

Roadmap

"For the Preparatory Phase of a Comprehensive Solution"

Based on United Nations Security Council Resolution 2510 (2020), which adopts the conclusions of the Berlin Conference held in January 2020, which in turn calls for the creation of a Presidency Council and an effective and unified Government of National Unity in order to pave the way for ending the transitional period through free, transparent and credible presidential and parliamentary elections,

Building on the Libyan Political Agreement as a general framework for the political solution, and by the Constitutional Declaration and its amendments; and based on Article 64 of the Libyan Political Agreement,

In response to the popular demands expressed in the extensive consultative meetings that involved multiple groups of Libyan society and various political stakeholders,

Discussions of the Libyan Political Dialogue Forum (LPDF) that started in Tunis on 9 November 2020 under the auspices of UNSMIL,

After positive consultations and discussions, the participants of the LPDF agreed to resolve the current political deadlock by resuming the political process aiming at holding presidential and parliamentary elections at the earliest date possible taking into account the need for serious and adequate preparation, unification of institutions and provision of the minimum basic services to citizens.

This political process shall be called the "**Preparatory Phase for a Comprehensive Solution**", and its aspects shall be defined by a **roadmap** as indicated below:

Article 1/ Objectives of Roadmap

1. The overarching objective of the Preparatory Phase is to strengthen the political legitimacy through presidential and parliamentary elections on a constitutional basis.
2. Form a new executive authority to create the necessary conditions and provide circumstances conducive for elections by resolving the following issues:
 - 2.1. Establish the national sovereignty over the entire Libyan territory and end the foreign presence,
 - 2.2. Provide security for the citizens and end the state of armed conflicts,
 - 2.3. Unify state institutions and liberate the national sovereign design from any internal and external moral and material coercion
 - 2.4. Improve services and economic performance, develop the work of state institutions and rationalize management of public resources,
 - 2.5. Enable local institutions and municipalities to carry out their duties,
 - 2.6. Combat corruption and squandering of public money,
 - 2.7. Protect and promote human rights,
 - 2.8. Address the issue of the national and administrative number according to the Libyan registration in force and to international agreements and conventions;
 - 2.9. Launch a comprehensive national reconciliation process based on the principles of restorative justice including amnesty and tolerance in parallel with truth-seeking and reparation.

Article 2/ Governing Principles of the Roadmap

1. The road map shall adhere to the governing principles of the Libyan Political Agreement;
2. The road map shall emphasize full equality of all citizens, men and women, in rights and responsibilities of citizenship as per the Constitutional Declaration and international conventions ratified by the Libyan State. All authorities shall protect these rights and obligations.

The road map shall emphasize that democratic means shall be invoked in the management of political competition, shall reject resorting to violence, the roadmap shall emphasise that everyone should accept the principle of peaceful transfer of power, and should adhere to rules of integrity and transparency in elections, and acknowledge the results of elections.

Article 3 / Timeframe towards General Elections;

1. The "**Preparatory Phase for a Comprehensive Solution**" shall begin from the final declaration including all the outcomes of the Libyan Political Dialogue Forum held in Tunis in November 2020.
2. The "**Preparatory Phase for a Comprehensive Solution**" shall end within eighteen (18) months or with the presidential and parliamentary elections - in accordance with the constitution or the constitutional basis - whichever is earlier.
3. The LPDF shall follow up on the progress of issues of the Preparatory Phase according to the specified dates.

Article 4 / Deadlines and rules governing the Roadmap:

Implementation of the Roadmap and the necessary decisions and measures shall be a joint responsibility of all state institutions and political parties. Selective dealing with the texts of legislation to obstruct progress of the Roadmap shall not be permissible.

The Roadmap for the Preparatory Phase shall be implemented according to the established rules and schedule.

A. Constitutional and Legal Framework of the Electoral Process:

1. The institutions concerned with the constitutional process shall commit to agreement on completing the constitutional process within a period not exceeding **60 days** from the beginning of the Preparatory Stage.
2. The LPDF shall set up a legal committee to follow up the progress in the constitutional process. The LPDF shall define the structure and functions of the Legal Committee.
3. It is for the LPDF to decide on the constitutional basis and the laws needed for the elections **in the event of expiry of** the period specified in Paragraph 1 of this Article without achieving the required result.

B. Sovereign Institutions relevant to the Electoral Process:

4. The executive authority shall commit to providing prompt financial support and fulfilling the necessary logistical and security conditions for the High National Elections Commission

(HNEC) and state institutions concerned with electoral process, to enable carrying out their duties in the best way possible.

5. The House of Representatives and the High Council of State shall agree on the holders of leadership positions in sovereign functions provided for in Article 15 of the Libyan Political Agreement (LPA) within a period not exceeding **60 days** from the start of the Preparatory Phase. In their agreement, the two Councils shall respect the complete independence of the judicial authority and its selection rules in accordance with the legislation in force and international standards for independence of the judiciary.

C. Commitments and Deadlines

6. All state institutions shall work to fulfill their obligations on schedule. They shall be held accountable for their work before the Libyan people, and their work shall be monitored by the LPDF.
7. In the event that the required decisions cannot be issued within the specified deadlines, these decisions shall be referred to the LPDF to take action.
8. The LPDF shall meet periodically during the Preparatory Phase. Its meetings shall be facilitated and supported by UNSMIL.
9. Should the need arise, the LPDF shall convene upon a proposal of 25 its members or upon an invitation by UNSMIL.

Article 5/ General Formula of the Executive Authority during the Preparatory Stage

1. The executive authority shall consist of the Presidency Council and the Government of National Unity. The LPDF shall define their respective prerogatives.
2. The Presidency Council shall consist of a president and two deputies in accordance with the geographical balance/three regions
3. The Government of National Unity shall consist of the Prime Minister, two deputies and a number of ministers.
4. The Presidency Council and Presidency of the Government of National Unity shall be selected according to a mechanism agreed upon by the LPDF.
5. The LPDF shall determine the decision-making mechanism within the Presidency Council.
6. In the formation of the Government of National Unity, competency, merit, and fair representation of the political and geographical diversity shall be taken into account; participation of cultural components shall be guaranteed, and the importance of real representation of women and youth shall also be taken into consideration. The representation of women shall be no less than 30% of leadership positions of the Government (ministers and deputies).
7. Immediately from the date of granting confidence to the government and without further actions, the full powers of the executive authority shall transfer to the new Presidency Council and Government of National Unity as per the prerogatives defined by the LPDF. In due course, all existing executive powers shall expire.

Article 6: Priorities of the Executive Authority during the Preparatory Phase

1. The executive authority shall complete the logistical and security actions necessary for the success of the elections through confidence-building measures, including rehabilitation and rationalization of the media landscape in a manner that preserves the national social fabric and creates comprehensive de-escalation.
2. Once there is agreement on the executive bodies, the process of national and social reconciliation shall be launched to address the impacts of various conflicts ranging from ending arbitrary arrest and detention, forced disappearance, and political convictions, release of those who have been forcibly and arbitrarily detained; to endorse the general amnesty law; to work for the safe return of deported and displaced persons inside the country and abroad; and providing reparations for damage without termination of the right to litigation.
3. The executive authority shall promote human rights and positive cooperation with the judicial institutions, law enforcement agencies, national and international protection mechanisms and civil society organizations.
4. All public institutions and facilities shall be harnessed to serve all Libyans.
5. The executive authority shall commit to strengthening local governance and administrative decentralization through integrated development of relevant Libyan legislation.
6. The executive authority shall make sure that public expenditures are rationalized, and the principles of fiscal responsibility and transparency are adhered to.
7. The executive authority shall combat corruption and ensure effective cooperation with oversight bodies.
8. The executive authority shall support the Civil Society Commission to perform its functions and shall remove the obstacles and restrictions on the work of civil society institutions. The executive authority shall also take the necessary measures to ensure respect for civil and political rights and shall ensure their regulation in a manner that encourages freedom of expression and political organization and action, in line with national legislation.
9. The executive authority shall manage the foreign policy of the Libyan state in a manner that maintains friendly and peaceful relations with regional and international partners in accordance with the rules of good neighborliness and mutual interests.
10. During the Preparatory Phase, the executive authority shall not consider any new or previous agreements or decisions that harm the stability of foreign relations of the Libyan State or impose long-term obligations on it.

Article 7/ Legal Framework of Roadmap

1. The Roadmap is an **essential part and a general framework** for the conclusions of the LPDF and the Preparatory Phase for a comprehensive solution.
2. The conclusions of the LPDF combined shall be considered as **one package** after completion.
3. The conclusions of the LPDF combined shall be considered an **added agreement** to the Libyan Political Agreement signed in 2015 as incorporated in the constitutional framework
4. The LPDF shall agree on only the necessary rules that govern the political process during the Preparatory Phase. These rules shall be a **temporary legal measure**. Its provisions should not be considered an invariable principle of custom.