

Committee on the Application of Standards

Date: 21 May 2026

Governments appearing on the list of individual cases have the opportunity, if they so wish, to supply written information to the Committee.

▶ Information on the application of ratified Conventions supplied by governments on the list of individual cases

Libya (ratification: 1961)

Abolition of Forced Labour Convention, 1957 (No. 105)

The Government has provided the following written information, as well as copies of the Executive Regulations of Correction and Rehabilitation Institutions (2005); extracts of the Draft Constitution of 2017; the Constitutional Declaration of 2011; extracts of the Labour Relations Act No. 12 of 2010; a Government Memorandum on Reconstituting the National Committee for Responses to ILO Observations (2025); and the Council of Ministers Decision Establishing the National Committee on ILO Forced Labour Conventions (2025), in Arabic.

Introduction

The Government reaffirms its full commitment to the Convention and is keen to align its national legislation with its provisions. Its obligations under the Convention are focused on ensuring that forced labour is not imposed as a means of punishment or discipline. The Government is working to guarantee clarity in legal texts and their conformity with the Convention, so as to prevent any interpretation that could lead to the imposition of forced labour on persons peacefully expressing political or intellectual views.

Review of existing legislation

The Government notes that the provisions contained in the Penal Code (articles 20, 21, 23, 24, 175, 178, 195, 205, 206, 207, 220, 221, 245, 290), the Publications Act No. 76 of 1972 (articles 28, 29, 37, 38, 43), and the Anti-Cybercrime Law of 2022 (articles 37, 9, 39, 4, 7) are all subject to thorough legal review. This process aims to remove ambiguities and ensure clarity so that no interpretation may result in the imposition of forced labour on persons peacefully expressing political or intellectual opinions.

Constitutional framework

The Constitutional Declaration of 2011 serves as the supreme reference during the transitional phase and has effectively repealed earlier provisions that restricted press freedom

or could be interpreted as imposing forced labour, such as certain provisions of the Great Green Charter and the Publications Act of 1972.

- Article 14 guarantees freedom of opinion, expression, press, and publication.
- Article 6 affirms equality before the law without discrimination based on political opinion.
- Article 31 stipulates that no crime or penalty shall exist without legal provision and guarantees fair trial rights.
- Article 32 affirms judicial independence and prohibits exceptional courts.

In addition, the Draft Constitution adopted by the Constitution Drafting Assembly explicitly provides in article 34 that the State shall protect human dignity, prohibit torture, cruel, inhuman, or degrading treatment, enforced disappearance, slavery, servitude, and trafficking in persons, and stipulates that such crimes shall not lapse by prescription. It further prohibits forced labour except in cases of necessity or pursuant to a judicial sentence.

Labour Relations Act No. 12 of 2010

- Article 2 prohibits compulsion, servitude, and all forms of oppression and exploitation, affirming that work is both a right and a duty based on equality among citizens.
- Article 5 defines forced labour as any work or service exacted from a person under threat and without voluntary consent, while recognizing exceptions consistent with international standards (such as compulsory military service, judicial sentences, or emergency situations).
- Article 3 affirms that employment shall be based on competence, merit, and integrity, and prohibits favouritism or discrimination based on trade union affiliation or social origin.

Executive Regulations of Correction and Rehabilitation Institutions (2005)

The Government emphasizes that work within correctional institutions is not a compulsory punishment but is organized under humane and legal standards, aiming at rehabilitation and social reintegration:

- Article 8 requires medical examination to determine the inmate's capacity for work.
- Article 30 prohibits the employment of pregnant or nursing women except in accordance with their health condition.
- Article 39 considers work part of social rehabilitation and links it to good conduct.
- Article 65 grants inmates wages in cases of occupational illness or injury, applying social security provisions.
- Article 123 stipulates that work assignments must be appropriate to each inmate's condition.

Provisions on discipline and strikes (articles 237, 238 of the Penal Code)

The Government notes that these provisions have not been applied in recent years and are under review to ensure they are not used to sanction peaceful participation in strikes or minor disciplinary breaches. It clarifies that imprisonment does not necessarily entail forced labour, as work in correctional institutions is regulated for rehabilitation purposes. Any legislative amendments will ensure full compliance with Article 1 of the Convention, which prohibits the use of forced labour as a means of labour discipline or punishment for

participation in strikes, in line with Article 2 requiring the immediate and complete abolition of all forms of forced labour.

Reform efforts and international cooperation

The Government has, in recent years, introduced several amendments to national laws, reflecting steady progress in developing legislation consistent with international labour standards. These amendments are part of its commitment to strengthening fundamental rights and freedoms and ensuring harmonization of national legislation with relevant international Conventions, including the Convention.

Nevertheless, the political instability experienced during the transitional phase has delayed the completion of certain legislative reforms and postponed some practical steps in this regard. Despite these challenges, the Government remains committed to advancing legislative development, reflecting the State's determination to move towards a legal framework more consistent with international labour standards.

Practical steps have been taken in this direction, including technical meetings between the Ministry of Labour and Rehabilitation and the Ministries of Justice, Interior, and Foreign Affairs, as well as the establishment of a tripartite national committee comprising the Government, employers, and workers to discuss harmonization of legislation with international Conventions. Work is underway to prepare a new Media Law, conduct a preliminary review of the Penal Code and the Anti-Cybercrime Law, and develop a plan to provide statistical data on prosecutions, convictions, and penalties applied to enhance transparency.

The Government also expresses its appreciation for the technical assistance provided by the ILO, including the organization of a specialized workshop on forced labour. The Government responded positively to this initiative and values the role of the Organization in enabling constructive dialogue among social partners – government, employers, and workers – which has strengthened national efforts to align legislation and practice with the provisions of the Convention.

Conclusion

In submitting this report, the Government underscores that national legislation guarantees fundamental rights and freedoms, and that any ambiguity in application relates to practical interpretation of certain provisions, which are subject to careful legal review. The Government reiterates its readiness to continue cooperation with the ILO and requests technical assistance in drafting the necessary amendments to ensure full compliance with the Convention, thereby strengthening confidence in the country's legal and institutional reform process.