

**General People's Congress**  
**Law no. 20 of 1991**  
**Endorsement of freedom**

**General People's Congress**

In compliance with the following: the decisions made by the Basic Peoples' Committees during their regular session in 1988 which were drawn up during the 15<sup>th</sup> regular assembly of the General Peoples' Congress during the period from 4 to 9 March 1989, the decisions made by The Basic Peoples' Committees in their second regular session in 1990 which were drawn up by the General peoples' Congress during its regular session held between 11<sup>th</sup> and 17<sup>th</sup> June 1991, the declaration of the peoples' authority, the Great Green Charter for human rights in the Jamahiriya era and international agreements and treaties concerning human rights and fundamental freedoms, and law number 9 of 1984 concerning the organization of Peoples' Congresses and laws concerning The Peoples' Congresses and gatherings abroad.

The following law has been drafted :

**Article 1**

Citizens in Great Jamahiriya, male and female, are free and equal in rights. These rights are not to be violated.

**Article 2**

Every citizen has the right to practice authority and self determination through The People's Congresses and The People's Committees. No citizen is to be deprived of membership, nor is he to be deprived of being elected to their secretariats when the conditions regulating this are met.

**Article 3**

Defending the motherland is a right and honour which no citizen, male or female, is to be deprived of.

**Article 4**

Life is the natural right of every human being. It is therefore prohibited to practice the death sentence except as a punishment or against he whose life represents danger or damage to society.

The perpetrator has the right to plea for the reduction of the punishment by various means of material donation in exchange for his life. The court is permitted to accept this as long as it does not pose any threat or harm to society, and as long as it is not incompatible with human feelings.

**Article 5**

Religion is a direct relationship with the Creator, with no medium involved. It is prohibited to claim a monopoly of religion or to utilize it for any motive.

**Article 6**

Maintaining body safety is a right for every human being. It is unlawful to carry out scientific experiments on any living human body except in voluntary cases.

#### **Article 7**

Any hostile external contact to society is considered an act of treason.

#### **Article 8**

Every citizen has the right to openly express his thoughts and opinions in The Peoples' Congresses and in the jamahiriya media. No citizen shall be questioned as regards practicing this right unless he uses it in violation of the people's authority or for personal motives. It is prohibited to secretly promote or spread thoughts or opinions or to force them upon others by means of allurements, coercion, terror or fraud.

#### **Article 9**

Citizens are free to establish unions and federations or social associations and charities and to join any of these in order to safeguard their enterprises or to achieve legal motives for which these were established.

#### **Article 10**

Every citizen is free to choose a profession which suits him both individually or in cooperation with others without exploitation of others and without causing material or moral damage to others.

#### **Article 11**

Every citizen has the right to enjoy the outcome of his profession. Any deductions from this outcome, except that required by law as a contribution to public utilities or in exchange for services rendered by society, are prohibited.

#### **Article 12**

Private ownership is sanctified. It is prohibited to violate this as long as it is legally established and does not exploit or harm others materially or morally. It is prohibited to use private ownership in any way which is incompatible with public order or public propriety. It is also prohibited to nationalize private ownership except for public service or in return for a fair compensation.

#### **Article 13**

Every citizen has the right to enjoy the use and advantages of land for the duration of his life and the life of his heirs for work, agriculture and pasturing for the purpose of satisfying his needs according to his ability and without exploitation of others. He is not to be deprived of this right unless he causes damage to this land or obstructs its exploitation.

#### **Article 14**

It is prohibited to seize or restrict the freedom of any human being by searching or interrogating him unless he is accused of an illegal act by a judicial and competent authority in cases and for periods of time determined by law. Precautionary detention is carried out at a known destination for the shortest period necessary for investigation and preservation of evidence. Relatives of the accused are notified of this.

#### **Article 15**

The confidentiality of correspondence is to be guaranteed. Surveillance is therefore prohibited except in limited cases as dictated by security necessities and following obtainment of a permit from a judicial body.

#### **Article 16**

Private life has its sanctity. Therefore any interference is prohibited except when there is a threat to order, public propriety, or others or following a complaint involving any of these parties.

#### **Article 17**

The accused is innocent until proven guilty by judicial sentence; however, it is permissible to undertake legal procedures against the accused as long as the accusation against him stands.

It is prohibited to inflict any form of corporal or psychological punishment on the accused, or to treat him with severity or degradation, or in any manner which is damaging to his dignity as a human being.

#### **Article 18**

The purpose of punishment is to correct, rectify, rehabilitate and discipline.

#### **Article 19**

Private homes have their sanctity. It is therefore prohibited to enter, surveil; or search them unless they are used to harbour a crime or to hide criminals or to harm others materially or morally or if used in ways which are incompatible with propriety and traditions in a blatant manner. It is prohibited to enter a house except in cases of flagrante delicto or in response to call for help and after obtainment of a search warrant from a legal source.

#### **Article 20**

In times of peace every citizen is free to move about and choose his place of residence. Citizens may leave Great Jamahiriya and return to it whenever they wish. Exceptionally, a competent court may issue temporary orders to prevent a citizen from leaving Great Jamahiriya.

#### **Article 21**

Great Jamahiriya provides shelter for oppressed people and those struggling for freedom. It is prohibited to extradite to any destination refugees seeking safety in Jamahiriya.

#### **Article 22**

Freedom of invention and creativity is warranted in accordance with public order and propriety and as long as it does not pose any material or moral damage.

#### **Article 23**

Every citizen has the right to an education and to choose a suitable field of study. It is unlawful to monopolize knowledge or to distort it in any way.

#### **Article 24**

Every citizen has the right to social welfare and social insurance. Society takes care of those with no one to care care of them; mainly those in need, senior citizens, disabled persons, and orphans, Society shall guarantee a respectable living for those who are unable to work for reasons over which they have no control.

#### **Article 25**

Every citizen, male and female has the right to form a family on the basis of a marriage certificate confirming both side's consent. This certificate can only be annulled by mutual consent or by a judicial order from a competent court.

#### **Article 26**

Custody of children is the right of the mother as long as she is eligible for custodianship. It is therefore prohibited to deprive a mother from her children and children from their mother.

#### **Article 27**

The mother who has custody of her children owns the right to remain in the marital house for the period of child custody. The husband has the right to keep his private belongings.

It is prohibited to include the house or its contents or any part of it in return for a divorce or divorce by khulaa, nor is it to be included in the estimated delayed dowry payment.

#### **Article 28**

Every woman has the right to a suitable job which does not entitle her to work that does not suit her nature.

#### **Article 29**

It is unlawful to use children either by the family or others in work which does not suit children's capabilities or which obstructs their natural development or damages their nature or health.

#### **Article 30**

Every person has the right recourse to courts in accordance with the law. The court guarantees everything necessary including a lawyer. Citizens have the right to seek the help of any other lawyer chosen from outside the court at their own expense.

#### **Article 31**

Judges are independent. The only authority governing their rulings is the authority of law.

#### **Article 32**

No public body is to exceed its jurisdiction by intervening in areas to which it has not been assigned. It is also prohibited to intervene in the affairs of judicial control unless authorized to do so by law.

#### **Article 33**

Public funds and facilities belong to society. It is therefore unlawful to use either of these in ways other than those to which they are allocated by the people.

Public offices are for the service of society and shall not be exploited to any personal advantage.

**Article 34**

The rights stated in this law are not subject to prescription or degradation, nor are they to be waived.

**Article 35**

The rulings of this law are fundamental. It is prohibited to issue anything which is incompatible with this. All legislations which are incompatible with this law are to be modified.

**Article 36**

Every person who has sought an illegal method to achieve personal motives is not to enjoy the benefits of this law.

**Article 37**

Criminal actions are to be punished in accordance with the rulings of this law and as stipulated by penal law and their complementary laws, as well as those issued in accordance with the Great Green Charter for human rights in the era of Jamahiriya.

**Article 38**

This law is to be published in the official gazette and through the various mediums and shall come into effect from the time of its publication in the official gazette.

**The General Peoples' Congress**