

Law No. (21) of 1991 on mobilisation

The General People's Congress:

In execution of the resolutions adopted by Basic People's Congresses in their second ordinary session of 1400 FDP corresponding to 1990 AD, and formulated by the General Forum of People's Congresses, People's Committees, trade unions, syndicates, and professional associations (General People's Congress) in its ordinary session for the period of 29 Dhu al-Qaada to 5 Dhu al-Hijja 1400 FDP, corresponding to 17 June 1991 AD;

And upon review of:

- Law No. (40) of 1974 on service in the armed forces;
- Law No. (80) of 1974 on general mobilisation;
- Law No. (35) of 1977 reorganising the Armed People;
- Law No. (5) of 1978 amending some provisions of military laws;
- Law No. (30) of 1984 on the Armed People;
- Law No. (7) of 1987 on call-up of the Armed People;
- Law No. (9) of 1987 on national service, and its amendments;
- On the basis that war is not an end in itself but rather a necessary means to maintain the freedom, independence and security of the Great Socialist People's Libyan Arab Jamahiriya and to preserve the Jamahiriyan system based on the authority of the people, or to maintain the security and integrity of the Arab nation, a purpose which requires the declaration of a general or partial mobilisation to assemble all human, material and moral capabilities and forces to serve the aims of war;

drafted the following law:

Article (1)

Definitions

In applying the provisions of this law, the below expressions shall have the indicated meanings:
General mobilisation: Mobilisation of all human, material, and moral resources of the Great Jamahiriya and preparing properly to move from a state of peace to a state of war.

Partial mobilisation: Preparation of all or some units of the Armed People, or some human or material resources to face a situation, or conduct tactical exercises and strategic manoeuvres, or execute revolutionary transformation programs.

Units of the Armed People: Security and alternate units of the Armed People and local popular defence and reserve, and those involved in general military training.

Human resources: Male and female citizens who have attained the age of seventeen, so long as they are physically capable to fight, work and produce.

Material resources: Public and private economic resources.

Article (2)

Components of Material Resources

Material resources consist of a set of economic resources publicly owned by the people, collectively owned resources, various collaborative and individual activities, and means that assist in production and service activities, whether public or private.

Article (3)

Declaration of Mobilisation

States of mobilisation and the type and purpose thereof shall be declared by the Basic People's Congresses in any of the following cases:

First: Situations where an external danger exists, including:

- 1) Tension in international relations.
- 2) Risk of war.
- 3) Outbreak of war.
- 4) Emergence of a threat to the Great Jamahiriya or its sovereignty or independence.

Second: Situations where an internal danger exists, including:

- 1) Emergence of a threat to the authority of the people.
- 2) Occurrence of natural disasters, epidemics or other threats to the lives, security or safety of the population.

Third: Tactical exercises, strategic manoeuvres, or practical applications of states of mobilisation, excluding training and exercises determined by a resolution from the General Committee for Defence.

Fourth: Execution of revolutionary transformation programs for which individual capabilities do not suffice.

The state of mobilisation shall end when the reasons for it end through a decision issued by the body that declared it.

Article (4)

Effects of a General Mobilisation Declaration

The following effects shall arise from the declaration of a state of general mobilisation, until it ends:

1. Exploiting all human and material resources to serve the war effort.
2. Compelling all workers in public agencies and facilities, companies, installations, factories, cooperatives and individual and collective activities to continue their work under the supervision of bodies specified by the General Committee for Defence.
3. Determining production methods, techniques, and types, and the use, supply, storage, distribution, and consumption of raw materials and fuels.
4. Appropriating private property in order to use it to serve the purposes of the general mobilization, if necessary. The owners thereof shall retain the right to compensation under the law.
5. Granting the capacity of judicial officers to persons entrusted with the oversight of the practical procedures of the general mobilisation.
6. Compelling citizens designated by the General Committee for Defence to join units of the Armed People to perform national service or execute the armed popular alternative.

7. Imposing the necessary security arrangements specified by the resolution from the General People's Committee.
8. Suspending end-of-service procedures.
9. Suspending travel abroad.
10. Restricting freedom of residence and movement.

Article (5)

Effects Arising from Partial Mobilisation

The following effects shall arise from the declaration of a state of general mobilisation, until it ends:

1. Placing all or some units of the Armed People under the authority and supervision of the body specified by the General Committee for Defence.
2. Exploiting the capabilities and resources specified by the General Committee for Defence to serve the purposes of the partial mobilisation.
3. Assembling persons, machinery and all capabilities pertaining to the mobilisation order, with coordination between the General Committee for Defence and the People's Committees at all levels. Any administrative or technical body may be commissioned to participate in this.
4. Suspending end-of-service procedures for national service conscripts.
5. Compelling all workers in public agencies and facilities, companies, installations, factories, cooperatives and individual and collective activities in the area or areas specified by the General Committee for Defence to continue to perform their work under its supervision.

Article (5)

Penalties

First: Without prejudice to any more severe penalty, a punishment of imprisonment and a fine of no less than two thousand LYD and not exceeding five thousand LYD, or either of the two penalties, shall be inflicted on the following:

- a) Anyone who, during a state of mobilisation, deliberately fails to execute a call-up, assignment, conscription, or appropriation order, or conceals, stores, or disburses materials and supply goods for other than their designated purposes.
- b) If the act is committed in time of war, the death sentence shall be imposed.

Second: Anyone who discloses confidential data or information relating to the general mobilisation shall be punished by imprisonment for a period not exceeding five years. If the crime occurs during a period of general mobilisation, the penalty shall be imprisonment; if the crime occurs in time of war, the penalty shall be the death.

Article (7)

The General Committee for Defence shall set the necessary rules, regulations, and provisions to implement this law.

Article (8)

Law No. (80) of 1974 on general mobilisation shall be repealed.

Article (9)

This law shall enter into force from its date of publication in the Official Gazette.

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