

The Independent Oversight Board of the Lebanon Reform, Recovery, & Reconstruction Framework (3RF)

June 19th, 2023

On Protracted Crisis, Public Procurement Law, & Municipal Elections

While it has been enunciated that the 3RF policy dialogue framework and the International Monetary Fund are one of the main lifelines to Lebanon's financial and socioeconomic crises, the Lebanese continue to be worn out, drained, and in immediate need of saving. As if it was not enough, Lebanese authorities continue to push against any significant reform from materializing and allow the rippling effect to indefinitely distress the economy. The 12th missed opportunity to elect a President, a crucial catalyst to the reform enactment process, augurs that the political class still has time to spare in political jockeying, unheeded by domestic and international pressure.

Concerning the legislative amendments to the Public Procurement Law 244/2021, we warn against arbitrary legislation that is not evidence-based and not preceded by a Regulatory Impact Assessment as per OECD recommendations. Such legislation will negatively impact the credibility of the law, the institution, and legislators before the international community, investors, and the Lebanese.

We also note that the lack of progress on institutionalizing the Public Procurement Authority, and the Complaints Authority is a harbinger of the national inability to advance the law. The institutionalization of a central e-platform, that adheres with the international standards and respects the data privacy of users, remains of utmost importance to effectively implement the law and ensure transparency and accountability.

Furthermore, holding culprits accountable and responsible for financial malfeasance is required, as accounting for how much losses the banking sector has accumulated is equally significant. However, the means through which the Lebanese authorities are holding defendants accountable to the financial crisis is, for the least, questionable. Ultimately, confiscating the passport of the Central Bank's governor

and banning him from travel might just serve his interests, shielding him from due investigation abroad, accountability, and responsibility based on the international legislative framework.

In closing, we note that the decision of the Constitutional Council number 6 of May 30th, 2023 on the extension of the municipal and mukhtar's council term, constitutes an infringement on the right to vote and violates the principle of elections periodicity. Municipal elections, regardless if conditions are conducive or unfavorable, are a denominator of representation of the people and an opportunity for economic development. We ask the Ministry of Interior and Municipalities to set a date for municipal elections to safeguard the candidates' rights to equality, inclusivity, and preparedness to run elections, and the voters' constitutional right to elect their peers.