



United Nations Development Programme
Country: Libya
Project Document



Project Title: Technical Support to the Parliament of Libya

UNDAF Outcome(s):

Expected CP Outcome(s):

(Those linked to the project and extracted from the CPAP)

Expected Output(s):

(Those that will result from the project and extracted from the CPAP)

Implementing Partner:

Responsible Parties:

Brief Description

The recent experience of elected assemblies in Libya proved that they are seen as being primarily responsible for ensuring security and playing an important role in mediation among the country's social groups and parties involved in the conflict. Hence, the Parliament will have to set massive legal framework to regulate sectors and various concerns such as arms, armed groups, and justice. Public and key stakeholders' input into the legislative process should be ensured and gender dimension should be addressed. In addition, clear communication mechanism and clear procedures should be developed to establish executive-legislative relations and encourage cooperation based on the principles of separation of powers.

The overall objective of the project is: Supporting the Elected Parliament of Libya in achieving sustained administrative institution in order to fulfil its mandate and play its role in peace and conflict prevention.

Programme Period:	2015-2016
Key Result Area (Strategic Plan):	_____
Atlas Award ID:	_____
Start date:	October 2015
End Date:	October 2018
PAC Meeting Date:	_____
Management Arrangements:	_____

YYYY AWP budget:	_____
Total resources required	4 000 000 \$
Total allocated resources:	_____
• Regular	_____
• Other:	
○ Donor	_____
○ Donor	_____
○ Donor	_____
○ Government	_____
Unfunded budget:	4 000 000 \$
In-kind Contributions	

Agreed by (Implementing Partner): _____

Agreed by UNDP: _____

Situation Analysis

The election of Libya's General National Congress (GNC) in 2012 was the first critical electoral milestone achieved, paving the way for a peaceful handover of power between the interim National Transitional Council (NTC) and the new democratically elected legislative assembly.

On the 22nd May 2014 the GNC announced the decision to hold new parliamentary elections on the 25th of June 2014 as a result of significant public pressure preventing the assembly from extending its mandate. The law provided for election of 200 seats in the new Council of Representatives (HoR), and stipulated 16% quota system for women. The results were announced on 22 July 2014. Of the 200 seats up for election, 188 were announced and the other 12 being delayed due to insecurity in some electoral districts.

The new elected parliament convened the first session in Tobruk in August 2014. The GNC insisted the handover must be in Tripoli. The HoR considered that the handover ceremony is a mere protocol issue, and not a legal one.

Libya has ended with two governments and Parliaments. One is in the eastern city of Tobruk, backed by the rump of the elected HoR. The other, based in the capital, Tripoli, has taken de facto control over ministries. Each is associated with armed forces.

In November 2014, Libya's highest court of Libya has ruled that general elections held in June were unconstitutional and parliament and government which resulted from that vote should be dissolved.

Most countries have recognized the HoR as Libya's legitimate authority with significant efforts by United Nations to facilitate dialogue and reach consensus.

Significant efforts conducted by United Nations mission in Libya (UNSMIL) resulted in political agreement signed on 12 August 2015 by the HoR. Article 12 of the political agreement stipulates that the legislative authority of the State, during the transitional period, shall be undertaken by the House of Representatives, which was elected in June 2014. Article 13 emphasise HoR mandate as "legislation authority, vote of confidence or no confidence to the Government of National Accord, adopting the general budget, performing oversight over the executive authority and endorsing the public policy submitted by the Government".

Since 2012, United Nations Development Programme (UNDP) in Libya provided parliamentary support. The results included the establishment of the secretariat (DIWAN) and its key departments and defining clear and coherent organizational structure. UNDP work focused also on reviewing the rules of procedures "RoPs". Areas of the deadlocks provoked by the ambiguity of some provisions were identified and documented. Exchange of experiences with other elected assemblies was also ensured to senior parliamentary staff and elected members.

It is worth noting that staff and elected members in Libya are dealing with the parliamentary work for the first time ever. The challenges around the establishment of the parliamentary institution are considerably difficult due to limited expertise, lack of appropriate human resource and skilled staff. The work of the parliamentary committees has been hampered by the absence of any communication mechanism with the executive on the one hand and the public on the other hand.

Strategy

The challenges of establishing institutions in Libya, arms proliferation, political violence and instability call for an increased attention to the new elected parliament with key role in establishing rule of law, peace building and conflict prevention. Hence, UNDP, in close consultation with main partners in Libya, will launch a dedicated project towards empowering the parliament of Libya as the only legislative power and strategic actor for crisis prevention and peace building.

The recent experience of assemblies in Libya proved that they are seen as being primarily responsible for ensuring security and playing an important role in mediation among the country's various social groups and parties involved in the conflict. Hence, the Parliament will have to set massive legal framework to regulate sectors and various concerns such as arms, armed groups, and justice. Public and key stakeholders' input into the legislative process should be ensured and gender dimension should be addressed. In addition, clear communication mechanism including procedures should be developed to establish executive-legislative relations and encourage cooperation based on the principles of separation of powers.

The overall objective of the project is: Supporting the Elected Parliament of Libya in achieving sustained institution, departments and human resources in order to fulfil its mandate and play its role in conflict prevention.

Output 1: The secretariat (DIWAN) of the parliament is developed

The Parliamentary Secretariat (DIWAN) in Libya was formed in 2012 in Tripoli with limited qualified staff. The partial move of the Diwan from Tripoli to Tuburk in 2014 and the potential new move of the HoR to Benghazi in 2015 affects proper development that preserves institutional memory and stability of the parliamentary staff. In this context, Diwan will need technical support, systematic and targeted through the development of the strategic plan and the continuous use of advisers.

The development of parliamentary knowledge and expertise is also central in Libya. In this context, the project will establish linkages between the Parliament and universities through the development/follow up of a master in Parliamentary studies to enable the Diwan to have staff with appropriate skills and expertise.

Output 2: Parliamentary committees and elected members are reinforced in their legislative and oversight mandate

Elected members will need information on legal drafting and the legislative process. They also need specific support in drafting and identifying deficiencies in pieces of legislation proposed by government or initiated by elected members. Parliament will require continuous support in defining clear legislative and oversight process in the rules of procedures. Public input and consultation should be facilitated and gender dimensions should be addressed.

Output 3: Mechanism for consultation between the Parliament (legislative) and the Government (executive) as well as the civil society and key stakeholders is established

Libyan parliament plays a decisive role in mediation and conflict prevention. It is also seen as being primarily responsible for ensuring security. In this context, the project will provide technical support to achieve a mechanism likely to promote consultation and communication between the parliament and the executive. The creation of such a mechanism is to emphasize separation of powers and empower the parliament to play its role. The mechanism will ensure clear procedures and include consulting the civil society, the public and key stakeholders.

The project will also help gather information, conduct focus groups and analysis in addition to providing trainings to support elected members in their efforts aimed at conflict resolution and prevention.

The project will be implemented with **gender mainstreaming strategy**. It will ensure that gender perspectives and attention to the goal of gender equality are central to all activities and special focus is devoted to women's elected members.

RESULTS AND RESOURCES FRAMEWORK

Intended Outcome as stated in the Country Programme Results and Resource Framework: <i>Assign a number to each outcome in the country programme (1, 2...).</i>				
Outcome indicators as stated in the Country Programme Results and Resources Framework, including baseline and targets:				
Applicable Key Result Area (from 20XX-XX Strategic Plan):				
Partnership Strategy				
Project title and ID (ATLAS Award ID):				
INTENDED OUTPUTS	OUTPUT TARGETS FOR (YEARS)	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES	INPUTS
Output 1: The secretariat (DIWAN) of the parliament is developed				
<p>Baseline:</p> <ul style="list-style-type: none"> - No assessment available - No strategic plan - No clear human resources recruitment process <p>Indicators:</p> <ul style="list-style-type: none"> - Assessment conducted - Strategic plan developed and signed by the president of the parliament - Clear recruitment policy developed and signed by the president of the parliament - Trainings plan developed and support provided for the implementation 	<p>Staff members</p>	<p>Activity Result 1: Assess the secretariat of the parliament <u>Actions:</u></p> <ul style="list-style-type: none"> ▪ IC international consultant to conduct the assessment <p>Activity Result 2: Produce the strategic plan of the parliament <u>Actions:</u></p> <ul style="list-style-type: none"> ▪ IC international consultant to design the strategic plan (SP) ▪ workshop of the validation of the SP ▪ Support the implementation of the SP <p>Activity Result 3: Produce a detailed training plan <u>Actions:</u></p> <ul style="list-style-type: none"> ▪ IC international consultant to produce the training plan based on TNA. <p>Activity Result 4: Produce a clear HR policy recruitment based on Libya legal framework and procedures</p> <ul style="list-style-type: none"> ▪ IC international consultant to develop the HR <p>Activity Result 5: involve universities and research centres in parliamentary studies and work <u>Actions:</u></p>	<p>UNDP</p>	<p>1 000.000 USD</p>

		-Develop an agreement with Libyan university/research centre for the development of Master in Parliamentary studies -support the implementation of the agreement		
Output 2. Parliamentary committees and elected members are reinforced in their legislative and oversight mandate				
<p>Baseline:</p> <ul style="list-style-type: none"> - Limited knowledge on the legislative process and legal drafting - <p>Indicators:</p> <ul style="list-style-type: none"> - Assessment and review of the legislative process based on the RoPs is conducted and including recommendations - Number of recommendations implemented - Number of laws passed 	<p>Staff and elected members</p> <p>Targets (year 2)</p> <p>-Staff and elected members</p>	<p>Activity Result 1: Review the legislative process (rules of procedures “RoPs”)</p> <p><u>Actions:</u></p> <ul style="list-style-type: none"> ▪ IC International to review the RoPs ▪ IC International Consultant to conduct an assessment of the committees ▪ Activity Result 2: Technical support to the committees <p><u>Actions:</u></p> <ul style="list-style-type: none"> ▪ IC international (legal advisor) ▪ IC national (legal advisors)- 2 ▪ IC national researchers – 2 ▪ Trainings on legal drafting and research work delivered <p>Activity Result3 : Support the consultation process of the committees</p> <p>Action: organize consultative workshops and meetings on specific laws including the reports</p> <p>Activity Result 4 : Support women elected members</p> <p>Action: IC international (Gender)</p>	UNDP	1 500,000 USD
Output 3. Mechanism for consultation between the Parliament (legislative) and the Government (executive) as well as the public and key stakeholders is established				
<p>Baseline:</p> <ul style="list-style-type: none"> - No assessment available - No consultation mechanism available - Limited information available for elected members on executive-legislative relations - No procedures regulating 	<p>-Staff members</p> <p>-Elected members</p>	<p>Activity Result 1: Conduct an assessment of executive-legislative relations and existing consultation process of the parliament and design the consultation mechanism including the procedures needed</p> <p><u>Actions:</u></p> <ul style="list-style-type: none"> ▪ IC national ▪ IC international 	UNDP	1 500,000 USD

<p>Executive- legislative s relations</p> <p>Indicators:</p> <ul style="list-style-type: none"> - Assessment available - Concept note of the consultation mechanism available and validated by the president of the parliament - Limited information available for elected members on executive-legislative relations - No procedures regulating Executive- legislative s relations - 		<p>Activity Result 2: workshop of validation with senior staff and elected members</p> <p>Activity Result 3: Support the implementation of the mechanism</p> <p>Activity Result 4: Technical support is provided to in conducting analysis, research and focus groups</p> <p>Activity Result 5: Training courses on mediation and negotiation techniques for elected members and CSOs and other key actors.</p> <p>Activity Result 6: supporting CSOs activities and initiatives related to Parliament</p>		
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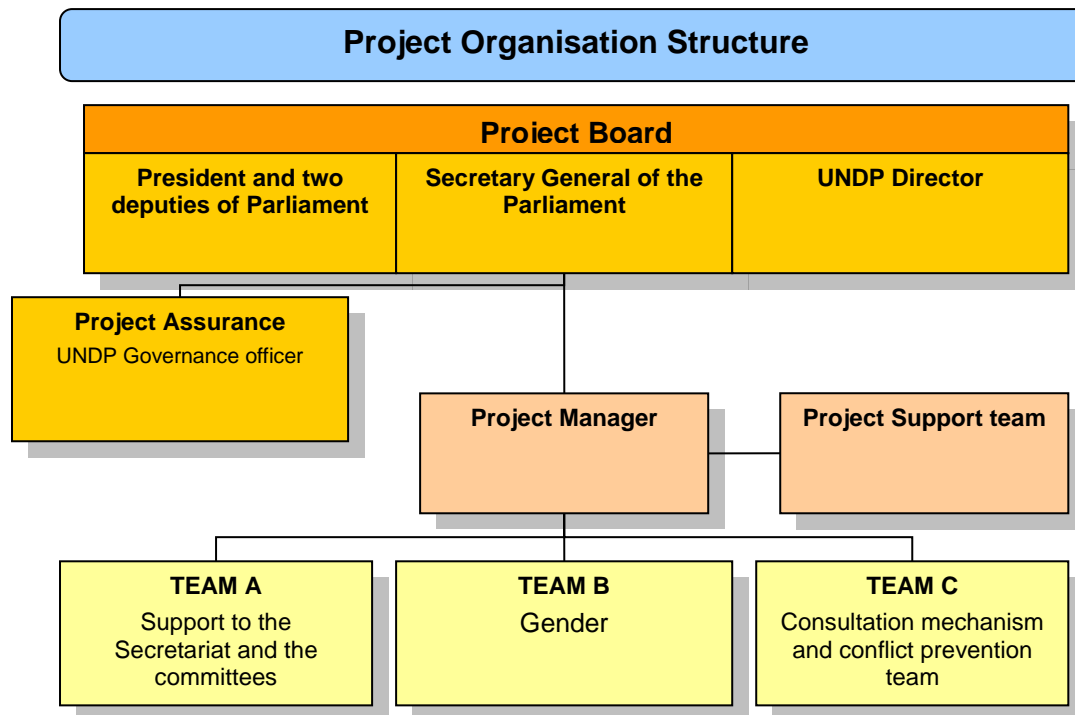
Total Cost of the project staff =
Cost of the activities of the project:
Total Cost = \$
- **7% UNDP GMS**

I. MANAGEMENT ARRANGEMENTS

The Parliamentary development Project will be guided by the Parliament's needs and priorities to ensure ownership and transfer of knowledge. UNDP will ensure coordination of key actors and international organizations providing support to the Parliament of Libya.

This project will work in close collaboration and synergy with existing and planned programmes in the output areas.

The UNDP project results will be reviewed through the Project Board



Project Management Arrangements:

Establishing an effective project management structure is crucial for success. The UNDP Project Management structure consists of roles and responsibilities that bring together the various interests and skills involved in, and required by, the project. The details of this structure are:

Project Board: The Project Board approves the annual work plan (AWP). The Project Board may also review and approve project quarterly plans when required and authorizes any major deviation from these agreed quarterly plans. It is the authority that signs off the completion of each quarterly plan as well as authorizes the start of the next quarterly plan. It ensures that required resources are committed and arbitrates on any conflicts within the project or negotiates a solution to any problems between the projects and external bodies.

Project Assurance: The project assurance role supports the Project Board by carrying out objective and independent project oversight and monitoring functions. This role ensures appropriate project management milestones are managed and completed. Project Assurance has to be independent of the Project Manager and is assumed by the UNDP country office program officer

Project Manager: the Project Manager has the authority to run the project on a day-to-day basis on behalf of the Implementing Partner within the constraints laid down by the Board. The Project Manager is responsible for day-to-day management and decision-making for the project. Project Manager's prime responsibility is to ensure that the project produces the results (outputs) specified in the project document, to the required standard of quality and within the specified constraints of time and cost.

II. ANALYSIS MONITORING FRAMEWORK AND EVALUATION

In accordance with the programming policies and procedures outlined in the UNDP User Guide, the project will be monitored through the following:

Within the annual cycle

- On a quarterly basis, quality assessment shall record progress towards the completion of key results, based on quality criteria and methods captured in the Quality Management table below.
- An Issue Log shall be activated in Atlas and updated by the Project Manager to facilitate tracking and resolution of potential problems or requests for change.
- Based on the initial risk analysis submitted (see annex 1), a risk log shall be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation.
- Based on the above information recorded in Atlas, a Project Progress Reports (PPR) shall be submitted by the Project Manager to the Project Board through Project Assurance, using the standard report format available in the Executive Snapshot.
- a project Lesson-learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons-learned Report at the end of the project
- a Monitoring Schedule Plan shall be activated in Atlas and updated to track key management actions/events

Annually

- **Annual Review Report.** An Annual Review Report shall be prepared by the Project Manager and shared with the Project Board and the Outcome Board. As minimum requirement, the Annual Review Report shall consist of the Atlas standard format for the QPR covering the whole year with updated information for each above element of the QPR as well as a summary of results achieved against pre-defined annual targets at the output level.
- **Annual Project Review.** Based on the above report, an annual project review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment. This review is driven by the Project Board and may involve other stakeholders as required. It shall focus on the extent to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes.

Mid project evaluation is required at the end of the first year of the project and a second evaluation is required at the closing.

III. ANNEXES

Annex 1 – Risk analysis

Identified risks	Type	Probability	Mitigation measure
Difficulties to provide direct parliamentary technical support in Libya for security reasons	Security	High	-ICT use (video conferences/phone/emails) -Contract a third party for some aspects of the implementation of the project -Organize technical meetings in neighboring countries
Political instability and difficulties to reach consensus	Political	High	Liaise with UNSMIL
Instability of the senior staff	Operational	Medium	Reports should be produced for all the meetings and shared with the national partner
Very limited expertise and knowledge on parliamentary work	Operational	Medium	Continuous support and long term trainings to national staff and national experts
Security situation in general	Operational	High	Ensuring Follow up with UNDSS