

ANNEX III
(Public)

State of Libya**Libyan House of Representatives****Law 6/2015 on General Amnesty****The House of Representatives****NOTING:**

- The interim Constitutional Declaration issued on 3 August 2011 and its amendments;
- Law **10/2014** on the Election of the House of Representatives during the Transitional Period and its amendment;
- Law **6/2006** on the Judicial System and its amendments;
- The Penal Code and the Code of Criminal Procedure, their amendments and supplementary legislations;
- The Military Penal Code and Code of Criminal Procedure and their amendments;
- Law **29/2013** on Transitional Justice;
- Law **17/2012** Laying the Foundations for National Reconciliation and Transitional Justice and its amendments;
- Law **3/2014** on Combating Terrorism;
- Law **35/2012** on Amnesty for Certain Crimes;
- Resolution **7/2014** of the House of Representatives on the Dissolution of all Irregular Military Formations;
- The submissions of the Justice and National Reconciliation Committee of the House of Representatives;
- The conclusions of the House of Representatives at its 34th Ordinary Meeting held on **28 July 2015**.

The following shall become law:

Chapter One**Article 1**

With due regard to the provisions of Articles 2 and 3 of the present Law, all Libyans who committed crimes during the period from **15 February 2011** until the promulgation of the Present Law shall be covered by a general amnesty. Criminal proceedings related to such crimes shall be terminated, and sentences handed down shall be revoked. Such crimes shall have no subsequent penal effects and shall be struck from the criminal record of those covered by the amnesty, provided that the conditions stipulated herein are met.

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Article 2

For the present Amnesty Law to apply to those covered by it, the following conditions must be met:

- A written pledge shall be issued in which the person undertakes to repent and not to reoffend. Such pledge shall not be required in cases of contraventions or misdemeanours punishable only by a fine;
- For financial crimes, the funds involved shall be reimbursed;
- The person shall reconcile with the victim, his or her legal guardian, or legal survivor, as appropriate;
- Weapons or instruments used in the commission of the crime shall be handed over;
- Restoration to the original state in cases of crimes against real estate and movable property.

Article 3

Provisions of this Law **shall not apply** to the following crimes:

- The crimes of terrorism stipulated in Law 3/2014;
- Drug importing and trafficking;
- Sexual and indecent assault;
- Identity-based murder, abduction, forced disappearance and torture;
- *Huddud [certain Sharia]* offences, so long as justice has been seized of such crimes;
- All crimes of corruption.

Article 4

The present Law **shall apply** to persons against whom judicial sentences were handed down, and subsequently served, provided that the conditions stipulated herein are met. Their benefiting from the Amnesty shall be limited to its penal effects and striking from the criminal record.

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Article 5

This Law **shall not prevent** the authorities from issuing administrative decisions to remedy the unlawful acts committed by persons having benefitted from the Amnesty Law, nor shall it prevent such authorities from taking disciplinary measures against public servants.

Article 6

The competent judicial authority **shall issue** a reasoned decision to stay the criminal proceedings once it has ascertained that the conditions for amnesty are met. Those covered by the Amnesty Law shall be released unless they are being detained for another reason.

Article 7

The amnesty granted in accordance with the provisions of this Law **shall be considered null and void** if a person covered by it willfully commits a felony within the five years following the date of the decision staying the criminal proceedings. Such proceedings shall then resume from the point at which they had been discontinued. The decision to annul the amnesty shall be issued by the competent Chief Prosecutor.

Article 8

The competent prosecutorial authority **shall be responsible for** adjudicating disputes arising from the application of the provisions of this Law. Its decision shall be subject to appeal in accordance with the general rules.

Article 9

The Attorney General **shall issue** bulletins and instructions to facilitate the application of the provisions of this Law. The competent prosecution services, under his authority, shall be responsible for applying the provisions of the Law, maintaining the appropriate documentary records and files, and developing an electronic follow-up system linked to the Office of the Attorney General.

State of Libya**Libyan House of Representatives****Article 10**

The provisions of this Law **shall be without prejudice** to the right of an affected person to restitution and compensation.

Article 11

The provisions of this Law **shall enter into force** on the date it is promulgated and shall nullify the above-mentioned Law 35/2012. It shall be published in the Official Journal.

[signature]

The House of Representatives

[stamp]

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On 23 Thul Hijjah 1435

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