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ANNEX 3

to the Commission Implementing Decision on the financing of the special measure in favour of Libya for 2023

Action Document for Support to Governance and Stabilisation in Libya

MEASURE

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation, and measure in the sense of Article 23(4) of NDICI-Global Europe Regulation.

1. SYNOPSIS

1.1. Action Summary Table

1. Title OPSYS Basic Act	Support to Governance and Stabilisation in Libya Special measure in favour of Libya for 2023 OPSYS business reference: ACT-61945 ABAC Commitment level 1 number: JAD.1172757 Financed under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe)
2. Economic and Investment Plan (EIP)	No
EIP Flagship	No
4. Team Europe Initiative	No
5. Beneficiary of the action	This action shall be carried out in Libya (in the entire country).
6. Programming document	The situation in Libya remains unpredictable and marked by political instability and occasional armed conflict. A declaration of crisis was issued in 2011. It has been consistently renewed and recently extended until June 2024. A high level of flexibility and responsiveness is needed to adapt EU programmes to this unstable

	environment. The EU has planned its cooperation since 2017 through annual ‘Special Measures’.			
7. Link with relevant MIP(s) objectives/expected results	N/A			
PRIORITY AREAS AND SECTOR INFORMATION				
8. Priority Area(s), sectors	150 - Government & Civil Society			
9. Sustainable Development Goals (SDGs)	SDG 16: Peace, Justice and Strong Institutions Other significant SDGs: SDG 5: Gender Equality; SDG 10: Reduced Inequalities SDG 11: Sustainable Cities and Communities			
10. DAC code(s)	Main DAC Code: 150 - Government & Civil Society 15110 - Public sector policy and administrative management 15112 - Decentralisation and support to subnational government 15113 - Anti-corruption organisations and institutions 15128 - Local government finance 15130 - Legal and judicial development 15150 - Democratic participation and civil society 15160 - Human Rights 16066 - Culture			
11. Main Delivery Channel @	21000: International NGOs 40000: Multilateral Organisations 41100: United Nations Agency, fund or commission (UN). 61000: Private Sector in Provider countries			
12. Targets	<input type="checkbox"/> Migration <input type="checkbox"/> Climate <input checked="" type="checkbox"/> Social inclusion and Human Development <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Biodiversity <input checked="" type="checkbox"/> Human Rights, Democracy and Governance			
13. Markers (from DAC form)	General policy objective @	Not targeted	Significant objective	Principal objective
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

14. Internal markers and Tags	Aid to environment @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women's and girl's empowerment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nutrition @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers @	Not targeted	Significant objective	Principal objective
	Biological diversity @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Policy objectives	Not targeted	Significant objective	Principal objective
	EIP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	EIP Flagship	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
	Tags	YES	NO	
	transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
environment, climate resilience	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
digital	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
economic development (incl. private sector, trade and macroeconomic support)	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
human development (incl. human capital and youth)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
health resilience	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
migration and mobility	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
agriculture, food security and rural development	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

	rule of law, governance and public administration reform other			
	Digitalisation@	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Tags	YES		NO
	digital connectivity	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	digital governance	<input checked="" type="checkbox"/>		<input type="checkbox"/>
	digital entrepreneurship	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	digital skills/literacy	<input checked="" type="checkbox"/>		<input type="checkbox"/>
	digital services	<input checked="" type="checkbox"/>		<input type="checkbox"/>
	Connectivity @	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Tags	YES		NO
	digital connectivity	<input checked="" type="checkbox"/>		<input type="checkbox"/>
	energy	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	transport	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	health	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	education and research	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Migration_@	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reduction of Inequalities @	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	COVID-19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BUDGET INFORMATION				
14. Amounts concerned	Budget line(s) (article, item): 14.020110 Southern Neighbourhood Total estimated cost: EUR 18 000 000 Total amount of EU budget contribution: EUR 18 000 000			
MANAGEMENT AND IMPLEMENTATION				
15. Implementation modalities (management mode and delivery methods)	Direct management through: - Grants - Procurement Indirect management with the entities to be selected in accordance with the criteria set out in section 4.3.3			

1.2. Summary of the Action

Based on the previous and ongoing EU supported activities on Governance and Stabilisation, the action develops previously identified good practices and responds to the needs expressed by Libyan stakeholders. In addition, the rationale of the action highlights that institution-building is a key instrument of stabilisation, recovery and reconciliation across the whole of Libya. Supporting identified high-impact sectors will contribute to facilitating a common compromise and may act as a catalyst for reconciliation. To provide consistency and durability to institution-building, the proper participation of civil society and a decentralised model of governance (that is a mainstreaming approach in the entire action) are important requirements as well. Through a broad support to Libyan institution at national and local level, the action will mainstream Sustainable Development Goal (SDG) 5 on Gender Equality, as well as the reduction of poverty, and promote peace, justice and strong institutions.

Recently, the east of Libya was severely affected by large-scale flooding when Storm Daniel made landfall on 10 September 2023. This resulted in thousands of lives lost, the displacement of over 43,000 persons and significant damage to public infrastructure and housing. The port city of Derna was the most severely hit, as damage was compounded by the collapse of two dams leading to a massive water discharge wiping away entire neighbourhoods.

The Union Civil Protection Mechanism was promptly activated to support Libya in the aftermath of this disaster, coupled with immediate EU humanitarian funding totalling EUR 5.7 million. EU support is channelled through humanitarian partners operating on the ground to deliver life-saving assistance, including health, water and sanitation services. The EU's humanitarian aid and development departments will work together to ensure a link between short-term emergency assistance and longer-term development aid. The formulation of the action implementation phase will integrate, where possible, the results of the relevant ongoing and future needs assessment.

This action mainly deals with the requests of technical assistance arising from national and municipal levels (SDG 16: Peace, Justice and Strong Institutions). It will be provided using different modalities of implementation and responds to varied demands coming from the entire country (including West, East and South). This sequenced approach aims to contribute to creating the necessary confidence for the Libyan state-building process and in the medium and long term to contribute to strengthening regional and local capacities.

To reinforce stabilisation in Libya, this multidimensional initiative identified some actions of high impact for reconciliation. Cultural heritage has been identified as an important domain of needs as a prerequisite for building social cohesion, job development and developing a sense of identity. Since the Libyan revolution in 2011, the Libyan heritage has been particularly at risk due to a lack of protection and conservation measures from national authorities. The intervention also seeks to build upon ongoing efforts of reconstruction of Benghazi and Derna in Libya's East (SDG 11: Sustainable Cities and Communities and SDG 10: Reduced Inequalities), which can contribute to the reconstruction efforts and reconciliation.

This action will adopt a participatory approach, which entails the inclusion of civil society organisations (CSOs), gender and youth association in all aspects of governance. Moreover, a targeted support facility to CSOs will build upon the capacity-building measures that the EU has provided with encouraging success to Libyan non-governmental organisations. This component will further focus on the strengthening of local

governance by building government planning and service delivery capacity and promoting citizen engagement in public dialogue about how to prioritise public resources.

An environment and climate change perspective which includes the reinforcement of adaptation measures (especially disaster risk management) at national and local levels will be a key element of the action (SDG 11: Sustainable Cities and Communities). In this regard, among others it aims to enhance the institutional capacities to handle key environmentally sensitive new competences as waste treatment.

This action seeks to establish different and complementary components:

- **Technical Assistance provision through a second phase of the so-called Mousanada project.** Mousanada became a well-known and valued project that operates as a technical assistance facility with a large scope among different Libyan institutions. The selection of institutions is based on a demand-driven approach from national stakeholders. However, taking lessons learned from previous phase, the core activities will be based in reinforcing some of the institutions supported (mainly but not exclusively, those that have a key role on the public policies implementation or the service delivery provision). In this new phase, it will extend services at the municipal level (which will permit extending its impact across the entire country) and incorporate e-governance modalities (as an important element of access and quality services provision). This component will include municipalities in eastern Libya most heavily affected by Storm Daniel.
- **Anti-corruption** is an important element of institution-building in addition to the illicit assets recovered, permitting the strengthening of public policies. It will seek to add a second phase to an ongoing project to prevent and combat corruption, money laundering and asset recovery, implemented in the first phase by the United Nations Office on Drugs and Crime (UNODC) and the United Nations Interregional Crime and Justice Research Initiative (UNICRI). This component will seek to include support for fund management in the reconstruction effort in eastern Libya.
- **Cultural heritage protection** should be seen in the framework of the Implementation of the EU Concept on Cultural heritage in conflicts and crises as a component for peace and security in the EU's external action, in line with Foreign Affairs Council Conclusions 9837/21 and the 2022 EU Action Plan against Trafficking in Cultural Goods. The essential elements of this component is to enhance capacities for the protection of cultural heritage sites and cultural artefacts, and combating corruption with a focus on economic recovery, vocational training and employment throughout the cultural heritage sector. Climate change is an additional topic that will be tackled in relation to the protection of cultural heritage sites. This intervention seeks to apply a Team Europe approach involving different EU Member States. Important cultural sites in eastern Libya will need enhanced technical skills for restoration and related economic recovery, which this component will seek to address.
- Support to the **Benghazi and Derna Construction Fund** remains a crucial way of strengthening Libyan recovery and stabilisation. The geographical scope of the Fund was recently expanded to cover other municipalities affected by the recent floods. The EU will work very closely with international partners to make sure that any international contribution to future reconstruction efforts in eastern Libya is managed in a fully coordinated manner, taking on board the principles and interests of the international donor community. This activity aims to assure the technical assistance needs to boost the reconstruction of these

highly conflict-affected cities by applying build back better principles whenever possible. This initiative will help pool funds from donors, banks, and the private sector, in addition to the core funding from the Government of Libya in order to drive reconstruction and build resilience in the East of Libya through multi-partner funding mechanisms.

- **Supporting civil society** in Libya is an important component of enhancing governance. The planned actions include a second phase of the EU for Civil Society initiative, which will integrate lessons learnt from the “EU Shared Action Rule of Law” projects (SHARP I and II) to disseminate through civil society organisations human rights and rule of law values. In addition, civil society should play an important role in reconstruction following the recent natural disaster.

In summary, activities deployed under this action will contribute to an improved performance of Libya’s public administration capacity at central and local levels, by rolling out technical assistance for improving capacities for participatory policy dialogue and policy development, by fostering peer exchange with third countries (including EU Member States through a Team Europe approach) to identify best practices, by providing technical expertise to elaborate quality policy recommendations and regulations in combination with direct support to improve service delivery in selected locations. In addition, respect for human rights, gender equality, youth engagement, transparency and accountability will also be strengthened and mainstreamed in all the actions foreseen. This action has been developed using a human rights-based approach.

1.3. Beneficiary(y)/(ies) of the Action

Libya is a country included in the list of ODA recipients published by OECD Development Assistance Committee (as Upper Middle Income Country).

This action aims to improve governance and public policies. Via human rights mainstreaming, it seeks to benefit identified public institutions and CSOs as direct beneficiaries. It also has as an indirect beneficiary the entire Libyan population and specifically the most disadvantaged groups currently excluded from many public policies owing to poor governance standards.

- The **second phase of the Mousanada project** will seek to provide technical assistance to different Libyan institutions based on demand. Additional partners can be added during the implementation process—a more proactive way of partner identification will be adopted. The beneficiaries of phase 1 of the project will be beneficiaries in the next phase with already tailored additional technical assistance identified during the previous phase. A core set of strategic partners will be defined (including at least the Ministry of Planning, Ministry of Finance, Ministry of Environment and the National Bureau of Statistics and Census) to offer a more consistent set of support activities, including embedded permanent experts. These institutions play a key role in development and public service delivery. Additional ministries and municipalities (including municipalities in eastern Libya severely affected by the recent floods), represented by local councils and mayors, and key municipal departments will be added to the list of beneficiaries in light of new sectors to be prioritised for further action.
- As for the **second phase of the project ‘Building Libya’s national capacity to prevent and combat corruption and money laundering,’** there are two complementary components: anti-corruption and asset recovery. The assets recovered will support Libyan public policies.

- Regarding the **recovery of Libyan assets**, the main partner remains the Libyan Asset Recovery and Management Office (LARMO), directly under the Prime Minister but with autonomous status, which provides flexibility and capacity to adapt to this specific domain. The Central Bank of Libya also plays a critical role in this field. In addition, legal and security bodies (as the Ministry of Justice, the Office of the Attorney General or the National Anti-Corruption Commission, Ministry of Interior or Financial Intelligence Unit) are logically involved as partners of both the anti-corruption and asset recovery components. The sub-component of advocacy on anti-corruption maintains a partnership with the Ministries of Education and Higher Education.
- Regarding **cultural heritage**, this action will have the following partners:

1. Libyan Department of Antiquities

The Department of Antiquities (DoA) was established in 1995 with the aim of protecting Libya's archaeological assets in addition to old and rare books and manuscripts. The DoA is directly affiliated to the Minister's Cabinet, so the Chairman of the DoA is considered a state minister. This entity does not belong to the Ministry of Culture or the Ministry of Tourism.

The DoA is the first body legally concerned with the protection, maintenance and care of antiquities. It is also responsible for the recovery of stolen artefacts. It supervises all archaeological sites and monuments in addition to historical cities throughout its local branches across Libya. As it is the main channel that connects Libya with international organisations related to antiquities and heritage, and through museums and archaeological sites, in addition to publishing, it undertakes the definition of antiquities and heritage at the national and international levels.

2. Tourism Protection Police

A July 2007 law—Law 599—establishes the Tourism Police and Protection of Antiquities under the authority of the Ministry of Interior. Its headquarters are in Tripoli, with the option to establish local branches and offices by a decision of the Secretary of the General Authority of Tourism and Handicrafts. This authority assumes the enforcement of legislation to protect antiquities of ancient cities and sites, and to protect tourists themselves, hence all tourist officers are armed. It is required to investigate and collect data on archaeological crimes, sites, tourist groups and tourist activity in addition to monitoring the commitment of public and private companies, hotels and tour guides to apply relevant regulations.

3. Management Board of Historical Cities

Established in 2006, this entity is directly affiliated to the Ministry of Local Government because most of the tasks are performed through the local municipalities, since such cities are inhabited and have markets therein.

- As for **Benghazi and Derna**, the beneficiary remains the Construction Fund for Benghazi and Derna. Its activities include the reconstruction of war damage buildings, public infrastructure and housing damaged in the Libyan armed conflict and related services provision. The fund is expected to be scaled up in

response to the catastrophic damages sustained by several cities in Eastern Libya in the context of the September 2023 floods.

- As regards **civil society**, major stakeholders are associations, networks and platforms of civil society organisations and professional associations. Key EU-funded projects, such as Improved Service delivery at the Local level, Faéla - Tapping into Women's full Potential in Shaping Libya's State-Building Efforts, and EU for Civil Society in Libya, proved that teams of Libyan thinkers and analysts generating local knowledge and policy recommendations, as well as women's rights organisations, are key in structuring the dialogue process between citizens and local authorities. At national level, key interlocutors include both branches of the Civil Society Commission in Tripoli and Benghazi, as well as Libyan municipalities.

2. RATIONALE

2.1. Context

Libya, with an estimated population of 6.7 million, continues to face myriad challenges in its transition to democratic rule in the aftermath of the 2011 revolution. The United Nations (UN) is leading the political process under the leadership of the United Nations Special Representative Abdoulaye Bathily, fully supported by the EU and the international community at large, in trying to find an inclusive and sustainable solution to restore stability, security and unified institutions.

Surveys show a continued and increasing lack of public confidence in state authorities, with the judicial sector providing a remarkable exception. To date, **public service delivery** remains deficient despite efforts to re-establish services at municipal level. Nevertheless, advances towards stability are slow, generating an unequal distribution of wealth, a predatory economy and the ongoing plundering of national resources. Unfortunately, violence remains a threat that the postponement of elections in 2021 has exacerbated. The division of the country into western, eastern and southern regions dramatically affects the governance setup and makes it difficult to provide public services. Locally, public service provision remains rather ineffective. Vulnerability to climate change remains considerable.

Decentralisation remains an important means of addressing vulnerabilities linked to the Libyan conflict. Municipalities have been receiving more competences, and a clearer relationship with the Ministry of Local Government is emerging.¹ Nevertheless, the devolution of core public functions is not met by management capacity at local level, and the need for technical assistance remains considerable among local stakeholders.

Enhancing decentralisation has recently had important legislative successes. A National Strategy for Decentralisation was presented last year with the aim of coordinating national work, as well as the work done by international actors. Executive orders and decrees have been issued, and several executive by-laws and decrees have been enacted. Yet, municipalities have not received a comprehensive set of procedures and lack capacity to perform their core functions. Such functions constitute the foundation for the delivery of basic municipal services and others that are devolved by law or are delegated by central institutions through contractual agreements. Gaps in such functions, procedures and capacities will undermine the ability of

¹ In December 2022 the Government published the Decree 854 related to the Coordination of International Cooperation linked to decentralization and Municipalities. Through this administrative decision was created the Committee for the Accreditation of support programs from international organisations, led by the Minister of Local Governance with the participation of the Vice-Ministers of Foreign Affairs and Planning, the Director of Foreign Affairs of the Council of Ministers and a Legal Department Representative of the Council of Ministers as members.

municipalities to function effectively and respond to the needs of local communities. Transferring the mandate for the collection of own resources to municipalities started recently through the devolution of revenue assignments in transport, housing, construction, planning and economic development. Yet, this has been done in an informal manner based on some municipalities' own initiatives, and without formal guidance or procedural manuals for the effective launch of such functions.

Anti-corruption remains a key element of building institutional capacity. Libya suffered from this problem during Colonel Gaddafi's regime, and it has been further aggravated during the conflict due to the division of authorities and the collapse of the rule of law. Nevertheless, Libya signed the UN Anticorruption Convention² and subsequently needs to report on this regularly. This international commitment is an opportunity to deal with this predicament limiting governance capacity and public service provision. Once again, these problems require the provision of technical assistance based on Libyan authorities' requests. Activities proposed shall build on the "Workstream III: Capacity building, Innovation and Technologies for enhanced effectiveness of emergency and security", of EULEAD III contract. Concretely, the support to the Libyan Financial Intelligence Unit (FIU) with the goal of enhancing their capabilities in fighting money laundering ; and support to the Training Centre of the Prosecution Office: on specific topics regarding financial crime.

Cultural heritage is seen as an important domain of needs as a prerequisite for building social cohesion and developing a sense of identity. Since the Libyan revolution in 2011, Libyan heritage has been particularly at risk due to a lack of protection and conservation measures by national authorities. Furthermore, valuable artefacts are subject to illegal trade, which may also constitute efficient means of funding for organised groups' criminal activities. The safeguarding of Libya's cultural heritage is thus considered a priority for national reconciliation and the construction of a secure Libya.

European cooperation in Libya has a long and rich history: in the field of cultural heritage, this commitment is increasingly recognised. It involves topics of great interest regarding the protection of cultural heritage (understood as an aspect of identity), development and sharing. In Libya, the safeguarding of historical, archaeological and documentary heritage remains a priority, and educational and vocational training programs are of utmost urgency. Europe provides excellence in the field of protection, conservation, restoration and vocational training, and it is here that it would be best to concentrate investments. The possible creation of a training school in restoration and archaeology emerges as an ideal choice for Libya. The Council Conclusions on the EU approach in Cultural Heritage in Conflicts and Crises also highlight the need to support measures which aim to mitigate the negative impacts of climate change on natural and cultural heritage targeted sites.

In July 2016, archaeological sites in Libya, such as Leptis Magna, Sabratha, Cyrene, the rock art sites of Tadrart Acacus and the Old Town of Ghadames, were included in the list of World Heritage in Danger due to the damage and the risks incurred in connection with the conflict.

Activities proposed shall build on the "Workstream II: Capacity building for enhanced public safety and security services" of EULEAD III contract. Concretely, the organizational support to security institutions - Protection of Cultural Heritage - Tourism Police (TP)/Department of Antiquities (DoA) / Ministry of Culture

² Libya signed the United Nations Convention against Corruption on 23 December 2003, ratified it through Act No. 10 of 2005 and deposited its instrument of ratification with the Secretary-General of the United Nations on 7 June 2005. Libya was reviewed in the fourth year of the first review cycle, and the executive summary was finalized in 2018. It has also been reviewed in the third year of the second review cycle, and the executive summary will be published in 2023

/ Ministry of Education; and the capacity building for operational staff of security Institutions: Tourism Police (TP) / Department of Antiquities (DoA) / Ministry of Culture / Ministry of Education -

EULEAD III, trained and equipped police officers from the Tourism Police, in order to enhance security of archaeological sites / the project supports awareness raising initiatives in parallel / has provided Surveillance and security equipment for the securitization of archaeological sites (primarily to the Tourism Police - Department of Antiquities).

In **Benghazi and Derna**, the widespread impact of war and the recent disaster caused by Storm Daniel present challenges where service delivery, infrastructural needs and access to economic and employment opportunities are critical for improving social cohesion and reconciliation, particularly for women, youth, IDPs, migrants and returnees. It is important to ensure linkages between these elements to ensure comprehensive service provision to all populations in addition to controlling the expansion of informal settlements which put additional pressure on public utilities and services and negatively impact public resource management. Reconstruction and development plans can build back better by rethinking urban planning and introducing climate-resilient planning.

As a mandatory complement of the governance sector analysis, **civil society organisations** (CSOs) in Libya need to play an important role. CSOs in Libya operate in a conflict-dominated environment. For years, Libya has been experiencing a difficult and faltering transition marred by conflict, lack of trust, lack of transitional justice, and failure of the central and local authorities to provide services. Inexperienced, recently established CSOs have proven that they are not qualified to bring about fundamental change in terms of supporting community participation, enhancing transparency and accountability, and engaging women and youth in local governance, while Libya is in dire need of strengthening local governance, coordination and partnership with local authorities represented by elected municipal councils. The lack of accountability at the level of municipal councils confirms shortcomings in transparency.

In addition, devolved competences to municipalities will require a complementary role of Libyan CSO as well as service providers of social services at the local level. Unfortunately, the current trend goes in the opposite direction, and authorities are limiting the space of CSOs' mandates by creating administrative burdens (mainly the renewal of registration) that will prevent or delay the fulfilment of those objectives. International NGOs face similar obstacles. The restrictive provision of visas for international experts and INGO (International Non-Governmental Organisations) personnel and the blockage of the registration renewal are also common practices in both parallel Civil Society Commissions (in Tripoli and Benghazi) despite the efforts of the international community.

2.2. Problem Analysis

To build reliable, compliant and accountable institutions remains a key element contributing to the stabilisation in Libya, and a precondition to reunification. The EU has a long track record in supporting governance reforms in Libya, Libyan institutions and civil society actors.

The EU also has high prestige in this specific field, as shown by the fact that it is currently co-leading from the international side the Pillar on Governance and Institution Building of the current Recovery and Peace Building Needs Assessment (RPBA) exercise. Through this well-known methodology, Libyan authorities aim to define a draft National Development Plan for Libya with the support of the United Nations, the World Bank

and the European Union. This effort responds to a high-level Libyan decision, articulated in seven different pillars owned by Libyan authorities (led by the Prime Minister's Office and involving all different ministries and relevant institutions). The Governance and Institution Building pillar is co-led by the Libyan Ministry of Public Service and the Ministry of Local Government (MoLG).

This action will support all these elements through the continuation of good practices identified in the ongoing projects on governance, the rule of law and human rights. However, this action will focus on tackling specific aspects of technical assistance provision (including e-governance and digitalisation), anti-corruption measures and the ongoing decentralisation support process identified during the previous implementation phases.

Funding for the Construction of Benghazi and Derna cities should be considered a contribution to show European commitment for rebuilding the entire country and also address the destruction caused by the recent floods in eastern Libya. This fund will undertake the task of determining priorities, establishing a mechanism for the payment of compensation, contracting for works, as well as coordination with local authorities for urban development of devastated areas.

The civil society component prioritises local knowledge and equal partnerships. It focuses on engagement with CSOs and communities from grassroots to the national level across all of Libya (with a particular focus on women and youth) and joint activities between community members in a highly polarised context. It builds upon achievements such as community centre facilities for CSOs and the further extension of networks established within other EU-funded projects. The mainstreaming of human rights through CSOs is a flagship element of the action proposed. The entire action was developed using a human rights-based approach.

The action seeks to establish different and complementary components:

- Technical Assistance provision through a **Second Phase of Mousanada project**. Mousanada operates as a technical assistance facility with a large scope among the different public and state institutions.

In this new phase, Mousanada will continue providing institutional support and consolidate provision as a key facility on technical assistance. It will extend services also to the municipal level (seeking to cover different parts of the country), incorporate e-governance modalities and support key institutions of the governance system (including the Tobruk-based House of Representatives), contributing to resolving divisions and differences among diverse Libyan stakeholders.

- Anticorruption support and asset recovery through the **Second Phase of the project 'Building Libya's national Capacity to Prevent and Combat Corruption and Money Laundering'**.

The project will support four different outcomes:

1. Enhancing transparency and integrity in the Libyan public administration system;
2. Strengthening the operational and legal capacity of Libyan Authorities to combat and prevent corruption and money laundering;
3. Increasing the national, regional and international cooperation in these fields;

4. Supporting relevant Libyan institutions to enhance capacity to implement and resolve cases involving the recovery of assets linked to corruption, and the transparent management of seized and confiscated assets.
- **Cultural heritage component.** The Council Conclusions adopted on 21 June 2021³ on the EU Approach to Cultural Heritage in conflicts and crises, welcoming the EU Concept on Cultural heritage in conflicts and crises, remains a core component for peace and security in the EU's external action. This framework should guide all EU engagement on cultural heritage, as a component for peace, security and development in conflicts and crises zones. The framework should be applied to the technical cooperation in the field. This approach is promoted in public diplomacy and in the EU Delegation's regular exchanges with EU Member State representations in Libya.

Cultural heritage should be integrated into actions to respond to the various phases of the conflict cycle, including preventive actions, safeguard measures, recovery and rehabilitation. This initiative has an important component of vocational training to generate an additional source of jobs through technical rehabilitation, preservation and maintenance of cultural sites and heritage. Opportunities have been explored, notably following a Team Europe approach, to integrate support to cultural heritage with the objective of contributing to security, governance, human development, jobs and growth.

In May 2021, the Government of National Unity (GNU) created the **Benghazi and Derna Construction Fund (Fund)** with a budget of 1.5 billion Libyan dinar. The primary objective of the Fund is to structure the investment for rebuilding infrastructure, enhancing public service delivery, and rehabilitating war-damaged areas and buildings in Benghazi and notably Derna to stimulate economic recovery and reconciliation processes. Importantly, this is the only reconstruction to date which brings together Ministries in Tripoli with authorities in the East. The international community can play a critical role in protecting this process and the government's investments by accompanying the Fund to plan and implement its mandate with transparency and accountability, including development of strategies, standard operating procedures, plans and priorities and accompanying the implementation of priority reconstruction projects in line with best international practices.

At the request of the Ministry of Planning, donors will help the Fund implement its mandate with transparency and accountability, including via the development of strategies and standard operating procedures accompanying the implementation of priority reconstruction projects. All projects will be aligned with the master plans of Benghazi and Derna. The goal is to ensure strong social buy-in and is sound technical implementation including renewables and energy efficiency solutions, taking into consideration the vision of the European Green Deal. This action component seeks to strengthen the Fund's accountability and drive social pressure for development policy.

- The support for **civil society in Libya** is important for enhancing governance. The planned actions include a second phase of the EU for Civil Society initiative, which will integrate the lessons learnt from the "EU Shared Action Rule of Law" projects (SHARP I and II) to disseminate through CSOs human rights and rule of law values. Respect for human rights, gender equality, youth engagement, transparency and accountability will be mainstreamed into all action components.

³ 9837/21

2.3. Lessons Learnt

Governance and technical assistance provision

The Mousanada project will continue providing institutional technical assistance. It will introduce a more proactive role in the selection of partners evolving from the current demand-driven approach (based on the lessons learnt highlighted by Results Oriented Monitoring, or ROM, in May 2023).

Mousanada will also introduce additional contractual improvements as the possibility of subcontracting some technical services when required (mainly through specialised consultancies partners) and will rely more on local experts embedded in key Libyan institutions, as advised in the above ROM exercise. It will seek to provide adequately tailored technical capacity.

Support to local governance and decentralisation

The EU is one of the most active donors in supporting municipalities.⁴ Technical assistance at municipal level remains a core need and requires close coordination with the Ministry of Local Governance. This component will be complemented by the decentralisation support model. Linking nation-wide decentralisation reforms with local initiatives, technical assistance and capacity-building have yielded the most sustainable outcomes.

The new action component retains many elements of building capacity and providing technical assistance at local level and adds the opportunity to strengthen climate change adaptation measures in municipalities (including Disaster Risk Reduction) and the importance of positive measures for women's participation.

Anti-corruption and asset recovery

Based on lessons learnt, the new phase will reinforce the component of anti-corruption through the dissemination of prevention and advocacy aspects in the curricula of public education in Libya working with the Ministry of Education and the Ministry of Higher Education. The first phase achieved important results in asset recovery. The new phase will reflect and suggest options for the management of these funds (tailoring possible mechanisms of indirect management as Trust Fund or similar) as a way of funding social public policies in Libya. The overall amounts recovered and the internal political sensitivity of this issue requires a high level of confidentiality in implementation.

Cultural heritage

⁴ The work on Local Development, including Local Governance and Decentralisation, has received considerable EU support since 2017. Under the EUTF, projects include Support to Municipalities in Libya I (2017-2020) & II (2021-2023), implemented by Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ); Strengthening Local Capacity for Resilience and Recovery I (2018-2021) & II (2020-2023), implemented by UNDP; and Recovery, Stability and Socio-economic Development in Libya I (2018-2022) & II (2021-2024), implemented by AICS, UNDP and UNICEF. Under the European Neighbourhood Instrument the following projects were supported: Libya Local Governance and Stabilisation Project (2017-2019), Libya Local Pilot Projects: strengthening local governance by supporting selected municipalities (2018-2021), Improved Service delivery at the Local level (2019-2022), implemented by International Cooperation Agency of the Association of Netherlands Municipalities; Towards A new Multilevel Shared Approach for Libya Local governance, implemented by Art-er; and Research and Education Building Urban Institutions for Local Development, implemented by Provincia Autonoma di Trento & Regione Friuli Venezia Giulia.

In the current implementation of bilateral programming, the EU Delegation in Libya has funded actions on the protection of cultural heritage (Building Libya's National Capacity to Prevent and Combat Corruption and Money Laundering), through which the United Nations Interregional Crime and Justice Research Institute (UNICRI) has included some elements to identify, trace and recover (in coordination with the Libyan Asset Recovery and Management Office) cultural assets in foreign jurisdictions.

The EU Trust Fund, North Africa Window, has also financed a number of important actions aiming to restore important cultural sites in Libya.⁵ A number of Foreign Policy Instrument-financed actions have made an important contribution to cultural heritage protection in the context of ongoing security sector reform.⁶ Under the Instrument contributing to Stability and Peace and the Foreign Policy Instrument, a component has focused on assistance for the Tourist Police. A series of Technical Assistance and Information Exchange (TAIEX) events have been organised with the aim to strengthen the capacity of the Libyan Tourism Police to preserve and protect cultural heritage and to fight the illicit trade in cultural property of cultural heritage.⁷ Previous activities showed that main actors in charge of cultural heritage protection in Libya are interested and engaged in increasing their capacities regarding protection and preservation.

Specific needs emerged in the protection of archaeological areas, the use of new technologies and increasing the capacities and skills of the actors working in cultural heritage protection and preservation. Moreover, the national cooperation between the Libyan national authorities involved in cultural heritage protection should be increased. The development of a national network (archaeologists, restoration experts, police officers, prosecutors, scholars, etc.) supported via an action plan at national level remains important in Libya.

Established specialised law enforcement actors in this field, notably a police unit specialised in combatting the illicit trade in cultural objects, with national jurisdiction, remains an important tool to protect a country's cultural heritage. Some of these units exist, but they are not sufficiently specialised. Therefore, high-level training for the Department of Tourism and Protection of Antiquities remains necessary. Finally, Libyan legislation transposing the ratified UNESCO Convention may need revision.

⁵ Under EUTF European Union Emergency Trust Fund, via two projects financed to UNDP Strengthening Local Capacity for Resilience and Recovery Phase 2 and Phase 3, the restoration of the Sabratha Roman Theatre and administrative buildings was carried out, with the rehabilitation of Al-Akhyar Palace Building ongoing. The historic site of Sabratha is expected to attract approximately 500,000 visitors per year generating critical economic activity and thousands of jobs. It has become one of the common destinations for school trips and scouts from other municipalities. The Roman Theatre is a symbol of how common values and culture may unify communities and contribute to peace and reconciliation in Libya.

⁶ The EULEAD II - Libya Expertise, Analysis and Deployment, Phase II project contributed to overall improved human security in Libya as a basis for reconciliation, confidence-building and reform. In 2022, two European expert assessment missions (from France, Greece and Italy) were mobilised to conduct training in Sabratha on Cultural Heritage Protection for staff of the Tourist Police and staff of the Department of Antiquities. A Risks Assessment Matrix was developed for the Tourist Police in Sabratha and personnel received training on first aid techniques and security equipment. EULEAD and the Department of Antiquities invited all creative Libyan designers and artists to participate in a competition to design a mascot for the department. The selected design will aim to raise awareness among Libyan citizens, and especially youth, about the importance of protecting cultural heritage.

⁷ The Department of Tourist Police under the Ministry of Interior has benefited of a TAIEX workshop on the topic of Cultural Heritage Investigation and Protection organised at the end of May 2022 in Tunis with experts coming from the Italian Carabinieri. The aim of the workshop was to increase the capacities of the Libyan Department of Tourist Police and Protection of Antiquities, established under the Ministry of Interior, on fighting illicit trafficking of cultural properties. With the aim of continuing the support needed for fighting illicit trafficking a TAIEX study visit has been requested by Libyan authorities as follow up of the workshop in order to receive a specific practical training. The TAIEX study visit was held in Italy in October 2022. The aim of the assistance was to enhance the capacity of the Libyan Tourist Police and learn more from European experience.

It is foreseen that upcoming programmes on Governance will include components allowing it to continue actions under the current EU LEAD III programme funded by FPI.

The Benghazi and Derna Construction Fund (Fund)

Support to this Fund builds on and is informed by the lessons learnt from the EUTF-funded projects ‘Strengthening Local Capacities for Resilience and Recovery,’ ‘Recovery, Stability and Socio-economic Development in Libya – Baladiyati,’ as well as through EU support for the Stabilisation Facility for Libya. EU support has been instrumental in restoring trust between citizens and institutions and supporting local institutions to deliver critical services and improving livelihoods in the East of Libya. Continued support would enable a coalition of international donors to drive reconstruction and build resilience in eastern Libya.

Civil society

In the last four years, the EU has been among the major supporter of CSOs by providing comprehensive facilities of capacity building and financial support through sub-grant schemes. Two major projects: EU for Civils Society (Linataawan) and Leave No one Behind have offered tailor-made capacity-building and mentorship to third parties. These two projects coordinated with ‘Fa’ela - Tapping into Women’s full Potential in Shaping Libya’s State-Building Efforts’ in the support to national networks of CSOs, while Improved Service delivery at the Local level strengthened the role of Libyan NGOs in local governance, local economic development, decentralisation and democratic transition. The project ‘EU Shared Action: Rule of Law Project (SHARP),’ in its second phase, introduced dialogue to reach consensus on what Libyans can do to improve the respect for rule of law in Libya.

These projects, in particular Linataawan, established that resource centres for civil society actors can be set up effectively through existing CSOs. These spaces enable wider learning and sharing of ideas, opportunities and approaches across CSOs. Grant-making has recently become more challenging as the government has restricted how international grants can be transferred to CSOs. One idea to explore is how CSOs can collaborate with the private sector in co-funding and co-managing grants. A wider geographic spread of cities and civil society organisations is possible as long as mobile trainers are part of delivering skills development. The online platform for resources can act as a hub to learn skills, connect with other CSOs and access funding and employment opportunities. It is important to continue working through local authorities and support their technical capacity. Strategic communication is important for promoting the positive impact created between civil society organisations and municipalities so that this can contribute to changing perceptions of both stakeholders toward each other. There is also a need to continue using positive communication as a confidence-building measure.

3. DESCRIPTION OF THE ACTION

3.1. Objectives and Expected Outputs

The **Overall Objective/Impact** of this action is as follows:

Democracy and inclusive democratic processes are strengthened and promoted.

The **Specific Objectives (Outcomes)** of this action are as follows:

- SO 1. Institutions and public policies are reinforced at national and municipal levels;
- SO 2. Stabilisation and reconciliation processes are fostered through the strengthening countrywide of cultural heritage initiatives;
- SO 3. Stabilisation and reconciliation processes in Libya are reinforced by supporting the Construction Fund for Benghazi and Derna;
- SO 4. Transparency and participation in Libya is strengthened through support to civil society.

The **Outputs** to be delivered contributing to corresponding Specific Objectives (Outcomes) are as follows:

- 1. Contributing to Outcome 1: Institutions and public policies are enhanced at national and municipal levels
 - 1.1 Technical Assistance to targeted institutions is provided (Mousanada Phase II);
 - 1.2 Demand-driven technical assistance is provided to targeted municipalities across the country;
 - 1.3 Technical support and advice is provided to draft measures to enhance the transparency and integrity of the national public administration;
 - 1.4 Authorities' operational and legal capacity to combat and prevent corruption and money laundering is strengthened;
 - 1.5 The capacity of national authorities combating international organised crimes to cooperate at local, regional and global level is strengthened.
 - 1.6 The capacity of relevant Libyan institutions to resolve cases involving the recovery of assets linked to corruption, and transparent management of confiscated assets is strengthened.
- 2. Contributing to Outcome 2: Stabilisation and reconciliation processes are fostered through the transversal strengthening of countrywide cultural heritage initiatives
 - 2.1 Prevention: The capacities of local authorities to protect cultural heritage sites and cultural objects are increased;
 - 2.2 Conservation: The skills of Libyan cultural actors to preserve national heritage and enhance economic opportunities are enhanced;
 - 2.3 Safeguarding: The awareness on cultural heritage as a source to enhance local common identity and foster national dialogue is increased.

3. Contributing to Outcome 3: Reinforced stabilisation and reconciliation in Libya by supporting the Construction Fund for Benghazi and Derna
 - 3.1 Government technical capacities of the Construction Fund for Benghazi and Derna are strengthened through technical assistance provision;
 - 3.2 Reconstruction of Benghazi and Derna are supported through the reinforcement of the national financial mechanisms and development of local economic activities.
4. Contributing to Outcome 4: Transparency and participation in Libya is strengthened through the support of civil society
 - 4.1 Technical capacity of CSOs on management, advocacy and service provision is enhanced;
 - 4.2 The degree of networking at national and local level is improved (Ministry of Local Government);
 - 4.3 Resource centres for CSOs in Libya become major centres of coordination and networking. The number of resource centres in the country will be increased up to 6. Their competencies will be broadened along with the enhancement of the capacity of local CSO, with special regard to the network Moemkink that will play a major role as local partner.

3.2. Indicative Activities

Activities related to Output 1.1: Technical assistance for targeted institutions (Mousanada Phase II)

- 1.1.1. Elaboration of perception surveys and institutional profiles of the new institutions targeted and to develop the identifications of the previous institutions already assessed by Phase I;
- 1.1.2. Assessments and options willing to reinforce e-governance in Libya;
- 1.1.3. Peer to peer exchanges and study visits (mainly focussed on Arab speaking countries and EU Member States).

Activities related to Output 1.2: Demand-driven technical assistance for targeted municipalities selected across the whole country (Mousanada Phase II)

- 1.2.1. Seminars and workshop to develop the sectoral analysis on decentralization (provided on the Phase I) with the participation of the Ministry of Local Government and involved municipalities;
- 1.2.2. Guides and specific material to support Municipalities in key sectors (administration, e-governance, waste management, service delivery);
- 1.2.3. Institutional tailored analysis of municipalities targeted with restitution sessions;
- 1.2.4. Technical assistance for climate change adaptation at local level (including disaster risk reduction).

Activities related to Output 1.3: Measures to enhance transparency and integrity in Libyan public administration (anti-corruption and asset recovery project, phase II)

- 1.3.1. Meetings and workshops to discuss and establish an internal committee/task force to develop the National Anti-Corruption Strategy; including assets declarations and codes of conducts;
- 1.3.2. Technical advice provided to developing a draft national strategy and an action plan (consultations with all national stakeholders and CSOs).

Activities related to Output 1.4: Authorities' operational and legal capacity to combat and prevent corruption and money laundering is strengthened (anti-corruption and asset recovery project, phase II)

- 1.4.1. Train the trainer sessions on up-to-date modalities for anti-corruption and financial crimes investigations for the specialized financial crimes departments;
- 1.4.2. Legal assistance provided to national competent authorities on drafting legislation (access to public information, public procurement, judicial integrity and whistle blower protection);
- 1.4.3. Meetings and workshops with the Libyan Ministries of Education and Higher education institutions and universities to develop anti-corruption educational material and academic curriculum.

Activities related to Output 1.5: National, regional and international cooperation is strengthened to combat corruption and money laundering (anticorruption and asset recovery project, phase II)

- 1.5.1. Sessions and expert discussions among relevant national authorities to develop financial investigation methodologies, multi-agency cooperation techniques, intelligence, and evidence;
- 1.5.2. Support authorities in developing a coordination mechanism to enhance communication and information sharing in detecting, investigating, prosecuting and adjudicating corruption crimes.

Activities related to Output 1.6: Relevant Libyan institutions continue to improve their capacity to resolve cases involving the recovery of assets linked to corruption, transparently manage confiscated assets (anti-corruption and asset recovery project, phase II)

- 1.6.1. Technical advice to LARMO and other justice-sector officials with respect to best practices in the tracing, freezing, seizure, confiscation and recovery of illicitly-acquired assets;
- 1.6.2. Peer-to-peer and study missions to jurisdictions, by LARMO and other relevant officials to improve asset recovery outcomes;
- 1.6.3. Procurement and training on relevant software to be used by LARMO and other justice-sector officials, to improve the tracing of illicitly-acquired assets and LARMO's mission.

Activities related to Output 2.1: Prevention. The capacities for the protection of cultural heritage sites and cultural artefacts are increased

- 2.1.1. Review and enhance of the existing legislation on protection of cultural heritage and finalisation of recommendations for amendments and approximation with the EU legislation);
- 2.1.2. Review and enhance the IT capacities of Ministry of Interior Tourism Department;
- 2.1.3. Support for the preparation of a Draft National Action Plan for prevention and fight against crimes against cultural heritage stipulating strategic goals, modus operandi, and priority areas;
- 2.1.4. Review of procedures and by-laws at Ministry of Interior and development of standard operating procedures for the prevention, detection and investigations of crimes against cultural heritage;
- 2.1.5. Develop investigative techniques and mechanisms for the restitution of stolen or smuggled objects of national cultural heritage; promote inter-agency cooperation;
- 2.1.6. Support the identification of products useful to develop an intelligence gathering strategy and to create market diagnostic or scanning tools to understand market trends.

Activities related to Output 2.2: Conservation. Conservation capacities and vocational training are developed to increase skills of Libyan cultural actors and enhance economic opportunities

- 2.2.1. Supporting the establishment of a restoration centre for cultural heritage preservation in Libya. It should allow for training of young archaeologists and restorers;
- 2.2.2. Creation of capacities on cultural management: Develop capacities of cultural actors in creation and management of cultural activities;
- 2.2.3. Supporting the improvement of digitalisation and IT preservation of cultural heritage in Libya; improving existing catalogues of historical artefacts, developing related documentation;
- 2.2.4. Development of academic curricula: partnership with Libyan universities with the aim of preparing academic programmes in archaeology, museology, cultural management;
- 2.2.5. Fostering the mobility and visibility of curators, artists and other relevant players, in particular those lacking international exposure or experience and/or young individuals;
- 2.2.6. Development of economic and entrepreneurship activities around cultural sector.

Activities related to Output 2.3: Safeguarding. The awareness of cultural heritage as a source to enhance local common identity and foster national dialogue, increased

- 2.3.1. Actions to promote the importance of cultural heritage as a common identity and vector for national dialogue, through awareness activities in targeted areas (festivals, videos, information material);
- 2.3.2. Conduct outreach programs to raise awareness about the importance of cultural heritage preservation among local communities;
- 2.3.2. Sharing best practices on targeted protection measures for climate change with EU Member States;

- 2.3.4 Support the Cooperation between Libyan museums and the International Council of the Museums (ICOM), for Libyan museums to become members of ICOM.

Activities related to Output 3.1: Government technical capacities of the Construction Fund for Benghazi and Derna have been strengthened through the technical assistance provision.

- 3.1.1 Supporting the establishment of the governing framework, and supporting the setting up of the 'Project Review Board for East Libya' with the Construction Fund stakeholders;
- 3.1.2 Setting up the Fund organisational structure, including human resources, procurement capacity and resource mobilisation strategy.

Activities related to Output 3.2: Reconstruction of Benghazi and Derna has been supported through the reinforcement of the national financial mechanisms and development of local economic activities

- 3.2.1 Launching participatory processes for the prioritisation of reconstruction needs, including through Geographic Information System (GIS) technologies for damage assessment (renovation of historical public buildings and key public spaces in Benghazi and Derna);
- 3.2.2 Organisation of public awareness campaigns to inform local communities of scheme implementation plans, due consideration will be given to climate change challenges;
- 3.2.3 Organise a series of private sector consultations for reconstruction, including energy efficiency solutions and renewables.

Activities related to Output 4.1: Technical capacity of CSOs on management, advocacy and service provision is enhanced *(All the activities carried out under this output will adopt a gender based approach. It will translate into the adoption of a constant focus on gender, which will be monitored in terms of disaggregation of each indicator in the logframe)*

- 4.1.1 The technical capacities, effectiveness and accountability of Libyan CSOs are improved;
- 4.1.2 Continued support for existing Resource Centres in Tripoli and Benghazi to sustain their services and continue to provide for civil society organisations and community members;
- 4.1.3 Set up Resource Centres in new regions that provide space for working, networking, exhibiting, training and mentoring of cultural and civil society organisations and community members;
- 4.1.4 Mobile trainers extending resources to remote areas;
- 4.1.5 Continue support for online platform to digitise work and collaboration;
- 4.1.6 Tailor and deliver civic engagement and community leadership capacity involving youth and women

Activities related to Output 4.2: The degree of networking at national and local level is improved (Ministry of Local Government)

- 4.2.1 Citizens, local authorities have increased awareness and active experience of CSOs' role as partners in local development, planning, and delivery and monitoring;
- 4.2.2 Identify municipalities, private sector and civil society partners to engage in areas of intervention;
- 4.2.3 Tailor and deliver capacity building programmes.

Activities related to Output 4.2: Resource Centres for CSOs in Libya become major centres of coordination and networking

- 4.3.1 CSOs ability to engage as actors of good governance and development at country level is improved;
- 4.3.2 Co-granting with private sector and municipalities agreed common initiatives;
- 4.3.3 Networking and best practices events.

Mainstreaming

Environmental Protection, Climate Change and Biodiversity

Outcomes of the Strategic Environmental Assessment (SEA) screening

SEA is not required but key environmental and climate-related aspects will be addressed during the implementation. This action envisages to continue supporting the Ministry of Environment and its capacity of dealing with the mainstreaming of environmental public policy and namely to strengthen the Libyan capacities to elaborate Nationally Determined Contributions (NDC) in the framework of the Paris Declaration COP 25.

This action will contribute to the development of an Environmental Country Profile of Libya. This aspect is particularly timely because the EU is co-leading the Pillar 8 on Environment and Climate Change of the ongoing Recovery and Peace Building Assessment exercise, which is willing to define a mid and long term national Development Strategy.

Outcomes of the Environmental Impact Assessment (EIA) screening

The EIA screening classified the action as Category B. EIA will be undertaken in some Specific Objectives as indicated below. In addition climate risk will be addressed as part of an EIA.

Namely, EIA will be included at the SO 3 (Stabilisation and reconciliation processes in Libya are reinforced by supporting the Construction Fund for Benghazi and Derna) if any specific reconstruction activity will be finally defined within the EU contribution. Regarding SO 2, a specific EIA for cultural heritage sites might be conducted when needed. As regards SO 1, it will be advised to do an EIA at the different municipalities targeted by the action that will require. In any case, the importance of Environmental impact analysis will be included as an important part of the technical facility package.

Outcome of the Climate Risk Assessment (CRA) screening

The CRA screening concluded that in some SOs a proper CRA will be undertaken for specific interventions. Particularly SO 1 referred to some Municipalities targeted by the action (as a part of the Environmental Impact Assessment proposed), SO 2, related to vulnerability of cultural heritage sites to Climate Change, and SO 3, regarding the obligation of a CRA on the reconstructions activities.

Gender equality and empowerment of women and girls

Gender equality and empowerment of women access to the public policies provision is a significant objective of the action (G1 as per OECD Gender DAC codes). Additionally, a Gender mainstreamed vision is integrated into all the actions planned. Moreover, the action has been identified using the human rights and gender approach and a Sustainable Development Goal-centred methodology. Specific indicators on gender will be defined during the full formulation process to ensure the achievement of these cross-cutting issues and to be able to motor it properly.

As for the priority institutions targeted under SO 1, the Ministry of Women's Affairs is included, to support its capacity of strengthening legislation and public policies on women's rights and female empowerment.

Human Rights

Human rights are an indivisible element of governance. Indeed, they have been defined as a specific subject of technical provision, but also as a mainstreamed vision in all the actions planned, which have been identified using the humans rights and gender approach and a Sustainable Development Goal-centred methodology. Specific indicators on human rights and gender will be defined during the full formulation process to ensure the achievement of these cross cutting issues and to be able to motor it properly.

Disability

As per OECD Disability DAC codes identified in section 1.1, this action is labelled as D1. Disability mainstreaming should be a significant objective of this action. This implies that the different entities need to ensure that their respective spheres of responsibility provide the necessary opportunities and access to persons with disabilities, on an equal basis with others. A disability-inclusive approach should be adopted with regard the institutional building component (insuring the application of the public legislation and supporting the improvement of it if convenient), but also the decentralization component (highlighting it properly at Municipal level). It needs to be properly observed regarding the cultural heritage access and promotion, the reconstruction component and the civil society components.

The action should aim at removing barriers and disincentives to, and provide incentives for, participation in the global governance particularly for those most excluded from it. Support to people with disabilities, enabling them to participate will contribute to improve governance and stabilization and should be mainstreamed through the overall action's activities.

Democracy

Strengthening participation, dialogue and reconciliation are core elements of the action. The governance in Libya should be associated to an improvement of the democracy and the participation. In this regard, the SO 4 willing to reinforce the presence of CSOs is a strategical trigger of the action. That participation will permit to increase the role of civil society as institutional controller but also as service provider (mainly at local level). Both aspects are highly contributing to enhance democracy.

Conflict sensitivity, peace and resilience

There is not a proper Country Conflict Analysis from EU. However the action has been aligned with the UNDP Country Analysis. This entire action seeks to contribute to stability through strengthening institutional building, highly demonstrative actions and the reinforcement of the civil society participation. The entire outputs and activities have been identified and defined with a national reconciliation approach.

The action stablished inclusivity of the three different divided areas in conflict, by planning activities in West, South and South as direct beneficiaries.

Disaster Risk Reduction

Adaptation measures and specifically Disaster Risk Reduction management is one of the important subjects for the technical assistance provision to the targeted municipalities. As well the continuity on supporting the Ministry of Environment, will be focused precisely on the mainstreaming of CC on the Libyan public policies and the reporting capacity of Libya regarding the international commitments on Climate Change (NDC).

3.3. Risks and Assumptions

The possible risks in the implementation of the proposed action remain relatively high/medium given the volatile security and political situation in Libya. The main risks are summarised below:

Category	Risks	Likelihood (High/ Medium/ Low)	Impact (High/ Medium/ Low)	Mitigating measures
1 - to the external environment	Political instability and possible changes within/of government may interrupt existing relations, change priorities and impede work at the national (central) level.	M	H	Interventions will be designed in a flexible manner in order to enable adaptation to different circumstances (e.g. focus on different geographical areas and/or decentralised level too). Regular analysis of the situational context and continuous policy dialogues will be carried out with a view to strengthen trustful relationships and allow for negotiation where required.
2 – to conflict sensitivities	Security challenges may result in lack of access and/or inability to mobilize expertise and thus hinder programme implementation in Libya.	M	M	The security situation is continuously evaluated, including through periodic risk re-assessment. Where needed, mitigation strategies will be developed to introduce remote management set-ups and/or consider arranging for training activities outside Libya (only as mitigation strategy).
3 - to legality and regularity aspects	Administrative challenges regarding access and visas of the experts and international partners, which will prevent the presence on the field.	M	M	An institutional relation is built with coordinating Libyan authorities. The involved Ministries and institutions receive previous and updated information before and during the implementation phase. Some phases of the programme can be implemented outside Libya and/or remotely as an alternative to the physical presence.
4 - to legality and regularity aspects	Administrative challenges regarding registration and permits for the CSOs and INGOs partners of the action.	M	L	Previous information and coordination with Libyan authorities regarding participants on the action. Advocacy vis a vis Registration authorities is already ongoing.

5 - to communication and coordination	Programme activities overlap with other interventions by the international community.	L	M	EU – MS co-ordination has been reinforced through both regular Heads of Co-operation meetings as well as informal sector co-ordination platforms. RPBA process where EU has a relevant role permits a better coordination with national and international partners at global and sectoral level.
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External Assumptions

- Libyan authorities and public institutions (at national and sub-national levels) remain committed to deliver citizen-centred, rights-based (social) services in line with their primary mandate and have the requisite human and financial resources to deliver such services;
- The security situation allows the mobilisation of technical expertise to the country;
- Administrative procedures, permits and visas for the experts and international partners are facilitated by involved authorities.
- INGOs, CSOs, and service providers have the permits and clearances to work in Libya on the basis of a well-defined, long term stable and predictable administrative framework.
- Libyan public institutions are receptive to recommendations made as a result of action interventions and are able to adopt the relevant policies.

3.4. Intervention Logic

The underlying intervention logic for this action is as follows:

To achieve **Outcome 1, Boosted institutions at national and municipal levels and public policies**, if the technical assistance is provided to the targeted institutions at national and municipal level, complemented by a key anticorruption prevention component, and the social public policies effectively receive resources coming from assets recovery and money laundering, the State institutions and Municipalities will be boosted and the social policies reinforced and improved. Indeed, the outcomes foreseen will permit to enhance institutions, and with it, to reinforce public social policies in terms of quality and quantity as tested in previous actions and projects supported by the EU in Libya as the assessments and evaluations confirmed.

This sequence from the output to the outcomes and contributing to the overall objective, needs an effective mainstreaming of Human Rights, gender empowerment, and a conflict sensitivity approach willing to contribute to stability, peace and reconciliation.

To achieve **Outcome 2: Fostered stabilisation and reconciliation through the transversal strengthening countrywide cultural heritage initiatives**, if the transversal strengthening countrywide of cultural heritage initiatives in line with the Council Conclusions of 21st June 2021 is reinforced, then peace and reconciliation will be fostered through the country. The Intervention logic foresees to support Libya’s economic recovery

through vocational training and increasing employment opportunities in the cultural heritage sector. Role and opportunities of cultural sector to contribute to environmental and climate objectives, promotion of circular economy practices and climate- and environment-friendly practices of reconstruction and maintaining the cultural heritage will be covered by trainings. The intervention logic behind the identified results and activities is based on the gaps identified during the implementation of several actions in support of Cultural Heritage (i.e. IcSP, FPI, TAIEX and UNDP EUTF) and consultations carried out with relevant national stakeholders. This action will rely as much as possible on the inputs and expertise of the EU Member States, within a Team Europe approach.

To achieve **Outcome 3: Reinforced stabilization and reconciliation in Libya by supporting the Construction Fund for Benghazi and Derna**, if an effective technical advice on fund management, procurement, survey design, rapid damage and conflict assessments is done, this ensures timely selection of projects reflecting Fund's priority sectors and the needs of the people. Selection process shall include energy performance of the buildings, as well as integration of nature base solutions and green infrastructure in the projects. Engagement strategies with local and international stakeholders on analytical frameworks and other required methodologies will ensure participatory approach to be an engine for recovery, economic growth, and job creation. Conflict sensitivity, do-no-harm, and environmental considerations must also be included in the developed data collection mechanism.

To achieve **Outcome 4: Strengthened transparency and participation in Libya by supporting Civil Society**, the action adopts a conflict sensitivity approach that revolves around building the capacity of CSOs representing a broad cross-section of constituents. If it will include particularly youth, women, and other vulnerable populations, to engage in participatory planning and joint actions with local authorities and other community actors as a means to increase social cohesion at the local level, then an accrued participatory approach will be noticeable in local policy making.

Capacity building will be essential as a systematic approach to improving organisational effectiveness that aligns strategy, people, and processes, enabling CSOs to articulate, embody, and deliver their objectives. Outputs from 4.1 to 4.3 will be secured through the approach that involves 'hard issues', (e.g. policies, structures, and systems) and 'soft issues' that develop appropriate skills, behaviours, attitudes, and a style of leadership that empowers organisations to deliver optimal performance, engage with their constituents and broader communities, and advance social cohesion goals.

3.5. Indicative Logical Framework Matrix

Results	Main expected results	Indicators	Baselines	Targets	Sources of data	Assumptions
Impact 1	Democracy and inclusive democratic processes are strengthened and promoted.	Score in the Worldwide Governance Indicators	1,29	1	World Bank Worldwide Governance Indicators	Not applicable
Outcome 1	Institutions and public policies are reinforced at national and municipal levels.	1.1 Percentile of Libyans' perception toward government effectiveness 1.2 overall governance rate in Libya (among African countries)	1.1- 0 1.2 - 15		1.1 World Bank Worldwide Governance Indicators 1.2 Ibrahim Index of African Governance	
Outcome 2	Stabilisation and reconciliation processes are fostered through the strengthening countrywide of cultural heritage initiatives.	2.1 Number of stakeholders trained by the intervention who increased their knowledge and capacities in the protection/conservation and safeguard of cultural heritage	2.1	2.1 2.2	Public sector reports Progress and final reports of the intervention	
Outcome 3	Stabilisation and reconciliation processes in Libya are reinforced by supporting the Construction Fund for Benghazi and Derna.	3.1 Numbers of local stakeholders involved in participatory needs assessments, data collection strategy and engagement mechanisms for the reconstruction	TBD	TBD	Progress and final reports of the intervention	
Outcome 4	Transparency and participation in Libya is strengthened through support to civil society.	4.1 Number of concrete engagements locally between CSOs and local authorities in sectoral dialogues and policy making; 4.2 Accrued capacity of Libyan CSOs to manage the full process of the project cycle in an independent fashion.	4.1.1 "0"; 4.1.2 "0".	4.1.1 "6" 4.1.2: "5"	Reports and monitoring of the intervention.	
Output 1 related to Outcome 1	1.1 Technical Assistance to institutions targeted is provided (Mousanada Phase II).	1.1.1 Number of policies supported (initiated, examined, completed)	0	1.1.1	1.1.1 Reports and monitoring of the intervention	

Results	Main expected results	Indicators	Baselines	Targets	Sources of data	Assumptions
Output 2 related to Outcomes 1	1.2 Technical Assistance to targeted institutions is provided (Mousanada Phase II)	1.2.1 Number of activities developed in municipalities	0	6	1.2.1 Reports and monitoring of the intervention	
Output 3 related to Outcome 1	1.3 Technical support and advice is provided to draft measures to enhance the transparency and integrity of the national public administration.	1.3.1 No. of measures adopted to enhance transparency and integrity in the government sector.	0	2	1.3.1 Official documents from the government on adopted measures and modalities	
Output 4 related to Outcome 1	1.4 Authorities' operational and legal capacity to combat and prevent corruption and money laundering is strengthened.	1.4.1 Number of staff from law enforcement and prosecutorial authorities indicated use of skills acquired in their day to day work	0	50	1.4.1 Number of national initiatives adopted to improve cooperation and coordination among Libyan authorities and their counterparts on countering corruption and money laundering	
Output 5 related to Outcome 1	1.5 Technical support and advice is provided to draft measures to enhance the transparency and integrity of the national public administration	1.5.1 Number of national/regional initiatives adopted to improve cooperation and coordination among Libyan authorities and their counterparts on countering corruption and money laundering	0	2	1.5.1 Official information provided by government agencies / MOUs documents	
Output 6 related to Outcome 1	1.6 The capacity of relevant Libyan institutions to resolve cases involving the recovery of assets linked to corruption, and transparent management of confiscated assets is strengthened	1.6.1 Number of policies / guidelines / initiatives being discussed or adopted	2	4	1.6.1 Feedback from relevant officials Policies / guidelines / initiatives being discussed or adopted on effective asset recovery mechanisms	

Results	Main expected results	Indicators	Baselines	Targets	Sources of data	Assumptions
Output 1 related to Outcome 2	2.1 Prevention: The capacities for the protection of cultural heritage sites and cultural objects are increased.	2.1.1 No. of people trained to prevent and combat trafficking in cultural good 2.1.2 Existence of national database of cultural property stolen 2.1.3 Existence of specialised units in police and customs to combat trafficking 2.1.4 National Action Plan for prevention and fight against crimes in cultural goods	2.1.1 TBD 2.1.2 0 2.1.3 TBD 2.1.4 0	2.1.1 TBD 2.1.2: 1 2.1.3 TBD 2.1.4 1	2.1.1 Database of training participants, pre- and post-training tests 2.1.2 Official information provided by the national institutions 2.1.3 / 2.1.4 Official information provided by the national institutions	
Output 2 related to Outcome 2	2.2 Conservation: Conservation capacities and vocational training are developed to increase skills of Libyan cultural actors and enhance economic opportunities.	2.2.1 # institutions for the conservation and promotion of cultural heritage at national level 2.2.2 # historic site and museum that digitalised their collection 2.2.3 Specific legislation for conserving and promoting cultural heritage adopted	2.2.1 0 2.2.2 0 0	2.2.1 1 2.2.2 2 1	Official information provided by the national institutions/cultural sites Project reports	
Output 3 related to Outcome 2	2.3 Safeguarding: The awareness of cultural heritage as a source to enhance local common identity and foster national dialogue, increased.	2.3.1 # National management plan specific to tourism and derived socio-economic, cultural and environmental impact drafted and discussed among LY authorities 2.3.2 Measure to involve CS and private sector in safeguarding activities drafted and/or discussed among LY authorities	2.3.1: 0 TBD	2.3.1: 1 TBD	2.3.1 Official information provided by the national institutions 2.3.2 Project report	

Results	Main expected results	Indicators	Baselines	Targets	Sources of data	Assumptions
Output 1 related to Outcome 3	3.1 Government technical capacities of the Construction Fund for Benghazi and Derna have been strengthened through technical assistance provision.	3.1.1 Operations Manual for the functioning of the Construction Fund approved by relevant authorities 3.1.2 Register of sites/building of historical importance created in a participatory way with the community	0 0	1 1	3.1 Project monitoring records /Construction Fund monitoring dashboard	Delays in government approval
Output 2 related to Outcome 3	3.2 Reconstruction of Benghazi and Derna has been supported through the reinforcement of the national financial mechanisms and development of local economic activities.	3.2.1 No. of schemes prioritized and approved for implementation 3.2.2 No. of people who have benefited from the infrastructure improved under the Construction Fund (disaggregated by sex)	3.2.1 0 TBD	TBD	Project monitoring records/Construction Fund monitoring dashboard	Lack of funding to implement schemes approved by Fund.
Output 1 related to Outcome 4	4.1 Technical capacity of CSOs on management, advocacy and service provision is enhanced.	4.1.1 No. of capacity building trainings for CSOs; 4.1.2 Geographical scope: ratio of actions per region; 4.1.3 No. of new Resource Centres; 4.1.4 No. of mobile trainers extending resources to remote areas	4.1.1: 6 trainings Y1; 4.1.2: 2 governorates Y1 4.1.3 2Y1 4.1.3 TBD	4.1.1: 20 trainings Y2; 4.1.2: 8 governorates Y1; 4.1.3: 5Y2; 4.1.3 TBD	Project's report, visits, meetings with stakeholders and final beneficiaries.	
Output 2 related to Outcome 4	4.2 The degree of networking at national and local level is improved (Ministry of Local Government)	4.2.1 No. of municipalities to engage with common areas of intervention with CSOs; 4.2.2 No. of ad hoc capacity building trainings in selected municipalities.	4.2.1 TBD; 4.2.2 TBD; 4.2.3: 1 Y1	4.2.1 TBD; 4.2.2 TBD; 4.2.3: 1 Y2	Projects report and monitoring.	
Output 3 related to Outcome 4	4.3 Resource centres for CSOs in Libya become major centres of coordination and networking	4.3.1 #Grants and co-grants with private sector and municipalities; 4.3.2 # Networking events organised/taking place	4.3.1 TBD; 4.3.2 TBD.	4.3.1 TBD; 4.3.2 TBD	Projects report and monitoring.	4.3.1 Grants and co-grants with private sector and municipalities 4.3.2 Networking events

4. IMPLEMENTATION ARRANGEMENTS

4.1. Financing Agreement

In order to implement this action, it is not envisaged to conclude a financing agreement with Libya.

4.2. Indicative Implementation Period

The indicative operational implementation period of this action, during which the activities described in section 3 will be carried out and the corresponding contracts and agreements implemented, is 72 months from the date of the adoption by the Commission of this financing Decision.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer in duly justified cases.

4.3. Implementation Modalities

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures⁸.

4.3.1. Direct Management (Grants)

4.3.1.1. Grants

a) Purpose of the grants

Two different grants are planned for Outcomes 2 and 4. Specifically:

Outcome 2: Stabilisation and reconciliation processes are fostered through the transversal strengthening of countrywide cultural heritage initiatives

- Output 2.1. Prevention: The capacities for the protection of cultural heritage sites and cultural objects are increased;
- Output 2.2. Conservation: Conservation capacities and vocational training are developed to increase skills of Libyan cultural actors and enhance economic opportunities;
- Output 2.3. Safeguarding: The awareness of cultural heritage as a source to enhance local common identity and foster national dialogue, increased.

⁸ EU Sanctions Map. Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

Outcome 4: Transparency and participation in Libya is strengthened through the support of civil society

- Output 4.1. Technical capacity of CSOs on management, advocacy and service provision is enhanced;
- Output 4.2. The degree of networking at national and local level is improved (Ministry of Local Government);
- Output 4.3. Resource centres for CSOs in Libya become major centres of coordination and networking.

b) Type of applicants targeted

Legal entities, international NGOs and economic operators.

c) Justification of direct grants

Under the responsibility of the Commission's authorising officer responsible, the grants may be awarded without a call for proposals to beneficiaries selected using the following criteria: (1) specific technical expertise and experience in implementing similar actions, or (2) prior experience in implementation of grant agreements in Libya.

Under the responsibility of the Commission's authorising officer responsible, the recourse to an award of a grant without a call for proposals is justified for the purpose of crisis management aid as per the provisions of Article 195 (a) of the Financial Regulation, because Libya remains in a situation of crisis, namely a situation of immediate or imminent danger threatening to escalate into armed conflict or destabilise the country.

4.3.2. Direct Management (Procurement)

The procurement will cover the following specific outputs:

- Output 1.1. Technical Assistance to institutions targeted is provided;
- Output 1.2. Demand-driven technical assistance is provided to targeted municipalities across the country.

4.3.3. Indirect Management with pillar-assessed entities

A part of this action may be implemented in indirect management with pillar-assessed entities, which will be selected by the Commission's services using the following criteria:

(1) specific technical competence and specialisation in governance, (2) fully operational in Libya and able to provide a concrete added value (3) results achieved with previous cooperation in Libya and/or in the region.

Transparency, accountability and absence of conflict of interest will be considered as mandatory selection criteria.

The implementation by these entities entails the implementation of the following specific outputs:

- Output 1.3. Technical support and advice is provided to draft measures to enhance the transparency and integrity of the national public administration;
- Output 1.4. Authorities' operational and legal capacity to combat and prevent corruption and money laundering is strengthened;
- Output 1.5. The capacity of national authorities combating international organised crimes to cooperate at local, regional and global level is strengthened.
- Output 1.6. The capacity of relevant Libyan institutions to resolve cases involving the recovery of assets linked to corruption, and transparent management of confiscated assets is strengthened.
- Output 2.2: Conservation. Conservation capacities and vocational training are developed to increase skills of Libyan cultural actors and enhance economic opportunities
- Output 2.3: Safeguarding. The awareness of cultural heritage as a source to enhance local common identity and foster national dialogue, increased.
- Output 3.1. Government technical capacities of the Construction Fund for Benghazi and Derna are strengthened through technical assistance provision;
- Output 3.2. Reconstruction of Benghazi and Derna are supported through the reinforcement of the national financial mechanisms and development of local economic activities.
- Output 4.3. Resource centres for CSOs in Libya become major centres of coordination and networking.

4.3.4. Changes from indirect to direct management (and vice versa) mode due to exceptional circumstances

Taking into account the risks in terms of deterioration of the political and security context, the part of the action that is foreseen to be implemented in indirect management may be reconsidered to be implemented under direct management modality (grants). Similarly, the part of the action that is foreseen to be implemented in direct management (procurement) may be reconsidered to be implemented under indirect management with a pillar-assessed entity.

4.4. Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions.

The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of this action impossible or exceedingly difficult (Article 28(10) NDICI-Global Europe Regulation).

4.5. Indicative Budget

Indicative Budget components	EU contribution (amount in EUR)
Implementation modalities – cf. section 4.3	
Outcome 1 <u>Institutions and public policies are reinforced at national and municipal levels</u> composed of	9 000 000
Indirect management with pillar-assessed entities – cf. section 4.3.3	2 000 000
Procurement (direct management) – cf. section 4.3.2	7 000 000
Outcome 2 <u>Stabilisation and reconciliation processes are fostered through the strengthening countrywide of cultural heritage initiatives</u> composed of	4 000 000
Grants (direct management) – cf. section 4.3.1	1 800 000
Indirect management with a pillar-assessed entity – cf. section 4.3.3	2 200 000
Outcome 3 <u>Stabilisation and reconciliation processes in Libya are reinforced by supporting the Construction Fund for Benghazi and Derna</u> composed of	2 500 000
Indirect management with a pillar-assessed entity – cf. section 4.3.3	2 500 000
Outcome 4 <u>Transparency and participation in Libya is strengthened through the support to Civil Society</u> composed of	2 500 000
Indirect management with a pillar-assessed entity – cf. section 4.3.3	2 500 000
Grants – total envelope under section 4.3.1	1 800 000
Procurement – total envelope under section 4.3.2	7 000 000
Evaluation – cf. section 5.2 Audit – cf. section 5.3	will be covered by another Decision
Strategic communication and Public diplomacy – cf. section 6	will be covered by another Decision
Contingencies	N/A
Totals	18 000 000

4.6. Organisational Set-up and Responsibilities

Implementing partners will be fully responsible for the implementation of the action. Each partner will be responsible for regular reporting to the EU Delegation - ideally through the establishment of a steering committee involving national counterparts for the specific action. Steering committees for individual actions

will meet regularly and be mandated to (1) review implementation against prior established work plans and planned achievements, (2) review work plans where necessary; (3) facilitate the involvement of different stakeholders if pertinent and (4) discuss other issues as relevant to the action and its environment.

As part of its prerogative of budget implementation and to safeguard the financial interests of the Union, the Commission may participate in the above governance structures set up for governing the implementation of the action.

4.7. Pre-conditions

Political stability.

5. PERFORMANCE MEASUREMENT

5.1. Monitoring and Reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partners responsibilities. To this aim, each implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its Outputs and contribution to the achievement of its Outcomes, and if possible at the time of reporting, contribution to the achievement of its Impacts, as measured by corresponding indicators, using as reference the logframe matrix.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

Monitoring activities may include regular Result Oriented Monitoring (ROM) reviews, as well as third-party monitoring reviews in addition to on-the-spot monitoring by the EU Delegation's operational and financial managers to complement implementing partners' monitoring, if the security situation allows. These monitoring exercises are aimed at ensuring sound follow-up on earlier recommendations as well as informing the EU management.

Arrangements for monitoring and reporting, including roles and responsibilities for data collection, analysis and monitoring include specific terms of reference for a steering structure per action will be elaborated in the specific implementation contract or agreement prior to a signature of such contracts and agreements.

5.2. Evaluation

Having regard to the nature of the action, a mid-term and a final evaluations will be carried out for this action or its components via independent consultants contracted by the Commission.

The mid-term evaluation will be carried out for problem solving and learning purposes, in particular with respect to the progression in the four main sectors of focus: institutional building and decentralisation, cultural heritage, reconstruction and local development, civil society support. The final evaluation will be carried out for accountability and learning purposes at various levels and in view of greater engagement in policy dialogue.

The Commission shall form a Reference Group (RG) composed by representatives from the main stakeholders at both EU and national (representatives from the government, from civil society organisations (private sector, NGOs, etc.), etc.) levels. If deemed necessary, other donors will be invited to join.

The Commission shall inform the implementing partners at least 4 weeks in advance of the dates envisaged for the evaluation exercise and missions. The implementing partners shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders following the best practice of evaluation dissemination. The implementing partners and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

The financing of the evaluation shall be covered by another measure constituting a financing Decision.

5.3. Audit and Verifications

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audit or verification assignments for one or several contracts or agreements.

6. STRATEGIC COMMUNICATION AND PUBLIC DIPLOMACY

All entities implementing EU-funded external actions have the contractual obligation to inform the relevant audiences of the Union's support for their work by displaying the EU emblem and a short funding statement as appropriate on all communication materials related to the actions concerned. To that end they must comply with the instructions given in the 2022 guidance document [*Communicating and raising EU visibility: Guidance for external actions*](#) (or any successor document).

This obligation will apply equally, regardless of whether the actions concerned are implemented by the Commission, the partner country, service providers, grant beneficiaries or entrusted or delegated entities such as UN agencies, international financial institutions and agencies of EU Member States. In each case, a reference to the relevant contractual obligations must be included in the respective financing agreement, procurement and grant contracts, and contribution agreements.

For the purpose of enhancing the visibility of the EU and its contribution to this action, the Commission may sign or enter into joint declarations or statements, as part of its prerogative of budget implementation and to

safeguard the financial interests of the Union. Visibility and communication measures should also promote transparency and accountability on the use of funds. Effectiveness of communication activities on awareness about the action and its objectives as well as on EU funding of the action should be measured.

Implementing partners shall keep the Commission and the EU Delegation/Office fully informed of the planning and implementation of specific visibility and communication activities before the implementation. Implementing partners will ensure adequate visibility of EU financing and will report on visibility and communication actions as well as the results of the overall action to the relevant monitoring committees.

Appendix 1: IDENTIFICATION OF THE PRIMARY INTERVENTION LEVEL FOR REPORTING IN OPSYS

A Primary intervention (project/programme) is a coherent set of results structured in a logical framework aiming at delivering development change or progress. Identifying the level of the primary intervention will allow for:

- ✓ Differentiating these Actions or Contracts from those that do not produce direct reportable development results, defined as support entities (i.e. audits, evaluations);
- ✓ Articulating Actions and/or Contracts according to an expected common chain of results and therefore allowing them to ensure a more efficient and aggregated monitoring and reporting of performance;
- ✓ Having a complete and exhaustive mapping of all results-bearing Actions and Contracts.

The present Action identifies as;

<p>Group of contracts level (i.e: i) series of programme estimates, ii) cases in which an Action Document foresees many foreseen individual legal commitments (for instance four contracts and one of them being a Technical Assistance) and two of them, a technical assistance contract and a contribution agreement, aim at the same objectives and complement each other, iii) follow up contracts that share the same log frame of the original contracts</p>		
<input checked="" type="checkbox"/>	<p>Group of contracts</p>	<p>foreseen individual legal commitment (or contract) 1 foreseen individual legal commitment (or contract) 2 foreseen individual legal commitment (or contract) 3 foreseen individual legal commitment (or contract) 4 foreseen individual legal commitment (or contract) 5 foreseen individual legal commitment (or contract) 6</p>