Conflict Sensitive Assistance to Libya

Voluntary Peer Review
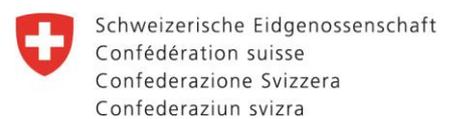
Local Governance Assistance

June 2017

Methodology

This peer review was conducted in September-October 2016, involving six organisations delivering assistance to local governance in Libya – the Agency for Technical Cooperation and Development (ACTED), Chemonics, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), International Republican Institute (IRI), Peaceful Change initiative (PCi), and the International Cooperation Agency of the Association of Netherlands Municipalities (VNG International)[1]. The purpose of the Peer Review was (1) to measure present and planned programming on local governance support against the three conflict sensitivity principles agreed for Libya (inclusivity, accountability, perceptions of the state)[2] and (2) to identify strengths and weaknesses of the sector to act in a conflict sensitive manner. The Peer Review approach was designed to offer participating organisations an opportunity to reflect on their own experience, compare their respective lessons with other practitioners working in the sector, and identify practical recommendations that would make their work more conflict-sensitive. The process of the review included:

- A desk review of documentation provided by each participating agency
- Face-to-face interviews with 10 staff of participating agencies
- A peer review workshop to collectively analyse conflict sensitivity in the sector
- A final external analysis to develop the final recommendations in this report.[3]

A summary of the guiding questions used in the peer review is provided at the end of this report in Section 5, Research Matrix.

The report: (1) starts with an analysis of the local government sector ('sector analysis'), looking at who is in the sector, who makes decisions, and how this links to conflict dynamics; (2) analyses what assistance is being provided and how it is influencing, and being influenced by, conflict dynamics ('interaction analysis'); and (3) finishes with a set of recommended measures to enhance conflict sensitivity ('recommended conflict sensitivity measures'). The following sections provide a summary of answers to the guiding questions in the research matrix, rather than answering each question individually.

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[1] The Peer Review was facilitated by the Peaceful Change initiative (PCi) and was funded by the Swiss Federal Department for Foreign Affairs (FDA), as part of ongoing support for conflict sensitive assistance to Libya. An outline of this process can be found at the end of this report. The report was written by David Wood, based on research by Joan McGregor and Harry Johnstone.

[2] A full description of the principles is provided at the end of this report.

[3] An additional layer of analysis was added in March 2017 following the appointment of Municipal Mayors in the East.

1. Executive Summary

Principle 1: 'Assistance should be as inclusive as possible'

(1) Questions over balance of selected areas

1.1. Develop a shared set of selection criteria for municipal level support that balances operational criteria for selecting municipalities with political criteria and inclusivity.

1.2. Reduce similar assistance provided to the same area (e.g. Misrata and Benghazi).

(2) Distrust of resource allocation under local governance assistance

2.1. Harmonise implementation approaches through a working group to agree on shared implementation processes (e.g. per diem rates and contracting processes).

2.2. Build in a budget line for communication activities specifically looking to increase communities' understanding of *how* assistance is provided, as well as of *what* assistance is provided.

Principle 2: 'Assistance should strengthen the ability of our partners to be equally accountable across communities and constituencies'

(3) Political relations required for local government assistance

3.1. All organisations agree a shared consultation mechanism with the MoLG GNA.

3.2. All organisations, as much as possible, agree to shared communication processes (below the level of consultation) on local government development with relevant parallel authorities in the East.

(4) Municipal authorities are often caught up in conflict

4.1. Develop local relationship maps for each municipal council being provided with support, so that its relationships to each component in society are properly understood.

4.2. Incorporate cross-divide decision-making bodies into programming in those places where municipal authority is contested.

(5) Recognition of the role of security actors

5.1. Work with governments/donors to develop guidelines for working with security actors.

Principle 3: 'Assistance should strengthen the connection between state institutions and communities across the country, by delivering tangible improvements.

(6) Legitimacy of programming on local government

6.1. Agencies develop a shared concept paper on 'legitimacy', which is translated into standard operational practices and communication material.

6.2. All organisations agree to a standard model of local contracting that involves the municipality together with a third body (CSO or academic institution).

6.3. Create safe spaces outside Libya where relevant interlocutors from East, West, and South Libya can come together and contribute to the proposed development of Law 59. This recommendation contributes to the promotion of cross-divide connections (8).

(7) Perceptions of biased support by international community

7.1. Discussion between local governance delivery organisations and governments/donors as to potential communication activities to shift perceived bias.

(8) Promotion of cross-divide connections

8.1. Redevelop municipal fora so that they are better able to bring municipal leaders from across conflict divides into communication and joint collaboration. This should be based on careful preparation of those participating in such activities.

See further recommendations on page 12

2. Sector Analysis

- The functioning of the municipalities in Libya is based on The Local Administration Law No. 59, which was constituted in 2012 by the General National Congress (GNC). The law legislated for the creation of democratically-elected municipal authorities and an ongoing process of decentralisation of authority over service delivery to the municipal level. This law charges municipalities with enforcing municipal regulations, managing health and social affairs, as well as urban planning, public utilities, lighting, markets and recreational areas, and infrastructure. Municipal councils are also empowered to issue permits for construction and small business.

- The law was supplemented by Cabinet decree 180/2013, which created 99 municipalities. In addition, Law 51 instituted Elder (*Shura*) Councils as a support structure for the municipal council, comprised of traditional leaders and other influential persons. The Elder Councils have an advisory role to the municipal councils but do not have a right to direct involvement in municipal executive tasks. In addition, Law 59 includes provisions for civil society input into decision-making processes.

- At the time of analysis, according to Peer Review participants, there are 107 municipalities in Libya, of which 94 have gone through the process of electing a municipal council. Most of these elections took place in early 2014, before the constitutional crisis. The remainder are still run by appointed Local Councils or have no viable governing structure – often reflecting instability or ongoing conflict inside the municipality. While many municipal councils simply replaced the pre-existing local government arrangements, a vast majority were completely new as administrative units, and hence have had to build their capacity and legitimacy from scratch.

- Elected municipal councils are formed of Municipal Representatives, the number of which varies between 7-9 persons depending on the population. One of the Members fulfils the function of a Mayor. Each municipal council is responsible for dividing its constituency into a number of wards (*mahallat*), each of which is headed by an appointed voluntary representative (*moktar*).

- While Law No. 59 envisaged a decentralisation of responsibilities to municipal authorities, this has not happened in practice, with central state institutions providing financing and administration of most service areas. For example, waste disposal contracts are officially signed by central government, rather than by municipalities.[4]

- The municipalities report to the Ministry of Local Government (MoLG Tripoli), a new ministry formed after the revolution to drive a programme of decentralisation. In the period since its formation the Ministry has developed a functioning cadre of civil servants, although they are still in the process of capacity development in key areas of responsibility. As many services have still not been decentralised, municipal councils also maintain relationships with relevant central authorities (e.g. with the Education Ministry on schooling).

- Following the 2014 constitutional crisis, a parallel MoLG has been established in the East under the Thinni Government (MoLG Thinni). MoLG Thinni appears to be more of a political body with very limited administrative capacity. Nevertheless, there are, in effect, two parallel administrations, and municipalities are split on whether they align with MoLG Tripoli or MoLG Thinni – most municipalities in the West align with MoLG Tripoli and most in the East are aligned with MoLG Thinni, with a more complex situation in the South. There are some exceptions; for example, Ajdabiya Municipality has a strong relationship with MoLG Tripoli, even though it is in the East.

- The relationships denote a positioning within the national political conflict, but also reflect the source of available financial support. For example, most municipalities in the East are cut off from financing from Tripoli and hence are dependent on MoIG Thinni for their income. Indeed, there is direct competition between Western and Eastern parallel authorities for control over municipalities. This can take a direct form, in terms of violent aggression, but also more subtle means. For example, the Eastern Authorities

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[4] For analysis of municipal tasks and progress in decentralisation, see UNDP's 'Rapid Diagnostic on the Situation of Local Governance and Local Development in Libya' (2015) for more information on responsibility for service delivery: http://www.ly.undp.org/content/dam/libya/docs/UNDP%20Libya%20Rapid%20Diagnostic%20of%20Local%20Governance%20-%20Synthesis%20Report%20%28Final%20Version%29.pdf

established a rehabilitation fund for Obari, delivered in partnership with the municipal council, as a way of strengthening its influence in the municipality. This picture has not changed with establishment of the Government of National Accord (GNA), as the GNA local government appointees are believed to be working closely with the civil servants of MoLG Tripoli. As such, the GNA's interests in local governance are seen as opposed to those of MoLG Thinni.

- While 94 municipal councils have been elected, only a proportion of them are fully functional (peer review participants did not provide statistics as to which municipal councils are functional). It is common for there to be division inside the municipal council over who should fulfil the role of Mayor (e.g. in Benghazi, Sirte, Obari). This has led to the *de facto* suspension of activities or the existence of parallel authorities (e.g. in Murzuq). Divisions inside municipal councils are usually a result of personal conflict, or strong tribal or ethnic divisions in the town, with tribal or ethnic groups attempting to dominate the Municipality in order to ensure their group's interests are protected (e.g. in Sabha). Divisions can also be because of, or driven by, the national political divide, with competing municipal members aligning themselves with Tripoli and Al-Beyda for political support in their claims.

- Managing public finances remains challenging for local authorities. Precise figures of funding available to municipalities are not readily available. Research suggests that while the Central Bank, MoLG, and Ministry of Finance (MoF) in Tripoli do continue to provide some resources to local governments, the transfers are intermittent and do not address the actual needs of local governments beyond paying salaries[5]. In the East, the Thinni government has also developed alternative sources of funding that it makes available for local governments. Meanwhile, National Transitional Council-imposed policies to prevent erroneous budgets and misappropriation may actually *support* corrupt practices and certainly are the cause of delays. A USAID report suggested delays range from 8-10 months between the time a municipal budget is approved and the time funds are transferred from the MoF. Further delays exist between the transfer between the MoF and MoLG.[6]

- Municipalities are generally described as having a greater degree of public legitimacy than both the East and West governments, and latterly the GNA, as they are publicly elected and directly accountable to their constituencies. That said, not all municipalities enjoy the full support of their communities. Many view the municipal elections as 'internationally imposed'. Further, the level of public support for a municipality as the point of local government can vary dramatically between community groups in a municipality, depending on their ability to access and influence it. For example, the Tuareg in Obari and the Tebu in Kufra do not support the municipal councils as they feel that they do not represent them, and may actually take steps to undermine their rights and opportunities. Further, some constituencies holding extremist Islamist views deny the authority of local civilian governance structures, no matter who is in charge. This is most evident in the conflicts that have taken place in Benghazi, Derna, and Sirte.

- Municipalities have increasingly taken on central authority functions, especially in those areas that are distant from Tripoli and Al-Beyda. As such, there is a general concern that Libya is turning into a country of municipalities, with each municipal council acting as an autonomous authority and as such ungovernable by central government. Indeed, there are examples of municipal councils looking to raise tax independently of the central state (e.g. Tobruq). There is wide concern that such a tendency could undermine the national statebuilding process.

- As municipalities are the only accessible form of governance for most Libyans, there is a lot of pressure and expectation on them from local residents. The legitimacy of municipal members can be eroded quickly if they are felt not to be delivering by the community. Indeed, there has been a high turnover of municipal members since 2014, even though no new elections have taken place, as municipal members have felt unable to meet the expectations of their constituency, often because of a lack of financial and technical support from central authorities.

- While legally empowered, a municipal council might not be the key local governance and decision-making body. Parallel bodies can exist that hold more authority (e.g. the Social Council in Bani Walid or the Higher Social Councils in Obari), or other political and security elites may have more sway in society

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[5] GIZ Report 'Context Analysis of Libyan Municipalities', October 2015
[6] Chemonics (for USAID), 'Libya PFM Systems Reform', May 2014

(e.g. the Military Council in Misrata). In addition, there have been examples of local political and security elites attempting to directly take over the municipal council (e.g. Misrata in March 2017). Importantly, since October 2016, through Libyan National Army (LNA) Chief of Staff, Abdulrazaq Nazhuri, the Thinni Government effectively began appointing military personnel to act as Mayors ('Military Mayors') in most municipalities in the East of the country, including Benghazi, Ajdabiya, Derna, Shahaat, Sahel and Kufra[7]. The Military Mayors are controversial in that they have undermined the democratic legitimacy of their respective municipalities, and also provide an opportunity for the military in Eastern Libya (variably, the LNA, General Haftar, Operation Dignity) to control communities and restrict individual liberties. This can already be seen in some actions taken by the former Military Mayor in Benghazi. At the same time, the Military Mayors have a degree of public support as they are viewed to be better at 'getting things done' and not undermined by personal/political conflicts between municipal members. The appointment of military personnel to civilian positions is not only occurring in the East, however; Al-Bunyan Al-Marsoos appointed a military governor for Sirte in December 2016, two days after a Mayor, apparently close to Khalifa Haftar, had been appointed.

- Legally, assistance programming to municipalities requires authorisation by the MoLG Tripoli, although MoLG Thinni requires similar authorisation for the municipalities under its control. Even if authorised by one of the national authorities, assistance programmes may require further authorisation at a municipal level. For example, assistance in Sirte requires authorisation from the Cultural Bureau attached to Al-Bunyan Al-Marsoos, while in Benghazi there is a requirement for security clearance for assistance. Law No. 59 has a number of restrictions regarding the way in which municipal authorities can develop relationships with external actors; one of these is that municipalities may only receive financing from the Libyan Government. There has been a recent move by the MoLG Tripoli to revise the law, although the process for this is not clear.

- While municipalities seem to be working in an increasingly autonomous manner, there are also a number of initiatives to coordinate municipal councils through associates and unions. The aim of this coordination is either to share experiences of learning, to manage shared issues, or to present a united front to central authorities in terms of financing and/or administration. For example, municipal councils in the Nafusa Mountains have cooperated on an open roads agreement to ensure freedom of movement, while municipal authorities from Khoms to Misrata have announced cooperation on shared economic needs. In the West, Ghariyan and Khoms municipalities seem to provide a leading voice for networking. Importantly, networking seems to mostly be along political lines, with very limited opportunities for networking between municipal councils aligned with MoLG East and those aligned with MoLG West.

- Finally, there are a number of civil society organisations and academic institutions that have played, or have tried to play, a role in developing the local government sector locally. For example, inside Benghazi civil society organisations and the university have collaborated with the municipal council on development projects.

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[7] European Council for Foreign Relations, 'Mapping Libya Conflict': http://www.ecfr.eu/mena/mapping_libya_conflict

3. Interaction analysis

- Following the constitutional crisis in 2014, local governance became a *de facto* priority area for support by a number of international donors. Firstly, the previous focus on supporting the central government risked compromising the ongoing Libyan Political Dialogue. Secondly, a large number of municipal councils had been directly elected by their populations and therefore had direct legitimacy irrespective of the larger political picture. Working with local authorities enabled the international community to continue to build the strength of Libya's national institutions, by strengthening the ability of local administrations to manage their responsibilities, to professionalise their structures, and to demonstrate their value on the ground by delivering on the expectations of their constituents. This was of particular relevance to establishing stability in Libya, considering the high level of expectation among citizens who had taken part in elections to achieve more effective governance. While there has been a return to some bilateral assistance at the national level, following the formation of the GNA, assistance to local governance in Libya remains substantial. A 2016 African Development Bank report assessed that assistance providers have either invested or pledged to invest more than US$ 40 million towards local governance projects.[8]

- The peer review included 72 active programmes in 38 municipalities (out of 107) presently being delivered by six organisations (either individually or as a consortium lead). There is an aspiration to spread support evenly in Libya, both geographically and also ensuring that both MoLG Tripoli and MoLG Thinni-aligned municipalities receive support. However, this is not reflected in practice, with 21 out of 38 municipalities receiving support in the West, and hence holding a strong relationship to MoLG Tripoli.

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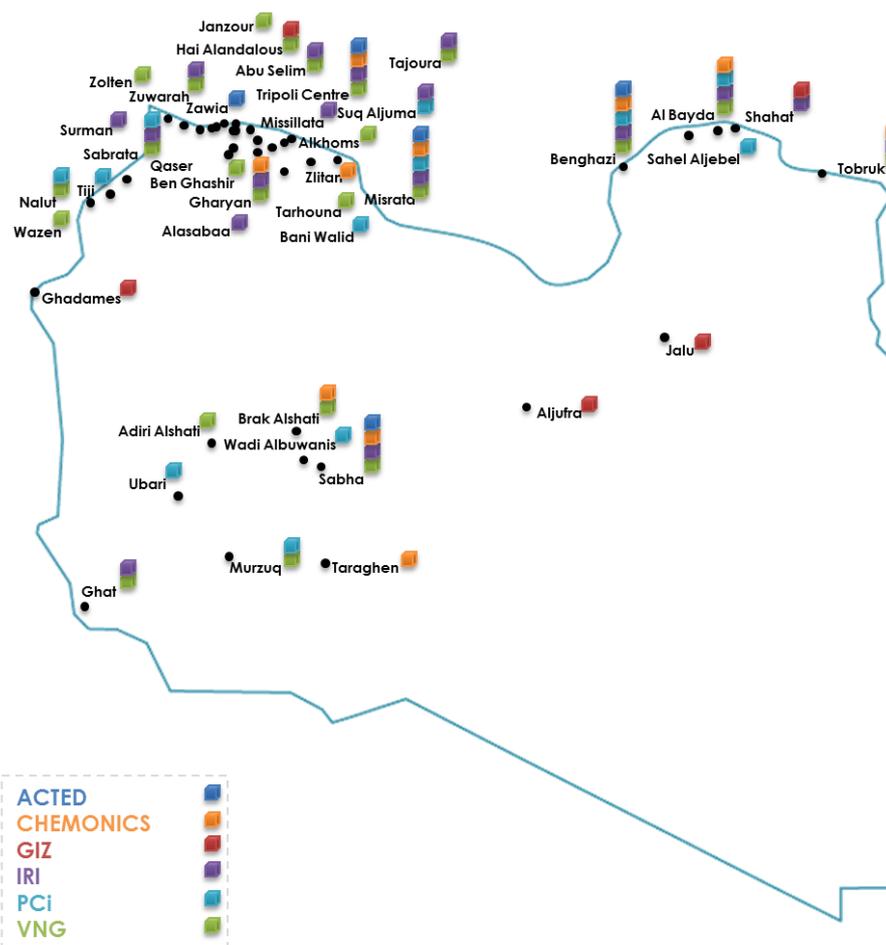
[8] African Development Bank, 'International support to local governance in Libya: a mapping of interventions and suggested areas for AfDB support', July 2016

- In addition, there is a focus on particularly powerful political constituencies; e.g. 5 projects are running in Misrata, with strong duplication in these projects. See the following table:

Number of active projects in the municipality	East	West	South	Total number of municipalities
1	4	11	5	20
2	1	6	3	10
3	1	2	0	3
4	1	1	1	3
5	1	1	0	2

- Generally, organisations use four operational criteria for deciding whether to work in a municipality: (1) existence of elected municipal authorities; (2) willingness of municipality to work with an international agency; (3) willingness of municipality to work in a participatory manner; (4) permissive security environment. Based on these, there are several restrictions: (1) it is easier to reach the West and operate there logistically; (2) it is harder to gain authorisation for work in the East, without a direct working relationship with MoLG Thinni (see below); and (3) support to municipalities headed by a Military Mayor have been curtailed, as international donors do not want to give military approaches legitimacy.

- By 2016, the largest contributors of international assistance to Libya publicly committed to supporting the GNA resulting from the dialogue process. International backing of the GNA occurred despite opposition to its formation expressed publicly by factions of the House of Representatives (HoR), which had to endorse the GNA, and the GNC, which the GNA was to fully replace. This means that there is a widespread perception in the East, at both the political and community level, that the international community is biased towards Western Libya. Participants in the Peer Review noted that this perception has made their activities in the East difficult, which meant having to shut down their programmes in the East in some cases.

- Given their backing for the GNA, donors look to ensure that their programmes reinforce rather than undermine the role of the GNA. The implications for agencies working on the ground is that political relationships can only be held with the MoLG Tripoli (GNA) and central capacity support can only be provided to institutions in Tripoli. This means that international organisations are not working with or building the capacity of institutions in the East, in effect taking a side in the conflict between East and West for control of municipalities. At the time of analysis, this meant that four organisations held formalised arrangements with the GNA on local government assistance, none held such relationships with MoLG Thinni, and only two organisations actively try and balance engagement across the two MoLGs. Importantly, the majority of agencies taking part in this review did not see their own work as political, and underlined the 'technical' nature of their work. What is more, organisations participating did not see the political affiliations of their donors as reflecting on the position of their interventions as a whole.

- As noted in the previous section, many municipal areas are internally divided with competition to control the municipal council and/or some communities feeling that they are not sufficiently represented. In general, there was a feeling that organisations have to work with municipalities in selected areas, irrespective of how accountable they are. In part this was due to limited knowledge of local groups and the relationships they hold to municipal authorities. In addition, when multiple municipal bodies exist, project activities tend to halt or target MoLG Tripoli-supported actors. Finally, there is a tendency to engage with only one ethnic group where ethnic divisions are important, due to a fear that working with multiple ethnicities could create frictions. That said, some organisations have looked to develop active cross-divide decision-making bodies that support the municipality.

- The programmes included the provision of assistance in the following areas:

  - Technical capacity building of public officials
  - Operation of municipal offices
  - Public financial management

- Participatory policy development (inclusion & consultation)
- Enhanced service delivery
- Problem solving and project delivery
- Enhanced cooperative practices with civil society

- While investment from the donor community has gone up, this has not been enabled by the restrictive security environment. All organisations working in the sector have been challenged by the circumstances of working remotely, with the majority of review participants having their offices located outside of Libya and relying on remote programming practices, including training held outside of Libya, study visits abroad, and remote coaching and mentoring.

- Most projects also looked to connect participants in their work across communities, ensuring that their work does not focus on communities in isolation from one another. There is no sign that there is any form of coordination among international projects in developing these groups or platforms. Available evidence indicates that municipal forums tend to bring together municipalities on the same side of the political divide, whereby non-municipal and technical forums are more likely to connect groups across divides.

Group	Purpose
Municipal networking	
Regional municipal government associations	Share experiences, challenges, seek solutions and attend training programmes together
Core group from 23 municipalities	Increase competence in a range of skills – prepare for pilot projects; cross boundary training, study visits
Mayors Associations	Share experiences, challenges and seek solutions; exposure/learning visits
Non-municipal	
National Youth Network across 20 municipalities	Share interests and challenges, develop advocacy initiatives and other actions
East/West Steering committee	Leadership development for transformational leadership; skills development;
Youth groups in 35 municipalities	Build capacity to raise issues, develop activities
Technical	
Cadre of Libyan Public Financial Management (PFM) advisors	To advise on PFM at all levels
Academic advisors (Public Financial Management)	To ensure that the curriculum above is integrated into curriculum
National Level capacity development team (Public Financial Management)	Across 3 line ministries
20 trainer mentors in social peace and local development	Works with partners of own agency and also supports other agencies by arrangement

- A number of the international community's projects look to build the capacity of civil society to engage with local authorities, or to conduct activities that raise their visibility in or value to local communities.

4. Recommended Conflict Sensitivity Measures

Principle 1: 'Assistance should be as inclusive as possible'

To understand (a) who benefits/is excluded from assistance and how this affects relationships between groups; and (b) how the assistance will influence relationships and the potential for violence.

Risk/opportunity	Present strategy	Recommendations
(1) Questions of balance of selected areas: There is the potential for local government support to predominantly take place in Western Libya, rather than the East and South, in those areas that are clearly aligned to the MoLG Tripoli, partly due to political constraints. Organisations are concerned that, as they are encouraged to prioritise relationships with the MoLG Tripoli, this will try to influence the selection of municipalities.	There is a stated policy to balance support across the country. However, this policy is not reflected in practice, with 21 out of 38 municipalities in the West (MoLG Tripoli-influenced), and only 9 in the East and 8 in the South (although there are proportionally less municipalities in the East and South). In addition, there is a focus on particularly powerful political constituencies (e.g. 5 projects are running in Misrata and 5 in Benghazi, with strong duplication in these projects.) Generally, organisations use four operational criteria for deciding whether to work in a municipality: (1) existence of elected municipal authorities; (2) willingness of municipality to work with an international agency; (3) willingness of municipality to work in a participatory manner; (4) permissive security environment; (5) political constraints.	1.1. Develop a shared set of selection criteria for municipal level support that balances operational criteria for selecting municipalities with political criteria and inclusivity. 1.2. Reduce similar assistance provided to the same area (e.g. Misrata and Benghazi).
(2) Distrust of resource allocation: Organisations often encounter deep suspicion as to how resources provided through their projects are allocated – e.g. jobs, contracts, and services. There is a tendency to believe that such allocation is either purposefully unfair or manipulated by local power-holders, especially when part of a community that feels it is not properly represented in the municipality (see 4).	Organisations have varied internal guidelines for establishing their programmes – e.g. on per diem rates or contracting approaches. The difference between practices can be especially problematic when several organisations are working on similar projects in the same municipality. Further, organisations do not have clear processes for consulting or communication of how resources are allocated.	2.1. Harmonise implementation approaches through a working group to agree on shared implementation processes (e.g. per diem rates and contracting processes.) 2.2. Build in a budget line for communication activities specifically looking to increase communities' understanding of *how* assistance is provided, as well as of *what* assistance is provided.

Principle 2: 'Assistance should strengthen the ability of our partners to be equally accountable across communities and constituencies'

To understand: (a) who influences this sector – both formally and informally – as 'decision-makers', and who they are accountable to; and (b) how the assistance will affect decision-making and accountability.

Risk/opportunity	Present strategy	Recommendations
(3) Political relations: Existence of parallel policy and governance bodies – MoLG Tripoli and MoLG Thinni – that have practical influence on the ground in a restricted number of areas and hence in theory accountability in those areas, but are entirely cut off from others. Most municipalities are aligned with one of these bodies. Alienation of any of these bodies can mean that an organisation is unable to work in some municipalities – e.g. alienation of MoLG Thinni makes work in Al-Beyda dangerous. There is clear pressure from donors to work with the MoLG GNA. However, it is difficult to encourage upward accountability of MoLG Thinni-affiliated areas to the MoLG GNA.	Agencies have differing levels of contact with the policy and governance bodies; however, the primary arrangement is with the MoLG GNA(four organisations have formalised this arrangement, and have even extended this to other line ministries such as Ministries of Finance and Planning.) Work in the East entails engagement with other politically influential Eastern actors. Only two organisations try to actively balance engagement across the MoLGs. There are informal attempts to influence donor partners, so that there is less pressure to engage exclusively with MoLG GNA.	3.1. All organisations agree a shared consultation mechanism with the MoLG GNA. 3.2. All organisations, as much as possible, agree to shared communication processes (below the level of consultation) on local government development with relevant authorities in the East.
(4) Municipal authorities are often caught up in conflict: Many municipal authorities only serve part of the society, providing increased access and representation along tribal, ethnic or ideological lines. As such, in some communities there are high levels of competition between tribes, ethnicities, and ideological groups for control of local governance. This can translate into the existence of multiple local authority bodies, mayors, and court proceedings. Importantly, those competing for local authority rely on the backing of the HoR or the GNA/GNC.	In general, there was a feeling that organisations have to work with municipalities in selected areas, irrespective of how accountable they are. In part this was due to limited knowledge of local groups and the relationships they hold to municipal authorities. In addition, when multiple municipal bodies exist, project activities tend to halt or target MoLG GNA-supported actors. Finally, there is a tendency to engage with only one ethnic group where ethnic divisions are important, due to a fear that working with multiple ethnicities could create frictions. However, some organisations have looked to develop active cross-divide decision-making bodies that support the municipality.	4.1. Develop local relationship maps for each municipality being provided with support, so that its relationships to each component in society are properly understood. 4.2. Incorporate cross-divide decision-making bodies into programming in those places where municipal authority is contested.
(5) Recognition of the role of security actors: Organisations working to support municipal development have seen that municipalities are often dependent on local security groups; with such security groups often being the final decision-maker on local issues of importance.	There is no shared vision for: (1) when it is it appropriate to include security personnel; (2) with which security personnel, military or other armed groups to work; and (3) how accountability of such actors can be improved.	5.1. Work with governments/donors to develop guidelines for working with security actors.

Principle 3: 'Assistance should strengthen the connection between state institutions and communities across the country, by delivering tangible improvements.

To understand: (a) how different groups' experiences in this sector influence their perception of the state; and (b) how the assistance will affect such experiences and perceptions.

Risk/opportunity	Present strategy	Recommendations
(6) Legitimacy: There has been a substantial shift from support for national authorities to local authorities with slow progress towards an implementable political dialogue. However, the lack of joint national framework, vision, and leadership for municipal development means that there are questions regarding the 'legitimacy' of support provided by international organisations to municipalities. There are also restrictions over the legality of direct engagement with municipalities, especially the provision of financial resources, due to law 59, although the MoLG GNA has indicated it is willing to revise the law.	Organisations do not presently have a common approach to ensuring their work is perceived as legitimate, other than to have sufficient political support relevant for the municipalities in which they work (see 3). Legal restrictions are not given the same priority by all organisations. Some have created a delivery model that involves contracts with civil society or academic bodies to ensure legality. There is interest in supporting revision of law 59 to enable legal support (among other improvements).	6.1. Agencies develop a shared concept paper on 'legitimacy', which is translated into standard operational practices and communication material. 6.2. All organisations agree to a standard model of local contracting that involves the municipality together with a third body (CSO or academic institution). 6.3. Create safe spaces outside Libya where relevant interlocutors from East, West and South Libya can come together and contribute to the proposed development of Law 59. This contributes to promoting cross-divide connections (8).
(7) Perceptions of biased support: Perceptions in the East are that international support is 'pro-West', due to support for GNA and criticism of military operations in Benghazi while being supportive of operations in Sirte. This has manifested into challenges for organisations to work effectively in the East, as well as a perceived reluctance to fund operations there. At a local level, organisations have been prevented from working in some municipalities in the East due to this overall perceived bias.	Organisations do not have a strategic approach to shifting or combatting this perceived bias of the international community. This is partly because it is felt to be the responsibility of political interlocutors/donors to shift this perception through their communication activities. Several agencies noted that their donors do not always want to be identified and the implementing agencies do not necessarily want to disclose this.	7.1. Discussion between local governance delivery organisations and governments/donors as to potential communication activities to shift perceived bias.
(8) Promotion of cross-divide connections: There is opportunity within support for local municipal areas to increase connectivity between different municipal areas, both in terms of experience exchange and in terms of direct collaboration on shared issues of concern. Such connectivity could help rebuild damaged relationships and manage 'myths about the other'. However, there is a deep risk that actions to connect municipal areas bring together 'like-minded' areas – e.g. those that share the same political orientation, and hence further rather than reduce divisions.	Includes three levels: (1) municipal, through mayors association and regional municipal association; (2) non-municipal, through national youth network, youth groups or mixed leadership groups; (3) technical, through public financial management advisors, academic advisors, a national capacity development team, and regional oversight bodies. Evidence so far is that the municipal fora tend to bring-together like minded municipalities, while the non-municipal and technical fora have greater ability to bring together representatives from across conflict divides.	8.1. Redevelop municipal fora so that they are better able to bring municipal leaders from across conflict divides into communication and joint collaboration. This should be based on careful preparation of those participating in such activities.

4. Strengths and weaknesses of the sector to act in a conflict sensitive manner

Risk/opportunity	Present strategy	Recommendations
(9) Conflict/context analysis: effective working in support of municipal authorities requires a good understanding of the local context in which they operate and the relationships they hold (both positive and negative).	There is limited context analysis at the national or local level. Three of the six agencies have undertaken context analysis prior to programming. However, analyses were needs-based and did not focus on conflict dynamics. Organisations tend to rely on the 'lived experience' of Libyan staff, with no structured way to draw on this for institutional learning and adaption.	9.1. Develop local relationship maps for each municipality being provided with support, so that its relationships to each component in society are properly understood (same recommendation as 4.1) 9.2. Undertake shared conflict analysis by agencies working in a particular context (e.g. Sabha) focused on the relationships they use/are needed to guarantee their work.
(10) Understanding of political sensitivities of municipal development: Municipal development is highly politicised in Libya, given the relationships that each municipality holds to the competing national groupings.	Belief amongst agencies in the peer review that their interventions are technical or operational, but not political. As such, organisations tend not to engage on the political level, unless absolutely necessary for ensuring access to a particular municipality.	*No strong recommendations on this issue were identified.*
(11) Access of international staff to target areas: It is difficult to building and maintaining relationships at a distance, given that most organisations cannot function on the ground for security and political reasons.	There has been a shift towards empowering and skilling up national local staff, with: (1) remote management practices and (2) regular travel to Tunis for training and support. However, as a result, organisations are over-reliant on local staff that can have a stake in the local conflict dynamics where assistance is delivered.	*No strong recommendations on this issue were identified.*

4. Research Matrix

Principles – local and national application	Assistance should be as inclusive as possible (Principle No. 1)	Assistance should strengthen the ability of our partners to be equally accountable across communities and constituencies (No. 2)	Assistance should strengthen the connection between state institutions and communities across the country, by delivering tangible improvements (No. 3)	Relationship to variable conflict factors and other sectors (Conflict Analysis Process)
Purpose of review	To understand: (a) who benefits/is excluded from assistance and how this affects relationships between groups; (b) how the assistance will influence relationships/the potential for violence.	To understand: (a) who influences this sector – both formally and informally – as 'decision-makers', and to whom they are accountable; (b) how the assistance will affect decision-making.	To understand: (a) how different groups' experiences in this sector influence their perceptions of the state; (b) and how the assistance will affect such experiences and perceptions.	To understand: (a) how this sector relates to key conflict factors in the shared conflict analysis; (b) the potential for assistance in this area to impact on factors or assistance in other areas.
(1) Sector analysis	Which groups/individuals dominate the sector as beneficiaries of assistance? Which are excluded from the sector as recipients of resources? What are the relationships between key actors – especially between those included and those excluded? How fair is distribution of resources perceived to be? What influences these perceptions? What evidence exists of violence being used to because of relationships and perceptions?	Which groups/individuals dominate decisions made about this sector? Which groups are excluded from decision-making? How do decision-makers relate to the groups that benefit/are excluded? How and why do they make decisions as to who should benefit? How do beneficiaries (both those included and those excluded) relate to the decision-makers (e.g. fearful)? What accountability processes are in place? Who can access them?	What kinds of benefits have been visible at the local level in this sector? What roles have institutions – national or local – played in delivering assistance in this area? What kind of competition is there between different institutions to seen as responsible for benefits in this sector? Who is seen to be responsible for the benefit by different groups? How has this influenced trust in the state and perceptions of fairness?	What variable conflict factors are influenced by this sector, and how? How can this be mitigated? What variable conflict factors influence this sector, and how? How can this be mitigated? What programmes in other sectors could be impacted by positive or negative developments in this sector, and how? How can this be mitigated?
(2) Interaction analysis	How do your beneficiaries/partners compare to those identified above? How do the key groups listed above think about your organisation (or sub-grantees)?	How do your beneficiaries/partners compare to those identified above? How do the key groups listed above think about your organisation (or sub-grantees)?	What kind of tangible benefits is your project looking to deliver locally? What role will state institutions have in decisions over assistance? What contribution will they make?	What specific risks are there that your programme may influence one of the factors? What specific risks are there that one of the factors may undermine your project goals?

	How are you viewed? What ability do you have to access and work with the key groups? Are there some that you struggle to access? Why? How will the groups listed above benefit from your assistance? Will the assistance challenge or change relationships? How will groups respond to the assistance being provided? Will some reject it? Why?	How are you viewed? What ability do you have to access and work with the key groups? Are there some that you struggle to access? Why? How will your assistance affect the power of existing decision-makers? (e.g. Will it challenge them or create new decision-makers?) How will your programme change accountability?	What plans are in place to communicate the role of the state? What potential is there for assistance to be 'captured' by (associated with) different institutions, or by informal bodies? What potential is there for assistance to deepen division from local or central institutions? Why?	How are you looking to collaborate with organisations working in these areas?
(3) Programme enhancement	How will you avoid/mitigate the potential for violence between groups who benefit/are excluded from assistance under this programme? How will your programme look to address imbalances or perceived imbalances in benefit between groups? How will you monitor perceptions of the project and how 'fair' it is viewed? If we are going to purposefully exclude some groups, Who are they, why is this, and how will we explain it?	How will you avoid/mitigate the potential for violence because of changes in decision-making and accountability? If there are some decision-makers with whom you will not work, why and how will you manage their potential response? What measures have you looked to build into the programme to increase the accountability of decision-making in this sector to previously-excluded groups? Which decision-makers may be resistant to expanding who they are accountable to? How can this be overcome?	How can your assistance be more visibly tied to the Libyan state (nationally or locally)? If it is not possible to tie assistance to the Libyan state, why not (what would be the negative impact?)? What actions should be taken to resist the 'capture' of assistance by the 'wrong' institutions or informal bodies?	How should this project work with organisations working in other sectors? What are the joint goals towards which to work together? What are the sectors or programmes with which this project should not be associated? How can this be avoided? In specific, how is this programme related to efforts to counter radicalisation of young persons?
Capacity development	What baselines are needed? What ways of measuring are needed? How will you analyse conflict? What technical skills are needed (e.g. mediation)?			

Overview of Conflict Sensitive Assistance to Libya

This peer review was conducted as part of a process to increase conflict sensitivity of international assistance to Libya. Initiated in October 2012 and initially hosted by the Swiss Embassy, the process is now driven by the Heads of the following missions to Libya: African Union, Embassy of Germany, Embassy of the Netherlands, Embassy of Switzerland, Embassy of the United Kingdom, UNDP, UNSMIL, and the World Bank.

The overall purpose of the process is to deliver assistance in a manner that helps to build a peaceful state and society by strengthening relationships (1) between all parts of Libyan society (horizontal relationships), and (2) between all parts of society and state institutions (vertical relationships). Without strong horizontal and vertical relationships, wider international assistance will not be successful in supporting stabilisation in the country.

> At the heart of **conflict sensitivity** is an understanding that assistance becomes part of, and influences, conflict dynamics. As such, being conflict sensitive entails understanding the impact of planned assistance on conflict dynamics, at a minimum attempting to 'do no harm' and, where possible, actively contributing towards conflict management through assistance.

To support conflict-sensitive assistance, a Leadership Group of 10 missions to Libya have agreed to implement[9] and promote the following three principles. Assistance should:

(1) **Be delivered as inclusively as possible** – International representatives will plan for assistance to be equally available to all groups (ethnic, community, political, and interest-based), and will avoid discriminating for or against specific groups, unless such discrimination is believed to make a significant contribution to national stability (which will ultimately benefit all parts of society). Assistance provided will not always be based on actual need, but on perceptions of need, entailing research and study into such perceptions. Finally, international representatives will look to more effectively communicate how programmes are designed to be inclusive or, if certain assistance is discriminatory, why this is the case.

(2) **Strengthen the ability of our partners to be equally accountable across communities and constituencies** – The international community may, in some cases, be constrained to partner with less accountable (either generally or towards specific groups) counterparts (e.g. local armed groups or self-appointed leadership groups) in order to meet their assistance objectives. International representatives will not cease to provide assistance when such assistance can only be delivered through partners who are unaccountable (either general or towards specific groups). Instead, international representatives will identify measures that can increase the accountability of partners, and build them into programming.

(3) **Strengthen the connection between state institutions and communities across the country, by delivering tangible improvements** – Assistance to central state institutions will be tied to 'quick impact' projects that create a sense that the assistance is also of benefit locally. Similarly, local assistance should be tied to central authorities either through visibility and branding, or some form of central oversight and scrutiny. Finally, in those cases where we are not able to work in an area for security reasons, international representatives should communicate extensively such reasons and build up alternative delivery paths (e.g. through intermediaries or alternative partners).

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[9] These principles are based upon the restrictions under UN Security Council Resolution 2259 (2015), which called on Member States to cease support to and official contact with parallel institutions claiming to be the legitimate authority, but which were outside of the Political Agreement. https://www.un.org/press/en/2015/sc12185.doc.htm