Part (5)**

**Crimes and Penalties**

**Article (37)**

The Gregorian calendar shall be used with regard to the implementation of this Law.

**Article (38)**

1. Anyone who intentionally tries to avoid an individual's compulsory service or unlawfully postpone their conscription, whether through failure to include their name in a list or wrongful removal or addition of their name to a list, or by causing an injury thereto or assisting in such, giving false information, or other methods shall be punishable by imprisonment and a fine of not more than two hundred pounds or one of these two penalties. Any person who hides someone with the intention of avoiding their compulsory service shall be punishable with the same penalty.
2. Recidivism shall be punishable by imprisonment for a period not less than six months and a fine not less than fifty pounds and not more than three hundred pounds or either of these two penalties.
3. If the repeat offender is an employee entrusted with implementation of the law or implementing decrees thereof they may also be punished by dismissal.

**Article (39)**

1. Anyone who violates the provisions of either Article (25) or Article (29)(2) shall be punishable by imprisonment and a fine not less than ten pounds and not more than fifty pounds or one of these two penalties.
2. Anyone who violates Article (32) shall be punishable by the same penalty and in this case may be enlisted immediately upon performance of the penalty to which they are sentenced, at the request of the conscription department.

**Article (40)**

Anyone who fails to implement the summons request referred to in Article (29)(1) shall be punishable by imprisonment for a period not less than six months and a fine not less than twenty pounds and not more than one hundred pounds or either of these two penalties.

**Article (41)**

1. Anyone bound to compulsory service that intentionally tries to avoid it, whether by removing their name from a list, using another person's name before someone charged with enforcing this Law, hiding or absenting themselves in order to avoid receipt of their call for medical examination or conscription, failing to undergo medical examination after being called, intentionally attempting after appearing for the medical examination to avoid conscription, not notifying the conscription department of the lapse of the reason for their exemption in accordance with the last paragraph of Article (6), or by other methods shall be punishable by imprisonment for a period not less than six months and a fine not less than fifty pounds and not more than two hundred pounds or one of these two penalties.
2. If such person is fit for service after performance of the penalty they may be enlisted immediately upon performance thereof at the request of the conscription department. The period of their service shall be increased by one year, although they may be exempted from serving this year if they display continuous good conduct throughout their conscription period.

**Article (42)**

Any official from the body for which an enlisted person was working who violates Article (36) shall be punishable by a fine of not less than one hundred pounds and not more than two hundred pounds.

**Article (43)**

Anyone who attempts any of the crimes set out in this Law shall be punishable by the penalty for the completed crime.

**Article (44)**

The period set for lapse of the right to file a case against those bound to compulsory service shall not commence until the date the individual reaches thirty-two years of age, unless they had reached this age at the time the crime was committed.

**Article (45)**

The director of the conscription department and assistants thereof, chairmen of conscription committees and members thereof, and similar competent employees as determined by a decree issued by the Minister of Defence shall hold the capacity of members of the judicial police with regard to application of this Law and the decrees issued in implementation thereof.

**Article (46)**

Within the five years after this Law enters into force, the Cabinet may specify in one or two specific years a number of government employees or employees of public institutions or authorities who may be called for conscription or specify the percentage thereof from the total number of employees, and shall also set out the manner of their selection.

**Article (47)**

The Minister of Defence may issue the decrees required to implement this Law, and it shall enter into force on the date of its publication in the Official Gazette.

**Issued at Dar Al Salaam Palace on 23 Muharram 1387**

**Corresponding to 6 May 1967**

**By order of the King**

**Hussein Maziq**

**Prime Minister**

**Abu Seif Yassin**

**Minister of Defence**