

PUBLIC

ANNEX 8.36



ICC Restricted

Translation of Evidence

Original Document

ERN Range	LBY-OTP-0005-0167 to LBY-OTP-0005-0171
Source Language(s)	Arabic
Number of Pages	5

Translation

ERN Range Translated	LBY-OTP-0005-0167 to LBY-OTP-0005-0171
Target Language(s)	English
Number of Pages	5

ICC Restricted

LBY-OTP-0008-0064

**The Libyan Arab Republic
Official Journal**

Issue No. 29	22 Jumad al-Awwal 1392 PD – 3 July 1972 CE	Year Ten
---------------------	---	-----------------

	Contents	Page
	Acts and Decrees issued by the Revolutionary Command Council	
Act	No. 66 of year 1392 PD. issued on 9 Rabi' al-Thani 1392 PD. amending Articles 2 and 3 of Act No 18 of year 1392 PD. allowing the setting up of the Libyan Arab Overseas Bank (a Libyan Corporation).	1325
Act	No. 69 of 1972 CE. issued on 16 Rabi' al-Thani 1392 PD. concerning the structuring of the pharmaceuticals trade.	1327
Act	No. 70 of 1972 CE. issued on 16 Rabi' al-Thani 1392 PD. setting up the National Pharmaceuticals Company.	1332
Act	No. 71 of 1972 CE. issued on 16 Rabi' al-Thani 1392 PD. concerning the outlawing of party political activities.	1338
Decree	Issued on 4 Rabi' al-Thani 1392 PD. amending two municipality names and principal towns.	1342
Decree	Issued on 4 Rabi' al-Thani 1392 PD. amending some of the clauses of the Decree of the Revolutionary Command Council to form a Committee for the elimination of unsettled ...	

Continued on back cover

Published by Order of the Minister of Justice

Act No. 71 of 1972 CE
concerning the Outlawing of Party Political Activities

In the name of the People,

The Revolutionary Command Council,

In consideration of the Constitutional Declaration issued on 2 Shawwal 1392 PD / 11 December 1969 CE. and
The Decree of the Revolutionary Command Council declaring the constitution of the Arab Socialist Union issued on 17 Rabi' al-Thani 1391 / 11 June 1971 CE. and
The Penal Code and the Criminal Justice Procedures Act. and
Further to that which the Head of the Cabinet proposed and the aforementioned Cabinet then agreed.

has issued the following Act.

Article 1

The Arab Socialist Union is to be the only public political organisation in the Libyan Arab Republic by means of which the citizens may exercise freedom of opinion and expression within the limits of the people's wellbeing and the principles of the Revolution in accordance with the provisions of the constitution of the Arab Socialist Union.

Article 2

Party political activities are a betrayal of the rights of the nation and the combined strength of the working people that is represented by the Arab Socialist Union.

Party political activities are herein defined as any assembly, organisation or grouping of any kind in which a number of its members hold political ideas with ends or means that counter the principles of the 1st September Revolution, or which are intended secretly or openly to infringe the Revolution's constitutional foundations.

... regardless of whether the ideas held are written or unwritten, or whether their propaganda or proponents use material or abstract means.

Article 3

They shall be sentenced to death, all those who call for the setting up of any assembly, organisation or grouping prohibited under this Act, or whosoever shall set up, organise, manage, finance or prepare a place for its meetings and all who join it or encourage it in any way whatsoever, or who offer it any support, together with all those who hand over or collect, directly or indirectly, by any means, any money or benefits of any kind, from any individual or agency with the intention of setting up some prohibited assembly, organisation or grouping, or with the intention of preparing to set one up. There shall be no difference in the degree of punishment between the leaders and the subordinates, whatever their level of involvement in the party, assembly, organisation, grouping, division or cell or similar.

Article 4

All those who learn of the existence of one of the crimes described in this Act yet who do not report it shall be punished by imprisonment for a period of not less than ten years.

Article 5

All those who immediately inform the government or judicial authorities of such crimes before their discovery shall be pardoned from the punishments decreed for the criminals as described in this Act. Similarly, traitors may be pardoned their punishments even if their information was provided after the start of the investigation provided that their statements led the authorities to arrest the criminals and their co-conspirators.

Article 6

In all cases, the Courts shall aim to close down the headquarters and branches of the groupings prohibited under this Act and seize any money, equipment or documents ...

... used in the commission of the crimes, together with the property of the perpetrator in terms of wealth etc arising from the crimes described in this Act.

Article 7

By Decree of the Revolutionary Command Council, special Courts may be formed to judge those accused of the crimes described in this Act. The judgements of these Courts may be subject to appeals to the Council, which shall have the power to annul, lessen or review any sentence.

Article 8

None of the provisions of this Act shall prejudice the award of any stricter punishment as described in the Penal Code or any other Act.

Article 9

The provisions of the aforementioned Penal Code and the Criminal Justice Procedures Act are to be applied wherever there is no clause in this present Act.

Article 10

Whoever commits an act in violation of the provisions of this Act shall be pardoned their punishment hereunder if, within thirty days of the date of their action, they provide full statements or details about the assembly, organisation or grouping, and hand over any wealth or related assets to the Interior Minister, in person or through an intermediary.

Article 11

The Ministers must do everything necessary to implement this Act, which shall come into effect from the date of its publication in the Official Gazette.

The Revolutionary Command Council
Colonel Mu'ammār Qadhafi
Head of Cabinet

Issued on 17 Rabi' al-Thani 1392 PD
30 May 1972 CE