

Contribution of the municipal sub-track of the Libyan Political Dialogue Forum (LPDF), key demands and concerns of mayors across Libya¹

I. General Remarks and Principles for the Participation in the LPDF and in the Economic Track

- **Mayors of all regions have come together at several occasions since 2017 to join forces. The conflict 2019 / 2020 has temporarily divided the mayors' unity, but the recent efforts by the United Nations have allowed the resumption of dialogue among them and have put emphasis on the need for a new united front among the municipalities beyond ideologies of war and conflict;**
- **Mayors of Libya welcome the announcement of a peace-agreement and the results of the 5+5 talks, which will hopefully open the borders between the regions and will allow again the free circulation of its citizens within Libya and the exchange of goods and services as required; in this context, mayors also plead for an efficient demilitarisation of the country and a return to a secure environment for all citizens and the rule of law;**
- **Mayors have requested the UNSMIL to be represented in the first line of the Libyan Political Dialogue Forum, this demand has not been taken into account. However, we acknowledge the efforts of UNSMIL to remove blockages, which have characterised the previous years after the Skhirat Agreement / LPA;**
- **We support and welcome any political process which avoids the mistakes of the past agreement, which is inclusive and which clearly limits the timeframe for any elected or non-elected transitional institution in the coming months;**
- **However, we would like to emphasize that we, the united mayors of Libya, demand a continued involvement in the LPDF process through regular consultations on political and economic matters related to our mandates.**

II. Suggestions regarding political roadmap design towards democratic elections, the creation of a new Executive and a PC, sequencing

Principles, mayors of all regions agree to:

- **The country needs new institutions and a united legitimate government deriving from credible elections;**
- **The unification of the current institutions (Government, House of Representatives (HoR)) until elections are held;**

^[1] *This joint contribution to the LPDF by mayors from across Libya is the result of a series of meetings with UNSMIL's acting SRSG and subsequent discussions. It reflects the vision of a representative group of mayors across Libya, which has been discussed and widely circulated among Libyan majors.*

- A clear time limitation of any upcoming transitional elected or non-elected authority over the next months / next year;
- The High National Electoral Commission (HNEC) shall immediately receive sufficient funding from the government to start preparing for general elections; The UNSMIL shall support the conduct of credible elections, international and national observers should monitor the elections;
- Those involved in the LPDF shall not be eligible to get a post in any transitional institution towards democratic elections;
- There is a need for new ideas and new efforts for Libya, previously engaged political class should take a break during the transitional efforts towards democratic elections.

There are essentially three different suggestions for the sequencing of the roadmap towards democratic institutions, which are regrouped in Annex 1.

III. Acceleration of the Decentralisation Process and law 59

Mayors and municipal councils have been facing the suffering in their municipalities over the last years, without sufficient authority and competencies and without or with very little funding from the state to be able to respond to the needs of the citizens. Despite these difficulties, municipalities were the only support to citizens during the crisis, and without the work of municipal councils, the situation would have been worse. The empowering of the municipalities through an accelerated decentralisation process is an important part of solving Libya's crisis, and for the overall stabilisation of the country.

All mayors therefore strongly agree on a fast implementation of the decentralisation processes as per law nr. 59. The implementation of law 59 should, as a result of the LPDF, become binding for the next government within a determined timeframe. Core demands can be regrouped as follows:

- Transfer of competencies according to law Nr. 59 within a reasonable timeframe (12 months) and some core competencies within four months;
- Systematic and timely removal of all legal obstacles to the implementation of law 59 through the legislature; if required, interim and exceptional procedures to be applied to proceed with the implementation of the law;
- Systematic and timely transfer of resources according to a ratio population / geographical aspects / urgent development needs / distance from service centres and the state centre / neglect that affected some areas during the past years (especially the southern municipalities), by March 2021 for next year budget);
- An immediate interim budget for urgent matters by December 2020 for an interim period of 4 months;
- Appropriate level of co-determination and representation at the government level through the immediate establishment of the High Council for Local Administration (Art. 42) with a participation of mayors and appointed personalities as for instance former Local Government Ministers (before 2014);
- Representation in the Economic Track of the Libyan Dialogue through a minimum determined number of mayors per region to accompany and guarantee the fast implementation of the decentralisation process.

IV. Description of the daily challenges in municipalities across Libya

- No governmental funding available throughout long periods;
- Electricity and water cuts, specifically during the year 2020;
- Discrepancy of living on the land, which produces the wealth of the country, suffering its environmental pollution and damages, without profiting from the wealth or at least being compensated.

Specificities per region

For the South

- Financial shortage and lack of provision of basic services (fuel, gas, electricity and transportation);
- Being cut of the rest of the country including through the stopping of flights to Sebha, and the road blockages;
- From political and financial perspective, the Southern municipalities are caught in the middle between the Eastern and Western governments;
- No funds have been allocated to the South from both governments;
- Liquidity crisis in Southern municipalities, there is NO cash at the banks;
- Security issues concerning Libya's southern borders (trafficking, drug & arms smuggling and terrorist threat to southern region of Libya).

The southern municipalities are urgently calling for the solution of the following problems:

- The fuel problem, the liquidity problem, transportation, land and air transport;
- The return of the displaced as a result of the military and social conflict.

For the West

- Technical difficulties and financial issues facing the municipalities for providing the services to their citizens;
- The lack of funds & administrative obstacles making the situation far worse.

For the East

- No financial resources have been allocated from the GNA side to the Eastern municipalities;
- The refugee crisis and the IDP crisis are major issues seeking solutions;
- No financial support has been provided for the rehabilitation work for Benghazi, Derna Municipalities.

V. Immediate steps / Fast-Tracking of three basic concerns / needs (mayors expectations from the dialogue)

- Emergency budget for four months for all municipalities according to population and geographic criteria, as a fair share of resumed oil-production;
- The implementation of the Local Government Law No. 59/2012 must be included in the decisions of the LPDF and become binding for the next government within a determine timeframe of 12 months.
- In the meantime, the transfer of three core competencies within 4 months with a focus on:
 - a) Public Service Company;
 - b) Health sector responsibilities;
 - c) Waste management, sewage and water.

VI. Next steps: future participation and role of municipalities in the LPDF and the economic track

- Representation in the LPDF and the Economic Track with a ratio of one per region; mayors are close to the citizens and are in most cases elected representatives of their communities and therefore legitimate representatives of the citizens;
- If not full representation, mayors insist on importance of a two-way communication between the LPDF and the municipal sub-track through regular information on key decisions and the opportunity of mayors to feed into the process on a regular / systematic basis;
- Persons blocking the LPDF and the fast unification of Libya for any reasons should not participate in the LPDF.

Annex 1:

From the discussions with and among mayors as well as existing declarations made, there are essentially three different suggestions for the sequencing of the roadmap towards democratic institutions, which are regrouped below:

First option / proposal

Due to the disintegration of the current House of Representatives and the two Libyan governments:

- Immediate Parliamentary Elections within 120 days;
- Elected Parliament's mandate is to appoint a new government; institutions focus on constitutional framework, accelerated core legislation including immediate implementation of law 59;
- Lifetime of newly elected Parliament does not exceed 24 months;
- Legal framework for Parliamentary elections is immediately established by current institutions with support from UNSMIL;
- The Presidential Council / government must provide all the technical & financial resources for HNEC to enable to prepare and conduct these elections;
- Until elections are held, the current PC (will continue its duties) runs governmental affairs, unification of Eastern and Western government administration;
- Presidential elections to be conducted under a new constitutional framework and after the conclusion of the transitional period of two years.

The second option / proposal

- Short-term transitional united government with main priorities of paving the way for the Parliamentary elections; time frame not exceeding 8 months;
- During this preparatory period, the united government must be working on the urgent issues such as applying law 59 and transferring competencies;
- The newly elected Parliament will nominate a new government; a Constitutional Committee will prepare a draft constitution to be submitted for referendum;
- The maximum timeframe including the preparatory phase should not exceed 2 years;
- Following the two-year timeframe, Parliamentary and Presidential elections will be held according to the adopted constitution.

The third option / proposal (similar to second proposal, but different sequencing)

- A newly appointed PC from the three regions appoints a united government, approved by the current HoR;
- A Constitutional Committee is appointed to prepare a new Constitutional Draft submitted for referendum;
- Following the Constitutional referendum, Parliamentary and Presidential Elections are prepared;
- The timeframe for the transitional period until election shall not exceed 24 months.