



## Chapter on Unified Executive Authority

### Article 1/ General Provisions

1. The unified executive authority emanating from the Libyan Political Dialogue Forum (LPDF) shall be obligated to organize presidential and parliamentary elections within the dates specified for the Preparatory Phase for a Comprehensive Solution.
2. The unified executive authority shall be subject to the provisions and procedures issued by the LPDF. The Libyan Political Agreement (LPA) and legislation in force shall be consulted on issues where there is no text or regulation.

### Article 2/ Prerogatives of Presidency Council

1. **Collective Prerogatives of Presidency Council:**
  - 1.1. Carry out the functions of the Supreme Commander of the Libyan Army and appoint all its leadership levels, according to Libyan legislation;
  - 1.2. Declare the state of emergency and take the decision of war and peace after consulting the House of Representatives and the National Defense and Security Council;
  - 1.3. Accredite representatives of foreign states and bodies in the State of Libya;
  - 1.4. Appoint and dismiss ambassadors and representatives of the State of Libya to international organizations based on a proposal from the Prime Minister in accordance with the Libyan Political Agreement and the Libyan legislation in force; and accredit the new diplomatic missions.
  - 1.5. During consultations for the formation of the government, the Prime Minister shall designate the ministers of defense and foreign affairs, in consultation with the Presidency Council collectively, provided that the Prime Minister will refer the full cabinet to the House of Representatives.
  - 1.6. Launch the national reconciliation process and form a High Commission for Reconciliation to implement tasks referred to in articles 2 and 6 of the Roadmap.
  - 1.7. The Presidency Council shall exclusively appoint or dismiss incumbents of the following positions:

- Head of the General Intelligence Service, unless the House of Representatives objects to the appointment;
- Head and members of the High National Commission for Reconciliation;
- Other heads of agencies under the State Presidency, in accordance with the legislation in force.

1.8. Promulgate presidential decrees within the framework of the powers assigned thereto.

## 2. Prerogatives of President of Presidency Council

- 2.1. Supervise the work of the Presidency Council, chair its meetings and sign its decrees as per the minutes of meetings;
- 2.2. Represent the State in a protocol capacity in its external relations;

## 3. Decision making mechanism

The Presidency Council shall take all its decisions by unanimity of its three members. All decisions taken in violation of this rule are null and void.

## Article 3/ Prerogatives of Government of National Unity

1. The Government of National Unity is the supreme administrative body of the State. With the exception to the prerogatives explicitly attributed to the Presidency Council, the Council of Ministers of the Government shall be **responsible for the rest of the competencies of the executive authority**. In particular, the following:
  - 1.1. Implement all actions required to ensure the success of the roadmap that aims at holding elections according to the scheduled dates;
  - 1.2. Establish and implement the work program of the government for its term of office, taking into account the priorities set forth by the LPDF;
  - 1.3. Propose the draft laws necessary to carry out its functions and end the Preparatory Phase;
  - 1.4. Prepare the draft general budget and the balance sheet of the State and refers them to the House of Representatives for approval;
  - 1.5. Issue decisions on the structure and management of the executive bodies and institutions of the government, as it deems necessary and appropriate, after consultation with the relevant authorities;
  - 1.6. Any competences stipulated in the Libyan legislation or any functions or tasks that can be assigned later by the LPDF.



2. The ministers shall be responsible for implementing the government policy each in their respective sector, within the framework of governmental solidarity. The ministers shall perform the functions as assigned by the Prime Minister and update the Council of Ministers.
3. **Prerogatives of the President of the Government of National Unity:**
  - 3.1. The government shall operate under the authority of its president who shall supervise its work and direct the government in the performance of its prerogatives. The Prime Minister may delegate some of his functions to his two deputies or one of the ministers for a temporary period.
  - 3.2. Approve regulations and decisions taken by the Council of Ministers;
  - 3.3. The ministers shall be responsible for the actions of their respective ministries, and they shall be accountable collectively with the Prime Minister, before the judiciary for the policy of their respective ministry.

#### Article 4/ Vote of Confidence to the Government of National Unity

1. Within a maximum period of twenty one (21) days from the endorsement of this agreement, the Prime Minister shall present the cabinet of the Government of National Unity and its work program along with all the outcomes of the LPDF to the House of Representatives for full endorsement as one package and to grant confidence within a period not exceeding twenty-one (21) days from the date of submission to the House of Representatives;
2. The Government of National Unity shall be presented to the House of Representatives for a vote of confidence;
3. If confidence cannot be granted, the matter shall be decided by the LPDF.
4. Immediately from the date of granting confidence to the government and without further actions, the full powers of the executive authority shall be transferred to the new Presidency Council and Government of National Unity, as per the prerogatives defined by the LPDF. All existing executive powers shall expire upon granting confidence to the new government.
5. The obligations of the previous executive authorities shall be extinguished or suspended only upon completion of the handover procedures and closing of financial accounts in accordance with Libyan legislation.