

**Libyan Constitution Proposal**  
**Local Governance Committee Local (Administration) Proposal**  
**Proposal One**  
**(Governorate System)**

Includes ten constitutional articles that reflect some of the committee's members visions on the local governance system. They have been articulated in consensus between the following members:

1. Dr. Abdul Qader Abdullah Qaddoura
2. Mr. Mohammed Khalifa El-Hawasi
3. Dr. Rania Abdelsalam El-Said
4. Dr. Gadhafi Ibrahim Bridah

**Article (1)**

**Local Governance Principles**

The local governance system in this constitution is based on administrative and financial decentralization and the two principles of equal opportunity and fair allocation of wealth. The State shall align its legislation and regulations with the same. The law shall stipulate the executive details according to the provisions of this constitution.

**Article (2)**

**Administrative Division**

The country shall be divided into 32 governorates:

- Sirte, Misrata, Zleiten, Al Khums, Tarhuna, Msallata, Souf El-Jein, Tajoura wal Nawahy Al Arbaa, Tripoli, Zawiya, Sebrata, Serman al-Gharbiya, Al-Jifara, Gheriyan, Mazda, Yefren, Zintane, Nalout
- Tobruk, Darna, Baida, Benghazi, Ajdabiya, Al-Wahat, Al-Kufra
- Al-Jufra, Al-Shati, Sebha, Awbari, Murzuq, Ghat, Ghadames

A decision from the Cabinet to assign their administrative boundaries shall be issued.

**Article (3)**

**Legal Personality**

Each governorate shall enjoy, within its administrative borders, administrative and financial independence and full legal personality.

**Article (4)**

**Election of Governorate Council and Chairman**

The Governorate Council shall be elected by direct secret public ballot and the Chairman should be the one who receives the highest votes.

## **Article (5)**

### **Representation in Local Councils**

Elections of all levels of municipal councils shall take into consideration representation of the regions.

## **Article (6)**

### **Governorate Council Jurisdiction**

The governorate council shall be authorized of legislating, in a manner that not contradict with the State's legislations, in the following areas:

1. Administrative divisions inside governorates and particularly establishment of municipalities.
2. Approval of development plan and budget for governorates.
3. Urban planning and building, and local benefit.
4. Public transport within the governorate.
5. Fishing ports and leisure and tourism airports.
6. Agriculture, forests, pastures and livestock development.
7. Water and environmental protection.
8. Local economic development and promotion of national investment.
9. Traditional industries.
10. Culture, historical places and monuments
11. Tourism Activities.
12. Sports, recreation and public parks.
13. Social aid and welfare.
14. Public health and hygiene.
15. Primary health care and ambulance and civil defence services
16. Local police and municipal guards.
17. Business, industrial and professional licenses.
18. Housing, construction licensing and city planning.

## **Article (7)**

### **The Governor and His Competencies**

The governorate council shall elect the Governor and he shall assume the following responsibilities:

1. Administrative Functions: He is the head of all staff in the governorate and responsible for the function of public utilities.
2. Executive Functions: He is responsible for order and security and the implementation of local and national projects in the governorate.
3. A council of the sectors' directors in the governorate shall be formed to assist the Governor in administering the governorate, the governorate council will be responsible for their appointment and dismissal and they shall share joint liability before the governorate council.

## **Article (8)**

### **Principle of Equal Opportunity**

In implementation of the principle of equal opportunity, state activities shall be distributed across the governorates by population:

1. New projects, institutions, companies, bodies, and any other entities owned by the state in whole or in part.
2. State posts in the diplomatic corps and in all state institutions domestically and abroad, and in international organisations, as well as training and study programs domestically and abroad.

## **Article (9)**

### **The Principle of Fair Allocation of Wealth**

In implementation of the principle of fair allocation of wealth, the General Budget of the State shall be distributed in accordance with the following ratios:

- 30% distributed to governorates according to the population in each one.
- 30% distributed equally to all governorates. If the number of governorates is uneven, distribution shall be on the basis of the three regions of Libya: Cyrenaica, Tripoli and Fezzan.
- 30% to the national government to invest in development projects in different governorates.
- 10% to the governorates of areas involved in the production, transit and export of natural resources.

## **Article (10)**

### **Formation of Regions**

A group of governorates, upon the approval of its governorates' councils, may form economic regions.