

**GENERAL NATIONAL CONGRESS – LIBYA**  
**7<sup>TH</sup> AMENDMENT TO THE CONSTITUTIONAL DECLARATION**  
**GENERAL NATIONAL CONGRESS (GNC)**

Upon perusal of the following:

- The Constitutional Declaration issued on 3 August 2011 and its amendments;
- The GNC Rules of Procedure;
- The decisions made at the GNC regular meeting No. 176 held on Tuesday 11 March 2014;

*The following amendment has been issued:*

**Article 1**

**Article No.(30) of the Constitutional Declaration is amended as follows:**

- 1- The formation of the Transitional National Council (TNC) shall be finalized based on the provisions of Article 18 of this Constitutional Declaration. It shall remain as the highest authority in Libya with the entitlement to rule the country until the GNC is elected.
- 2- Following the declaration of the liberation of the state, the interim TNC shall move to its headquarters in Tripoli. It shall form a transitional government in no more than thirty days.

In no more than ninety days following the declaration of the liberation, the TNC shall:

- a. enact the GNC electoral law
  - b. form the High National Elections Commission
  - c. call for the GNC elections
- 3- The GNC shall be elected within 270 (two hundred and seventy) days following the liberation.
  - 4- The GNC shall consist of 200 (two hundred) members elected from all parts of Libya on the basis of the GNC electoral law.
  - 5- The interim TNC shall be dissolved as from the first meeting held by the GNC. All the TNC powers shall be transferred to the GNC. The eldest member shall preside the session while the youngest shall perform the duties of the rapporteur. At this session, the GNC president and his two deputies shall be elected through secret ballot. The transitional government shall remain in power until an interim government is formed.

*This translation was developed by the UN in Libya. It is unofficial in nature and is provided for informational purposes only.*

- 6- Legislations shall be issued by the GNC based on a majority of at least 120 members, with regards to the following issues:
  - a. Approval of the general budget and the closing financial statement of the state.
  - b. Declaration and lifting of the state of emergency.
  - c. Declaration and ending of war.
  - d. Dismissing the GNC president, one of his deputies, or any GNC member.
  - e. Withdrawal of confidence from the Government.
  - f. Ratification of international treaties.
  - g. Legislations organizing the local government affairs and general elections.
  - h. Legislations involving extra-budgetary expenditure, not mentioned in the general budget.
- 7- Voting on administrative and political isolation laws shall be carried out by the majority of 101 members of GNC.
- 8- Any GNC member may request voting by the majority of 120 members on any issue under discussion. The vote on the proposal may not be held except when the proposal is supported by five members. Only the absolute majority of attendees may decide whether to hold such a vote or not.
- 9- Apart from the above mentioned items, legislations may only be issued when supported by the absolute majority of attendees.
- 10- In no more than ninety days as of the first meeting, the GNC shall:
  - a. Appoint a prime minister who shall introduce the names of his government ministers. The ministers shall have the confidence of the GNC before they can assume their duties in the interim government. The GNC shall also appoint the holders of sovereign positions.
  - b. Reformation of the High National Elections Commission (HNEC) in order to elect, through direct ballot, a constituent body that will draft the permanent constitution. This constituent body shall be named the Constitution Drafting Assembly (CDA) and shall consist of sixty members similar to the Committee of sixty that was established to draft the Libyan constitution following independence in 1951. The standards and rules for the elections of the CDA shall be issued by the GNC based on a special act. Such standards shall take into consideration the representation of the components of the Libyan society with distinctive cultural and language aspects such as the Amazigh, the Towarek, and the Tabu. Decisions of the CDA shall be made by the majority of two thirds + 1 members. Decisions shall have the consensus of the Libyan society components with distinctive cultural and language aspects when the decision is related to them. The CDA shall draft and approve the constitution in no more than 120 days as from holding its first meeting.
- 11- The proposal made by the February Committee shall be applied and the elected Council of Representatives shall decide on the issue of electing the interim president through direct or indirect ballot, in no more than 45 days as from the date of holding its first session.

12- Immediately upon finalizing the draft constitution by the CDA, it shall be brought to a yes/no referendum within 30 days as of the date of approval.

- If the majority of two thirds of the Libyan voters accept the draft constitution, the CDA shall approve the draft and refer it to the Council of Representatives to issue it.
- If rejected, the CDA shall redraft it and put it again to referendum in no more than thirty days as from the date of announcing the result of the first referendum.
- The Council of Representatives shall issue the law of general elections based on the constitution within thirty days following the issuance of the constitution.
- The general elections shall be held within one hundred and twenty days as from the date of issuance of the relevant regulating laws. The Council of Representatives and the interim government shall supervise the provision of all requirements necessary for a democratic and transparent electoral process.
- The High National Elections Commission (HNEC) (which will be reformed by the Council of Representatives) shall be responsible for the organization of the general elections under the supervision of the national judiciary and the observation of the UN and other international and regional organizations.
- HNEC shall approve and announce the results. The new legislative authority shall convene in no more than thirty days as from the date on which the Council of Representatives approves it. In its first session, the Council of Representatives shall dissolve the legislative Authority assumes its functions.

## **Article 2**

This amendment shall come into effect as from the date of issuance. It shall be published in the official gazette.

**The General National Congress**

**Issued in Tripoli on 11 March 2014**