LOCAL GOVERNMENTS
IN THE MIDDLE EAST AND WEST ASIA

Adem ESEN - Maan CHIBLI
Local Governments in the Middle East and West Asia

Prof. Dr. Adem ESEN
Assoc. Prof. Dr. Maan CHIBLI

2019
Adem Esen earned his bachelor’s degree in Public Administration from Istanbul University. Then he pursued Master’s and Doctorate degrees in Labor Economics and Industrial Relations respectively at the same university. He served as Mayor of Selçuklu in Konya, Turkey from 1999 to 2009. He was appointed as the Founding Rector of İstanbul Sabahattin Zaim University in 2010. Currently, he is the Professor of Political Sciences and the Head of Public Administration and Political Sciences Department at Istanbul University. He conducts research on local development and rural-urban economics.

Maan Chibli is an architect specialized in urban planning. He received his doctorate degree in Urban Planning in 1994 from the “Institut d’Urbanisme de Paris” at the University of Paris Val-de-Marne (Paris XII). Since 1995, he has worked for Department of Town Planning and Environment at University of Aleppo in Syria. In addition to the academic experience, he has worked in the field of Urban Management with several international organizations. He served as Mayor of Aleppo in Syria from 2003 to 2011. He is currently working at Bahçeşehir University, Department of Architecture and Design in Istanbul.
## CONTENTS

PREFACE .......................................................................................................................6

INTRODUCTION .............................................................................................................7

AFGHANISTAN ...........................................................................................................11  
1.Legal Status .............................................................................................................12  
2.Structure of Local Governments .........................................................................18  
3.Duties and Authorities .............................................................................................23  
4.Opportunities and Challenges .............................................................................26  
5.References ...............................................................................................................30  

AZERBAIJAN ..............................................................................................................31  
1.Legal Status .............................................................................................................32  
2.Structure of Local Governments .........................................................................37  
3.Duties and Authorities .............................................................................................40  
4.Opportunities and Challenges .............................................................................46  
5.References ...............................................................................................................51  

BAHRAIN ..................................................................................................................53  
1.Laws and Regulations on Local Governments .....................................................54  
2.Structure of Local Governments .........................................................................54  
3.Duties and Responsibilities of Local Governments ...........................................61  
4.Challenges and Opportunities of Local Governments ........................................67  
5.References ...............................................................................................................70  

EGYPT ......................................................................................................................71  
1.Laws and Regulations on Local Governments .....................................................72  
2.Structure of Local Governments .........................................................................72  
3.Duties and Responsibilities of Local Governments ...........................................80  
4.Challenges and Opportunities for Local Governments .......................................89  
5.References ...............................................................................................................92  

IRAQ .........................................................................................................................93  
1.Laws and Regulations on Local Governments .....................................................94  
2.Structure of Local Governments .........................................................................94  
3.Duties and Responsibilities of Local Governments ...........................................98  
4.Challenges and Opportunities of Local Governments ........................................105  
5.References ..............................................................................................................108  

IRAN .........................................................................................................................109  
1.Legal Status ..........................................................................................................110  
2.Structure of Local Governments .........................................................................114  
3.Duties and Authorities ...........................................................................................119  
4.Opportunities and Challenges ..........................................................................126  
5.References ..............................................................................................................135  

JORDAN ...................................................................................................................137  
1.Laws and Regulations on Local Governments ...................................................138  
2.Structure of Local Governments .........................................................................139  
3.Duties and Responsibilities of Local Governments ...........................................149  
4.Challenges and Opportunities of Local Governments ........................................160  
5.References ..............................................................................................................165  

KUWAIT ..................................................................................................................167  
1.Laws and Regulations on Local Governments .....................................................168  
2.Structure of Local Governments .........................................................................168  
3.Duties and Responsibilities of Local Governments ...........................................175  
4.Challenges and Opportunities of Local Governments ........................................182  
5.References ..............................................................................................................185
PREFACE

Dear Friends of Local Government,

UCLG-MEWA is glad to introduce you another publication, in pursuit of its vision for being a source of knowledge for local governments in the region. In 2013, we published a preliminary version of this work, exploring the different systems of local governments in the Middle East and West Asia (MEWA) Region. Now, we are presenting you a new publication with an expanded scope for this research.

Global urban agendas reiterate the fact that a development movement which starts from the local is essential. Particularly, the Sustainable Development Goals and the urban road map, called the New Urban Agenda, provide us with specific ways to create inclusive, safe and sustainable cities. On the other hand, without the first-hand data on the structure and the priorities of each region to devise a strategy for development, the local development ideal would only be a “writing on the water” without a lasting legacy. With these realities in mind, we believe that Local Governments in the Middle East and West Asia will be an important guide; giving general information on the legislation, structure, duties and authorities of local governments and the challenges and opportunities in the countries of the region. Considering the current state of affairs in our region; covering the issues of resilience and migration in this work will also enable us to see the situation of our region vis-a-vis the expected outcomes in the global agendas. With this publication, we also hope to introduce our region to a wider circle and provide a basis for the cooperation that will be built with various partners on the way to ensure sustainable development.

With this comprehensive guide, I hope to shed light on the future works that will be carried out in the field of local government. I would like to express my sincere thanks to the esteemed researchers, Prof. Dr. Adem Esen and Assoc. Prof. Maan Chibli, and to UCLG-MEWA Secretariat for preparing this work for publication.

Mehmet DUMAN
UCLG-MEWA Secretary General
INTRODUCTION

The vision of United Cities and Local Governments Middle East and West Asia Section (UCLG-MEWA) is: “To be the united voice and world advocate of democratic local self-government, promoting its values, objectives and interests, through cooperation between local governments, and within the wider international community.” Among its missions are “to promote strong and effective democratic local self-government throughout the region, to promote unity and cooperation amongst members, and so forth.”

A research book which dealt with the local governments of the countries in the region was published before. Within the framework of the vision and mission of UCLG-MEWA, preparations for the new book started with the initiative of Mehmet Duman, UCLG-MEWA Secretary General, in the last month of the year 2016 with the aim of analyzing the local government systems of the member countries. In this context, the main headings and subheadings of the book were determined as a result of many workshops. UN Sustainable Development Goals were taken into consideration while determining the topics to be included. Within this framework, the countries to be examined by the authors were determined. Accordingly, A. Esen analyzed Afghanistan, Iran, Pakistan, Turkey, Azerbaijan, Turkish Republic of Northern Cyprus (TRNC), Turkmenistan while M. Chibli analyzed Bahrain, Egypt, Iraq, Jordan, Kuwait, Lebanon, Oman, Palestine, Qatar, Saudi Arabia, Syria, United Arab Emirates and Yemen.

National and international constitutions, laws, reports, dissertations and other sources were reviewed to examine local government systems of the countries in the region. In order to gather information from the countries involved, the relevant consulates based in Istanbul were visited, sent detailed letters containing the research headings and officially requested to provide necessary information and documents. Statistical data obtained from SESRIC, a subsidiary organ of the Organisation of Islamic Cooperation (OIC), and other specialized organizations were reviewed; however, the amount of information and data collected remained unsatisfactory. It is inevitable to be subject to some criticism due to lack of information and source data. However, if sufficient information had been received from the requested countries, the process of research would have been easier. Perhaps the deficiencies observed in this book can be remedied over time.

Since Turkey and Azerbaijan are members of the Council of Europe, the chapters allocated to these countries included the resolutions of the Congress of Local and Regional Authorities’ monitoring committee. The resolutions of the Congress were part of the TRNC chapter as well since they also concern the TRNC.
Data for each country was gathered from UN Data and World Bank (WB) sources. Later, the legal structures of local administrations were provided. In the following chapter, relations and problems between local, central and regional governments were examined. The focus was on the issues such as strategic planning and performance assessment, powers and responsibilities of local governments and their financial status. The book is largely based on the English sources since only Arab countries use Arabic as a common language whereas all other countries have their own languages.

For this reason, the resources available to the authors and the topics they analyze slightly differ from one another. As a result, the contents of the articles vary depending on the sources and data available. The authors were at liberty to use whichever reference system they preferred. The studies of authors were later reviewed by the editors and translated by the UCLG-MEWA staff.

Each country has a different local government experience. Therefore, no comparison was made between countries. As can be seen in the table of contents, the countries are given in alphabetical order. The Country Profile provides general information about each country. UN Data & WB Databank were used as sources to ensure uniformity of information across countries. In addition, an administrative map of each country was given to demonstrate the main settlements. The five main headings present in each chapter are as follows: Legal Status, Structure of Local Governments, Duties and Authorities, Challenges and Opportunities and References. Agreement of subheadings between the chapters of each author was an important point which was paid attention to. Therefore, it would be useful to consider the differences that may be observed in the book from this perspective. The number of pages allocated for each country varies depending on the information gathered from each country. Also, issues such as population, migration and local services related to these local governments were addressed. Municipalities, regional governments and other local administrations included in local administrations were explained in detail.

The name of the book was decided to be “Local Governments in the Middle East and West Asia.” This book will be first published in English, and then Arabic and Turkish versions will be prepared. Thus, the book serves as a well-arranged source regarding the local governments in the region.

We would like to thank Mehmet Duman, UCLG-MEWA Secretary General, and the editors who contributed to this publication and hope that this book will contribute to local governments in the MEWA region.

Adem Esen – Maan Chibli
# Country Profile

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Official Name of the State</strong></td>
<td>Islamic Republic of Afghanistan</td>
</tr>
<tr>
<td><strong>Form of Government</strong></td>
<td>Islamic Republic</td>
</tr>
<tr>
<td><strong>Official Language(s)</strong></td>
<td>Dari, Pashto</td>
</tr>
<tr>
<td><strong>Currency</strong></td>
<td>Afghani (AFA)</td>
</tr>
<tr>
<td><strong>Area</strong></td>
<td>652,864 km² (2015)</td>
</tr>
<tr>
<td><strong>Total Population</strong></td>
<td>36,373,000 (2018)</td>
</tr>
<tr>
<td><strong>Urban Population Rate</strong></td>
<td>25.5%</td>
</tr>
<tr>
<td><strong>Capital City</strong></td>
<td>Kabul</td>
</tr>
<tr>
<td><strong>Population of Capital City</strong></td>
<td>4,011,800 (2018)</td>
</tr>
<tr>
<td><strong>Human Development Index Ranking</strong></td>
<td>168</td>
</tr>
<tr>
<td><strong>Gross Domestic Product (per capita)</strong></td>
<td>$520.9</td>
</tr>
<tr>
<td><strong>Unemployment Rate</strong></td>
<td>8.8%</td>
</tr>
<tr>
<td><strong>Poverty Rate</strong></td>
<td>35.8% (2010)</td>
</tr>
<tr>
<td><strong>Forest Area Rate</strong></td>
<td>2.1% (2015)</td>
</tr>
<tr>
<td><strong>CO₂ Emission (metric tons per capita)</strong></td>
<td>0.30 (2017)</td>
</tr>
</tbody>
</table>

Source: UN Data, WB Databank & National Legislation
1. Legal Status

1.1. Historical Background

The region known as Afghanistan since 1747, which was called Aryana in ancient times and Khorasan in medieval times, is at the intersection point among Central Asia, South Asia, Middle East and Caucasus. It is surrounded by Turkmenistan, Uzbekistan and Tajikistan in the north; disputed Jammu Kashmir regions controlled by China and Pakistan in the east, Iran in the west and Pakistan in the south.

Britain invaded Afghanistan for the first time in 1839 and for the second time in 1878 to establish a buffer zone between the British Raj and Russia. In the 20th century, after the death of Habibullah Khan, the Emir of Afghanistan, in 1919, independence was proclaimed under the rule of Emanullah Khan, the first constitution was prepared in 1932 and modern ministries were established. Nadir Khan came to power in 1929, which was assassinated in 1933. Although his son Zahir Shah remained in power until 1973; however, Hasim Khan rule, between 1933-1944, and Shah Mahmut Khan rule, between 1944-1953, were influential during this period.

Municipal elections were held in 1947 and there were some democratic initiatives. At that time, Afghanistan was divided into 28 provinces. According to the new system, the governor governing each province was appointed by the central government. The provinces were divided into districts (waleswali) and towns (alakadri). According to the constitution, there was a parliament in the center of each province and its members consist of council members directly elected from each county and town, they were elected for four years. The Assembly would carry out the common urban services of all cities and towns, and would support the achievement of development goals setting in the national plan on the local scale. Each assembly elected one of its members as its chairman, and the president held parliamentary meetings once a month. The activities of the Assembly were under the authority of the provincial governor. The governor could attend parliamentary meetings and speak, but he was not a member of parliament and was not entitled to vote. The income required for the work of the Assembly consisted of rural land, urban property taxes, vehicle taxes, imported goods and central government contributions. (Humes, Samuel; Eilen Martin, 1969)

In 1971-1972, the country experienced severe droughts and floods. Due to famine in the pastures, many animals have perished. Left, central and religious were founded during this period.

By the coup of David Khan on July 17, 1973, the Communist Perchem wing of the Democratic People’s Party became effective and a new constitution
was proclaimed in 1976. In 1978 the Democratic Republic of Afghanistan was founded. (Batoor, Qari Feriaghun, 2016) On December 25-27, 1979, the Soviet Union invaded the country and USSR-friendly circles came into power. Many resistance groups emerged against this occupation. The Soviet Union withdrew from Afghanistan in February 1989. The Islamic State was established instead of a communist system. The Taliban, which seized Kabul in 1996, dominated the country. On September 11, 2001, terrorists hijacked four planes and committed suicide attacks on two different targets in the United States. The US administration, which accused Al-Qaeda as a result of this attack, asked Taliban to hand over all Al-Qaeda leaders hiding in Afghanistan to the US authorities. However, with the rejection of this proposal by the Taliban leader, the US launched a war against the Taliban on 7 October 2001.

Shortly thereafter, the Taliban regime was overthrown by the ISAF\(^1\) operations against the Taliban on November 13, 2001, and a temporary government of Afghanistan was formed in its place. By the end of the Taliban regime that ruled for four years in Afghanistan, the Bonn Conference, which was organized by the United Nations and the United States on November 27, 2001 for the future of Afghanistan, was an important turning point for Afghanistan.

The Constitution of Afghanistan has a unitary state structure. Article 132 of the Constitution states that the government remains centralized to accelerate and improve economic, social and cultural developments, but if more people participate in the development of social life, an application should be made for the establishment and quality of local offices. The sub-national government refers to provinces, municipalities, districts and villages. The central government has an influence on these organizations; It mostly controls the budget allocated to provincial organizations. There are significant social and economic differences between the North and the South in favor of the North.

There are 34 provinces, 399 districts, approximately 217 municipalities and 40,020 villages in Afghanistan. Although the number of provinces and districts varies, the governing style is based on the 2004 Constitution. The highest authority in the provinces is the governors appointed by the President of Afghanistan. Governorates are divided into districts. All political authority belongs to the

\(1\) The International Security Assistance Force (ISAF) provides security to fill the authority gap in Afghanistan following the overthrow of the Taliban regime in 2001, after the US intervention and intends to assist Afghanistan's military, administrative and legal restructuring. The establishment of NATO-led ISAF is based on Resolution 1386 of the United Nations (UN) Security Council on 20 December 2001 under the Bonn Agreement. In the beginning of October 2003, the ISAF forces spread to the entire country, fighting only against armed organizations affiliated with the Taliban and al-Qaeda in and around the capital, Kabul. Since 2006, ISAF has been focusing its military operations on a total of 49 countries as military forces and administrative personnel. Of these, 27 are NATO members and 11 are not NATO members. With about 90,000 troops, the US is a large part of ISAF's 130,000-strong military force. This country is followed by England with 9,500 soldiers, Germany with 5,000 soldiers and Italy and France with 4 thousand soldiers. The Turkish Armed Forces, which has contributed to ISAF since 2003, is also working in Kabul and Wardak with 1,840 soldiers.
Afghan nation consists of Pashtuns, Tajiks, Hazaras, Uzbeks, Turkmens, Baluchis, Nuristanis, Aymaklar, Kyrgyz, Kizilbash, Gujar, Brohis and other ethnic groups.

The official language is Pashto and Dari, and according to the 2004 Constitution, a third language can be added. (Article 16)

1.2. Constitutional Regulation of Local Governments

In the history of Afghanistan, the government amended its Constitution in 1923, 1931, 1964, 1976, 1987 and 1990 and most recently in 2004. The Afghan constitutions of 1923 and 1931 confirm the king’s absolute power. These constitutions are not purely liberal, and emphasize Islamic laws. Only the 1964 constitution set forth a constitutional monarchy based on the separation of legislature, executive and judiciary. This constitution is, nominally, the first liberal constitution that emphasizes the secularism. In 1964 the Great Council (Loya Cirge) was created. The 1987 Constitution emphasizes local councils in the area of local government: “For the purposes of local administration, the Republic of Afghanistan is divided into provinces, divisions, districts, cities, sub districts, precincts and villages. The bodies of state authority in the administrative units are the local councils.” (Article 128). In the 1990 Constitution, the government structure was divided into two as “central” and “local.” Local governments were classified as provinces, districts, cities and towns, in which provincial and district assemblies were established in order to fulfill the development goals of the state. The 1987 Constitution divided the state into many administrative divisions in the local level, while the 1990 Constitution put the country into a simpler structure in the form of administrative regions.

The 1987 Constitution has led the Republic of Afghanistan to an extreme division as an administrative division. During this period, the country was divided into states, regions, provinces, districts, cities, sub-districts, towns and villages. In this period, the assemblies of local units gained importance. The 1990 Constitution, on the other hand, has made the country a simpler structure as administrative regions. In Afghanistan, administrative regions are divided into provinces, districts, cities and towns. In Article 136 of the 2004 Constitution, which was prepared by the transition administration established in Afghanistan, provinces were determined as Afghanistan’s local administration units. In the years after 2001, it was observed that a central regime was strengthened again. The 2004 constitution gives almost no authority to institutions outside the central government.

The implementation of the 2004 constitution to local governments takes time. Although provincial councils were elected in 2005, local governments did not pay much attention after the establishment of the first Karzai administration.
In 2007, according to Article 132 of the Constitution, local authority powers were transferred to the Independent Directorate of Local Governance (IDLG), which was newly established in the Ministry of Interior. The IDLG chairman was given ministerial status in the Council of Ministers, after which the body became an important position to improve local government function and provided significant external funding. The aim of this unit is to strengthen institutions at the provincial level, improve accountability, provide opportunities for citizens' participation and ensure that local offices play an active role in facilitating national service programs to increase the social welfare of the Afghan people.

The Independent Local Authority has four functions:

1) Policy-making function: For the first time, this administration has written a 600-page Afghan local policy. Here, local policy, objectives, strategy and structure of local government are determined.

2) Administration development function: It includes strengthening, capacity building and supporting local units.

3) Governance function: It can help to institutionalize the system by benefiting from the experience and assistance of other countries in providing and supporting the participation of citizens in local government.

4) Supporting functions: It is the function of local programs to facilitate the implementation of national programs.

In 2008, social development programs were initiated. These programs cooperated with ISAF, UNAMA and other non-governmental organizations.

The Policy Paper on Subnational Governance was approved in March 2010, and the law on the formation of state, county, village and municipal councils was passed. Another important factor in local government is the Ministry of Rural Rehabilitation and Development (National Solidarity Program) and the Community Development Council at rural level. They cover two-thirds of the budget. District Development Assemblies are currently working in many regions.

1.3. Legislative Regulation of Local Governments

Municipalities are governed by various laws passed in 1957, 2000 and 2003. The IDLG and the international community demand a new municipal law.

In Afghanistan, there are 4 elements of sub-national government, namely local government. These are: Province, district, provincial municipality and district municipality. Currently there are 34 provinces (wolayat) and approximately 364 counties (uluswali) in the country. The provinces in Afghanistan have 3 to 27 counties. Provincial municipalities (sharwali wolayat) are available in
every province. There are district municipalities (sharwali uluswali) in many
districts (Büyükbaş, 112). There are a total of 153 municipalities (34 provinces
and 119 district municipalities) in Afghanistan. They all belong to the Ministry
of Interior. The provincial municipality is organized as a department of the
provincial administration. Municipalities are formed by the Ministry of Interior
to which each department of the provincial administration is established by
the relevant ministry. In this context, the provincial mayors are appointed by
the Ministry of Interior. The mayor governs the city council. The budget of the
municipalities consists of local resources and not the center. According to Article
141 of the last constitution, municipalities are established to manage city affairs,
and the mayor and councilors are elected by free, general, secret and direct
elections. (Büyükbaş, 2006, 111)²

The Wali, who is the governor of a province, represents the President of the State
and has powers in development, coordination and security. District governors
(woluswals) are also subject to the control of the governor. The Governor has
a political and diplomatic function. It also provides an opinion on high-level
appointments and has the authority to appoint certain civil servants in the
province. The provincial administration has little independence in decision-
making mechanism.

The provincial administration consists of directorates covering administrative,
financial and audit services. The members of the provincial administration
started to be appointed by the Reform and Restructuring unit. The governor
has the authority to appoint low-level administrative personnel from 6 degrees
to 8 degrees. Appointments of three to five degrees are done by the Provincial
Civil Service Board and 1 to 3 degrees (duties such as governors and district
governors) are appointed by the Senior Supervisory Board and approved by
the chairman.

The Ministry of Finance manages the Mustofiat (Treasurer) financial issues and
budget process of the Treasury department. Collecting revenues and their role
in donation funds belongs to the central government.

The woluswal is responsible for the coordination and monitoring of service
provision, justice and security services. The district directorates do not have a
budget but are responsible for salaries, transport and small expenses. The district
governor is the meeting place of the government and the public. The provincial
ministerial directorates hold weekly meetings with the Afghan National Police
(ANP), the National Directorate for Security (NDS), the Afghan National Military
authorities, the Afghan National Army (ANA) and the International Security
Assistance Force (ISAF).

af/history-idlg/
Although his official powers are relatively limited, woluswal serves as a supervisor and an important element of state services, particularly in the field of justice. However, recent procedural changes have differentiated between the executive and the judiciary. The district governor’s entourage consists of three secretaries: the secretary responsible for the coordination of the directorates in the district, a secretary responsible for financial matters and a secretary responsible for management. There is also a village official, where data provided by community leaders such as karyadar or malik are recorded on poppy cultivation. Village officials listen to the suggestions and complaints from the villagers and are obliged to take local measures in case of natural disasters.

1.4. Local Government Elections

It is the equal right of all Afghan citizens to participate in the elections as voters. Voting age is 18. In addition, voters must register for lists, have a voter card, and have no penalty for political rights from any court.

Provincial and district councils are formed during the elections of the People’s Council. While provincial councils vary between 9 and 29 in proportion to their population, district councils are again between 5 and 15 people according to their population. (Election Law – Article 29)

Each province is a multi-member constituency in which candidates with the highest number of votes can be elected. Here, however, the constitutional requirement for positive discrimination for women comes up. There is a distinction during both nomination and election to parliamentary memberships. (Election Law – Article 23)

The constitution and the electoral law also set a number of conditions for candidacy for both presidency and parliament. The most notable of these requirements is the fee to be deposited. During the candidacy, 50 thousand Afghan Afghani for presidential candidates, 15 thousand Afghan Afghani for National Assembly candidates, 5 thousand Afghan Afghani for provincial councils candidates, and 3 thousand Afghan Afghani for the district council candidates must be deposited. However, if the presidential candidates receive 15% of the valid votes and the candidates for the National Assembly and the local council take 3% of the votes, the fee is refunded. On the other hand, during the application for candidature, a presidential candidate must submit a copy of the voter card of at least ten thousand voters from different regions and ethnic groups that support him to the election body. This requirement is 500 for the People’s Assembly candidates, 300 for the provincial council candidates and 200 for the district councils. (Article 44 of the Electoral Law) In response to the allegations that points out this requirement is contrary to the principle of secret voting, those who advocate the procedure argue that the elector could support one candidate and vote for another, and such practices exist in many countries.
- There is no political party in the country that comes to power alone.

- The Afghan people do not support the political parties because civil wars that emerged after the communist regime were caused by different political parties.

- Political parties are weak in terms of financial resources. For these reasons, being a member of political parties is not preferred.

- There is a close connection between political parties and ethnic groups in Afghanistan in general. (Shafaq, Nasima. 2016)

The dominance of tribal system in the country makes it difficult to form common political values.

2. Structure of Local Governments

2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

The most prominent characteristic, that inherited Afghanistan in the administration system, is the extreme centrality. Local governments’ powers over decision-making mechanism and financial resources are limited. Instead, the central government has provincial and district directorates. Provincial governors represent the central government, implement a coordination and regulation. The district governors represent provincial administration; keeping records of births, deaths and marriages. It also has a coordination and oversight task. Municipalities are exceptions because they are expected to be self-sufficient and retain their income (usually taxes and tariffs). However, their income is insufficient for their needs. Kabul is the only municipality that receives the financial support from the central government (Shurkin, 2011). Although the capital city Kabul is a municipality, it must have a different status since it is the capital. Kabul is supervised by the President.

The governor is the top-level administrator appointed by the president. The Governor may be dismissed or re-appointed by the President. In general, however, the IDLG keeps a list of candidates for governor in the state. Following the election, the governor is appointed by the President. In fact, the decision-making for provincial staff by the State Department in Kabul and the Office of Administrative Affairs is supervised by the chairman of the Independent Administrative Reform and Civil Service Commission (IARCSC).
Table 1: Local Institutions at Provincial Level

<table>
<thead>
<tr>
<th>City Level Governance Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Council</td>
</tr>
</tbody>
</table>

Civil Society

| | Councils | Boards and Assemblies | Media | Communities |

Provincial Administration

| Provincal Governorship | (PAE) Provincial Development Committees | Police Department | Revenue Office | Provincial Directorates | Provincial Prosecutor’s Office |

2.2. Organs of Local Governments

Table 2: Subnational Governing Bodies in Afghanistan

<table>
<thead>
<tr>
<th>Level</th>
<th>Afghan State</th>
<th>State Agency Organizations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Province</td>
<td>Province Governor, Ministry Units, Provincial Council</td>
<td>Provincial Development Committees</td>
</tr>
<tr>
<td>District</td>
<td>District Governor, District Offices</td>
<td>District Development Boards and District Councils</td>
</tr>
<tr>
<td>Municipality</td>
<td>Mayors, Ministerial Units</td>
<td>-</td>
</tr>
<tr>
<td>Village</td>
<td>-</td>
<td>Community Development Council</td>
</tr>
</tbody>
</table>

2.3. Councils of Local Governments

2.3.1 Provincial Council

In administrative structure of the Islamic Republic of Afghanistan, the local government unit is the province. Numbers, areas, departments, structures and administrations of provinces are determined by law based on social and economic conditions, geographical situation and the people living in (Article 136). While maintaining the principles of centralization, the government transfers certain powers to local government units within the law to increase public participation in the development of the nation and to accelerate and advance economic, social, cultural works (Article 137).
The first body elected in provincial level in Afghanistan is the provincial council. The first provincial council (Woleyati Shura) as a selected provincial body was established in 2005. A total of 420 provincial council members are in proportion to the population of the provinces. One fourth of this is reserved for women. The members of the Provincial Assembly shall be elected for a period of four years in accordance with the law, by means of free, direct, secret ballot and general elections used by the inhabitants with a proportional population distribution. The Provincial Assemblies perform their duties in cooperation with the provincial administrations. (Articles 138 and 139).

Assemblies are established in districts and villages within the framework of law in order to organize activities regarding public interest and to ensure people’s active participation in local administrations. The members of these assemblies are elected by the local people by free, secret, general and direct voting for a period of three years. (Article 140) Municipalities are established to manage the city affairs. The mayor and councilors are elected by free, general, secret and direct elections. Issues related to municipalities are regulated by law. (Article 141)

Assemblies do not have an independent financial source, and everything, including the office space, is under the control of governor. The lack of district councils deprives Afghan people of an opportunity to strengthen relations with the central government. Because according to the constitution, district councils have the authority to choose one third of the Upper House.

Despite the problems in provincial councils, for example, there was no shortage of candidates in the 2009 provincial council elections, and the public showed more interest than the general elections. This demonstrates an important development in terms of public participation in administration.

2.3.2. Districts

In Afghanistan, provinces are divided into districts. The management relations between the province and the related districts are like the relations of the central government with the province. The provincial administrations have less discretionary powers than the districts, since the central government in Kabul approves the cadre’s staff allocation. However, the governor of the province often appoints the district manager or senior staff. If the candidate is appointed and approved by the President of the IDLG, he is presented to the President for appointment.
Table 3: Local Institutions at District Level

<table>
<thead>
<tr>
<th>District Level Governance Units</th>
<th>County Council</th>
<th>County Courts</th>
<th>District Management</th>
<th>Private Sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil Society</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Councils</td>
<td>Boards and Councils</td>
<td>Media</td>
<td>Communities</td>
<td></td>
</tr>
<tr>
<td>District Management</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District governor</td>
<td>County Admin-</td>
<td>County Police</td>
<td>District Directorates</td>
<td>Office County Prosecutor's Office</td>
</tr>
<tr>
<td></td>
<td>istrative</td>
<td>Director</td>
<td>of Provincial</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Board (DAA)</td>
<td></td>
<td>Directorates</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Office</td>
<td></td>
</tr>
</tbody>
</table>

District governors have important roles in resolving disputes between the state and citizens, so they are the “gatekeepers”. The District Governor, in particular, decides “what appropriate response will be given to any petition when it first reaches the state’s official institutions.” District Councils consist of 5-15 members in accordance with the population of the district.

2.3.3. Municipalities

As per the Article 141 of the 2004 Constitution, the municipalities (sharwali) were established to ensure the general well-being of local residents and to perform municipal affairs. In the administrative hierarchy, it can be said that a municipality is located between a province and a district or between a district and a village. In fact, municipalities do not seem to have a vertical relationship in the province hierarchy.

The IDLG in Kabul oversees municipalities. Although municipalities collect their own taxes, the IDLG approves the number and budget of staff in each municipality. In contrast to the administration appointed in Herat and Kandahar, rural municipalities report their relationship with the provincial municipality. As a rule, each province has a provincial municipality (sharwali wolayat). Each district also has a rural municipality (Sharwali Uluswali). There are around 150 municipalities at the provincial and rural levels in Afghanistan.

The IDLG has asked USAID to help change the law, which is likely to be proposed under the next municipal management program, to establish criteria for classifying and reducing the number of municipalities. USAID conducted a study in approximately 40 municipalities and Kabul. Municipalities are institutions that have financial resources and have the autonomy to collect taxes and raise revenue. They make environmental arrangements, clean parks, and collect garbage. Municipalities currently do not receive payments from the central government, but this may be the case in the Sub-National Governance...
Policy (SNG Policy). In the present system, municipalities provide their own revenues and try to make their services through them.

The lack of decentralized management in Afghanistan leads to the continuation of traditional forms of government. There are shura or jirgas forms consisting of tribal rulers, elders, ulema (mullah and mulawis) militia commanders or other powerful groups at every level. Jirgas is a traditional open forum where there are often debates at the village level where the old, respected community of people gather for decision; among them there are other Pashtun rules, including the arbitration of disputes with the local customs derivatives of the Pashtun code of conduct (pashtunwali), as well as other traditions in other communities.

The Council traditionally carries out its duty of advisory board in the service of a manager who is not bound by its decisions. They play an important role in ensuring fairness outside urban areas. District governors sometimes consult with them. However, these assemblies do not represent a specific constituency.

The Afghan ulama has significant political influence, through different functions in the county, provincial and national levels. Afghanistan’s pre-communist governments attempted to institutionalize the ulama and use them to verify and use the Islamic identity in the formation of the state. The ulama took their place in the war against the Soviets and gained new political confidence.

2.3.4. Villages

There are around 30 thousand villages in Afghanistan. The Afghan village is the basis of rural communities.

Table 4: Local Institutions at Village Level

<table>
<thead>
<tr>
<th>Village Level Governance Units</th>
<th>Community Development Assemblies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village Council</td>
<td></td>
</tr>
<tr>
<td>Civil Society</td>
<td></td>
</tr>
<tr>
<td>Councils and Councils</td>
<td>Media</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Informal Governance Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Malik Arbab Qary-adare Khan Rish-safid Malik Guzar Qumandand and Congregations</td>
</tr>
</tbody>
</table>

2.4. Mayors

Mayors are appointed by the President in consultation with provincial governors. The exception is the Mayor of Kabul, who is directly appointed by the President and has the title of Minister.
2.5. Employees of Local Governments

The mayor appoints the municipal employees, but according to the degree of civil service, they can be appointed by the mayor, governor or the Minister of the Interior. There is a special situation in Kabul that the mayor and senior officials of the capital are elected by the President, and the budget is made by the Ministry of Finance.

There are approximately 250,000 – 350,000 public employees in Afghanistan. Since there is no inventory of all public employees, the exact number of employees is unknown. Monthly wages are also different. Approximately 120,000 of public employees, which constitutes 40% of all, are in Kabul. The remaining 200,000 are working in the provinces. 60,000 of public employees are in the army, 6,000 are in State Economic Enterprises and 3,000 are in municipalities. (Büyükbaş, 2006, 112)

3. Duties and Authorities

According to the Afghan local policy, the social roles and responsibilities of state institutions at the provincial, district and village levels are:

- Maintaining security and peace
- Protecting the law
- Protecting and promoting the rights of Afghan citizens
- Carrying out cultural, social, economic and educational studies
- Ensuring the implementation of good governance principles
- Reducing poverty and diseases
- Making disaster management works
- Eliminating opium poppy cultivation and related issues
- Making environmental works
- Supporting Islamic values

Table 5: Responsibilities of Local Institutions

<table>
<thead>
<tr>
<th>Administrations</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provincial Administrations</td>
<td>Responsible to the public through the provincial council</td>
</tr>
<tr>
<td>Municipal Administration</td>
<td>Responsible to the public through the provincial council</td>
</tr>
<tr>
<td>District Authorities</td>
<td>Responsible to the public through the county council</td>
</tr>
<tr>
<td>Village Administrations</td>
<td>Responsible to the public through the village council</td>
</tr>
<tr>
<td>Local Administrations</td>
<td>Directly Responsible to the local residents</td>
</tr>
</tbody>
</table>
3.1. Infrastructure

During the infrastructure improvements, 1100 km of street asphalt and in 2018 alone, 2000 km drainage and 1800 culverts, 1910 km pavement, 56 car parks, 14 municipal buildings, 129 public restrooms, 9 bus stops, 49 public parks and 27 km retaining wall have been built. Again, 3,500,000 m² of public space was greened, 890-storey garbage bin was purchased, 300 m³ of waste landfill was prepared and 5 million m³ of solid waste was collected.

3.2. Cultural and Social Development

Efforts are underway to enable women, young people, non-governmental organizations and the media to participate in the decisions of local governments. In this context, information sharing, consultation, decision-making and public auditing mechanisms are used. (IDLG)

Afghanistan’s HDI (Human Development Index) value in 2015 is 0.479 and is in the low human development category. In other words, it ranks 169th among 188 countries and regions. Between 1990 and 2015, the HDI value of Afghanistan increased from 0.295 to 0.479, with an increase of 62.5 percent. Although Afghanistan’s average school year to 2.1 years and the expected school year to 7.5 years, the GNP per capita decreased by 9.7 percent in the same years.

3.3. Economic Development

The Afghanistan Reconstruction Trust Fund (ARTF) was established in 2002 for the development of education, health, rural development and management by developed countries. In 2014, more than 300,000 people underwent infrastructure investments in Kabul under the Kabul Municipal Development Program (KMDP). Indirect benefits are related to 770,000 people. It is aimed to strengthen the inter-human and human relations. Three-quarters of the beneficiaries of this program were women and children. In order to increase access to basic municipal services in Kabul and to support better service delivery, the Kabul Municipality financial management system is being redesigned and an early intervention is provided in an emergency.

IDLG states that they are working on four precautionary areas in order to eliminate weak economic performance at the sub-national level. These include: supporting business education, providing capital, developing infrastructure services and making reforms in the business environment. According to the report, the role of the private sector in the economic development of the municipality and the municipality will be clearly defined. A regulatory and stimulating framework will be created to encourage private investment. The municipal bureaucracy/institutional capacity will be aimed at attracting private capital and reducing the cost of doing business. Each municipality will be encouraged to develop Municipal Investment Priorities Plans to identify
priority sectors/activities to support the municipal development plan. Efforts for municipal investment stimulation will focus on attracting capital for small and medium-sized enterprises. Municipalities will be supported to promote and facilitate mutually beneficial ties between large local/foreign businesses and local businesses. Municipalities will establish organizational structures within the municipality and community for the participation and partnership of the private sector and the public. The government will enact rules and regulations related to the private sector’s local economic development and specific legislation on the institutional capacity of the Municipal government to attract bureaucracy / institutional capitals and reduce the cost of doing business. The municipal authority may participate in private sector service delivery and implementation of development projects by following competitive procurement procedures.

3.4. Financial Management

The Provincial Budgeting Policy, approved by the Council of Ministers of Afghanistan on 25 November 2015, is an important policy initiative. Under the leadership of the Ministry of Finance, the policy, which is one of the criteria of the Afghanistan Restructuring Trust Fund, was envisaged to be implemented in 2016 through four main ministries, namely education, public health, agriculture and rural development. It focused on empowering local government on local budgets to allow communities at the provincial level to play an important role in the development of their province. For this purpose, part of the public financial management authorities has been designed to be transferred to the provincial organizations. However, due to the deficiencies in the management structure, planning and resource allocation are made in the public sector.

Donations made to local governments in Afghanistan are focused on providing office equipment and asset support instead of capacity building. Programs that focus on revenue generation capacity or quality of service delivery are scarce and are limited to some cities or towns only. Thus, a real focus on municipal capacity for service delivery and revenue generation has not yet taken place. (Aarja N., Kristof G., 2016)

3.5. Urban Planning

Unregistered settlements constitute a major problem in urban planning at every stage of cities; at the same time, due to land problems caused by such settlements, cities are growing without any provision which does not provide the necessary infrastructure. At the same time, land problems emerged due to these settlements. As a result, economic development is hampered for the benefit of the urban community, and demands for the government are increasing.
3.6. Transportation

Accessibility to the communication and communication infrastructure is particularly important, as these infrastructure districts relate to central government and economic activity. Given the densely centralized nature of the Afghan population, access to the Kabul-centered government should lead to more effective implementation of administrative rules and, in general, the existence of a more visible and widespread state.

While access to electricity is already growing significantly in Afghanistan, the issue of public transportation remains a matter to be solved.

4. Opportunities and Challenges

The main challenges facing local governments in Afghanistan are (Habib, 2013):

- Planning and budgeting are not carried out at the provincial level in the system which progresses centrally in the last stream, which leads to difficulties in taking necessary measures for development of local units.

- There is a lack of resources to create a practical framework such as recruitment planning for public services, evaluation and supervision in the process of education programs, as one of the most difficult and problematic issues for municipalities in Afghanistan. For this reason, it is necessary to establish a new public staff policy in accordance with law.

- In 2007, the transition of powers from the central government to the provincial organizations accelerated the decision-making process while establishing an accountability relationship between the provinces and the central government. In addition, planning of policies has played a vital role in ensuring coordination between ministries and education service providers. There is a fight against abuses in the state bureaucracy. There are many reasons such as corruption in local governments, work delay, ownership of people, bribery, embezzlement, misconduct, low capacity and public service. The causes of corruption at the local level are primarily low wages and the political situation of the country.

- The establishment of the first provincial council in 2006 was the first approach to establishing a representative government in the local government, but nevertheless this council plays an advisory role and has limitations in practical areas that can easily fulfill its responsibilities. While the provincial councils’ resources and resources have improved, provincial representatives do not have sufficient means to travel and do their jobs.

- At the provincial level there are representation and responsibilities of the authorities. Lack of coordination among donors and competitive aids creates conflicts.
• The regional representation in the election system currently used in Helmand Province in Afghanistan is a good alternative in local governments. This model is a structured practical approach that establishes a good relationship between state and local councils.

• Due to the ethnic structure of Afghanistan, the power of the central government was limited and the leadership of the tribal leaders maintained. In addition, due to its location, the country has been stuck in the political conflicts between the British, USA and Russia in the last century. (Büyükbaş, 2006, 98)

4.1. Strategic Planning and Performance Assessment

The IDLG focuses on the institutionalization of municipal performance measurement through incentives and sanctions according to central and sub-national development goals. This study is aimed to be used for performance management, development planning, public investment programming, annual budgeting, service delivery and delivery and capacity development decisions. Municipalities will be provided with planning and systematic municipal capability development. Resources will be allocated for capacity development and organizational strengthening through municipal budgets.

Reform at the municipal level needs to be supported by human resources and organizational development. For this, the government is expected to regulate the financial sharing of capacity building at the municipal level with institutional and individual responsibilities.

4.2. Environmental Challenges: Climate Change, Water and Wastewater Management

Environmental protection is among the primary tasks of the government. As a matter of fact, this is stated in Article 15 of the Constitution. Environmental protection is also an important task of local governments. The National Environmental Advisory Board was established under the Environmental Protection Law, also includes representatives from local councils. Local governments, rehabilitation and sustainable use of forests and meadows, rehabilitation and sustainable use of water and marshes/swamps, conservation of the biological diversity of nature reserves and practical steps for environmental protection in cities are envisaged.

However, in the last thirty years, serious destruction has occurred. The immigration in Afghanistan has caused significant damage to pastures and animal husbandry. (Cheema, Pervaiz Iqbal, 1994)
4.3. External and Internal Migration

As a result of the war and political developments in Afghanistan, there are internal migration as well as foreign migration problems with neighboring countries, especially Pakistan. Pakistan demands more than 600,000 Afghan refugees to return to their countries. Pakistan has not signed the document on the status of refugees requiring the assimilation and naturalization of the 1951 Convention. When Afghan refugees are registered here, they can obtain a Registration Document recognizing them as “Afghan citizens temporarily resident in Pakistan”. This problem has been going on for 40 years. However, there is no clarity as to what the outcome will be.

4.4. Decentralization and Authority

The current sub-national administration in Afghanistan has remained weak and very central in terms of effective service and representation.

Although many Afghans support unitary states and skeptical about federalism, they emphasize representation and autonomy at the local and regional level. Indeed, by the conflicts of many communities in the 1990s, historical and traditional autonomy have been one of some political gains. Therefore, it is not desired to return to the pre-war situation. Local authorities need to be supported and the court system should be strengthened in order to enhance participation and representation.

Good governance in local politics should come before participation. International actors hoping to strengthen local governments should be aware of flaws in the current system, such as in Helmand.

The governance criteria should measure subjective perceptions of the legitimacy of the Afghan state rather than objective outcomes. Although output and service delivery are ultimately important, the Afghans will decide what is “good enough.”

4.5. Resilience

Afghanistan is a country that has been experiencing foreign intervention for many years, followed by a civil war. Following the Bonn Agreement, the international community has provided some assistance to improve and strengthen local government in Afghanistan. Trust is the source of many problems in the country. (Habib, 2013)

After the occupation of the Soviet Union, the country’s conflict spirals, displacement of people, violations of human rights and serious problems of livelihood were observed. Afghanistan is one of the poorest countries in the world, according to socio-economic indicators. There is tension between modernist and tradionalist tendencies in the country.
Even if there are no serious abuses in the country, international aid is not well managed and many intermediaries emerged as a result of unwieldy state structure. Money decreases at each stage. The operational costs of international aid in Afghanistan are very high. Additional costs for personnel safety are also high. Afghanistan is facing an extensive urban growth without basic infrastructure facilities such as water, waste water, solid waste management, schooling and playgrounds. There are not enough employment areas. This irregular course in urban areas; local governments, provincial offices, road and community development councils are closely related. Kabul, Jalalabad, Kandehar, Herat and Mezar-i Sharif host more than 60 percent of Afghanistan. Their population (2016) is approximately: Kabul (4.8-5.5 million), Jalalabad (1.2-1.3 million), Herat (1.5-1.7 million), Mezar-i Sharif (1.6-1.7 million). Given the shortcomings in urban physical and socio-economic conditions, it requires increasing management capacity in the long run. (ARESI)
5. References

Aarya Nijat; Kristof Gosztonyi, Basir Feda, and Jan Koehler (2016) Afghanistan Department of Economic Cooperation and Development Issues Paper; Subnational Governance in Afghanistan.

AREU, Afghanistan Research And Evaluation Unit https://areu.org.af/


**Country Profile**

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>Republic of Azerbaijan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Semi-Presidential Republic</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Azerbaijani</td>
</tr>
<tr>
<td>Currency</td>
<td>Manat</td>
</tr>
<tr>
<td>Area</td>
<td>86,600 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>9,860,000 (2017)</td>
</tr>
<tr>
<td>Urban Population Rate</td>
<td>55.2%</td>
</tr>
<tr>
<td>Capital City</td>
<td>Baku</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>2,236,000 (2016)</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>80</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$4,721</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>5% (2016)</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>5.6% (2016)</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>14.1%</td>
</tr>
<tr>
<td>CO₂ Emission (metric tons per capita)</td>
<td>3.93 (2017)</td>
</tr>
</tbody>
</table>

Source: UN Data, WB Databank & National Legislation
1. Legal Status

1.1. Historical Background

Azerbaijan is a South Caucasus country which has border with Russia in the north, Caspian Sea in the east, Iran in the south, Turkey, Georgia and Armenia in the west. According to the 2009 census, the largest ethnic group is Azerbaijani Turks with 91.6%. The proportions of the other minorities in the country are as follows: 2% Lezgin, 1.3% Russian, 1.45% Armenian and 3.79% others.

For the last two hundred years, the country remained under the rule of Tsarist Russia and then the Soviet Union. In the period of tsarist Russia, the administrative organization was dominated by the provincial / state system (guberniya) system and the military governors (general gubernators). Centralism was dominant in this period. In 1878, city councils and municipal administrations were established in Baku, as well as in Ganja and Lenkaran, but such local administrations were not widespread throughout the country. This period is known as the semi-colony period. As a matter of fact, after 1890, many powers of local governments were revoked. During the Soviet period, the provincial / district (rayon) system, the ‘local soviet’ organization and the executive committees were the main elements of the administrative structure under the rule of the communist party. However, since the centralist structure of the Communist Party was dominant, a democratic local government tradition was not inherited to the independent Azerbaijan Republic. (Elma, 2012, 110)

After the collapse of the Soviet Union in 1991, the independence of the Central Asian and South Caucasian countries, such as the Azerbaijani; there was a transition from socialist system to the democratic one and re-administrative processes. In 1999, the first local elections were held. On August 30, 1991, Azerbaijan declared its independence from the Soviet Union. The Constitution of the Republic of Azerbaijan (Azərbaycan Respublikası) was adopted in 1995 and amended in 2002 and 2009. Azerbaijan is a unitary and centralist state that the President monopolizes the state authority in himself.

According to the 1995 Constitution, the Autonomous Region of Nakhchivan is an integral part of Azerbaijan. Nakhchivan Autonomous Republic is surrounded by Armenia, Iran and Turke. In fact, its geographical position justifies the special legal and administrative status of Nakhchivan as an autonomous republic in Azerbaijan. This autonomy is defined by both national legislation and international agreements.

1.2. Constitutional Regulation of Local Governments

Azerbaijan is a republic governed by the presidential system. The constitution adopts the principle of separation of powers. The President of Azerbaijan
represents the unity of the people and the continuity of the state and is the guarantor of the independence and territorial integrity of the state.

The President has executive power, appoints and dismisses the members of the Council of Ministers. The President sends the state budget to parliament for approval; approves the economic and social programs of the state. Thus, the president’s decisions are the main factor for local development and local communities. Ministers are responsible for implementing the President’s decisions.

The only parliament of Azerbaijan (National Assembly) is the legislative body and has a total of 125 elected members. They are chosen by single level voting system.

Local governmental organizations in Azerbaijan are regulated in 1995 Constitution. Chapter IX of the 1995 Constitution is entitled “Municipalities.” 142-146 articles regulate these issues. (TÜRKPA, 2012, 51)

Article 142 Formation of Local Governments

I. Local government is carried out by municipalities.

II. Municipalities are established on an election basis.

III. The principles of the status of municipalities are determined by this Constitution and the procedures for municipal elections are determined by law.

Article 143 Operation of Municipalities

I. Municipalities carry out their work through meetings, permanent and other commissions.

II. Municipal meetings shall be held upon the invitation of the mayor.

Article 144 Powers of Municipalities

I. In municipal meetings, the following issues are resolved:

1) Recognition of the powers of municipal members, loss or termination of their powers in cases specified by law,

2) Approval of the Rules of Procedure of the Municipality,

3) Selection of the Mayor, his deputies, permanent and other commissions,

4) Determination of municipal taxes,

5) Approval of the local budget and the report on its use,
6) Possession of municipal property, benefit from it and giving orders about them,

7) Adoption and implementation of local social security and social development programs,

8) Adoption and implementation of local economic development programs,

9) Adoption and implementation of local ecology programs.

II. Municipalities may also be assigned other duties by the legislative and executive bodies. In order for these tasks to be implemented, the municipality should be allocated the necessary appropriation. Legislative or executive bodies supervise the performance of such tasks.

Article 145 Decisions of Municipalities

I. Decisions that are discussed at municipal meetings shall be adopted.

II. Municipal decisions shall be adopted by an absolute majority of the members of the municipality.

III. Decisions on local taxes and duties are adopted by a two-thirds majority of the members.

Article 146 Assurance of Independence of Municipalities

I. Municipalities are independent in exercising their powers. The conditions and conditions for the election, suspension or termination of municipalities, premature termination of municipalities are determined by law.

II. The independent implementation of the powers of the municipalities cannot harm the sovereignty of the Azerbaijani state.

III. The state supervises the activities of the municipalities.

IV. In cases and conditions determined by law, a report is presented to the National Assembly of the Republic of Azerbaijan.

V. The protection of municipalities by the court is assured for the payment of additional expenses incurred as a result of the decisions of state bodies.

Although the municipal powers are listed in the Constitution, the distribution of authority between local representatives of local authorities and local government bodies is not balanced. (Tehmezova, 2011, 63)

On January 25, 2001 Azerbaijan became a member of the 43rd Council of Europe. It signed the European Charter of Local Self-Government on 21 December 2001, ratified it on 15 April 2002 and entered into force on 1 August 2002. There are 6 principal and 6 substitute members in the congress. The Council of Europe
2014-2016 has implemented the Action Plan.¹

In accordance with the declarations on the European Charter of Local Self-Government, on 19 October 2011, in the Council of Europe Congress of Local and Regional Authorities, Azerbaijan made a commitment on Article 10 (3). This commitment was approved by the National Assembly on 21 June 2013. Thus, the relevant law set forth the opportunity to conclude the agreements on cooperation between municipalities and the agreements signed by the foreign governments with local government bodies.

1.3. Legislative Regulation of Local Governments

A single-stage local government system was established in Azerbaijan. The villages and towns are also given municipal status.

Local governments are implemented through two systems:

1) Execution sovereignty: It is a body in central administration organs, subject to the state budget and has a hierarchical relationship between them. Enables the implementation of the policies of the central government in the towns.

2) Municipalities: Institutions that provide local services directly, and are not included in the central government bodies and exercise the powers given to them freely.

When the country declared its independence in 1991, governorships (local executive sovereignty) began to be established and the assets of local soviets began to end.

In 1999, the Statutes of Municipalities and Municipal Elections Laws were enacted. In the 1995 Constitution of Azerbaijan, municipalities are defined as non-governmental organizations (NGOs). Therefore, it is not considered as part of public administration. This was also emphasized in the Municipal Law of 1999. (Elma, F.2013, 70)

Although the Law on the Status of Municipalities regulates local administrations,

¹ Congress’ reports regarding Azerbaijan
THE CONGRESS / CG(23)12 / 28 August 2012
Local and regional democracy in Azerbaijan [resolution, recommendation] Mr Jos WIENEN, The Netherlands (L, EPP/CD), Mrs Gudrun MOSLER-TÖRNSTRÖM, Austria, (R, SOC)

THE CONGRESS / CG (10) 4 Part II Rev E / 15 May 2003

THE CONGRESS / CG/INST (7) 37 E / 25 April 2001
Report on the follow-up of the situation of local and regional democracy in new member States : Armenia and Azerbaijan (mai 2000)

THE CONGRESS / CG/BUR (6) 172 E / 24 May 2000
Report on local democracy in the republic of Azerbaijan - CG/BUR (6) 172
there are nearly thirty Laws such as Status of Assembly Members, Municipal Services Law, Model Municipal Charter, Transfer of Assets to Municipalities, Municipal Land Financial Resources of Municipalities, permanent and other commissions in Municipalities. There are also laws concerning municipal development such as urban development and the real estate market. Most of these have not changed much in recent years.

New local regime (the Law on the Status of Municipalities of 1999) gives municipalities the right to resolve local issues within the framework of the law independently and freely.

Of the 2,757 municipalities in the country, 1,718 were abolished and united “voluntarily.” Total number of municipalities decreased to 1044. The merger was mostly in the village municipalities, but not in the big cities.

1.4. Local Government Elections

According to Article 1 of the Law on Electoral Rules of Azerbaijan Municipality, municipalities are elected by general, equal, direct, free, personal and secret voting on the basis of electoral law. The citizens of the Republic of Azerbaijan come to vote in municipal elections on a voluntary basis. No one shall be compelled to vote, nor shall the citizens’ authority be restricted. Municipalities are established and operate on the basis of equality (Article 2/2).

It was the first local government elections in 1999. Later, municipalities started to organize throughout the country. In this context, ‘Standing Committee on Regional (formerly Local) Issues’ established by the central government has made a significant contribution. Between 1999 and 2009, 2753 municipalities were established and this number was reduced to 1607 by the reform in 2009. Thus, it is aimed to create more effective municipal organizations.

The laws also regulates the voting. Accordingly, it may be desirable to hold a local vote at the request of the municipality or citizens in accordance with the bylaws of the municipality. In regard to a specific issue, if 5% of the voters that reside in municipal borders, demand a plebiscite, local voting should be held. (Yerli Özününüdarənin Ümumi Prinsipləri Haqqında Qanun, Article. 30)

In addition, citizen meetings are held by the citizens in municipalities with a population of less than 500 people in order to present their opinions on issues of local importance, to make joint decisions and to accept decisions (Bələdiyyələrin Statusu Haqqında Qanun, Article 28). All citizens who are over age of 18 and who live within the municipal boundaries are entitled to attend the meetings of the citizens. At the citizens’ meetings, the bylaws of the municipality and other decisions are adopted, amended and canceled.
2. Structure of Local Governments

2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

Central government bodies cannot give orders to local governments in any matter. However, if any act or action is done by local government bodies, central government may interfere in accordance with the law. In some cases, central government bodies can give additional authority to local government bodies, and the financial resources that are necessary to implement these powers are met by central government. (Tehmenezova, 2011, 54)

In the first article of the Law on Municipalities of 1999, the general principles are given. Accordingly, municipalities have certain powers under the law; bodies and forms of selection are prescribed by law; perform their work autonomously. Thus, municipalities have been given the authority to solve the issues that are presented at the local level independently and freely.

Part III of the Law on the Status of Municipalities of 2 July 1999 states that municipalities are local government bodies elected by constitution. (Article 14) The same point was also emphasized in the Azerbaijan Election Law. According to the Charter of the Municipality, municipal bodies are established and granted to them in accordance with the principle of relevance. Municipalities and their bodies are not included in state bodies; state bodies and state authorities are not allowed to practice local government works. The formation of municipalities and bodies shall be ensured in accordance with the Law on the Condition of Conditional and Municipalities. The governing body of a municipality should be its administration. The municipal administration consists of the mayor, the units defined in the Law and other executive bodies established in accordance with the Law. The governing body ensures that the municipality provides organizational, informative, and continuous service; the permanent and other commissions shall fulfill the duties assigned by the mayor. The managers of a municipality’s management units report to the president about the work done and inform the commission meetings about their competence. The mayor carries out the activities of the municipal administration. Regarding the meeting decision of the municipality, the chairman appoints the directors of the local people, the administrative units for the execution of economic and social development programs.

Although “administrative tutelage” was not stipulated in the 1995 Constitution, administrative tutelage was introduced in the sense of “compliance with the law”, which was issued in 2003 according to the “Law on Supervision of Municipalities”.

The opinion of the Council of Europe Congress Monitoring Committee is as
follows: “It should be noted that some important issues are not regulated for the municipalities. For example, there is no detailed rule on the delegation of Congress, forms and methods of central government control over municipalities, criteria for the distribution of central government grants to municipalities, and the legal guarantee of the right of municipalities and associations to freely join international associations.”

There is a single-stage municipal structure in the country. Since there are no regional administrations, regional issues are carried out at the central level and/or by the provincial organizations of the central administration. However, 10 economic zones have been established in Azerbaijan.

If the central government finds that the decisions of local government bodies are contrary to the Constitution and other laws, it can apply to the court.

The following principles are mentioned in the Constitution and laws related to tutelage supervision:

- It is mandatory for the central government to conduct an audit.

- Tutelage supervision of the central government is intended to ensure compliance with the law and to protect the public interest.

- Audit authority is exercised on bodies, decisions and procedures.

- The nature of the audit authority and the manner of its use should be clearly defined by law.

- Tutelage audit of the activities of the municipalities shall be carried out only in terms of compliance with the law.

Tutelage supervision cannot limit the right of municipalities to implement matters of local importance in an independent and autonomous manner in accordance with the law. (Tehmezova, 117-118)

The ministries carry out the supervision related to the duties assigned to the municipalities. For example, the Ministry of Education has the right to conduct inspections in educational centers under the authority of local government bodies. The proper use of the financial resources allocated by the central government for local governments is always subject to supervision.

The law does not provide for a clear division of authority between central government bodies and municipalities, and under the supervision of local government by local bureaucracy.

Since the concept of “centralism” lies behind the supervision processes, this process intends to control local bureaucracy. (Tehmezova, 123, 131). In Azerbaijan, the majority of local public services are provided by the local executive bodies of the state administration, which is directly linked to central government officials.
Such division of powers and duties leads to ineffectiveness of local government and weakening of local democracy. (Monitoring Committee Report, Article 143)

2.2. Organs of Local Governments

Municipalities have four main bodies. These; council (shura), mayor, council (executive body) and permanent commissions and other commissions.

2.3. Councils of Local Governments

According to Articles 143 and 145 of the Constitution, Municipalities carry out their work through meetings, permanent and other commissions; decisions are taken on the issues discussed at municipal meetings.

According to the first article of the law governing the status of municipalities, the municipal council consists of members of the municipality and is elected by free, individual and secret ballot on the basis of general, equal and direct election. The councils elect the executive bodies and the municipal administration to be responsible to them. Therefore, the mayors and deputy mayors are elected by the assemblies at the first meeting. The loss of the powers of the municipality member and the termination of his powers is determined by the Law of the Republic of Azerbaijan on the Status of Municipalities.

The main workplace of the municipality member who receives his salary from the municipality is the municipality. A municipality member whose salary is not paid by the municipality does not stop production or service activity while exercising his / her authority. The municipality member shall account to the electorate not less than once every 6 months. The meetings of the municipal council shall be held under the chairmanship of the mayor, not less than once a month.

The term of elections is five years. In order to become a voter, one has to be over 18-year-old and to be a member of city council. In order to become a candidate for municipal councilors, the inhabitants must collect a certain signature in different proportions according to the population in the electoral districts. These figures are stated in the Municipal Election Law.

The number of members of the local councils varies according to their population and: 5 in the towns with a population of less than 500, and 19 in the towns with a population of 100,000 - 300,000. Thus, the number of members of the municipal council in Azerbaijan consists of at least 5 and at most 19 people. Since the largest municipal area by population is estimated to be 300 thousand, a second municipality will be established in large towns. However, in practice there is no second municipal example. However, rayons (districts) were established in large settlements such as Baku and Ganja. There is no metropolitan municipality in both cities.
2.4. Mayors

According to the law on municipal staff, municipal staff is those who work in local government bodies and provide salaried services. Municipal staff are divided into three (Article 3):

1) The mayor determined by the members of the municipality by open and secret ballot in order to implement the powers of local government bodies,

2) Officials who ensure the execution of the powers of the mayor as specified in the internal regulations of the municipalities,

3) Officials devoted to the exercise of the powers of local government bodies.

It is seen that the elected mayors in the councils dominate the municipalities politically.

2.5. Commissions of Local Governments

Municipality executive body implements decisions taken in the municipal council. The executive consists of the mayor and the units established by the law. Although the executive apparatus is not established under the authority granted by the law, the mayor and deputy mayors form the executive body directly.

According to Article 17/1 of the Municipal Law, municipalities have the authority to establish commissions to discuss matters falling within their jurisdiction and to assist in the implementation of municipal decisions. These commissions are responsible for supervising the activities of institutions and organizations affiliated to municipalities. By law, up to 5 permanent commissions may be established in each municipality. These; Local Ecology Commission, Legal Commission, Budget Commission, Local Social Security and Social Development Commission, Local Economic Development Commission. (Article 22) Each commission shall consist of at least three municipal members. (Article 6)

2.6. Employees of Local Governments

On 30 November 1999, the law on ‘municipal staff’ was adopted and municipal staff were considered separate from the civil servant. Municipal staff are designated by local government bodies and have the same rights as municipal members.

The salaries of the municipal staff are covered from the municipal budget in accordance with the financial means.

3. Duties and Authorities

The duties of municipalities are regulated under three titles.

1) Local social security and social development programs. (Article 4) The
tasks here are some of the local tasks that are not of the central institutions of the state or which are of local importance. The following services are included in the tasks within this scope;

- Pre-school education,
- Education, health and cultural studies,
- Organization and development of public health institutions,
- Housing production,
- Protection of residential and non-residential buildings
- Use of local water resources, establishment and improvement of sewage system,
- Construction and maintenance of local roads,
- Funeral and cemetery services,
- Local transport and communication services,
- Social assistance activities (care of the orphans, the elderly and the elderly),
- Local infrastructure services,
- Protection of historical and cultural structures

2) Local economic development programs (Article 5): Here are some local development issues that are not in the context of the state’s economic development programs or, in addition to these, are of local importance. These programs cover topics such as agriculture, industry, communication and transportation.

3) Local environmental programs (Article 6): Municipalities carry out tasks such as protection of ecological balance at the local level, forestation, rehabilitation, improvement of municipal areas, garbage collection services, protection of air, water and soil from pollution. For this purpose, municipalities can cooperate with the surrounding municipalities.

In addition to the duties mentioned in the above three articles, municipalities may be given additional powers and duties in proportion to their financial resources.

According to the municipal law, municipalities can effectively benefit from the land allocated to them and the ownership of the land. However, municipalities
do not have sufficient ownership. (Tehmezova, 2011, 125)

In addition to the duties in the three articles above, in addition to the financial resources, powers and duties can be given to the municipalities. However, the institutional capacities of municipalities have not been improved since their administrative, financial, technical and physical facilities are limited. Local services are mostly carried out by governorships (executive domination), which are the executive organs of central government (Elma, F. p.76; Council Report, Article 65).

Table 1: Specific Functions of Government Tiers in Azerbaijan

<table>
<thead>
<tr>
<th>Functions</th>
<th>Municipalities (individually or in partnership)</th>
<th>District and City Administrations</th>
<th>Central or State Territorial Administration</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>V. ECONOMIC SERVICES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Water supply</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>2. Sewage</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>3. Electricity</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Gas</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. District heating</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>VI. ENVIRONMENT, PUBLIC SANITATION</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Waste collection</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Waste disposal</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>3. Street cleaning</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Cemeteries</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Environmental protection</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td><strong>VII. URBAN DEVELOPMENT</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Town planning</td>
<td>X</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>2. Regional construction</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>3. Local economic development</td>
<td>X</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>4. Tourism</td>
<td>X</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td><strong>VIII. GENERAL ADMINISTRATION</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Authorization functions (licenses, etc.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Other state administrative matters (electoral register, etc.)</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>3. Local police</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>4. Fire brigades</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>5. Civil defense</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>6. Consumer protection</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>
3.1. Infrastructure

The tasks related to the infrastructure of the municipalities are regulated in different laws: Azerbaijan Water Law, Municipal Land Management Law includes duties related to infrastructure. According to the Presidential Memorandum dated February 22, 2007, maintenance of roads, streets, intersections, public transportation lines and other roads in the cities, districts and villages except Baku are under the responsibility of the local administrations.

3.2. Urban Planning, Transportation, and Housing

Urban planning in Azerbaijan is organized in the Urban Planning and Building Law. The duties of the municipalities are as follows: organizing spatial regulation in the municipality area, participating in the establishment of social, engineering and communication feeding system and infrastructure of these areas, organizing the implementation of the construction projects within the municipal boundaries, under the supervision of the municipality, developing the local infrastructure in connection with the execution of works in the municipal areas, to determine and allocate the necessary financial resources and to create a database in construction works.

As per the Status of Municipalities Act, local social protection and social development programs include the construction and maintenance of municipal roads, the organization of local transport and communication services, and the establishment of commercial and public welfare services. Thus, the transportation remains within the jurisdiction of municipalities.

The municipal duties related to housing are regulated in many articles of the Housing Law of the Republic of Azerbaijan. The state and the municipalities fulfill the citizens’ right to have a house.

3.3. Cultural and Social Development

As per the 2012 Cultural Law, the national cultural heritage is protected by the state and municipalities. The cultural assets of the state and municipality are protected according to the historical and artistic definition. The use of cultural assets owned by the state and municipality shall be ensured or the use of other persons shall be ensured if they are in the management. The profit from the use of cultural assets owned by the State and the municipality is spent on the protection, restoration and continuation of them.

According to the Law on Museums, museums belong to state, municipality or private property. Municipalities and private museums are duly registered. After registration, it is operated according to the rules determined by the founders by the relevant management. The state deals with the development of municipal and private-owned museums. The funds of state and municipal museums are
preserved as part of the Azerbaijani museum fund.

Social protection and social development programs are included in the Statute Law of the Municipalities of 1999. Accordingly, local social protection programs are determined as social benefits to citizens determined by the municipal body in addition to state social benefits. These payments can be on a continuous or singular basis. Local social protection and social development programs should aim at important local social issues not mentioned in the state’s social programs. These programs include education, health, culture, use and maintenance of residential and non-residential buildings, organization, maintenance and development of sanitary institutions, apartment building, use of local water resources, local water and wastewater care, fuel supply, maintenance and construction of local roads, organization of local transport and communication services, provision of trade, collective food and welfare services, provision of cultural activities, protection of historical and cultural monuments, providing services to orphans, patients, elderly, poor, non-parent children, physical education and sports services, vocational training, employment facilities, protection of young people, development of family agriculture and other local infrastructure works.

Preservation and restoration of existing cemeteries, allocation of places for new cemeteries, arrangement of places for funeral ceremonies, burial of burials and fulfillment of the requirements of those in need are included in these programs. Physical education and sports activities of the municipalities are done according to the relevant legislation.

3.4. Economic Development

As per the Status of Municipalities Act, local economic development programs should aim to support or support important local issues not covered by the state’s economic development programs. These programs may include subjects such as agriculture, industry, communication and transportation. In the implementation of local economic development programs, municipalities cannot interfere with the fulfillment of the competencies of state authorities.

3.5. Financial Management

Financial legislation of municipalities;

- Basic Rules on Municipal Financial Structure of 1999: The financial structure of the municipality, the local budget process and the powers of the municipalities and the relations with the related administrative units have been arranged.

- Law on the Status of Municipalities of 1999: The economic basis of local self-government is that it meets the needs of municipal property, local finance and municipal people. The municipality has the right to own property.
- Law on Local Taxes and Revenues of 2001: regulates the economic and legal relations arising from municipal taxes and payments.

The Constitution of Azerbaijan authorizes local councils to impose local taxes and charges, to approve local budgets, to hold, to use and to dispose of municipal property (Article 144 I). The department includes detailed rules on the economic foundations of local self-government and determines the financial resources of the municipalities, the conditions of economic activity and the rights of financial and economic management. Azerbaijan’s budget system law guarantees the independence of municipalities for preparing, approving and spending their local budgets, and guarantees the main principle that the legislative and executive bodies do not interfere in the municipal budgetary activities. Despite the guarantee regarding financial support from the central government, Azerbaijan’s municipalities are extremely weak in terms of financial situation. (Monitoring Committee Report Article-82/83). As a matter of fact, according to the statistics of the Ministry of Taxes in 2011, the share of local taxes in the tax revenues of the state budget is 0.25%. Despite the legal authority, the lack of human resources in local governments, the lack of implementation and collection of local taxes make it impossible for these institutions to exercise their right to taxation. Administrative deficiencies such as the lack of a reliable registration system for the application of property taxes may also make it difficult to obtain sufficient resources. The Budget System Law provides for a legal basis to meet local budget deficits from the state budget, but the mechanism for achieving this process is not standard. (Monitoring Committee Report Articles-90-95, 105)

Financial resources can be divided into three categories:

- Local taxes and payments
- Income from activities (from the sale, renting, renting of municipal property)
- Aids from the state budget (transfers).

According to Article 8 of the Law on local taxes and payments of the Republic of Azerbaijan, local taxes are as follows:

- Land tax from natural persons
- Real estate tax from natural persons
- Mining tax for locally important building materials
- Income tax of legal entities owned by the municipality.

However, incomes of charitable institutions except those earned from investment, are exempted from this.
In Article 3 of the Law, the financial resources of the municipality consist of municipal real estate, municipal territory, local budget and extra-budgetary funds, the municipality’s production, service and other economic activities. Approximately 2 million hectares of land in Azerbaijan or 32% of the territory of the whole country is given to municipalities.

According to Law on Fundamentals of Municipal Finance, independence of the local budget depends on the fact that it has its own sources of income and that the municipalities pass laws on local budget instruments. The legislative and executive authorities of the Republic of Azerbaijan are not allowed to interfere in the budgetary activities of the municipalities. (Article 5/2).

The real estate tax collected by the municipalities is the subject of building, automobile, self-propelled wheeled vehicles, automobile, water and air transportation vehicles. (Tehmezova, 2011, 106)

Aids from the state budget to municipalities are of four types:

1. Dotation: Unrequited financial assistance from the state budget to the local budget in order to balance its income and expenses. In calculating the upper limit of this, the number of inhabitants living in the municipality are taken into consideration. Dotation is also included in the state budget of the Republic of Azerbaijan. No conditions are required for the use of dotations. Dotations are more advantageous than subsidies in eliminating the imbalance between regions and ensuring social justice.

2. Subsidies and transfers: Financial subsidies granted from the state budget to implement any purpose, but only when the objective has not been achieved or has not been used within the specified period of time.

3. Additional revenues: Municipalities may be granted additional powers by the legislative and executive authorities as specified in the laws. (Qanun in the Buddha System Haqq, Art. 32).

4. Opportunities and Challenges

Underpopulated municipalities with a population of less than 1000 inhabitants make up approximately half of the country’s municipalities. This situation has an important place in the budgets of salaries paid to municipal staff.

Lack of legal personality in municipalities in Azerbaijan causes them to be weak in administrative and financial terms and underdevelopment sufficiently.

Reforms could not be implemented due to the lack of necessary infrastructure in Azerbaijan and the lack of clear borders on the distribution of duties and powers between the provincial organization and the local government bodies of the central administration.
There are many benefits to increasing cooperation between municipalities. Technological developments, the development of modern infrastructure projects and the implementation of effective economic development models are examples of such cooperation.

At the same time, municipal companies operate in all regions and city centers. They play an important role in shaping the relations between local people and municipalities.

**4.1. Environmental Challenges: Climate Change, Water and Wastewater Management**

Climate change, water and wastewater management are regulated according to the Water Law of the Republic of Azerbaijan. The use and protection of water resources of municipalities is also provided according to this law. According to this; to determine the usage areas such as recreation and sports areas in the areas of municipal ownership, environmental protection measures, drinking water and wastewater, and to fulfill other duties given by the laws within the framework of water use and protection.

As per the Status of Municipalities Act of 1999, local environmental programs should take into account the local population with the solution of locally important environmental issues not mentioned in the ecological programs implemented or implemented by the state. These programs may include conservation of ecological balance in the region, improvement and renewal of municipal space handling of waste products, handling, treatment, recycling and other issues in this area, taking measures to protect water, air and land from all kinds of pollution, ecological measures with neighboring municipalities. this includes the application and taking important local measures. Municipalities can support coordination with the state’s environmental programs and, in some cases, the implementation of common measures.

According to the Law on the Management of Municipal Lands of 2001, the legal basis for the relations between municipalities, individuals and legal institutions regarding the use and protection of water facilities within municipal areas is defined.

In order to meet the water demand of Baku, Sumgayit and Absheron peninsula, in 1995, a national water organization was established with the decision of the National Assembly. Later, Azersu was established to operate in the whole country. The task of this institution is to manage, coordinate and control the affiliated institutions in order to provide water equipment and sewerage services in the country and to prepare proposals for the implementation of state policy in this field.²

² [http://www.azerbaijans.com/content_542_az.html](http://www.azerbaijans.com/content_542_az.html)
Energy and natural gas companies are also state owned.

4.2. Internal and External Migrations

A significant part of the territory of the Republic of Azerbaijan is occupied by the Armed Forces of the Republic of Armenia, including seven administrative regions adjacent to the Nagorno-Karabakh region. As a result of the military aggression and ethnic cleansing policy carried out by neighboring Armenia, including 65,000 members of the Azerbaijani community in the Nagorno-Karabakh region of the Republic of Azerbaijan, approximately one million Azerbaijani were deported from their territories. With permanent residence, it still lacks the right to exercise property rights as well as the right to establish local self-government.

4.3. Capital: Baku

The status of the capital city Baku is defined as the adoption of a special law in accordance with the Law on Regional Structure and Administrative Regions, Section 5 (9).

Baku administration is carried out by the Baku City Executive Committee, which provides the overall management of 11 executive committees responsible for different administrative districts and other regional management committees. The relations between the Baku City Executive Committee and the district executive committees are based on bottom-up and mutual cooperation. Although there is a local executive committee covering the whole city of Baku, there are no municipalities at the city level. According to the Municipal Territories and Soil Law, there are 52 municipalities in Baku. All of these are local governments, there is no dependency relationship between them and each of them is only related to socio-economic issues and direction in their respective fields.

Baku is divided into 11 rayon (districts) (Binagadi, Khazar (former Azizbekov), Khatayi, Garadagh, Narimanov, Nasimi, Nizami, Sabunchi, Sabayil, Surakhany and Yasamal), 5 rural settlements and 52 small municipalities. Since the duties and authorities in Baku are not clear, conflicts arise between the administrations.

The number of members of municipal councils in Azerbaijan is determined by the size of the population living in a municipality. For the election of municipal councilors, a maximum population of 299,999 is required. However, as Baku has a population of approximately 3 million, there is a need to change the election law. Therefore, there are gaps in other metropolitan cities such as Baku. It was proposed by the Congress to switch to a two-stage metropolitan municipality administration. (Article 135 of the Monitoring Committee Report)
4.4. Autonomous Region of Nakhchivan

According to the 1995 Constitution, the Autonomous Region of Nakhchivan is an integral part of Azerbaijan. Nakhchivan Autonomous Republic is surrounded by Armenia, Iran and Turkey. In fact, its geographical position justifies the special legal and administrative status of Nakhchivan as an autonomous republic in Azerbaijan. This autonomy is defined by both national legislation and international agreements. The Autonomous Republic of Nakhchivan has a parliamentary system. The regional parliament is the Supreme Assembly, a 45-member legislature with five years. Under Articles 138 and 139 of the Constitution, the Assembly carries out the following activities: parliamentary elections, taxes, economic development policies of the autonomous republic, tourism, health protection, science and culture. It also makes the budget, implements economic and social programs, appoints and dismisses the Prime Minister and ministers of the autonomous government.

The Council of Ministers of the Autonomous Republic of Nakhchivan is the top governing body, reports to the Assembly regularly.

The territory of the Autonomous Republic of Nakhchivan is divided into 7 administrative divisions, called districts or rayons (Sharur, Babek, Ordubad, Julfa, Shahbuz, Kangarli and Sadarak) and the capital of the autonomous republic. The status of these administrative units is determined by the legal instruments of the Republic of Azerbaijan. Under the current legislation, the chief executives of the administrative judicial bodies are appointed and dismissed by the President of the Republic of Azerbaijan by the Supreme Official of the Autonomous Republic of Nakhchivan (ie, the President of the Supreme Council of the Autonomous Republic of Nakhchivan).

According to the figures of the Statistics Committee, the country has 66 districts, 77 towns (13 cities), 257 neighborhoods and 4261 villages.

The distribution of the budget of the Republic in 2011 is as follows:

- 23% for education, science, health, culture, sports and other activities,
- 12% for management,
- 3% for housing,
- 5% for agricultural and environmental expenditures,
- 57% for infrastructure,

According to the Tax Law of Azerbaijan, the sources of income of the Autonomous Republic of Nakhchivan are; personal income taxes, corporate tax (excluding the initiatives and organizations of municipalities), value added tax, consumption
taxes, real estate taxes on legal entities, road tax, mine tax, simplified taxes, land taxes of legal persons.

4.5. Nagorno-Karabakh

Nagorno-Karabakh region (Nagorno-Karabakh, Dağlıq Qarabağ) was occupied by Armenia in 1988. Since 1992, OSCE’s Minsk Group has been working on this issue. Minsk Group is co-headed in France, Russian Federation and USA. However, no solution has been reached to date.

4.6. Local Government Unions

According to the Law on Status of Azerbaijani Municipalities of 1999, it may establish unions to coordinate the activities of municipalities and effectively monitor their rights and interests. Unions do not have powers like municipalities and must be registered in accordance with the legislation.

There are three associations representing urban and rural municipalities in Azerbaijan. There is no definite data on the membership of these associations. According to the Law on Municipal Status, it may establish associations to coordinate the activities of municipalities and effectively defend their rights and interests.

Local government associations in the country are:

Associations of City Municipalities of Azerbaijan:

- Association of Settlement- Municipalities of Azerbaijan
- National Association of City Municipalities of Nakhichivan Autonomous Republic
- National Association of Rural Municipalities of The Nakhichivan Autonomous Republic
- National Association of Settlement Municipalities of Nakhichivan Autonomous Republic
5. References


# Country Profile

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>Kingdom of Bahrain</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Constitutional Monarchy</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Arabic</td>
</tr>
<tr>
<td>Currency</td>
<td>Bahraini Dinar</td>
</tr>
<tr>
<td>Area</td>
<td>778.3 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>1,493,000 (2017)</td>
</tr>
<tr>
<td>Urban Population Rate</td>
<td>88.84%</td>
</tr>
<tr>
<td>Capital City</td>
<td>Manama</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>157,000 (2018)</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>43</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$24,050 (2018)</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>4.30% (2016)</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>5.3% (2017)</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>0.0% (2017)</td>
</tr>
<tr>
<td>CO₂ Emission (metric tons per capita)</td>
<td>23.45</td>
</tr>
</tbody>
</table>

Source: UN Data, WB Databank & National Legislation
1. Laws and Regulations on Local Governments

The municipalities in Bahrain conduct their functions in accordance with laws and decrees as well as some decisions that are particular to them. Most importantly, the Law No. 16 of 1973 which provides guidelines for the establishment of a temporary central municipal authority; second, the 2010 Decree No. 55 on the appointment of the mayor; and finally, the 2002 Municipal Council Election Law and its amendments in the 2006 laws No. 37 and No. 77. The above are also supplemented by general codes, decrees, laws, decisions, and resolutions on relevant matters to the municipalities’ work scope: economic affairs, public health, industrial facilities, commercial activities, public advertisements, property and real estate, besides urban planning and land management.

The key components of local Laws and Decrees package that govern the municipal work concern the administrative structure. Decrees are: the decree No. 18 of 1975 that concerns the municipal structure; the system of the Governorates is demonstrated in the decree No. 32, issued in the year 2001; the decree No. 55, issued in the year 2010 that provides guidelines on the appointment of the mayor; the decree No. 5 of 2010 which provides guidelines on municipal fees. On the other legislative side, the municipal law No. 16 of 1973 provides guidelines on the establishment of a temporary central municipal authority to manage the affairs of local municipalities. The decisions that were issued to implement these laws (after the approval of the Council of Ministers) outlined procedures for calculating, collecting, and approving exceptions from municipal charges, in particular, fees that are due on buildings and land plots. Moreover, the Municipal Council Election Law, approved in 2002 and amended two times in 2006 that gives recommendation on the election procedures and the criteria which a candidate should meet to join up the Municipal Council.

Furthermore, there are general codes, decrees, laws, decisions, and resolutions on commercial and economic affairs that relate to the scope of the work of the municipalities. They are concerned with the public health, the public advertisements, governing the industrial sector, and, regulating the property and real estate as well as urban planning and land management.¹

2. Structure of Local Governments

2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

Bahrain has four municipal councils. Each council serves for a four-year term

and is managed by an appointed general director, a president, and a deputy-

president. It includes 10 elected council members that represent the various 
constituencies within the municipal boundaries. The elections of the members 
are held during the last two months of the term. Candidates who receive the 
highest votes are appointed accordingly. The first municipal election, to be held 
in Bahrain in 197, took place on 9 May 2002, the most recent election was held 
in 2014. A candidate for the Municipal Council must meet the following criteria:

- Is a Bahraini national;
- Is 30 years of age or older;
- Is fluent in written and spoken Arabic;
- Has equal civil and political rights and does not have a criminal record 
  (or otherwise, has been rehabilitated);
- Has paid all his/her municipal fees;
- Does not serve in other government positions.²

Bahrain has developed a constitutional form of government that administers 
the Kingdom (Previously Emirate) under the King who is a member of the Al 
Khalifah family. The constitution provides for separate executive, legislative, 
and judicial branches of government. The central government includes four 
main administrative units with a number of executive, legislative, and judicial 
authorities: the king who is also Supreme Commander of the Armed Forces; the 
prime minister who supervises and implements the decisions of the Council 
of Ministers; the ministers with executive authorities over their respective 
ministries; and the Ministry of Municipalities Affairs and Urban Planning, which 
operates in-between the central and local public governmental units.

- **The King:** The king assumes executive, legislative, and judicial powers 
  along with the Council of Ministers, the National Council, and the state 
courts. The King appoints the Prime Minister and the ministers. He is 
Supreme Commander of the Armed Forces and articulates the kingdom’s 
foreign policies.
- **The Prime Minister:** The prime minister supervises the functions of the 
  Council of Ministers and implements its decisions. He/she also supervises 
the work of various ministries.


http://www.nyulawglobal.org/globalex/Bahrain.html#deliberationsandvoting [retrieved on 11 April 2017].
• **The Ministers**: While in office, a minister formulates directives and supervises their execution. He/she cannot hold other public office positions or directly/indirectly engage in industrial, commercial or financial business deals.³

• **The Ministry of Municipalities Affairs and Urban Planning**: The ministry coordinates between central and local public government units: it guides the work of the municipalities, ensures their autonomy as self-governing entities, and supervises the provision of services that respond to local needs.⁴

• **The Municipalities**: The State of Bahrain is divided into the following four municipalities: Al Manama Municipality; Al Muharraq Municipality; Northern Area Municipality; and, Southern Area Municipality. The jurisdiction of each municipality is determined by the boundaries of the governorate in which it is located. It has financial and administrative autonomy and manages the provision of local public facilities/services and collects revenues.⁵

Municipalities are established in Bahrain with duties that broad range of responsibilities: proposing public health regulations, regulating the use of signs/billboards in the streets, suggesting plans for local facilities and public spaces (including plans to acquire private land), developing systems for the protection of the environment and the collection of solid waste (among other public services), monitoring the operation of local markets and entertainment businesses, and approving fiscal budgets and the municipality fee rates.

Municipalities enjoy a financial and administrative autonomy and manage their affairs and the provision of local services through their directorates and the municipal staff. The organizational structure which, contributes to the management of municipal affairs is composed of the executive branch of the Municipal Council that is headed by a general director who is appointed by the Prime Minister. The executive branch is composed of the below administrative units with duties that are defined in the 1920 Municipality Law⁶. Besides, the remaining structure is comprised of the directorates and sections that manage the daily work of the municipality.

Each Municipality is mainly composed of four directorates, they are the Directorate General Office; the Directorate of Human Resources and Finance;

³ [http://www.nyulawglobal.org/globalex/Bahrain.html#deliberationsandvoting](http://www.nyulawglobal.org/globalex/Bahrain.html#deliberationsandvoting) [retrieved on 11 April 2017].


the Directorate of Technical Services; and the Directorate of Properties and Parks. They assume their duties in collaboration with various municipal departments to implement the decisions of the Municipal Council or to appoint legal experts to monitor the implementation of municipality laws and pinpoint any violations. The municipal bodies also examine the results of studies that are submitted to the president of the Municipal Council, they are required to submit to the president of the Municipal Council during the first two months of each fiscal year an administrative report on the work of the municipality during the preceding year accompanied with draft budgets and final accounts as well as future plans for municipal administrative affairs;

Municipal councils are established in Manama Municipality, Muharraq Municipality, Northern Area Municipality, and Southern Area Municipality. Their duties and responsibilities range from issuing regulations, decrees, and orders to regulate the municipal affaires and services as well as supervising the work and performance of the municipal directorates and staff. Municipal councils are tasked with the following duties:

- Suggesting plans for:
  1) schools, housing units, health care centers;
  2) road improvements and parking spaces;
  3) the protection of beaches from erosion and rising pollution levels; and
  4) the beautification, cleaning, and management of squares and public parks;
- Proposing public health regulations in coordination with the Ministry of Municipalities Affairs and Urban Planning;
- Protecting the environment from rising pollution levels in coordination with the Supreme Council for Environment;
- Developing a system for the collection, disposal, and recycling of solid waste according to the standards that are set by the Supreme Council for Environment;
- Monitoring the operations of local markets, slaughterhouses, and landfills;
- Proposing and reviewing plans to acquire private land for the provision of public utilities and municipal projects in compliance with the requirements of the 2005 Land Acquisition Law No. 6. The Municipal Council can stop or delay the implementation of public projects that do not comply with urban planning laws;
• Approving the private use of public facilities;
• Proposing names for streets, roads, and squares in coordination with the Ministry of Municipalities Affairs and Urban Planning;
• Monitoring the provision of electricity, water, and sanitation in coordination with the relevant public establishments;
• Issuing building, demolition, and restoration permits;
• Supervising the execution of contracts that entitle the municipality to certain financial rights or obligations;
• Reviewing proposals by ministries and other public bodies on ways to improve the municipality’s efficiency;
• Regulating the use of signs/billboards in the streets and monitoring public advertisements in local shops. The council also sets the rate of fees that are paid to the municipality;
• Monitoring the operation of entertainment businesses (hotels, restaurants, and cafes) and commercial and industrial facilities including shops that sell potentially hazardous products;
• Reviewing complaints by citizens, investigating these complaints, and requesting the needed data from executive branches that operate within the municipality;
• Proposing changes to the municipality fee collection system;
• Approving the municipality’s final accounts and the draft budget plan for the coming fiscal year;
• Submitting the council’s decisions and recommendations to the Minister of Municipalities Affairs and Urban Planning.7

There were 12 municipalities in Bahrain established in main cities and settlements such as Hamad Town and Isa Town. They were administered from Manama by a central municipal council appointed by the King. After September 2014, Bahrain was split into four governorates and municipalities, which means that the Central Municipal Council, Central Municipality and Central Governorate have all been disbanded. The central governorate was split between Manama, Northern and Southern governorate.

Bahrain’s capital, Al Manama, is the biggest city (27.5 km2) with a population up to 329,510 inhabitants according to year 2010 population census (547,983 inhabitants) according to the official source. 7 http://websrv.municipality.gov.bh/manama/pages/org_chart_en.jsp [retrieved on 11 April 2017].
inhabitants according to year 2016 estimates). Manama is located on the northern coast of Bahrain, to the west of Al-Muhrraq, which is considered as the second region in importance in Bahrain, with a population up to 189,114 inhabitants according to year 2010 population census (245,994 inhabitants according to year 2016 estimates). They are both linked with two major bridges. The city of Manama is considered as the economical center of Bahrain due to the diplomatic zone located in it in addition to many enterprises and commercial complexes. The other three divisions are: the Western Region “Al Mintaqah al Gharbiyah”; the Central Region “Al Mintaqah al Wusta”; The Northern Region “Al Mintaqah ash Shamaliyah”. Each of the governorates is divided into constituencies which are a grouped number of city blocks that form a constituency for election purposes. Every four years, elections are held in these constituencies electing their own Members of Parliaments; the last election was held in 2011.

Each municipality in Bahrain includes a Municipal Council and an Executive Branch. The structure contains four directorates and many departments and sections; they are headed by a director and managers for each sub-directorate and department. These departments have different sets of expertise and carry out activities that range from overseeing legal affairs, auditing and inspecting municipal resources (including the financial resources), maintaining public relations, to managing gardens and public places.\(^8\)

Table 1: The population of the governorates of Bahrain according to census results and latest official estimates

<table>
<thead>
<tr>
<th>Name</th>
<th>Area (Hectare)</th>
<th>Population Census 2010</th>
<th>Population Estimate 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain</td>
<td>77,090</td>
<td>1,234,571</td>
<td>1,423,726</td>
</tr>
<tr>
<td>Capital</td>
<td>7,540</td>
<td>329,510</td>
<td>547,983</td>
</tr>
<tr>
<td>Muharraq</td>
<td>6,480</td>
<td>189,114</td>
<td>245,994</td>
</tr>
<tr>
<td>Northern</td>
<td>14,550</td>
<td>267,944</td>
<td>342,315</td>
</tr>
<tr>
<td>Southern</td>
<td>48,500</td>
<td>101,456</td>
<td>178,434</td>
</tr>
</tbody>
</table>

Source: Central Informatics Organization, Kingdom of Bahrain (web)

2.2. Relations Between Central Government and Local Governments

The powers of the various central institutions given by laws and regulations or used as tutors have defined their relationship with the various local institutions. The organizational structure of the municipalities is characterized by overlaps and

\(^8\) http://websrv.municipality.gov.bh/manama/pages/org_chart_en.jsp [retrieved on 11 April 2017].
redundancies in functions related to the provision of services and development activities, making implementation and long-term control a relatively convoluted and litigious process.

2.3. Local Elections and Mayors

Bahrain has recently modified the governorates’ divisions. A Governorate refers to an administrative, regional, non-central unit, with a separate legal entity and budgetary provisions. Each governorate is headed by a governor that manages it, assisted by an assistant governor, an administrative body and a select number of individuals with a council. As for municipalities, each one is headed by a Director General assisted by managers and heads of departments and sections. They are appointed for a period of four years and tasked among others with the following main responsibilities:

- Represent the City in local and international events and ceremonies;
- Supervise the work of the various municipality departments in coordination with the Municipal Council;
- Entrust some of the financial and administrative responsibilities to municipality assistants, directors, and heads of departments;
- Assign the procurement, sales, and other contracts for the municipality;
- Coordinate between the Municipal Council and the executive branches that operate within the municipality to facilitate the implementation of their joint work;

2.4. Strategic Planning and Performance Assessment

The Kingdom of Bahrain’s 2030 Vision is principally intended to produce a governmental administrative environment to lead the kingdom’s economic and social advancement, as well as to restructure and refashion the role of the Ministry of Municipalities Affairs and Urban Planning. This restructuring shall be effective with the collaboration of the municipalities and their executive municipal subdivisions as designed to transform the Ministry into a key partner in three spheres: in the development of policies, in application of the development plans, and in provision of municipal services that are responsive to the local needs. This advantage will encourage the citizens to become positive participants in the initiatives intended to promote their local communities. The role of the government and the role of service ministries, including the Ministry of Municipalities Affairs and Urban Planning, in particular, lies in consolidating these capabilities.

The Vision engaged the Ministry of Municipalities Affairs and Urban Planning and various municipalities in a comprehensive review of their responsibilities
and duties. The review allowed them to become partners in the development of policies, application of the development plans, and the provision of municipal services that are responsive to the local needs. It also benchmarked the need to involve citizens as proactive participants in local decision-making.

A number of municipalities also reached an agreement with the private company, Fakhro Establishment for Accounting and Auditing, to carry out an auditing of their fiscal accounts and propose ways to improve their yearly operations.9

3. Duties and Responsibilities of Local Governments

The duties of the municipalities covers sectors such as: infrastructure, housing, social development, economy, finance, urban planning, and transportation. These duties might overlap, in different ways, with the main functions of the central authorities including: The Ministry of Municipalities Affairs and Urban Planning, the Ministry of Works, the Ministry of Housing, the Ministry of Labor and Social Development, the Ministry of Industry and Commerce, the Ministry of Finance, the Supreme Council for Environment, and the Ministry of Transportation and Telecommunications.

3.1. Social Duties and Responsibilities

Municipalities coordinate issues related to housing supply (that are outside the scope of the work of the municipalities) with the Ministry of Housing.

Table 2: Master Plan of Bahrain, Housing Units’ development

<table>
<thead>
<tr>
<th>Phase 1</th>
<th>2006 – 2010</th>
<th>Housing Units</th>
<th>Forecast Population</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>68.000</td>
<td>270.000</td>
</tr>
<tr>
<td>Phase 2</td>
<td>2010 – 2020</td>
<td>Housing Units</td>
<td>Forecast Population</td>
</tr>
<tr>
<td></td>
<td></td>
<td>70.000</td>
<td>270.000</td>
</tr>
<tr>
<td>Phase 3</td>
<td>2020 – 2030</td>
<td>Housing Units</td>
<td>Forecast Population</td>
</tr>
<tr>
<td></td>
<td></td>
<td>42.000</td>
<td>170.000</td>
</tr>
<tr>
<td>Total Housing Units</td>
<td>180.000</td>
<td></td>
<td>710.000</td>
</tr>
</tbody>
</table>

Source: Christian Storch, Master Plan of Bahrain 2030

The Ministry of Labor and Social Affairs (MLSA) is responsible for carrying all aspects of social affairs, including recommending social policies and plans for social development, implementation and evaluation of those policies and plans. In addition, the MLSA supports and supervises the activities of the NGOs. The government is heavily investing in the field of social development whether through community development or community organization program. Whereas, municipalities promote various sports/cultural activities and organize

local ceremonies that are attended by the mayor and other councilors as well as working on the limitation and the stop of illegal begging;

Despite having been one of the first countries in the region to enter the public school compulsory for both sexes, Bahrain does not hold a dominant place in the region regarding the adoption of innovative and creative teaching strategies. At the top level there is a need to create synergies between universities and the labor market and bridging the disconnection between them. Public education is free for all Bahraini citizens and thus readily accessible for all strata of society. Public education institutions are considered of good quality in regional comparison, but are mediocre by international standards particularly when it comes to higher education and research facilities. The government is trying to address this shortage and to restore its status as a regional leader in the field of education with its National Education Reform Initiative, the educational component of its Vision 2030 economic strategy.

The initiative objective is to introduce international standards to the country’s schools and universities and to eventually match skills with the needs of the market. According to the World Bank’s 2014 figures, basic school education was prevalent in Bahrain with a 95.5% rate for secondary school enrollment. Tertiary enrollment is given at 33.5%, which again is above the global average (31.2%). Consequently the literacy rate in Bahrain is high (94.6%). The latest available figures suggested that in 2012 investment in education and training averaged around 3% of Bahrain’s GDP. This is far less than government spending on other areas, such as defense and security (which in 2009 accounted for almost one-third of total expenditure) and less than Bahrain spent in previous years on education (2008: 2.9% of GDP, 2006: 3.4% of GDP). Bahrain’s research institutions are seen as weak and unproductive, a gap that was also identified in the country’s first National Research Strategy 2014 – 2014.\(^\text{10}\)

### 3.2. Financial Duties and Responsibilities

The Economy of Bahrain is still considered heavily dependent on oil. Nowadays 85% of the production is based on Saudi crude, which arrives through an underwater pipeline. The overall volume of trade passing through the archipelago has been enhanced by the new port, Mina Salman, and the new Bahrain International Airport, which is heavily used because of its central location in the gulf and on the route from Europe to the Far East and Australia. The Kingdom has also been and remains a leading storage center and has a strong financial sector, contributing 30% to GDP, and making an effort to liberalize the economy by encouraging the government with positive results. Tourism in this context is seen as a growing market that may contribute 8% of the country’s GDP\(^\text{11}\). Finally,

---

the emirate has become the nucleus of a burgeoning offshore banking system that hosted more than forty foreign banks in the early 1980s.\textsuperscript{12}

Municipalities contribute to the enhancement of Bahrain’s status as an economic center through the implementation of policies and regulations that respond to the current and future needs of the society. This is paralleled by efforts to increase the efficiency of the municipalities: employing qualified professionals with knowledge of urban economics and deploying advanced information technologies in partnership with the private sector.

The city’s division works to raise the financial efficiency and prepares the Financial Plan on the medium and long term. Plus, Municipalities in Bahrain have different capabilities to create flexible sources of revenue in line with their economic potentials, this permits to improve the quality of the services provided to the citizens. Municipalities control the renting and monitor the activity of local markets and vendors. This is done in coordination with the Ministry of Finance.

3.3. Environmental Duties and Responsibilities

The domestic waste becomes apparent on the national and regional levels for which a solution is required to utilize the best available technology on recycling, separation, compost and residual incineration. The incineration concept appears insufficient in the region due to the quality of wastes beside that the recycling does not attract investors to invest in this line of business. There is a need to change the consumption pattern, the waste composition contains more than 50% food (left over), 4-10% papers, plastics, food and drinks package, about 0.6-4% cans and glass.

On the other side, the landfills present another serious issue to handle because there is no sound control to this dumping activity. However, the Municipalities Affairs is studying seriously the installation of facilities such as sorting station to separate, incinerate and/or reduce waste size. Once more, the private sector is not enthusiastic to invest in recycling business due to the lack of incentives, penalties and plans to encourage public to sort their waste at home or schools or offices, etc. However, there are some timid efforts to promote the concept of recycling for some domestic wastes such as aluminum cans, glass bottles, or plastic containers but remain on a limited micro scale only.

Municipalities develop environmental initiatives that engage citizens and highlight the added value of incorporating sustainable principles in the provision of quality services, in terms of environmental performance, in coordination with the Ministry of Municipalities Affairs and Urban Planning, Office of Protection of the Environment and the Natural Resources.

The climate change effects are common to the Gulf States: long-term variations in temperature and precipitation; stresses the management of water resources; and raise in sea level. The Kingdom of Bahrain has undertaken climate change impact assessments that have addressed four key areas: coastal zones, water resources, human health, and biodiversity.

Bahrain has no choice but to implement urgent measures to build resilience, improve disaster risk preparedness and response, and adapt to the increasingly adverse impacts of climate change in future. Indeed, there are substantially higher costs associated with adaptation to future impacts of climate change in Bahrain, if actions are initially delayed or ignored. At present, the action being taken to address the issue of adaptation is executed with limited capacities and resources, with a need for a more comprehensive and articulated adaptation package with support from the international community.\(^\text{13}\)

Desalination is the main source of potable water in Bahrain, 88% of the water comes from desalination plants. The government subsidized directly the municipal water with US$ 326m in the financial year 2012/13, having risen by 173% since 2006 as water demand and the costs increased. Bahrain will be able to increase desalination capacity to meet municipal water demand to 2030, but this will involve substantial financial, economic and environmental burdens. As for environment, additional desalination costs to society will include the impact of pollution on health. Revising the municipal water tariff structure would help conserve water and particularly augment cost recovery. Water consumption of over 100m³/month concerns 31% of subscribers receives a subsidy of more than 70% which will contribute to achieving social equity among water consumers.\(^\text{14}\)

The total amount of collected and treat of wastewater driven by urban water consumption was about 122 million m³/yr in 2013. Only 36 million m³ of the amount was treated to a tertiary level and reused for irrigating farms and landscaping, while the remainder was treated only to a secondary level and then discharged to the sea in Tubli Bay.

At present, the wastewater services are provided free of charge whether for collection and treatment, or for reuse. Though the sector is totally dependent on governmental budget allocation, which encourage the concerned institutions to look for partnerships with the private sector on BOT/BOOT\(^\text{15}\) basis to build a new wastewater treatment plant (Muharraq STP). The absence of tariffs deprives the management of the municipal water sector of an incentive mechanism for water conservation; therefore, applying service tariffs for wastewater collection

\(^{13}\) UNFCCC, INDCs of the Kingdom of Bahrain, 2015.
\(^{15}\) Build-Operate-Transfer (BOT) scheme / Build-Own-Operate-Transfer (BOT) scheme
and treatment, even if indirectly, would augment the financial capabilities of the sector and expand its capabilities and performance as well as would contribute to cost recovery and encourage efficient water consumption and use.16

3.4. Other Duties and Responsibilities

The government of Bahrain called to create a Master Plan with a strategic objective that will enhance the economy of the kingdom when the country’s petroleum resources become depleted. The plan addresses issues such as natural resources, inadequate housing, lack of zoning, weak transport infrastructure, insufficient public open space and the need for improved education and comprehensive employment. Moreover, the Plan points out ten key strategies that focus on land development and resources protection, on providing adequate infrastructure and transportation networks by which, Bahrain will be prepared to meet future challenges with confidence.

The Kingdom of Bahrain Planning Principles are:

- Create one plan enabling an intelligent, sustainable national planning effort under a focused, centralized and predictable vision;
- Achieve a market economy specialized in global and regional markets to increase trade, improve productivity, develop higher-profit jobs and create new commercial wealth;
- Preserve and strengthen environmental resources;
- Establish an interconnected, intermodal transportation strategy incorporating dedicated bus, rail and water-based transit;
- Build distinct communities that reduce sprawl, efficiently utilize land and transit, help maintain Bahrain’s traditional way of life and preserve historic landmarks;
- Define the public waterfront;
- Protect the country’s cultural and archeological heritage;
- Meet future military needs by ensuring protection of access to training and staging areas and integrated military land-use strategies;
- Green the country;
- Promote a sustainable future.

On the local level, the Municipalities have tasks that replicate the national planning principles locally as well as the followings:

• Propose, implement, and maintain local squares and public parks;
• Limit/stop illegal encroachments on municipal property/the public domain;
• Acquire private land through expropriation for public purposes;
• Monitor, evaluate, approve, and ensure the implementation of sustainable urban projects through urban and municipal planning services in coordination by the Ministry of Municipalities Affairs and Urban Planning.

The transport sector in Bahrain is under the responsibility of the Ministry of Transport as well as the public transport in the Kingdom. Concerning the public transport sector, there are 113 companies operating mini buses in addition to Cars Co the bus operator. Currently Kingdom of Bahrain’s public transport strategy and the privatization process includes the following elements and steps:

• The Kingdom’s vision is to work on developing the public services by engaging the private sector through privatization; the objective is to increase the level and the quality of service provision in the kingdom. So, a private company is contracted to provide the public transport services by developing the following major factors:
  • Using air-conditioned buses.
  • Adding new routes to cover major parts of the kingdom.
  • Developing and enhancing bus stations and providing information to the public.
  • Increasing bus frequency.
  • Involving qualified and trained administrative and operational staff.

On a different level of local administration, municipalities in Bahrain are responsible for the following tasks:

• Issue construction permits for new transport infrastructures;
• Propose, regulate and maintain all types of public parking lots and install parking meters in coordination with the Ministry of Transportation and Telecommunications;
• Maintain and oversee the operation of public transport in coordination with the Ministry of Transportation and Telecommunications;
• Set the rates for public transport and public parking fees in coordination with the Ministry of Transportation and Telecommunications and the Ministry of Finance.
4. Challenges and Opportunities of Local Governments

4.1. Internal Capacity, Urban Service Delivery and Reforms

Municipalities in Oman opt to improve service accessibility through:

- Researching ways to develop knowledge of the community needs and what that means for the design of the service;
- Reviewing feedback from tax paying citizens that is used to improve services and keep up with economic and other local city changes;
- Hiring a multidisciplinary team that can understand how services are based on the relations between domestic, governmental, economic growth and changes. This means iterations have to be studied, approved, and implemented as needed;
- Making sure that accessing those services is easy and convenient to tax paying citizens. For example, road and pavement repairs, garbage collection, and utility infrastructural updates should do minimal disruption. Citizens should find it easy to file complaints otherwise.

4.2. Sustainable Urban Development

The environmental challenges facing Bahrain are colossal. Therefore, the central authorities in the Kingdom of Bahrain have to make efforts to address sustainability principles in the development process, particularly, through the Bahrain Economic Vision 2030. The strategy vision aims at protecting the environment done with balancing the social and environmental dimensions of development. These authorities shall coordinate with municipalities on more strategic plans and policies that are in line with national guidelines and aim to preserve local natural resources. In this context, building components can provide a kind of impact to form a self-sufficient building and such a building could lead towards sustainable urban development. Moreover, changes in land use and density levels can be defined as urban development to meet the needs of the citizens in a development that could sustainable and economically viable.

Bahrain has the ninth highest CO₂ per capita emission globally, at 19.3 metric tons (World Bank estimate) for the period 2010 – 2014 (though it is only fifth in the Gulf region, after Qatar, Kuwait, Oman and the UAE). That’s why, the Supreme Environment Council in 2012 came to improve, on one hand, the current practices and produce concrete results, on the other hand, to coordinate the governmental actions and the inter-ministerial coordination given that environmental concerns seem to have been subordinated to growth and vast infrastructure programs directed at appeasing social unrest.

One of the main challenges of the current urban agglomerations is the development
and equitable distribution of urban green spaces in the neighborhoods, especially in city centers, in a manner that is proportional to urban constructions. So, one of the approaches in architecture and urbanization that arose from the concepts of sustainable development and can be used to increase green spaces, improve the environmental quality and the sustainable urban development is rooftop greenery. The practical use of these roofs can be considered as a possibility for an optimal utilization of the urban landscape\(^\text{17}\). Using green roof technologies is a good option to recover the quality of the urban environment, have major environmental impacts on urban areas, and, provides solutions to most of these problems and above rise the urban residents’ quality of life. Consequently, the project “Bahrain Regains Greenery” shall introduce roof greenery as a strategy for sustainable urban development particularly in the city of Bahrain/Kingdom of Bahrain.\(^\text{18}\)

4.2.1. Urban Risks and Resilience

Many of the world cities encounter problems and risks due to an increasing urban population growth with an increasing rate of energy consumption and energy resource constraints, in addition to the environmental pollution and waste of the urban residents. The kingdom is suffering from issues affecting the urban sustainability are the urban heat island effect, heavy precipitation, air pollution, the loss of vegetation and urban green spaces respectively as well as the lack of wildlife habitats. In additions, there are other risks such as climate change, which induces temperature increases and a high frequency of droughts; desertification due to water scarcity; rapid urbanization and urban sprawl due to growth patterns and environmental degradation; scarcity of land coupled by high densities; and, concentration of services, infrastructure, economy, and housing in urban areas.

As a result, Bahrain has no choice but to build resilience and implement urgent measures in order to develop disaster risk preparedness and response, and adapt to the increasingly adverse impacts of climate change in future. If preparedness actions are delayed, there will be noticeably increasing related to future impacts of facing urban risks associated with climate change in Bahrain. At present, the action being taken to address the issue of adaptation is executed with limited capacities and resources, with a need for a more comprehensive and articulated adaptation package with support from the international community.

4.2.2. External and Internal Migration

International migrant stock by age and sex

Total population by age and sex, 2013

Migrant stock by age and sex, 2013

Migrant stock by origin (2013)

Top 5 countries or areas of origin

<table>
<thead>
<tr>
<th>Country</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>India</td>
<td>252.859</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>100.444</td>
</tr>
<tr>
<td>Pakistan</td>
<td>87.692</td>
</tr>
<tr>
<td>Egypt</td>
<td>68.607</td>
</tr>
<tr>
<td>Philippines</td>
<td>43.971</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>560,769</strong></td>
</tr>
</tbody>
</table>

Migrant stock by destination (2013)

Top 5 countries or areas of destination

<table>
<thead>
<tr>
<th>Country</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangladesh</td>
<td>29.803</td>
</tr>
<tr>
<td>State of Palestine</td>
<td>8.589</td>
</tr>
<tr>
<td>United Kingdom of Great Britain and Northern Ireland</td>
<td>6.021</td>
</tr>
<tr>
<td>United Arab Emirates</td>
<td>3.864</td>
</tr>
<tr>
<td>United States of America</td>
<td>2.848</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>50.845</strong></td>
</tr>
</tbody>
</table>
5. References


http://www.scirp.org/journal/jep

http://dx.doi.org/10.4236/jep.2015.69082

United Nations Framework Convention on Climate Change, “Intended Nationally Determined Contributions of the Kingdom of Bahrain under the United Nation Framework Convention on Climate Change (INDCs)”, the Kingdom of Bahrain, 2015.

**Country Profile**

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>Arab Republic of Egypt</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Semi-presidential, Republican Government</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Arabic, Modern Standard Arabic</td>
</tr>
<tr>
<td>Currency</td>
<td>Egyptian Pound</td>
</tr>
<tr>
<td>Area</td>
<td>1,010,408 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>94,798,827 (2017)</td>
</tr>
<tr>
<td>Urban Population Rate</td>
<td>43.33% (2017)</td>
</tr>
<tr>
<td>Capital City</td>
<td>Cairo</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>19,500,000 (2018)</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>115</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$2,549</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>9.9% (2018)</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>27.8% (2016)</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>0.1%</td>
</tr>
<tr>
<td>CO₂ Emission (metric tons per capita)</td>
<td>2.20</td>
</tr>
</tbody>
</table>

*Source: UN Data, WB Databank & National Legislation*
1. Laws and Regulations on Local Governments

After the uprising in Egypt in 2011, the new parliament introduced in 2012 a new constitution, which was rapidly replaced in 2014 after the election of President Al Sisi. The part of 2014 constitution regulating local government and consisting its current legislation frame is based mainly on the Law no 52 of 1975 and the Law no 43 of 1979. The Egyptian administration is organized based on a strong hierarchical vertical structure. At each level, the structure is combining representative councils and government-appointed executive bodies headed by governors, district officers, and mayors, respectively. Egypt has five territorial units: Governorate, District, Cities, Urban subdivision and villages, the power runs downward from the Ministry of Interior through the governors’ executive. On each level, the local government administration includes two important bodies: the local people’s council and the local executive council.¹

The main additions of 2014 promoted: decentralization (Art 176 & 177), independent financial budget for local units (Art 178) and social justice between local units (Art 176). Also, it organizes the election or the appointment of governors, mayors and presidents of local councils and it specifies their functions (Art 179). Nevertheless, the quarter of the local council seats is dedicated to youth, another quarter to women guaranteeing at the same time a fair representation for minorities.

2. Structure of Local Governments

The central government appoints an Executive Council which acts as the highest executive body for local administrations. Within its jurisdiction, it is responsible for the implementation of the general governmental policies, following all the activities of the executive departments and maintaining a good level of all services. It has the responsibility to build the financial plan to be approved by the local popular council. Finally, they are responsible for the regulations of building, housing and urban planning. These executive organs are amended on the local level by popular local councils, whose members are elected and are supposed to monitor executive performance. However, these local bodies

lack political power and can be dissolved by those they are tasked with monitoring. The high degree of centralization combined with the lack of fiscal control of local budgets opens many doors to corruption and arbitrariness.\textsuperscript{2}

Two councils maintain local government at each administrative level: The local “Popular Council” and the local “Executive Council”. The elected Popular Council aim to express the population local needs, enhance their living standards by submitting development project and programs. This council supervises all the activities and the institutions within its jurisdiction. Moreover, it monitors the lower level councils and approves their plans and decisions. In addition, the local popular council controls and approves the budget of the executive council at the same level. In relation to other public sectors operation, the local popular council has the right to inquire about their activities, approve their budget and supervise implementation. It can impose local taxes in addition to the centralized taxes.

The prerogatives of the Governorate’s local council include the control over various facilities and projects within its jurisdiction. Governorate and local councils perform a wide variety of functions in education, health, public utilities, housing, agriculture, and communications; they are also responsible for promoting the cooperative movement and for implementing parts of the national plan. As long as they supervises the local development plans, councils may request through the governor any information related to these activities or projects; approve the economic and social development plans plus the annual budget and follow up its implementation, and finally agree on the popular participation plan. The law also entails that the local governorate council shall be responsible for supervising the work of these councils, approve the establishment or cancellation of local councils as well as and the separation of power of the local councils of centers, cities, and neighborhoods. Furthermore, the law gives the local council the right to free disposal of money from its property, to borrow or carry out investment projects in condition that doesn’t exceed 40% of the their total annual revenues. Also, the law regulates the formation and function of the local council of the center, of the city, of the neighborhood and of the village; council members are elected amongst the members at the first session. The Center or the City Center are represented by 12 members or 16 members taking into account the representation of all the administrative departments that compose the city. The Council of the Center oversees the work of the other local councils of the cities, neighborhoods and villages.

On different levels, the municipal council of the City is represented by 12 members; it supervises and co-ordinates the various facilities of local entities; besides, the local council of the neighborhood is also composed of 12 members, it supervises the various facilities in the neighborhood. Whereas, in the villages that could represent a local unit, a local council is composed of 24 members.

\textsuperscript{2} BTI, Arab Republic of Egypt Country Report, 2016.
2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

The state’s administrative infrastructure extends to the entire territory with a highly centralized system, alongside governors and subordinated executive organs ultimately appointed by the president of the republic and serving under his discretion. Administratively, Egypt is divided into 26 administrative units; called governorates; a governor appointed by the President of Egypt administers a governorate. They are partially subdivided into re-

Figure 2- Illustration of the governorate administrative operation.
Source: Commission méditéranée, 2015.

Figure 3- The structure of local administration system in Egypt. Source: M.Abdulrahman (2016)
regions, towns and villages\textsuperscript{3} with two different structures:

1) The fully urban governorate of simple structure.

2) The mixed urban and rural governorate of complex structure.

The simple structured governorate has three level of government: Governorate, City and Suburban divisions. The complex structure has four government levels: Governorate, Region (Markaz), City/ Village\textsuperscript{4}, District (Hay) and Sub-district neighborhoods (Sheyakha). Every governorate is divided into a number of regions and the regions are divided into villages, the fully urban governorates are divided into regions administrated by local elected councils. The main urban areas in Egypt are: the Greater Cairo, Alexandria, Port Said and Suez. Greater Cairo Region (GCR) covers three governorates (Cairo, Giza and Qalubiya).\textsuperscript{5}

<table>
<thead>
<tr>
<th>Major Cities</th>
<th>Population (Million)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cairo</td>
<td>20.500</td>
</tr>
<tr>
<td>Alexandria</td>
<td>4.541</td>
</tr>
<tr>
<td>Greater Mahhala</td>
<td>2.000</td>
</tr>
<tr>
<td>Ismailia</td>
<td>0.750</td>
</tr>
<tr>
<td>Mansourah</td>
<td>0.590</td>
</tr>
<tr>
<td>Port Said</td>
<td>0.549</td>
</tr>
</tbody>
</table>


With regard to the article 159 of the law, the City of Cairo has a special structure as it is the capital of the Arab Republic of Egypt, it is determined by a decision of the President of the Republic within the Greater Cairo Region. The structure shall be modified and developed to achieve financial independence and management.

\textsuperscript{3} A recent decision by the central authorities adding more governorates by 2017 bringing the number to 33.

\textsuperscript{4} Village is the smallest local unit.

\textsuperscript{5} UITP, Overview of Public Transport in Middle East North Africa, Public Transport in Egypt, 2007.
of public assets within its scope. The Governor of the capital may, after the approval of the local council and in coordination with the competent ministers, make special or exceptional decisions to regulate urbanization and public utilities in the capital. He also shall establish a special system for the issuance of permits for various economic activities and supervise the national public projects in the capital to ensure their safety and good implementation, plus determine the building code that defines the architectural character and forms of the buildings after prior coordination with the Ministry of Housing. The same is done to determine historic areas of architectural value and implement the requirements for their development and preservation in coordination with the Ministries of Culture and Antiquities.

2.2. Relations Between Central Government and Local Governments

The Parliament set laws defining local authorities’ allocations and oversees directly their activities. It can audit meetings, request information from local popular councils. Also, it can, through a designated commission for, evaluate the work of the local executive councils.

The cabinet of Ministers has high control over the local authorities; it can create or disband their councils at any level except for the governorate level. Also at the national level, the Council of Governors and the Ministry of Local Development (MOLD) are two bodies directly related to the local administration system, they assure good interrelation between the central and the local levels; The MOLD’s main mission is to coordinate between the central government and the governorates and among the governorates themselves, to regulate the affairs of local bodies, and to support their administrative and economic decentralization. The ministry is also responsible for measuring the local units’ performance at all levels, issuing a strategy to build, and developing the capacities of local leaders and cadres. The annual report submitted to the parliament has the purpose of evaluation of the activities of the local authorities, as well as to guarantee that the Center’s policies had been respected at the local level.

The President of the Republic has the prerogative to establish or cancel the Governorates and to define their competencies and responsibilities. The Prime Minister also appoints the Secretary General of the Governorate while the Minister of Local Development is responsible for appointing the Assistant Secretary-General of the Governorate, the heads of the centers and their deputies plus the heads of cities and neighborhoods as well as deciding on the transfer between the various local organs. Besides, the law stipulates the formation of the Governors’ Council which is headed by the Prime Minister and includes the Minister of Local Development and all the governors. The Council meets from time to time to discuss and control the performance of local units in order to improve their performance.
Locally at the governorate level, the Governor is the head of all civil servants in the governorate, he is responsible for the recruitment, promotion and transfer of personnel in the local units. The establishment or cancellation of villages is a decision that belong to the governor upon a proposal of the competent local council and after the approval of the Local Council of the Governorate. At the local unit’s level, each one of them enjoy an independent structure and assume all the functions of the ministries under the laws and regulations except for the national facilities or those of special nature which are determined by a decision of the President of the Republic. The law states that each of these local units has a president and an executive board, assisted by the president. Local councils are responsible for developing and implementing the development plan, exercising the tools of monitoring the executive authority such as proposals, and submitting questions, briefing motions, interpellations and others, and withdrawing confidence from the heads of local units, in the manner organized by law. The law stipulates that the local councils must send their decision to the governor for approval and send a copy thereof to the ministry, in case that the decision harm the public interest the governor shall return the decision to the local council which issued it together with his observations and the reasons for his objection within 15 days from the date of receipt. If the Local Council insists on maintaining its decision by voting by a 2/3 majority of its members, the minister of local administration shall present the matter to the Council of Ministers within 30 days from the date of receipt and its decision on this matter shall be final.

Several issues can be raised on the structure and chain of command of the local authorities:

• As a result of the centralized political system, central government have absolute power over local authorities. Also, within the governorate, the governor’s office controls all local units at lower levels.

• Governorate budgets are always controlled by the signature of the Ministry of Finance and Ministry of Economic Development.

• All sort of revenues that local units wish to have, whether by imposing local taxes, obtaining financial aids or loans need the previous approval of the ministers cabinet.

• Minister’s cabinet has the power to dissolve any popular council at any level.

• Executive council are under manifold supervision: from their respective ministers, governorates and from the head of their local units.

• Finally, the parallel fund disbursement at the governorate level is a real constraint to effective planning. The governorate’s planning directory
can’t proceed in the capital investment plan before the central ministries give information on coming appropriations aimed at directorates and departments at local level.

As result of this centralization, local authorities are only administrative bodies without any real involvement in political process of decision making.

On the other side, the governorate councils have extensive power over the lower local councils within the same governorate. The governor, the members of executive council and the governorate popular councils can interfere in any decisions made by lower authorities; the governorate local council has the power to backup or to replace the local executive councils at lower levels, District, City and suburban divisions, in the execution of local projects especially if local authorities are unable to assume the task themselves.

2.3. Local Elections and Mayors

In the article 47 of the municipal law of 2016, it is stipulated that all local councils should be elected following two systems: the individual and the closed lists systems. Half of the seats are distributed to each one of the mentioned systems; political parties and individuals have the right to run the elections. Workers and peasants shall not hold less than 50% of the total number of seats in any local council. The law also stipulates that the Council’s term shall be quadrennial starting from the date of its first meeting and the election should be within the 60 days that precede the expiry of the term. As for the local council’s membership, it requires the followings:

1) To be Egyptian, enjoying the civil and political rights.

2) To be 21 years old at opening day of the candidacy.

3) To have completed at least the basic education certificate.

4) To finish the military service, or to be exempted from its lawful performance.

5) To be included in the voter database in the local unit that nominates itself in its constituency and has a place of residence.
within its scope.
Candidates submit nomination papers with the governorate or local government unit within a period to be determined by the Governor and must pay a relatively modest financial fee. Voters select as many candidates as there are seats to be elected. For a ballot to be considered valid, voters must vote for at least half the number of candidates as vacant seats and candidates with the highest scores are awarded seats. Yet, there are restrictions that concern the candidature of the members of the armed forces the police and other administrative entities which shall not be accepted before resigning from their posts and positions.

The president, the members of local popular councils and part of the executive local councils are elected by direct suffrage. However, the president and the rest of the executive local executive council’s members are appointed. At the Governorate level, the president of the republic appoints the Governor and his deputy by a presidential decree. At lower levels, the Prime Minister appoints the heads of districts, the mayors, and the heads of urban subdivisions as well as the rest members of executive local councils. On another front, the governor appoints the deputies of the district head and the heads of villages falling within its jurisdiction.

2.4 Strategic Planning and Performance Assessment

Within the sectional department constituting the organizational structure of the Local Executive Council, there’s one section dedicated to planning, the Planning and Monitoring department. For the locally suggested project, this unit assesses and designs the project. The local executive and popular councils adopt it by mutual approval, include it in the annual plan and then submit it to the related Governor. The project will be discussed, after the approval of the governor, in the governor’s council, setting the budget and adjusting the plan in order to resend it to the appropriate local level units for final approval. The last step is to integrate the project in the national plan through the Ministry of Local Administration (MOLA) to be approved later by the parliament, ministers and the president.

However, centrally planned project follows the opposite direction of the bottom-up direction of the locally proposed plan. Nevertheless, local authorities prefer locally developed projects than the central one as they reflect the needs of the local population. In term of assessment, planning in Egypt reflects more “planning by justification” rather than “planning by objectives”. In addition, the collected data used in the analysis is unreliable as it is bureaucratically collected and treated. This data is developed by the respective sectional departments, especially the Planning and monitoring units. The field work to collect data is assumed by local unit’s working groups at the lower level of the local administration hierarchy.
3. Duties and Responsibilities of Local Governments

3.1. Social Duties and Responsibilities

The central government remains to be the main supplier of urban infrastructure, transport, roads, water & waste water, electricity and solid waste management. However new form of corporation exists, whether between official administration or between the private and public sector in form of BOT or other. Foreign aid\(^6\) appears to be a major source of investment in the Egyptian infrastructure.

The sub-national roads and bridges are financed and maintained by the dedicated governorates’ department: the directorate of roads and bridges. However, repairing and repaving the roads is assumed at the city and “hay” level by the local directorate of roads and bridges. Likewise, water and the wastewater projects are managed centrally through the holding company of Water & Waste water. Local authorities monitor and operate only through the dedicated sectional department of the executive council. But Municipal Solid Waste MSW management works very efficiently in urban areas (90% of high to middle income areas are served) and very bad in rural areas (10% in rural low income areas are served). Solid Waste is dumped in landfills designated by the government, burned or disposed in agricultural fields and irrigation canals. In the informal settlement, the infrastructure is supplied in the early life of the settlement by the inhabitant themselves or by small private companies. Water and electricity are generally taken illegally from the closest urbanized area creating in result a huge pressure on the network. Garbage collecting, streets cleaning and operating land fill are managed on the governorate level by the Cleanliness and Beautification authorities. An added tax on the electricity bill is collected in order to cover the high cost of garbage collection.

Public housing is generally built on a state land offered by the governorate. However, the Ministry of Housing Utilities and Urban Development (MHUUD) regulates the planning and the funds at the central level. According to 1979 law, local authorities have the right to set their own planning and building regulation. Prior to the construction permit, a planning permit is needed at the district level administration in order to cross it with zoning. The planning permit, called shehadet Salaheyat al Mawqe’e men al Nahiya, is issued by the Planning/Engineering Department of the District executive council. The mechanism of housing provision needs to be simplified for several reasons such as:

- Classification of public lands with different controlling units;
- Various institutions that control the public land disposition (ministries,

---

\(^6\) Foreign aids have also role in financing studies and urban policies. The USAID for example financed the National Urban Policy in 1080-1981, under the supervision of MHUUD.
governorates and sectorial entities);

• Large numbers of laws and decrees create complicated procedures to release public lands for investment or development.

Moreover, additional confusion of responsibilities is generated among governorates due to anarchic delimitation of their boundaries as well as uncoordinated and ineffective policies and land use planning. In GCR, the challenges are not about distortion to the housing market but also about the mismatch in the supply and demand balance and the heavy subsidized public housing sector (Current subsidy per housing unit amounts to 70-75% of total development cost overloads state budget) that limits the private sector investments in affordable housing supply. As a result, Greater Cairo Region has observed constant growth of informal settlements (over 50% households live in informal settlements, 82% built on agricultural land).

Nowadays there are two sources of supplying lands for urban use: converting the desert lands owned by the state or converting agricultural lands. The authorities who has the right to apply this land conversion are: First the Army Forces for security reasons; the MHUUD (Ministry of Housing, Utilities and Urban development) especially in new towns; the Ministry of Agriculture and finally the governorate. However, the governorate’s conversion of land is conditioned: the land should be within 2km from a cultivated land and of course within its jurisdiction.

Another form of land supplying for urban use is squatting by individuals, creating informal areas. This process generally begins with a farmer dividing his land in an agricultural zone, selling the parcels to other in order to build; or an individual who simply build a one room construction with fences in the desert, consisting the pioneer of an informal urbanized zone. Generally, private developers are interested in agricultural land conversion. They would even proceed into the land buying and subdivisions in order to speed up the operation. Local authorities, and once this informal expansion became important, band in front of the situation and proceed into legalizing the informal tenures.

The Ministry of Tourism (MOT), the Egyptian Tourism Authority (ETA) and the Touristic Department Authority (TDA) monitor the main cultural and touristic sites centrally. Local authorities have no control over these sites. However, pollution problems generated from the incapacity of local government to handle for example, solid waste dumping or proper transportation serving these sites, effect some of the most important heritage sites in Egypt. However, in the domain of cultural heritage, local authorities have a vital role to play, they can set culture and heritage to be among the government’s priorities as well as improve governance, legislation and management of the heritage sector. Local governments should be actively involved in the local cultural life by raising the awareness of the population vis-à-vis the importance of heritage and culture.
at the municipality level or by organizing cultural events in coordination with different stakeholders.

The majority of social services facilities, schools, vocational training centers, health centers and clinics, youth and even mosques are centrally planned. Local units at the governorate level follow and monitor only; construction and operation of these facilities depend on the government allocations, so the governorate in turn has the say in choosing the site. However, as the government provides zero fund to purchase the land, the governorate has to use state lands wherever found, complicating in many cases the accessibility to these facilities.

Due to the inferiority of government-supplied services, the private sector became prominent in this sector. Where the public sector is not able to implement in urban neighborhoods because of its financial incapacity to buy lands; private schools are taking over, building more and more schools especially in the middle classes area jeopardizing in turn the low class population. Also in the health sector, national and international NGOs are involved with hospitals and private clinics for service provision. Likewise, in informal areas, local associations and NGOs provide primary and secondary health care. These stakeholders also operate in informal zones like facilities, kindergartens, vocational training classes and illiteracy classes.

As for education, 33% of young population of 18-29 has not completed their basic education despite the improvements; also, the illiteracy rate of adults is still at about 26% in Egypt. Public education institutions for basic and advanced education are obstructed from being adequately grown due to several reasons such as: concentration of services in urban areas, structural difficulties and unequal geographical distribution.7

3.2. Financial Duties and Responsibilities

The local governments are responsible for developing local communities in a comprehensive manner based on the potential of those communities, as well as the good distribution of resources according to the needs and priorities. In fact unbalanced development levels exist among the Egyptian governorates due to the fact that they are not integrated into the decision-making processes. Thus, many initiatives were taken to support the local economic development such as: Municipal Initiative for Strategic Recovery (MISR) aiming at developing the 58 worst municipals in accordance with Human Development Indicator, or “Shorouk” program aiming to develop some infrastructure projects through local participation.8

8 UN-Habitat, Arab Republic of Egypt National Report, Third United Nation Conference on Housing and Sustainable Urban Development (HABITAT III), Quito, Ecuador, 2016, p.76.
Local Units are hardly capable of estimating taxes and fees, borrow or get grants, also the elected council members play a limited role in the decision-making processes with regards to local financial resources. Furthermore, as the administrative system is centralized, the local units are not encouraged to increase their self-generated resources or some of them even refuse to be responsible for financial resources coupled with the opposition of the MOP to do so. The excuse of the ministry is that local governments are not technically qualified to provide the required services or to efficiently use their resources or to manage financial resources compared to central government. On the local level, some Governors do not play any role in supporting the local economic development, which increases the discrepancy in the ability to attract investment and to create job opportunities. This situation affects the quality of public services that is normally low, the shortage in local public resources assigned to public services will puts additional pressure on the central government budget. As a result, citizens do not feel satisfied with the quality of public services.

Local finance in Egypt suffers from limited local financial resources, as most of the public investment (infrastructure and urban development) are centrally handled, the sub-national government expenditure in Egypt represents a small ratio of all the national expenditure. In spite of an increase in local revenues, percentage of local revenues to total public revenues decreased from 2.7% in 2006/2007 to 1.4% in 2013/2014.9

The law divided the financial resources into a number of sections: “Financial Resources for the Governorates”, “Financial Resources of the Center”, “Financial Resources for City” and “Financial Resources of the Villages”, which are as follows: First, the shared resources with other governorates that consist of taxes on exports and imports; Second, the proper resources of the governorate that include: taxes and fees of cars and means of transport authorized by the governorate, and a quarter of the tax on lands in the governorate, donations after the approbation of the Prime Minister. The governorate also has a special account to finance economic housing projects at the governorate level.

As for the other levels of local administration, the Article 132 of the law deals with the financial resources of the Center, they include among others: government advertisements. Whereas the Article 133 regulates financial resources of the city which include the allocation from the governorate’s local council for the benefit of the city, the taxes on real estate that benefited from the public utility works, and the lease of buildings and lands. There are other fees imposed by the local council of the city, which include among others: licenses of quarries and mines, public stores clubs and markets, consumption of water, electricity and gas, etc. With regard to the local administration, budget follows a structure of four section

or “Budget Lines (Bab)”, on both the expenditure and the revenues side. The first budget line, representing the largest local expenditure (60-70% of the budget), constitutes salaries and personal cost; the second recruitment expenditure including monitoring and maintenance; the third represents investments and the fourth capital transfers. The recent amendment of legislation gave the governorate certain control over the annual investment budget allocated under Budget Line 3.

In term of revenues, local administration depends on the annual central government allocation (80% of the annual revenue). Also, taxes on agricultural lands, building permits, vehicles, driver’s license and part of proceeds from land sale consist also financial resources for local administrations. With regard to municipal budget, 29.4% comes from duties on cars, 26.2% from taxes on buildings, 21.8% from land taxes, 15.4% from corporation taxes, and, finally, 7.2% from other taxes. It also shows that share of local taxes from national taxes. At the governorate level, local authorities enjoy a certain financial independence allowing them to operate special funds dedicated for local services and development, land purchasing, cleanliness and public housing. On the contrary, local units at the city level are limited in their financial autonomy. However, the recent legislation amendments gave bit more financial independence to local units at the lower level in the aim of consolidating the decentralization process. Executive bodies, not the elected local councils, assume the right to financial oversight. In accordance with law no. 139 of 2006, restrictions are imposed on managing funds and accounts by municipalities.

About budget preparation and approval procedures, each local unit shall have an independent budget to be attached to the budget of the governorate. The competent financial services of each local unit shall prepare its annual budget, including its revenues and expenses in accordance with the rules applicable to the preparation of the general budget of the State, then, the financial department of the province shall prepare a draft budget for the province attached to the independent budgets of the local units and the governor presents it to the governorate’s local council for approval and then to be sent to the Minister of local administration. The draft plans of the provinces after approval by the local councils and the higher committees of regional planning are sent to the Minister of Planning who coordinates between them and the general plan of the state. Both the Ministry of Finance and the Central Auditing Organization review the accounts of the local units.10

10 Articles 144-145-146 of the Local Administration Law no. 124.
3.3 Environmental Duties and Responsibilities

Climate Change

The Egyptian constitution of 2014 addressed environmental protection as national duty although Egypt is more a victim of global pollution. Climate change is affecting the country as a whole; raising sea level for the coastal areas and air pollution for in cities such as Cairo, which is heavily polluted by the transport and the industrial sectors. Despite regulations for environmental impact assessment, the implementation by the concerned authorities is weak; the case of Helwan is exemplary because it is considered as one of the most pollutes areas in Egypt due to steel and cement factories.

Another pressing issue is the fresh water availability and wasteful use; the important population growth, and the pollution that reflect real environmental concerns. Water in canals is often polluted by anarchic solid waste dumping putting in danger the life of the surrounding population and the agricultural fields. Air pollution, especially in the major urban agglomeration, is a real problem affecting not only the environment but also the health of the population. The main sources of air pollution are industrial facilities that use inferior technologies, informal activities like burning solid waste or seasonable sand storms.

The most important environmental threat in Egypt is desertification. The fragility of the ecosystem and the excessive use of natural resources beyond the ecosystem’s ability to regenerate are the main reasons for this desertification. In fact, the extreme urban sprawl minimizes the agricultural and green surfaces, which in turn increases desertification. This process in not only affecting the environmental conditions for millions of people in cities but also threatening food security of the whole country.

Water and Wastewater

The National Authority for Drinking Water and Sanitation is simultaneously responsible for water and sanitation in Egypt elaborated a strategy for the reorganization of the drinking water and sanitation sector till 2030 to provide safe drinking water and sanitation services covering all cities and villages. This authority is responsible for implementing projects on the level of cities and villages. At the governorate, the Holding Company for Water and Wastewater (HCWW) via the governorate level companies are responsible for managing, operating and monitoring drinking water and drainage. The exception are GCR and Alexandria where the Water and Wastewater Executive Agency is tasked to implement projects in these two urban conurbations representing 25% of the total Egyptian population.
Several measures are currently being considered to adapt to decreasing water resources or increasing Nile flows; these measures are among others: maintaining water level in Lake Nasser and increasing water storage capacity; developing new water resources through upper Nile projects; rain water harvest and water desalination. In addition, public awareness is being raised on the need for rationalizing water use, enhancing precipitation measurement networks in upstream countries of the Nile Basin, encouraging data exchange between Nile Basin countries, and developing Circulation Models to predict the impact of climate change on local and regional water resources.\textsuperscript{11}

In Egypt, 97\% of urban populations have access to safe drinking water with a design capacity of 32.7 million m\textsuperscript{3}/day and production capacity of 26 million m\textsuperscript{3}/day. As per consumption, the minimum rate reached 21 million m\textsuperscript{3}/day while the maximum consumption rate is at 25 million m\textsuperscript{3}/day delivered by 2250 plants. This means that on the short term there will be no water shortage in Egypt. As for wastewater services, 90\% of the urban populations receive adequate sanitation services in 172 existing cities and 26 new cities. The design capacity of wastewater plants is 12.9 million m\textsuperscript{3}/day and the current annual capacity average is 10.1 million m\textsuperscript{3}/day, which meets the maximum rate of wastewater discharge at 10.9 million m\textsuperscript{3}/day; the minimum rate is at 9.3 million m\textsuperscript{3}/day. The wastewater services are provided through a comprehensive system comprising 372 treatment plants, 2104 water lifting plants and 138,000 km long networks.\textsuperscript{12}

A comprehensive plan is currently being developed to deal with drinking water and wastewater issues, especially in informal areas, resulting from bad practices and lack of health and environmental awareness, thus negatively impacting citizens’ health.

3.4. Other Duties and Responsibilities

The central government is committed to ensure sustainable urban planning by implementing urban development plans in order to raise the living standard of the population especially for disadvantaged areas. Thus, strategic steps had been taken in this direction by enacting the Building Law no. 119 of 2008 or establishing the Regional Centers for Planning and Urban Development that tends towards decentralization in urban planning processes. Furthermore, there are strategic steps taken towards preparing future strategic plans on the national level, they are as follow:\textsuperscript{13}

The National Strategic Plan for Urban Development 2052:

\textsuperscript{11} UNFCCC (INDCs)”, the Arab Republic of Egypt, 2015.
\textsuperscript{12} UN-Habitat, Arab Republic of Egypt National Report, Third United Nation Conference on Housing and Sustainable Urban Development (HABITAT III), Quito, Ecuador, 2016, p.87.
\textsuperscript{13} UN-Habitat, Arab Republic of Egypt National Report, Third United Nation Conference on Housing and Sustainable Urban Development (HABITAT III), Quito, Ecuador, 2016, p.15.
Approved by the Supreme Council for Planning and urban Development in December 2013, the plan objective is to elaborate a future vision that balance spatial with socio-economic development as well as preserving the environment and resources.

Developing the Suez Canal Corridor project:

The project inaugurated in 2016, it is one of the main pillars for the development of the Suez Canal Region particularly form a logistical and economical points of view by developing an international logistic center and creating more than 1.5 million of job opportunities.

On the local level, there are two main initiatives for Cairo and Alexandria; the GOPP is preparing the Strategic Plans: “Cairo 2052” and “Alexandria 2032” projects to respond to the challenges facing metropolitan cities. Also, other strategic plans are prepared for 130 cities of the 231 Egyptian cities plus for 4,409 villages out of 4,673 Egyptian villages. The objective is to achieve sustainable development through perceiving future needs of the Egyptian agglomerations under a higher level of strategic plans.

The government sets guiding principles to give details about the process of preparing general and detailed strategic plans. The guidelines strengthen participatory technique and enlarge the panoply of the development partners to be included in the planning, implementation and control processes.

At the governorate level, the executive council, through the urban planning department, has the authority over most urban planning and management activities in governorate. The law 3/1982 gave more power to the local executive units, at the city/ district level. They are responsible in pursuing planning and managing all the related services. They are also responsible of finding the proper funds for each project. However, and by this law, these local councils with their planning and execution departments have to coordinate with the General Organization of Physical Planning (GOPP) and get the governor signature on any project. Another constraint of structural nature is the task for these local units: technically they have to answer to their respective ministries following their specialization and administratively they answer to the head of the local unit.14

The urban network in Egypt includes roads, railways and maritime services; the major part of the network is provided and monitored by the Ministry of Transport (MoT) whereas individuals provide the other part. The services monitored by the MoT are: Cairo and Alexandria Public Transport Authority, The cooperatives of the Local governorates transport, and Private operators working under franchise basis. Also, services provided by the private sector

are: Taxis, pickups and light vehicles as well as microbuses (Shared Taxi) with 7 to 17 seats working for intercity and urban services.\textsuperscript{15}

With regard to Cairo Governorate, the transport sector is manifold, metro network, bus and tram services and, taxis and shared taxi services. The metro network is composed of six metro lines three are already functioning and three are planned with a total length of 99 km and 63 km respectively. According to Cairo Transport Master Plan, the demand for metro trips will reach 8.7 million passenger/day in 2022, this means that three metro lines (or the present network with a maximum capacity: 5.76 million passenger a day) will be saturated, thus the extension of the network will be indispensable. As for taxis and microbuses, they serve almost 3 million passenger trips daily but with no coordination with the other modes of transport. These types of transport are considered as low profile ones because there is no planning or monitoring of their services. Finally, the bus system is suffering from a number of problems that include ageing fleet coupled with extended service area and over employment; due to social aspects the tariff of the bus and tram system in Cairo are law.\textsuperscript{16}

The public bus system is under the governorate control except in Cairo where it’s under the control of Cairo Transport Authority. The traffic management and the regulation of mini-bus and taxi are also under traffic department on the governorate level.

The GOPP has prepared strategic planning on various levels; regions, cities and villages. Urban transport planning is one of the main important axes included in Cairo Strategic Plan 2052, it includes 6 important projects to establish 4 new metro lines and 9 fast tram lines. The regional transportation plan for Greater Cairo Region (GCR) is composed of two centers: the first is to upgrade the public transportation network and related financing, whereas the second regards the institutional development of the transportation authorities by means of separating the design from the monitoring and implementation. Other main projects concern the development of a modal split system; the establishment of mixed used commuting stations; the initiation of the fast tram project to link the new urban developments to Cairo center; extend the Cairo Metro Network; the upgrading of the minibus service in Cairo and finally, to regulate the status of the “tok tok” transport system.\textsuperscript{17}

\textsuperscript{15} UITP Middle East North Africa, Overview of Public Transport in Middle East North Africa, Public Transport in Egypt, 2007, p.27.


\textsuperscript{17} UN-Habitat, Arab Republic of Egypt National Report, Third United Nation Conference on Housing and Sustainable Urban Development (HABITAT III), Quito, Ecuador, 2016, p.23.
4. Challenges and Opportunities for Local Governments

4.1 Internal Capacity, Urban Service Delivery and Reforms

The corporate spirit in local urban development encouraged on the governorate level. Since 2004, new technical approach has been applied for producing an inclusive and corporate way of thinking in urban planning and management. In Alexandria, the City Development Strategy (CDS) is a clear example of such approach applied on the governorate scale. The idea is to engage all the stakeholders, Civil Society, universities, cultural centers, businessmen as well as local authorities, in putting in place a global strategy for the city. The positive outcomes are numerous, consolidating the city’s comparative economic advantages and discussing urban issues in open manner between different stakeholders with different visions and methodologies; strengthening in turn the participatory approach of the community.

As long as the administration system in Egypt is centralized, the central government is the main supplier of services and infrastructure. Service provision takes new forms of partnerships like the Public Private Partnership (PPP) or BOT or others. Foreign aid\(^\text{18}\) appears to be a major investor in this domain. In the informal settlement the infrastructure is supplied in the early life of the settlement by the inhabitant themselves or small private companies. Water and electricity are generally taken illegally from the closest urbanized area creating huge pressure on the infrastructure.

4.2 Sustainable Urban Development

4.2.1. Urban Risks and Resilience

The urban agglomerations were affected by two different visions of sustainability since late 70s till nowadays. Middle 80s, the government launched a policy setting the frame of urban expansion, adopting the concept of satellite settlements in the desert. Sustainability was seen, at that time, the method allowing the decongestion of the main urban agglomerations along the Nile and settling in the hinterland, in the desert. Since, the desert has always been a spatial key element to conquer or to contest. In result, several generations of satellite settlements amalgamated and merged with informal settlements creating huge urban sprawl\(^\text{19}\). The sustainability of such urban planning approach was and is seriously questioned. Intended to be for vulnerable poor population, these new settlements built following “new urban standards” whether in physical constructions or in activities setting, constituted a real barrier for the residents to

\(\text{18}\) Foreign aids have also role in financing studies and urban policies. The USAID for example financed the National Urban Policy in 1080-1981, under the supervision of MHHUUD.

\(\text{19}\) The surface of the urban sprawl around Cairo after adopting this policy is equal to the half of greater Cairo.
exercise their “informal activities”, to access to urban facilities or to be integrated in the general urban dynamic of the agglomeration.

As mentioned before, new approaches of sustainability appeared with the Alexandria’s City Development Strategy (CDS) push into better management of local assets and liberating more the private sector-led growth ensuring socioeconomic of the vulnerable.

The rapid growth and the high densities in the Egyptian human settlements, strain the physical and the social infrastructures and deteriorate the built environment. In fact, bad environmental behavior is a direct outcome of poor social services provision, schools operating with two shift and lacking basic equipment, poor health care centers, lack of green areas. Informal settlements are a solution for vulnerable population to access to housing in urban areas but at the same time the level of fragility in those urban expansion is so high, jeopardizing the population and the environmental resources.

Drinking water is also a constant risk in the most crowded Egyptian agglomeration. Sources are not safe and the infrastructure is in a bad situation. To overcome this, the Ministry of Housing, Utilities and Urban Planning in collaboration with the local authorities developed treatments plants and expended the waste water collecting infrastructure.

As a response in the domain of risk management, the Cabinet established the “Sector for Crisis and Disaster Risk Management and Reduction (CDRMR)” so that it can act as the technical secretariat for the “National CDRMR Committee” and the “Consultative Scientific CDRMR Committee”. The said sector will develop programs and plans for preparing and overcoming disasters and reducing their extent, besides, it will be responsible for:

- Monitoring the implementation of national CDRMR programs and plans;
- Playing an important role in developing various training programs;
- Conducting CDRMR awareness activities;
- And providing technical support to the State’s different sectors.20

On the institutional and technical front, Egypt has made a lot of effort in the field of mitigating disasters impacts by preparing a national plan to deal with environmental disasters. A national plan for facing pollution incidents in the Nile is being prepared and early warning system for crises air pollution crises is established. Moreover, the establishment of 11 centers to face oil pollution incidents on the Red Sea, the Mediterranean and the Nile as well as the

preparation of maps for environmentally sensitive areas in the areas, besides the inclusion of reducing environmental disasters and preparing contingency plans in assessing environmental impact studies.

4.2.2. External and Internal Migration

Egypt has attracted limited flows of migrant workers and but significant number of refugees and asylum seekers since 2011 from Sudan, Ethiopia, and Somalia, as well as Iraq and most recently from Syria. Beside Egypt’s political stability compared to other hosting countries in the region, the country is also a main center for international agencies (UNHCR) and NGOs. It is considered as a transit country for refugees seeking to immigrate to Europe. In addition, Egypt adopted several legislations in the new Constitution, such as the approval by the Egyptian Cabinet of a new anti-human smuggling law on 27 November 2015.

After violence erupted in Libya in February 2011, UNHCR reported that close to 475,000 people entered Egypt through the borders. These included Egyptian returnees and Libyans, as well as third-country nationals and refugees who had been resident in Libya. But to date, Syrians are considered as the largest group of refugees in Egypt, most of them came for the cost of living which is cheaper than in Jordan or Lebanon. Syrians were exempted from entry visa until 2013, where the government required the obtaining of an entry visa along with security clearance, thus, entries have slowed down since that date. Egyptian authorities declare that the country has hosted around 300,000 refugees from Syria, but as of November 2015, 123,585 Syrians were registered as refugees by UNHCR. The vast majority of refugees from Syria are concentrated in urban areas, primarily in the Greater Cairo Region (62%) and in Alexandria (20%). Some of the refugees registered in Egypt are resettled in Western countries by international organizations, on humanitarian grounds.

---

21 A survey indicated that the majority of Syrians in Egypt had first transited through Lebanon.
5. References


Constitution of the Egyptian Arab Republic, 2014 Locale administrative system of Egypt, Faculty of Agriculture of Cairo University, May 2011.


Françoise De Bel-Air, Migration Profile: Egypt, Migration Policy Centre - Robert Schuman Centre for Advanced Studies - European University Institute, Italy, February 2016.

Hala S. Mekawy & Ahmed M. Yousry, Cairo: The Predicament of a Fragmented Metropolis, Faculty of Urban and Regional Planning, Cairo University, 2011.


Mustafa Adel Abdulrahman, Innovation in the Local Administration System in Egypt, The American University in Cairo, School of Global Affairs and Public Policy, Public Policy and Administration Department, 2016.


UN-Habitat, “Revitalizing and Upgrading of the Central Zone of Khedive’s Cairo, Strategic Urban Development Plan for Greater Cairo Region”, January 2013.


## Country Profile

<table>
<thead>
<tr>
<th><strong>Official Name of the State</strong></th>
<th>Republic of Iraq</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Form of Government</strong></td>
<td>Federal Parliamentary Republic</td>
</tr>
<tr>
<td><strong>Official Language(s)</strong></td>
<td>Arabic, Kurdish</td>
</tr>
<tr>
<td><strong>Currency</strong></td>
<td>Iraqi Dinar</td>
</tr>
<tr>
<td><strong>Area</strong></td>
<td>437,072 km²</td>
</tr>
<tr>
<td><strong>Total Population</strong></td>
<td>37,202,572 (2016)</td>
</tr>
<tr>
<td><strong>Urban Population Rate</strong></td>
<td>68.7% (2018)</td>
</tr>
<tr>
<td><strong>Capital City</strong></td>
<td>Baghdad</td>
</tr>
<tr>
<td><strong>Population of Capital City</strong></td>
<td>8,765,000 (2016)</td>
</tr>
<tr>
<td><strong>Human Development Index Ranking</strong></td>
<td>120</td>
</tr>
<tr>
<td><strong>Gross Domestic Product (per capita)</strong></td>
<td>$5,878</td>
</tr>
<tr>
<td><strong>Unemployment Rate</strong></td>
<td>8.16% (2017)</td>
</tr>
<tr>
<td><strong>Poverty Rate</strong></td>
<td>22.5% (2014)</td>
</tr>
<tr>
<td><strong>Forest Area Rate</strong></td>
<td>1.9%</td>
</tr>
<tr>
<td><strong>CO₂ Emission (metric tons per capita)</strong></td>
<td>4.81</td>
</tr>
</tbody>
</table>

*Source: UN Data, WB Databank & National Legislation*
1. Laws and Regulations on Local Governments

The 2005 constitution and the Law 21 of 2008 constitute the local authorities’ current legislation. This law took effect after the 2009 governorate’ election; its main objectives are empowering local authorities and enacting constitutional requirement into more effective national government.

This new legal framework established two sorts of governments: regional and national. The National Government is a federal system giving the Kurds regions of autonomous status where they exercise Regional Government system, which makes Iraq the only country in the world to do so. The Kurds regional government has the same executive, legislative and judicial powers within its jurisdiction as the central national government.

The National Government is composed of Governorates and Districts. The fourth administrative government type is the Governorate of Baghdad which is a discrete territory regulated by the Article 124 of the Law. However, the constitution’ supremacy clause defined the hierarchy between these four government levels:

1) the Constitution
2) the National and Federal Law;
3) the Governorate’ law;
4) Laws issued by the capital’ Governorate.

The 2008 local law government only set the authorities of elected councilors and does not define those of the appointed executive councilors. Following the Articles 1&2 of the Law amendment 15 of 2010: the governorate has the authority to change their borders, regulate their affairs and set local legislation. The Local Governance Program helped these councils in completing this task with experts’ consultation, stakeholders, civil society and members of the general public.

The Article 116 of the 2005 constitution states clearly the decentralization of the administration where capital, region, governorate and local institutions are decentralized forming the federal system of Iraq.

2. Structure of Local Governments

2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

The structure of the authorities in Iraq shall consist of the Presidency Council, the Council of Ministers, and its presiding Prime Minister, ministries and the regional authorities. The system is designed to prevent the concentration of
power in the federal government. This system shall encourage the exercise of local authority by local officials in every region and governorate.

At the central level, the National Assembly elects the President of the State and two deputies, it also form the Presidency Council that represents the sovereignty of Iraq and oversees the higher affairs of the country and carry out the function of commander-in-chief of the Iraqi Armed Forces. By its turn, the Presidency Council shall name a Prime Minister unanimously, as well as the members of the Council of Ministers upon the recommendation of the Prime Minister. The Prime Minister shall have day-to-day responsibility for the management of the government, and he may dismiss ministers with the approval of a simple majority of the National Assembly, which have the right to withdraw its confidence either in the Prime Minister or in the ministers collectively or individually. The Council of Ministers shall draw up directives necessary to enforce the laws and approve the nominations of deputy ministers and other employees of special grade. All decisions of the Council of Ministers shall be taken by simple majority of those of its members present.

The Ministry of Municipalities and Public Works (MoMPW) has three directorates at the governorate level: Municipalities Directorates, Water Directorates and Sewage Directorates. This ministry oversees governorates and lower level of government through the local offices of Municipalities’ directorates.1

Locally at the governorate level, the council can change the boundaries or rename the lower level’s scale unit: district and sub-district, but after the approval of the central government. Each governorate shall have the right to form a Governorate Council, to name a Governor, and to form municipal and local councils. No regional government may dismiss a Governor or member or members of any governorate, municipal, or local council. No Governor or member of any Governorate, municipal, or local council shall be subject to the control of the federal government except to the extent that the matter relates to the competences set forth in Article 25 and 43 (D) of the Iraqi constitution.2

The Kurdistan Regional Government presents an exception because it is recognized as the official government of the territories that were administered by the government on 19 March 2003 in the governorates of Dohuk, Arbil, Sulaimaniya, Kirkuk, Diyala and Neneveh. The region has a National Assembly, a Council of Ministers, and a regional judicial authority. The Kurdistan Regional Government shall continue to perform its current functions except with regard to those issues which fall within the exclusive competence of the federal government. Financing for these functions shall come from the federal government, The Kurdistan Regional Government shall retain regional control over police forces and internal security, and it will have the right to impose taxes

1 Article 38 of the Iraqi constitution.
2 Article 55 of the Iraqi constitution.
and fees within its official boundaries.³

For administrative purposes, the country is divided into eighteen governorates, of which three (Arbil, Dahuk, and As Sulaymaniyah) are gathered in an autonomous region in the north and the other fifteen governorates are in central and southern Iraq.

The first level of the sub-national government system is the governorate or regions. Region is different from governorate as it has an autonomous status. The only region that exists in Iraq is the Kurds region constituted of three governorates. Governorate is divided into District (Qadaa) and Sub-district (Nahiya). Each sub-district contains neighborhood hay.

**Municipality Directorate** (Baladya) dates back to the Baladya Administrative Law No 165 of 1964. It represents the MoMPW in the governorate’ council and it is fully funded by it. This directorate, headed by DG, is responsible for managing, technically and financially, the work of all municipalities existing at the District and Sub-district level. The municipality is at the same time a federal office representing locally the MoMPW and an administrative office. Each municipality should report to the municipality directorates of the governorates regarding the financial matters and the progress of public work. The municipality directorates’ members and head are appointed by the Ministry of Municipalities and Public Works.

Referring to Local Governance Law, the **Governorate’ councils** are described as the highest legislative and oversight authority in the territory. In coordination with competent national ministries, it outlines policies and general plans⁴.

The **District’ (Qadaa)** and the **sub-district councils’ (Nahiya)** main prerogatives are:

1) Ensure that service delivery responds to the local needs;

2) Organize operations of local administrations;

3) Review local ministry plan;

4) Collect and retain local revenues, taxes and fees;

5) Identify local budgetary requirements through the national budgetary process;

6) Recommend appropriate action to the governorate councils with respect to officials on matters such as misconduct.⁵

---

3 Article 54 of the Iraqi constitution.
5 (USAID, 2007, p. 16)
2.2. Relations Between Central Government and Local Governments

There is an overlap of authority between the federal government and the local governments, this has an impact on the authorities’ process and engagements. However, regional governments and governorates may exercise the power devolved to the center. Where practicable, the federal government shall take measures to devolve additional functions to local, governorate, and regional administrations, in a methodical way. Regional units and governorate administrations, including the Kurdistan Regional Government, shall be organized on the basis of the principle of de-centralization and the devolution of authorities to municipal and local governments.

The Governorate Councils shall assist the federal government in the coordination of federal ministry operations within the governorate, including the review of annual ministry plans and budgets with regard to activities in the governorate; funds shall be provided by the State from its general budget. Governorate Councils have the power to impose taxes in order to increase their revenues plus to initiate and implement province-level projects alone or in partnership with international and non-governmental organizations.

Form the other side, the governorate councils have the extensive power over the lower local councils within the same governorate; they can interfere in any decisions made by lower authorities, to backup or to replace the local executive councils at lower levels, District, City and suburban divisions, in the execution of local projects especially if local authorities are unable to assume the task themselves. The mayor needs the approval of the governor on any activities he wishes to do within its jurisdiction whereas the governor can run all the affairs of the mayor without consulting with him.

The Qadaa and Nahiya councils shall assume the federal responsibility in the delivery of public services ensuring that they respond properly to local needs and interests, also identifying local budgetary requirements through the national budgeting procedures, as well as collecting local taxes and fees and implementing local projects alone or in conjunction with international, and non-governmental organizations.

2.3. Local Elections and Mayors

Federal system that adopts the Federal Administration, decentralization and strengthening of the capacities and powers of elected local governments and authorities to participate in decision-making process. The final provincial election was in 2013, conducted in 12 from 18 governorates. The election did not take place in the Kurdish autonomous region.

---

6 The governorate 19 was established in 2014.
The governorate council elects the governors that appoint 4 of 5 local seniors’ ministerial officials; in turn, this needs the approval of the governorate council. The Ministry Cabinet appoints the fifth local senior. When a governor, mayor, or member of a council is dismissed, the relevant council may receive applications from any eligible resident of the governorate to fill the position. Eligibility requirements shall be the same as those set forth in Article 31 for membership in the National Assembly. The new candidate must receive a majority vote of the council to assume the vacant seat.

District’ (Qadaa) and Sub-district (Nahiya’) council’s members are appointed by the governorate council. On the lower levels, within the local branches, tribes exercise a high power over councils.

The governor is the chief executive officer, responsible of the execution of all the governorate’ council decisions and accountability. The local officers are appointed and removed by the governor. The oversight of the central authorities over governorates became so minim because of the decentralization process established by the 2005 constitution. The central government is trying to retrieve some power over local authorities especially the Ministry of Finance who is trying to control the local budget spent on reconstruction.

The Qa’im maqam is the head of the District (Qadaa) and the Mudeer is the head of the sub-district (Nahiya). The respective local council of which they are accounted to implement the decisions elects them. They represent also a direct link between the governorate and their localities.

2.4. Strategic Planning and Performance Assessment

The Planning Department at the governorate level, with the coordination of any other concerned technical department, prepares the Provincial Development Plan and submit it to the governorate council. It is sent later on to the Ministry of Planning for approval according to the national planning parameters. Later, the project is included in the Governorate’s Investment Budget. The Ministry of Finance provide funding after one-year period of the approval.

The municipality may become a partner in the Provincial Development Plan promoted by the governorate council in the District and sub-district.

3. Duties and Responsibilities of Local Governments

As there is no transparent and coherent system for local development planning and fiscal management between central and local authorities, the failure of service delivery is not mainly the responsibility of local authorities more specifically municipalities.
3.1. Social Duties and Responsibilities

Within the Ministry of Housing and Construction, the State Commission for Roads and Bridges (SCRB), represented at the governorate level through local offices, is responsible for all national roads including part of expressway within the municipality limit. All urban roads are the responsibility in term of construction and maintenance of the proper municipality.

Housing is mainly covered by the private sector, delivering, in 2006, 80% of the housing units (The Ministry of Construction and Housing, 2006). Public housing is constructed and managed by the Ministry of Housing and Construction through the Housing Commission and Fund. Municipalities do not have a role in this operation except for assessing local needs. However, it is implicated in issuing building permits within its jurisdiction, knowing that when it comes to big projects, governorates and central offices are involved in the approval process.

Before 2003, all land for construction was managed at the central level. Now, land management happens at the governorate level. 80% of the lands in Iraq is owned by the state. In 2006, the government issued a moratorium on liberating lands for development waiting the elaboration and the updating of urban master plans determining a proper land use.

The country has come a long way in preparing for the advancement of this sector with an international company to implement a housing project of 100,000 housing units in the peripheries of Baghdad, namely Basmayah new residential town. Construction and housing companies plan to complete 42 housing projects with a total of 25,200 housing units by the year 2017, as well as affordable housing projects in Diyala, Salah al-Din, Anbar, Wasit and Diwaniyah with an average of 200 housing units per compound, in addition to housing projects for the poor under the poverty alleviation strategy in governorates with a number of 200 units for each governorate that provides the land required for it. Housing complexes to be built by some private investors have also been approved, totaling 65 residential compounds in 13 governorates with a total number of 10,226 housing units for these complexes.7

Challenges of the housing sector in Iraqi cities can be resumed in the severe shortage in land suitable for the construction of housing units in urban areas, the limited capital available to fund housing projects, the low number of qualified investors and developers in the housing area, the Degradation of the housing stock, the limited supply of locally produced construction materials, and the social preference of Iraqi households to live in individual housing units rather

7 UN-Habitat, Arab Republic of Egypt National Report (HABITAT III), 2016, p45.
than vertical or apartment housing.

Besides, All Iraqi cities, including Baghdad and provincial centers adopt a horizontal housing pattern caused by the nature of the conservative societal fabric and land subdivision and allocation laws. The results is an expansion of low residential density’s housing which requires more land allocation to meet the present and the future needs in housing units. Added to that, the work environment and the security issues which hinder the entry of investors to build housing projects with higher densities and mixed land use or the implementation of infrastructure and transport projects.

The cultural life of the Iraqi families is tinted by a basic unit represented by the tribes, they have an influential role in the political and also in the socio-cultural life of the citizens.

As for the municipalities, their present role is limited to the organization of awareness raising campaigns about several issues such as environmental awareness campaigns to mitigate pollution caused by the wrong ways of solid waste disposal.

The Ministry of Health oversee the work of the Directorates of Health which operates at the governorate level, it is responsible for all health programs, projects, services, and health facilities in the governorate at all levels. Hospitals and clinic centers receive allocation from the governorate annual budget according to rules defined by the Ministry of Health.

In terms of education, the Directorate of Education at the governorate level is responsible for the implementation and management of education programs. Operation and the management of schools and education center happen at lower level, the district level.

3.2 Financial Duties and Responsibilities

With regards to the development indicators, there are disparities at the national level are also reflected among governorates. A portion of the State budget under the name regional development plan is allocated to local governments in proportions corresponding to population size per governorate for the implementation of development plans therein.

The privatization law coupled with the lack of some legislations deprived the private sector institutions from becoming creators of jobs while at the same time suspending social security legislations. In addition, the expansion of the informal private sector has put an end to the concept of decent working environment. So, one of the primordial task of the central government is to legislate a law concerning the social security to give the opportunity to the formal private sector to be a generator of job opportunities; the lack of consistency between
the education system’s outputs and the labor market has created another gap to be blocked up for the employment of the fresh graduates.

The governorates and municipalities should lead the task of creating a suitable investment environment for private investors with training programs to develop the skills for job seekers to enable them to enter into the labor market, plus permitting loans for craftsmen and skilled people to work and to be job creators. Development indicators show a disparity among Iraqi’s governorates also between urban and rural areas; thus, it is necessary to achieve adequate indicators to enable equity among the governorates and subsequently at the national level.

There is an allocation of revenues from petrol and gas to the governorates from the total budget dedicated for regional development. These sums have a positive impact as they compensate the negative impact produced on the environment and at the same time, on the additional infrastructure needed for this process in said governorates. Regional and governorate development program was introduced in 2006 and has a fund of 20% of the investment budget for 2012. The budget allocation is depending on the population number in each governorate and focuses on local services and activities.8

At the governorate level, the Treasury directorates, known as the Treasury Department, is responsible for managing the financial aspect of the local administrations within the jurisdiction. Mainly it is asked for tax collection, distribution of the federal moneys in the governorate and handling a significant part of financial operations. This directorate receives its funds from the Ministry of finance through the governorate9. Following the Law 130 of 1963, the revenues are collected by the District but assigned by the Municipality to pay for their respective operational expenditure. Also on the local level, the Municipality is responsible for the distribution of the federal budgets to the Districts and Sub-districts in order to undertake public services.

3.3 Environmental Duties and Responsibilities

Solid Waste

Solid waste management is not within the municipality’s prerogatives, however, it is obliged to do so by the governorate council. In urban areas the percentage of covered population can reach in Baghdad for example 100%, where as in rural areas the coverage can decrease to 1.4% in some cases (Figure, 05). It is useful to note that the Municipal Law No 165/ 1964 lowered the percentage of municipal covering of solid waste management for the population in rural areas (Ministry of Planning et al., 2011). The most common used methods for treating solid waste

8 UN-Habitat, Arab Republic of Egypt National Report (HABITAT III), 2016, p47.
9 USAID, 2007
is burial, knowing that not all the burial site are granted environmental approval which is increasing the pollution. The main problem facing the municipal service sector in solid waste collection is the lack of environmental awareness.

The government does not consider the environment as a top priority of the State, the deterioration of the infrastructure during decades of war, the absence of security and stability, and the lack of community’s awareness contributed to the deterioration of the Iraqi environment in its three elements: water, air and soil.

Climate Change

The cities in Iraq are undergoing the impact of the climate change such as: global warming from rising temperature and humidity, desertification, dust, sandstorms, thunderstorms and declining precipitation. The first step in monitoring these changes is to install stations in some cities like: Baghdad, Basra, Mosul, and Rutbah to control the ambient air quality and emissions; these emissions are produced by the industry, electricity, energy, transportation which are considered among the sources that contribute to air pollution and the increase of concentrations of toxic gasses in the atmosphere. Cement plants are also considered as the contributors for the dust pollution, work will be concentrated on decreasing furnace dust emissions rate and expanding production of replacement alternatives for non-renewable energy.

Water

The water supply in Iraqi cities is unstable beside the huge disparity in access to potable water sources between governorates. 89% of the population have access to potable water, 97% among them are living in urban areas. Also, 65% of households use public water networks as their main source of drinking water and the public network provides 25% of users with less than two hours of water a day. In contrast, the network is outdated that’s why losses in the pipes reach 40% of the produced quantity of water coupled with Lack of accurate metering systems to precisely determine water consumption. Moreover, collected revenues only represent 9% of the operation budget for this sector, also the low tariffs for water encourage the increase in water consumption, adding to that, the absence of legislation and regulation that prevent violation in the networks and their pipelines.

The future objectives are to increase coverage to 98% and reduce water losses to 25% in 2017 while reducing the disparity of the level of services between governorates. This will also contribute to the provision of high quality water supply at a rate of (350 liters per capita a day) but at the same time, the rationalizing water use by raising the consumer awareness about rationalization.10

At the governorate level, the Water Directorates, which is also part of the Ministry of Municipalities and Public Works (MoMPW), are responsible for pumping and purifying water and for the construction of infrastructure plus maintenance. The management of water distribution within the governorate is assured by the governorate sector offices, which sometimes can cover several districts.

**Waste Water**

Despite that 99% of the population have access to sanitation means, there is a feeling of dissatisfaction of households in Iraq. This percentage fall to 33% if we consider sanitation systems linked to a sewage-pumping network. These households with no access to the public network have a tendency to use septic tanks for 40% of them, and covered sewage holes for 25% of households.

Other problems appear from the outdated sewage network and weak maintenance, which affect its performance and caused serious environmental issues mostly the mixing of wastewater with drinking water systems. In addition, most of the studies and plan lack precision due to the weak experience of the national companies that is reflected on the cost and the duration of the projects. Therefore, the rehabilitation of old sewage networks and plants seems to be essential while the governorates have the attention to rise the proportion of population with access to sanitation networks; also the capacity building of the working staff besides the supervision and quality control of the water and waste water domains.

**3.4 Other Duties and Responsibilities**

The governmental institutions concerned with urban planning are present at three levels:

- General Directorate of Physical Planning, at the level of cities and governorates.
- Regional planning, at the regional level.
- Ministry of Planning, at the national level.

The MoMPW is responsible for Urban Planning in Iraqi municipalities through the general directorates of Physical Planning (Law 11/1996). This directorate prepares master plan, defines Land Use, designs infrastructure and special projects without ultimately clarifying, for the most of issued plans, the implementation process. In fact, local councils have the prerogatives to contribute to the approval of master plans and urban plans, and control and supervision of the preparation and implementation, but this latter is lacking of funds and capacities to carry out infrastructural projects.
The Capital Baghdad is out of the jurisdiction of MoMPW, it develops its own plans, strategies and documents through its governorate directorate of planning without refereeing to any ministerial administration (Ministry of Construction and Housing, 2006).

There are almost (256) urban and municipal units in Iraq, they all have Master and Detailed Plans to identify the growth and the future land use and extension of the City. Those plans need to be updated to consider modern planning and environmental standards as well as to review the areas of expansion and the implementation phases. Efforts were initiated to update the master plans of (131) towns that constitute 51% of the cities of Iraq, some of them were completed while others not but they are in advanced stages.11

The General Directorate of Physical Planning is assigned to review and develop these plans in all the Iraq cities except for Baghdad and the cities of Kurdistan12. The branches in the governorates’ planning directorates in each provincial center undertake the follow-up; whereas, the implementing agencies of these master plans are the relevant municipalities. Baghdad development plans are overseen by the Design Department within the Mayoralty of Baghdad while for the cities in Kurdistan the physical planning directorates in the region and the municipalities do region the follow-up.

In working on master plans difficulties of different nature rising such as the preservation of the cultural heritage, the concentration of commercial and Government activities within the traditional central business district, the dispersal of industrial activities or the overlapping with residential or commercial areas or uses, and the spread of slums especially after 2003, besides the archaic legislation governing the planning process. Thus, as a priority, it is essential to set a national strategy for urban development and a national law for urban planning, as well as to develop mechanisms to control the implementation and the non-viol

On the country level, the transportation network extends longitudinally parallel to the main two rives: Euphrates and Tigris. This situation weakened the connectivity between the different sectors of the Iraq’s cities and requires the implementation radial roads in order to create connections plus a hub of development between the cities in Iraq. The means of achievement of an Integrated Transportation Systems are to implement expressways and arterial roads between the urban centers, as well as transversal roads between the governorates.

Under the Ministry of Transport and Communication oversight, a private

---

12 The development is done through contracts with international companies in partnership with Iraqi consulting offices to ensure the transfer of expertise and enables to perform such a large number in a short time.
company manages the transport sector within and between urban areas: setting roads, frequency of service and the number of vehicles. Transportation means such as taxis, mini-buses, and medium to large buses are serving the municipal areas, and operating between cities as well as to bordering countries. To improve the traffic conditions, public transport network should be promoted especially in major cities like Baghdad where a project of urban rail transit network (metro and monorail) and the loop rail around the city are to be urgently implemented in order to provide rapid and safe public transportation system and reduce pollution. This massive project, which includes the construction of 20 Metro stations, will relieve the numerous traffic jams in Baghdad after the completion of updating its designs.13

As for the buses, there were 945 buses operated by the State Company for Travelers and Delegates Transportation in 2012. There are currently 30 operating lines within Baghdad and 14 lines between Baghdad and the governorates14. It is worth mentioning that with the improvement in the security situation, the busses will be the preferred mean of transport by the population due to their low prices charged by the State Company as well as to the quality of service and safety provided. Therefore, citizens started to prefer them over private sector buses that operate in Baghdad under follow-up and supervision of the State Company.

4. Challenges and Opportunities of Local Governments

4.1. Internal Capacity, Urban Service Delivery and Reforms

The armed conflict has resulted in a destroyed infrastructure, cuts in local services and a disruption of local economies. In order to meet the challenges, a multi-dimensional approach to be followed; first by activating the role of the regional ministerial departments of each governorate to undertake the process of implementation and monitoring of projects implemented in these governorates after coordinating with local governments; second, by the international organizations such as UN-Habitat which followed a diverse approach ranges from urgent tasks such as providing safe basic shelter for displaced persons, to building the capacities of local and national governments in planning and managing urbanization, and to researching the dynamics of urbanization and the impacts of armed conflict.

4.2. Sustainable Urban Development

4.2.1. Urban Risks and Resilience

The UN program promoting sustainable urban development is today confronted

by very real and contemporary challenges that Iraq’s cities are facing. They can be classified in two categories: first, the general issues related to the processes of rapid urbanization, second, the severe conflicted war the Iraq’s populations are facing mainly in cities threat to their very existence, represented by the group calling itself Islamic State (Daesh).

Large segment of the urban population in Iraq lives in cities but particularly the poor live in sub-standard housing and informal settlements and suffer from the health impacts of polluted water sources and growing traffic congestion. UN-Habitat commits itself in mobilizing the Iraqi Government towards the realization of the Sustainable Development Goal 11, “Make cities inclusive, safe, resilient and sustainable,” and its integration into the Habitat III (formally known as the United Nations Conference on Housing and Sustainable Urban Development), held in Quito, Ecuador, in October 2016 process.

Despite all the challenges stemming from urbanization, Un-Habitat is seeing great opportunities in managing the urbanization in a sustainable way. If it is happened, Iraq’s cities can become drivers of development, homes to its population, providing equal chances for everybody, and hubs of economic growth.

Concentrations of population, industry, infrastructure, and economic activities in cities contribute to increased exposure and susceptibility to natural hazards. In fact, the ongoing process of urbanization is one of the main reasons for the staggering increase in disaster death tolls and economic losses over the past decades.

With the growing urban population, risk in cities became increasingly important in particular for the citizens. Recently, risk in cities is not only endangering their physical but also their social and economic dimensions. Understanding urban risk becomes important while the Iraq’s cities are facing problems like floods, landslides and others; environmental degradation and health problems are also leading to a deteriorated quality of life. There is a shortage in the monitoring and control of environmental situation due to the limited geographical spread of monitoring stations which Iraq seeks to increase and expand their geographical distribution during the years 2013-2017, making them an early warning system against natural phenomena and measurement of pollutants in order to respond to the negative impacts that may extend to the natural and man-made environment and human beings.

Urban soil can be considered as a source of pollution and as an indicator of urban environmental quality; with its capacity of transfer to the groundwater, it endangers both the food chain and the health of people. Soil samples were collected from three land use types within Baghdad urban areas; they indicated higher concentration of several heavy metals mainly lead (Pb) in the industrial
area, and manganese (Mn) in the residential areas.¹⁵

4.2.2. External and Internal Migration

Today, one in ten people living in Iraq are displaced migrants, most of them are Iraqi nationals who have been forced to quit their homes but they still residing in the country. Since the advancement of ISIS, nearly 3.4 million Iraqis displaced across 3,800 locations, in addition to 230,000 Iraqi refugees currently registered with UNHCR in neighboring countries. Not to mention that 250,000 Syrian refugees who mostly are living in the Iraqi Kurdistan Region.

Violence in Syria affected also the Iraqi refugees living there as well as in other countries in the region. In 2016, UNHCR estimated there were approximately 30,000 Iraqi refugees living in Syria, including 7,000-8,000 who were displaced to Syria in 2016 as a result of the conflict with ISIL. Refugees are affected by the ongoing violence, the access to public services, and to obtain the right to work or to regularize their status in host countries are also issues of significant concern. The most pressing problem is ensuring that refugees receive adequate assistance until they can return to Iraq, are locally integrated, or are resettled to a third country.

UN-Habitat and the US government follow a multi-dimensional and coherent approach providing safe basic shelter for displaced persons to:

- Help the Government of Iraq (GOI) build a stable Iraq that has the capacity to respond to emergent crises and to reintegrate returning Iraqis successfully;
- Sustain humanitarian assistance for displaced Iraqis who are unable or choose not to return to their homes; and
- Maintain U.S. resettlement as an opportunity for the most vulnerable Iraqis who are unable to return home.

¹⁵ Abdul Hameed and all; Heavy Metal Contaminations in Urban Soil within Baghdad City, 2012.
5. References


Henrike Brecht, Uwe Deichmann, Hyoung Gun Wang; A Global Urban Risk Index, The World Bank, East Asia and Pacific Region, Development Research Group, Urban and Disaster Risk Management Department, June 2013.


**Country Profile**

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>Islamic Republic of Iran</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Presidential Islamic Republic</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Persian</td>
</tr>
<tr>
<td>Currency</td>
<td>Iranian Rial</td>
</tr>
<tr>
<td>Area</td>
<td>1,648,195 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>81,672,300 (2018)</td>
</tr>
<tr>
<td>Urban Population Rate</td>
<td>73.88% (2016)</td>
</tr>
<tr>
<td>Capital City</td>
<td>Tehran</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>8,694,000</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>60</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$5,627</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>12% (2018)</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>8.1% (2013)</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>6.6%</td>
</tr>
<tr>
<td>CO₂ Emission (metric tons per capita)</td>
<td>8.28</td>
</tr>
</tbody>
</table>

*Source: UN Data, WB Databank & National Legislation*
1. Legal Status

1.1. Historical Background

Iran has been ruled by a strong central government throughout its history. Public administration of the country is traditionally based on national and local hierarchy.

Iran’s history of decentralisation can be divided into three periods:

1) Before the Constitution was adopted, but during the constitutionalist movement, when local authorities were spontaneously established as civil society organizations.

2) Following the first Constitution, when local authorities were recognised by the Constitution.

3) The period of return to centralism from territorial decentralisation.

The country first became a constitutional monarchy in 1906, and local governments gained more importance. The pioneers of the constitutional movement emphasizing administrative decentralization were included in the constitution. After the establishment of constitutional monarchy, Iran, which was influenced by the government systems of foreign countries and especially that of France, endeavored to implement a relative decentralization (Humes, Samuel; Eilen Martin, 1969). The municipal laws in Iran were a translation of the laws of Belgium and Paris municipalities, and these laws were later modeled as the main constitutions of Tehran municipal laws. After the Constitutional Monarchy, during the first National Parliament period, the first laws on local governments were enacted. These laws are: 1- Law on Province and County Councils (1904), 2- Law on Establishment of Settlements under the Name of Province and County (1904) and 3- Municipal Law (1904). According to these laws, settlements in the country are divided into provinces, counties, districts and rural districts.

The first municipality in Iran was established in 1907. Later, during the 1925-1941 period, the law of 1907 was annulled, and the new law was adopted in 1930 to further centralize the planning system and to finance the municipal budget. With this law, the Minister of the Interior was given the authority to appoint the mayor and other members of the municipality. During the democracy initiatives of 1941-1953, a new law on the establishment of municipalities, cities and village associations was enacted. During the period of 1953-1978 when authoritarianism was strong, new regulations were prepared regarding the city union and mayors.

With the revolution that took place in Iran in 1979, the regime, state organization and public personnel structure were changed (Ahin, Tahereh. 2008, p. 63). In 1982, the first law on municipal councils was enacted by the Islamic Consultative
Assembly. This law was amended five times later on. Between 1979 and 1996, 167 new municipalities were established. With the law enacted in 1996, the elections of the council members and mayors were regulated, and the law was later amended several times. Municipal Council elections were held for the first time on March 7, 1999.

With the constitutional amendment made in 1989 in Iran, the post of Prime Minister was abolished, and the President became the head of the executive organ.

There is a separate authority over the legislative, executive and judicial organs in Iran, which are accepted as the means of sovereignty, in accordance with the principles of “Wilayat Al Amr and Imamah of the Ummah” (the ruling power committed to Islamic principles and the leader of the Ummah). According to Article 107 of the Constitution, the leader is elected by the Assembly of Experts (Khobregan) whose members are elected by the public. If a Supreme Leader (rahbar) is not accepted or fails to perform his duties, a ‘Council of Leaders’ consisting of 3 to 5 members takes on this duty. This council is formed by a the President, the Supreme Judiciary and an Islamic faqih (expert in Islamic Law) from the Guardian Council.

There are more than 80 ethnic groups in Iran including Persians (51%), Southern-Western Azeris (24%), Gilaks/ Mazandaranis (8%), Kurds (7%), Arabs (3%), Balochis in the South East (2%), semi-nomadic Turkmen in the North East (2%), Qashgai Armenians, Iranian Jews, Assyrians, Georgians, Circassians, Tatars and others.

The provincial organization of the government in Iran is the Provincial Governor (Otsan-Ostandar), the County Governor (Shahrestans-Farmandar) and the Chief of District (Bakhsh-Bakhshdar). The Provincial Governor is the representative of the central government, and also performs administrative tutelage supervision over local authorities (local councils) (Tahereh Ahin.79; Safari, p. 57). Local organizations in the country are local Islamic councils and municipalities. Local Islamic councils (assemblies) were established during the Islamic Republic.

1.2. Local Governments in the Constitution

As per the Article 100 of the Constitution, city councils are established to rapidly develop social, economic, development, health, culture and education programs as well as other activities involving the public.

Article 100: “Councils are formed in order to, through the collaboration of the people, promptly advance social, economic, developmental, public health, cultural, and educational programs as well as other welfare-related matters. The administrative affairs of each village, district, city, municipality, and province take place under the supervision of a council named the council of the village,
district, city, municipality, and province.

The members of the council are elected by the people of that locality. The law determines the qualifications of the electors and those elected to the councils. The law shall determine the range of powers and responsibilities of the councils, their supervising method, and their procedures, which must be based on the principles of national unity, territorial integrity, the system of the Islamic Republic, and must abide by the central government.”

Article 101: “The Supreme Council of the Provinces, consisting of the members of the councils of the provinces, is formed in order to prevent discrimination and to promote collaboration in preparing programs for the welfare and development of the provinces, and to supervise the harmonious application of these programs. The law shall determine the manner of formation and the responsibilities of this council.”

Article 102: “The Supreme Council of the Provinces has the right to prepare drafts and propose them to the Islamic Consultative Assembly directly or through the government, provided these are within the limits of its responsibilities. These drafts must be evaluated by the Assembly.”

Article 103: “The governors of the provinces, cities, and districts, as well as other officials of the country who are appointed by the government, must follow the decisions of the councils within the boundaries of the latter’s authority.”

Article 104: “Councils are formed in order to ensure Islamic justice and collaboration in planning and establishing harmonious advancement of affairs in all units of production, industrial or agricultural. These councils shall consist of representatives of workers, farmers, and other employees and managers. In the educational, administrative, service, and other units, similar councils will be formed whose membership shall be composed of the same representatives. The law determines how these councils shall be formed and what their powers and responsibilities will be.”

Article 105: “The decisions of the councils may not contradict the Islamic criteria and the laws of the country.”

Article 106: “The councils cannot be annulled unless they deviate from their legal responsibilities. The law determines who can investigate this deviation and how the councils can be annulled and how they may again be formed. If the council objects to its dissolution, it has the right to refer to an appropriate court, and the court is required to tend to this matter as a priority.”

1.3. Legal Structure of Local Governments

The Law on Councils of 1996, which consisted of five chapters and ninety-four
articles, envisaged elections to be held within a year at the latest. However, the election of local councils was held for the first time in 1999. This law envisages six levels of council: village councils, rural district councils, city councils, district councils, provincial councils and the supreme council of provinces. Councils have legal personality and gain their income from local activities.

1. The members of the village councils are directly elected by the public. They consist of 3-5 members depending on the village population.

2. The members of the rural district councils are elected from among the members of the village councils. Only one person from each village is elected for the rural district council.

3. City council members are composed of 5-25 full members and 2-10 substitute members based on the city population. The city of Tehran consists of 31 full members and 12 substitute members. Mayors are elected by the city councils.

4. The members of the district councils are elected from among the members of the city and rural district councils.

5. The members of the provincial councils are composed of at least 5 members and are elected from among the district council members.

6. The members of the Supreme Council of Provinces are selected from among the members of each provincial council: 2 members from each province with a population of two million people, 3 members from each province with a population exceeding two million people, and 4 members from Tehran province.

Thus, elections are held starting from the smallest settlement unit and at intervals. Membership is not a profession rather a voluntary act.

With the addition of new articles to the law of 1992, a new law entitled the Law on Structure, Duties, and Elections of the Country’s Islamic Councils and Municipal Elections was enacted in 1997. The law consisted of 5 chapters, 94 articles and 51 additional articles and was based on city and village councils. Provincial councils, district councils and the Supreme Council of Provinces are not included in the law. As per the Article 91 of the 1977 Law, the councils were supposed to be established throughout the country within no more than one year; however, it could not be achieved within the given time. The Iran-Iraq war that started immediately after the revolution, the international crises faced by the country, and the inexperience of the country in this area are counted among the reasons for the failure in the enforcement of that particular law. (Safari, Masoud, 2012, p. 59)

The law on local governments was amended at the end of the year 2007. This
amendment was not about increasing the autonomy and strengthening local governments, rather about increasing the monitoring methods and expanding the state’s influence over these governments.

1.4. Election Processes in Local Governments

According to the Islamic Council Law, the term of office for each council is four years. The re-election of the council members is possible, and there is no limitation regarding that.

The first council elections were held on 8 March 1999 (voter turnout: 64.42%), and the councils convened on 29 April. That day was symbolically proclaimed as “the day of councils.” The second elections were held on 28 February 2003 (voter turnout: 49.96%). Another election was held in December 2006. 19,536 members were elected to 1016 city councils, 31,167 village councils and 522 nomadic councils. Although these elections were open to women, the percentage of women candidates remained at 3%. (Ahin, Tahereh, p. 91)

The Constitution regulates the right to vote. The village and city council members are elected by direct general vote in accordance with the relative majority system. Elections are held every four years by secret ballot.

As per the Law on Councils, Iranian men and women over the age of 18 who has resided in their voting area for at least one year are eligible to vote.

Any Iranian over the age of 25 who is literate may be a candidate provided that he/she has resided in their residential area for at least one year. In addition, one must be a practicing Muslim, believe in the Vilayat-e Faqih (guardianship of the Islamic jurist) and dedicate themselves to the Islamic Republic of Iran. Other religious minorities must also practice their own faiths. These requirements limit candidacy. Ministers, deputy ministers, deputies, members of the Council of Guardians of the Constitution, military officials, public institution administrators and bank managers can not run for the council membership.

Political parties are recognized by the Constitution, but their activities are limited.

2. Structure of Local Governments

2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

Iran is administratively divided into 30 provinces (Ostans), 336 counties (Shahrestans), 889 districts (Bakhshes), 2,400 rural districts (Dehestans) and 1,016 cities (Shahr).
2.2. Organs of Local Governments

According to the Article 1 of the Municipal Law, a municipality is established in a residential areas with a population of at least five thousand people. If deemed necessary, the municipality may be established in less populated areas with the instruction of the Ministry of Interior. Municipality has a legal personality and has two bodies: the city council and the municipality. While the council holds the power of decision-making and supervision, the municipality serves as the executive body.

The council elects or may dismiss the mayor if necessary. The Minister of Interior approves the elected mayor and has the authority to dismiss him. The mayor does not remain as a council member. In general, all laws (resolutions) issued by city councils are approved by the highest central government authority in the province or district. However, council members and the mayor have the right to object the decisions.

2.3. Councils of Local Governments

According to Article 100 of the Iranian Constitution, the decentralization organs include village, city, district and provincial councils as well as the Supreme Council of Provinces. Small town councils were added to those above in 1999, but were abolished later in 2003.

The duties of the councils can be grouped into four articles:

1. Consultative Duties: The councils may conduct research on problems in their respective regions and may propose solutions to the competent authorities or to higher councils.

2. Monitoring Duties and Authorities: The councils may audit the activities of local public institutions and organizations and submit reports to the competent authorities or to higher councils.

3. Planning Duties and Authorities: The councils may make plans to engage public support and participation in social, economic and land development programs.

4. Executive Duties and Authorities: The councils may distribute fuel products and conduct regional and local research and statistical data collection activities.

The duties of the councils are stated in detail in the Law on the Organization of Islamic Councils. According to the law, the duties of the Village Council are: 1- to assist and supervise the administrators and revolutionary organizations in social, cultural, developmental and economic and health-related fields and to ensure environmental health, 2- to revive the unused streams and rivers, 3- to
encourage the people in the village to develop and preserve the handicrafts, 4- to encourage the people in the village to protect the mosques, madrasahs and historical buildings, 5- to open literacy courses, 6- to establish and supervise village cooperatives, and 7- to cooperate with the related units of the Ministry of Agriculture.

The duties of rural district councils are: 1- to prepare the annual land development programs in rural districts and to propose them to district councils, 2- to conduct necessary research for the establishment of district cooperatives, 3- to open libraries, 4- to facilitate the mail transportation and to provide necessary tools and equipment for regional transportation activities 5- to cooperate with the institutions that issue identity cards for villages, 6- to carry out necessary activities for the protection of community buildings, roads and pastures, 7- to supervise and monitor the implementation of land development projects specific to the region.

The duties of the city council are broader in scope, and the mayor is elected for four years by the council. The city council, as the legislative body of the municipality, approves the circulars proposed by the municipality and the contracts of municipal companies and institutions. It also determines the amount, rate and tariffs of taxes, duties, fees and other financial liabilities. It approves the budget prepared by the municipality and the annual programs. It also produces and presents projects concerning their regions in social, cultural, educational, health, economic and welfare fields.

Minor councils are village, city and nomadic councils. Major councils include district councils, provincial councils and the supreme council of provinces. This categorization concerns the way in which the councils operate. As per the Iranian laws, universal suffrage is restricted to minor councils. The members of major councils are appointed by indirect voting and are directly elected by the decision-making bodies. The number of council members depends on the population of the city and the village, with 5-11 members for the city council and 3-5 members for the village council. Tehran, which has the highest number of council members, has 31 full and 12 substitute members. (Responsibility and Elections as per the Law on Islamic Councils, Articles 4, 7 and 68).

The Supreme Council of Provinces is composed of representatives from each province but it is not a national council. This council, which convenes at the national level, discusses local issues. According to Article 102 of the Constitution, “The Supreme Council of the Provinces has the right to develop projects and propose them to the Islamic Consultative Assembly directly or through the government within the limits of its power. These projects are subject to evaluation by the Assembly.” It consists of 2 members from residential areas with a population of 200,000, 3 members from areas with a population exceeding 200,000 and 4 members from Tehran.
The Supreme Council of Provinces is comprised of elected city council members. In the first official session of the municipal council, the council members elect one of the members as the representative of the city committee of the provincial council. Each city council has only one representative in the provincial council, and the provincial council has at least 5 members.

City council members are composed of members elected from town and district councils. Only one person from each town and district council may elected as representative. District council members are also elected from among the village council members. Each village elects one person as a representative. The term “village” in Iran refers, unlike other countries, to the lowest main local administrative unit. There are 34,776 village councils. Village councils have two functions: to offer local services and to perform some duties of the central government. All village councils have the same authority and the structure, regardless of their size and population; however, the number of council members depends on the village population.

The town council is an important unit in local governments in Iran. There are 919 towns, and the number of members varies according to the population between 5 and 15. Municipalities and town councils are local government units that are not included in the central government. As a rule, in all Iranian cities, municipalities are under the authority and oversight of the Town Councils. At the same time, municipalities are obliged to follow the macro policies of the Ministry of Interior and the government as are the councils. The Ministry of Interior ensures the liaison between the central government and local governments.

Each type of council has two types of sessions: ordinary and special sessions. After the first session of the newly-established council, the ordinary session is held twice a month. Special sessions refer to meetings held by the Provincial Governor or the Mayor. All the ordinary sessions are open to the public, and everyone is invited.

2.4. Mayors

The mayors are elected by the council for four years. The Minister of the Interior in the cities and the Provincial Governor in small towns approve the appointment of the mayor elected by the council.

The mayor is elected by the city council for four years and, in the absence of a city council, is appointed by the Minister of Interior. The mayors of Tehran and provincial centers are recommended by the city council and approved by the Minister of Interior. The mayor may serve for two consecutive terms only.

Mayors may choose deputy mayors and delegate some of their duties to the deputy mayors with the approval of the city council. In cases where the mayor is dismissed and the new mayor is not yet elected, the deputy mayor may perform
duties under the supervision of the council. In cities with a population of more than 200,000, the mayor is elected by the city council, and the Minister of Interior signs the decree. In cities with a population of less than 200,000, the mayor is elected by the city council and the Governor signs the decree. The mayor cannot remain as a member of the council. The duties of the municipality are specified in Article 55 of the Municipal Law. Municipalities are obliged to provide services in order to ensure the health, security and welfare of the city and its people and to maintain order.

The presidents of city and village councils are elected from among the council members. According to the Law on Councils, the first session of the councils takes place within the week following the election. In this session, the president, deputy president and at least one secretary are elected from among the members of the council by secret ballot. The first meeting is held after the oath-taking. The president of the council is a strong personality in local government.

The duties of the Council President are as follows:

i. Preside over the council and be in charge of financial matters;

ii. Hold ordinary and extraordinary meetings;

iii. Invite the Governor, Mayor and other people to meetings if necessary;

iv. Invite council members to the council and distribute responsibilities between them and the commission;

vi. Ensure strict compliance with laws and regulations approved by the council;

vi. Manage the chair and members of the council secretariat elected from the municipal council members;

vii. Conduct other studies.

In addition, deputy president and secretary are elected from among the members of the council. There are three commissions in the council: Social and Cultural Commission; Program, Budget and Legal Affairs Commission and Development and Expansion Commission. Each council member takes part in a commission. In Iran, all the council members are directly elected by the people. Council members have the authority to make official decisions. The number of members in the councils varies by population. Participation fees are paid to the members attending the council meetings. This fee is determined by the Ministry of Interior every year. If a council member is a civil servant and works full time in the council, s/he is appointed to their post in the council and receives their salary from the council. Issues such as resignation and dismissal from the council membership are also regulated in the law.
3. Duties and Authorities

Article 100 of the Constitution grants local governments certain powers in health, education, culture, urban planning, social and economic programs: “Councils are formed in order to promptly advance social, economic, developmental, public health, cultural, and educational programs as well as other welfare-related matters and to ensure that local problems are taken into consideration. The administrative affairs of each village, district, city, municipality, and province take place under the supervision of a council named the council of the village, district, city, municipality, and province. The members of the council are elected by the people of that locality.

Article 136 of the Law on the Third Development Plan proposes that the government transfer all undertakings to the municipalities as much as possible. In the Iranian municipal system, all municipalities have roughly the same duties to undertake, but the administrative organization of city municipalities with large populations varies significantly depending on the complexity of administrative organizations.

The main functions of the municipality are:

- Implementation and Coordination: i. Implementing city council approvals; ii. Implementing the approvals of the High Council for Urban Development and Architecture; iii. Attending the County Administrative Board sessions; iv. Assisting the establishment of the “Urban Water Supply and Sewage Disposal Company” for the city concerned; v. Establishing a “Coordinating Secretariat for Excavation Activities”; vi. Undertaking the activities of the “Guild System” if it has not been established yet; vii. Establishing businesses to rebuild houses and old neighborhoods.


- Providing infrastructure services.

- Collecting garbage, cleaning public areas and water channels, providing fire-fighting and public transportation services.

3.1 Infrastructure

The duties of municipalities include the following infrastructure services for urban development: i. Building roads, streets, intersections, parks, sports centers, surface water sewers, fire prevention stations and flood waste grids, ii. Building solid waste facilities and public toilets, iii. Building cemeteries, iv. Constructing city transportation terminals, v. Establishing motor vehicles and
inspection stations; and iv. Establishing and maintaining markets.

In Article 55 on the duties of the municipalities, the regulation on the infrastructure is as follows:

- Establishing roads, streets, squares, parks and water channels and widening passageways within the boundaries of the law,

- Cleaning, preserving and expanding pavements, rivers, waterways and sewers, cleaning water channels connected to the city, supplying the city with water, lighting the roads when necessary,

- The occupation and closure of pavements and walkways and the use of pavements, squares, parks and public orchards for commercial, residential or other purposes are prohibited. The municipality may intervene with its own officials to prevent this from happening, to remove existing obstacles and to open the blocked passageways,

- Costs incurred by the construction of streets, roads and pavements, asphalting of public streets and similar roads, and paving and asphalting the edges of two-way roads are covered by the municipality.

3.2. Urban Planning and Housing

3.2.1 Urban Planning

Urban plans in Iran are listed as follows:

1. National Physical Plan: It includes the plans and programs for the development of existing cities in the country, selection of residential areas and spread of new cities and neighborhoods for the future.

2. Regional Physical Plan: It includes the plans and programs for the development of the existing cities in the region, the selection of residential areas and establishment of new cities and neighborhoods for the future.

3. City Comprehensive Plan: The long-term City Comprehensive Plan determines the land use, transportation lines, port and land development plans for residential, industrial, commercial, institutional, agricultural and municipal facilities. Furthermore, within the framework of this plan, Natural, Cultural and Historical buildings are protected. The City Comprehensive Plan can be revised when necessary. This type of plan is implemented in 1/5000 and 1/10000 scale in large towns and residential areas and cities. It is managed and prepared by the Ministry of Development and Urbanization.

4. Detailed Planning: Detailed planning is actually the design of joint programs in phases at the level of urban areas and neighborhoods. This planning is prepared on a scale of 1/2000. The objectives of this plan are:
1- To determine the position and size of each area for urban land use. 2- To identify the traffic network accurately and in a detailed way. 3- To correctly identify population density and building density in cities.

5. Quick Urban Plans: This kind of plan is made to solve acute and urgent problems in the short term for the future development process of cities. It is also carried out for a 10-year period in cities without a master plan and with a population of less than 25,000. Some of the objectives of this planning are: to foresee the development of small cities in the future; to prevent uncontrolled growth in cities; to use urban land in a suitable and rational way; to prevent irregularity and disorderliness in land use; to ensure that the plan is in line with the mission and scale of the city.

6. High Council of Urbanism and Architecture: Several institutions have been established by the Ministry of Urbanization and Housing for the examination and supervision of urban plans in cities. One of these is the High Council of Urbanism and Architecture (founded in 1972). The duties of the Council are: 1- To propose urban planning policies to the state cabinet. 2- To make laws and recommendations for comprehensive plans in cities and make recommendations on the land use, housing, industrial areas, green areas and location of public infrastructure facilities in cities. 3- To examine the urban comprehensive plans and give final approvals. 4- To approve the principles of urbanism. The members of the High Council of Urbanism and Architecture are: 1- Minister of Housing and Urbanism, 2- Minister of Interior, 3- Minister of Economy, 4- Minister of Culture and Arts, 5- Minister of Water and Energy, 6- Minister of Agriculture, 7- Minister of War and 8- President of Budget and Program. The chairman of this council is the Minister of Housing.

The tasks related to urban planning are: i. To prepare five-year Urban Development Plans, ii. To determine the city limits and present them to the city council, iii. To determine general and urban priorities, iv. To follow the issues related to immovables, v. To implement the urban development plans prepared by the Ministry of Housing and Urban Development, vi. To submit City Comprehensive Plan proposals to the High Council for Urban Development and Architecture; and vii. To provide the public with cheap housing.

Article 55 of the Law on Liaison with Municipalities includes urban planning. As a result, the municipalities can submit proposals to arrange the city map, determine the fair and correct price of the necessary but private land and buildings in the city in accordance with the Law on Expansion of Passages, determine the places of payment, expand and build public orchards, passages, streets and squares.

Other land development issues are listed in Article 55 as follows:
- Cooperate for the preservation of the historical buildings and structures, public buildings, mosques, etc. in the city.

- To issue licenses for all buildings in the city (The municipality is obliged to specify the type of use of the buildings in cities, where comprehensive city maps have been prepared, in the building permits. If a business is opened contrary to the building license in the non-commercial area, the municipality takes this issue to the commission stated in the first subclause of Article 100 of the law. In the event that unlawful opening of a building by a landowner or tenant is identified, the Commission decides to grant a period of 2 months for the evacuation and 1 month for the stopping of the work. Opening of notaries, law firms, marriage and divorce offices, clinics, magazine and newspaper offices and engineering chambers are not considered as commercial enterprises pursuant to this law.

- Tradesmen are obliged to obtain a license to get a work permit from the municipality for their workplace. The municipality has the authority to close the workplaces which do not have a license through its own officers.

Article 100 of the Municipal Law regulates the construction activities which do not have any licenses or are against the license. According to the regulation, land and property owners must obtain building permits from municipalities before commencing construction. The municipality is obliged to prevent construction works in open and closed areas which do not have license or are against the license. In the event of a violation of this Article, perpetrators are prevented and referred to the Commission as stated in Article 100.

According to Article 100 of the Municipality, the Commission has a separate legal personality from the Municipality. However, the center of the Commission is located within the Municipality. Municipality’s Commission of Article 100 is a special judicial body other than the Ministry of Justice. The members of this commission are composed of representatives of the Ministry of Interior, the Ministry of Justice, the representative of the Islamic Consultative Council and the representative of the Municipality. Among these members, the representative of the Municipality does not have the right to vote and only attends the meetings of the Commission for explanation.

Once the subject of the violation has been disclosed and the person’s statement of defense has been taken, the case file is examined without the participation of the person concerned. If there is a need for clarification, the concerned person may also participate. Once the Commission has decided, the Municipality, the property owner or his/her representative may appeal against the decision within 10 days.

The body to process this appeal is another Commission composed of members who are not in the previous commission. The decision of this commission is final.
Regulations concerning building violations: The decision of demolition is the decision issued in case that the building is contrary to the principles related to urbanization, engineering and health. If it is built in compliance with the principles related to urbanization, engineering and health, then the Commission decides to receive one-tenth (1/10) of the sale value of the unlicensed building for each square meter, and if the building is to be sold with key money, one-fifth of the building’s key money, whichever is higher, is received as fine and notifies the Municipality that it may issue a license for the building thereafter.

It is worth mentioning a point about demolition or fining decisions: if urbanization has observed the technical and health principles, the demolition or fining decision can be taken.

If the size of the building exceeds the size specified in the building license, this violation is also within the scope of the Commission’s authority as per the Article 100 of the Municipal Law.

The numbering authority belongs to the municipality. In Article 55, arrangements have been made for the naming of overpasses and signboards, the numbering of real estates and hanging/removal of sign boards, and removal of all kinds of attempts that negatively affect the beauty and cleanliness of the city and advertisements placed in unauthorized areas.

### 3.3. Transportation

The use of vehicles in transportation has become widespread in Iran due to the rapid growth of cities and subsidies given to vehicle fuels. As a result, the road network became insufficient for public transport. For example, in 2010, the use of private vehicles was at a rate of 29% while the use of buses was at a rate of 24% in Tehran. These rates were 21% and 31% respectively in Mashhad. Public transportation is mainly carried out by buses and minibuses. Tehran started to use metro lines. Motorcycles and bicycles are also used in the country. The main factor of traffic air pollution is excessive vehicle use. As a matter of fact, 80% of the air pollution in Tehran is caused by traffic. In addition, the lack of traffic discipline increases the problem. Transportation planning in Iran is largely considered as physical planning. Every city with a population of more than 500,000 is obliged to make a transportation master plan. The plans are renewed every five years. The transportation master plan is approved by a higher committee: in municipalities with a population of less than 500,000 by the County Traffic Coordination Committee and in cities with a population of more than 500,000 by the Supreme Committee of Traffic Coordination with the Ministry of Interior as the affirming body. These committees are not institutions. After the plan is approved, the plan is sent to the municipality for implementation. The responsible department within the municipality is obliged to implement the plan through companies or public transport service contractors.
The central government supports railways and foresees to finance half of the metro investments. However, these investments could not be implemented due to financial problems. In Iran, municipal transportation services are provided by municipalities. At the end of this chapter, further information on municipal transportation services will be provided.

### 3.4. Culture and Social Development

One of the three commissions constituting the councils is the culture committee. This committee’s areas of work include arts, culture, health, sports, tourism, education, welfare and charity, religious issues and the fight against crime.

Article 55 of the Municipal Law authorizes municipalities to carry out cultural activities. One of them is “the cooperation in the protection of historical buildings and structures, public buildings, mosques and so on in the city.”

In Article 55 of the Municipal Law, some works related to social development are regulated as follows:

- Preparing statistics of births and deaths in the city,
- Establishing ghusl rooms (the places where the ritual cleaning of the deceased is done) and cemeteries, preparing funeral transport vehicles and following up with related works,
- Preventing begging, facilitating beggars to work, enabling social and educational development,
- Implementing the paragraph 1 of Article 8 of the Law on Compulsory Education, establishing and supporting cultural, health and cooperative institutions within the framework of specialized budget, such as support centers for mothers, homes for elderly, clinics and hospitals, kindergartens, mental hospitals, libraries and nursery schools, providing financial assistance to physical education and scouting associations, supporting teacher-parent associations and municipal employees on these issues, bringing land and buildings to certain institutions free of charge or under certain conditions with the approval of the City Council and provided that the ownership right of museums, cultural houses and prisons is protected.

### 3.5. Economic Development

In Article 55 of the Municipal Law, the works of municipalities on economic development are as follows:

- Protection and management of movable and immovable properties in the city, filing lawsuits against persons and defending lawsuits filed against the municipality,
- Preparing the budget, supplementary budget, budget correction, estimation and regulation of the municipality and the proposal of the construction plan and implementing it after approval of the City Council, (A copy of the approved budget and construction plan is conveyed to the Ministry of Interior by the mayor or district governor)

- Purchase and sale, renting or leasing of movable and immovable assets after the approval of the City Council in compliance with the provisions of the financial regulation envisaged in the law,

- Accepting donations and gifts given to the city after the approval of the City Council,

- Supervision and inspection of weight and measuring instruments,

- Preparing regulations for tradesmen and proposing them to the City Council and supervising the health affairs of artisans and craftsmen,

- Tradesmen are obliged to get a license from the municipality to obtain a work permit for their workplace. The municipality has the authority to close the workplaces which do not have license.

- Determining and preparing public squares for the sale and purchase of food and, in the meantime, ensuring that vehicles are stopped,

- Issuing regulations for the abundance, quality and correct management of meat and bread sales in the city and implementing them after the approval of the City Council.

Iran’s Human Development Index was 0.774 in 2015 and is in the high human development category. It ranks 69th among 188 countries. Between 1990 and 2015, the HDI increased from 0.572 to 0.774. During the same period, life expectancy at birth increased by 11.8 years, average education year increased to 4.6 and school year increased to 5.6 years. Iran’s GDP per capita increased by 60.6 percent between 1990 and 2015.

3.6. Financial Management

Municipalities are self-sustaining public institutions independent of the central government. While they may receive assistance from the national government, municipalities get most of their budgets and taxes from citizens, businesses, factories and other local initiatives. Each municipality has its own budget, and it is approved by the municipal council. (Municipal Law, Article 65).

The mayor and the city’s financial director or accountant (depending on the city size) are responsible for planning, allocating and monitoring budget expenditures. All the income of a municipality is spent in the respective city by
allocating it to different neighborhoods and cannot be transferred to other cities. (Municipal Law, Article 72)

According to the law, there are three sources of revenues for local governments: public service revenue, public land revenue and government support. The main source of income of municipalities is local taxes on goods and services. Rent and construction revenues are also important sources of income in the towns. For example, in 2004, 70% of Tehran’s municipal income came from this source.

The collection or cancellation of the city tax as well as the amount and type of tax on imports, exports and domestic products and its approved form thereof are sent to the Ministry of Interior.

Although there are many municipal taxes, they need to be rendered effective. The mayor can decide to borrow loan. However, this decision must pass through the council.

The annual budget of each municipality is voted in the town and village councils. The councils also impose taxes such as zakat (religious tax). While 70% of municipal budgets were state contributions before the Iran-Iraq war, the budget was reduced as it went to defense. As the municipalities are given financial autonomy, state support remains very weak. The excessive dependence of the Iranian economy on oil revenues (oil revenues make up 80% of budget revenues) always makes the economy fragile. Although the development plans implemented after the revolution envisaged a reduction in dependence on oil revenues, it was not possible in practice (Tahereh, Ahin, p. 188). The aims of the reform in Iran have been in parallel with the main aims of public administration reform taking place in all the world countries in the recent period. The Those main aims include defining the limits of the state’s influence on society (minimizing the state, minimal state), reorganizing the central state structure and functions (regulatory state), managing public affairs with market logic (privatization), clarifying the division of powers and duties between public institutions (optimal state), transferring certain powers and responsibilities to local governments (localization), enabling ‘participation of those who are governed’ in the decision-making process (governance) and ensuring transparency in the administration of the state (transparency and accountability). (Tahereh, Ahin, 2017)

4. Opportunities and Challenges

4.1. Decentralization Principle

Councils are audited at administrative and judicial levels. In administrative terms, each council is responsible to a higher council, and the higher council has tutelage authority over the lower council. The Supreme Council of Provinces has powers over other councils and shows how the monitoring committee is implemented. The law authorizes the central government to audit the past
activities of local governments. The central government may object to the decisions of the council within ten days. In case of a dispute, the decision of the provincial arbitration committees is final.

The dissolution of the council may take place by judicial decision. According to the Article 106 of the Constitution, “The councils cannot be annulled unless they deviate from their legal responsibilities. The law determines who can investigate this deviation and how the councils can be annulled and how they may again be formed. If the council objects to its dissolution, it has the right to refer to an appropriate court, and the court is required to tend to this matter as a priority.” Arbitration committees are established at district, provincial and central levels. The council has the right to appeal within one month against the decision of dissolution of the relevant committee.

As per the Article 103 of the Constitution, “The governors of the provinces, cities, and districts, as well as other officials of the country who are appointed by the government, must follow the decisions of the councils within the boundaries of the latter’s authority.” If there is an objection to the decisions of the council, the council is notified in writing within 10 days.

According to the Article 21 of the Law on the Organization of Islamic Councils, a Disagreement Commission is established in provincial centers in order to supervise the work of the councils (to ensure that they are in compliance with the laws in force in the country and within the limits of their powers). The Commission is composed of a representative of the High Judicial Authority, a representative of the Ministry of Interior and a representative of the Supreme Council of Provinces. The Commission examines disputes, may terminate the approval of the Council and the Council itself and may remove a member from the council membership. The dissolved councils or council members may apply to the courts in order to object the decisions of the Commission. The Court examines this matter as a priority and makes the final decision.

The Settlement of Disputes Board was established to prevent members of the Municipal Council from “misconduct.”

One of the reforms emphasized in the Third Five-Year Development Plan (2000-2004) was to make local councils more effective in the country administration in order to implement the principle of decentralization. The Fourth Five-Year Development Plan (2005-2009) includes the following issues: preparing waste management program with the help of municipalities, decentralization and subsidiarity, reviewing the organizational structure of provincial and district units, increasing public participation in country administration and downsizing the state.
4.2. Institutional Capacity

The institutions providing e-government services in Iran are available on the internet¹

It is observed that the state web sites developed rapidly during the period of reformist political administrations, while the web sites generally offering e-government projects and public services regressed with the conservative government. For example, the personnel of the Municipality of Tabriz supported the above-mentioned results in interviews conducted with journalists and members of non-governmental organizations. Most of the interviewees think that socio-economic, cultural, educational and political factors are influential in terms of the use of the website of the Municipality of Tabriz and that these factors are more important than technological factors. It is seen that the most important tools used in informing the Tabriz people about the municipal services are billboards, television and radio, and it is thought that no great success in public relations is achieved in conducting public relations via the website. (Safari, Masoud, 2012, pp. 128, 132)

4.3. Urban Risks

Iran aims to achieve an annual development rate of 8%. It attaches importance to the energy and industrial sectors, contributes to the forming of “low carbon economy” and the regional and global reduction of greenhouse gas emissions, and regulates its national laws.

Decrease in agricultural production levels, sudden decreases in surface water and groundwater levels, increase in average temperature (consequent heat strokes and spread of certain diseases), increase in forest fires, dust and sand storms, excessive change of biodiversity and decrease of natural resources are direct impacts of the climate change. Air pollution has become an important issue in urban areas. It is estimated that there will be a reduction of 25% in surface runoff over the next 15 years (2015-2030), in other words, that the temperature will rise by 1.50 °C. This means 20-25 billion cubic meters of water loss in national programmable water. In the last decade, the amount of renewable water in the country has decreased from 130 billion cubic meters to 90 billion cubic meters. Due to these hydrological changes, agricultural production and economy are estimated to lose $ 3.7 billion over the 15 years.

Iran is also witnessing an increasing drying of wetlands. Therefore, Iran is among the vulnerable countries. The total investment need (with 2010 fixed prices) for the country’s development plans, improvement of the environment, protection of natural resources and ensuring food is around $ 40 billion.

¹ www.eservices.iran.ir
4. 4. Environmental Problems: Climate Change, Water and Wastewater Management

The duties and powers given to the municipalities on environmental issues are stated in Article 55 of the Municipal Law as follows:

- To take the necessary steps and measures to protect the city from the dangers of flood and fire, to eliminate the danger of defective and demolished walls and buildings on pavements, streets, public houses, passages, general and private corridors, to fill and cover the wells and pits on the sidewalks, to prevent the residents from placing objects on balconies and facades of the buildings from where they may fall on pedestrians, and to prevent the smoke coming from chimneys of the buildings from disturbing and harming the city dwellers, (In all cases concerning the demolition of buildings and elimination of hazards and disturbances, the Municipality makes announcements to the owners of the relevant property and equipment after receiving the technical officer’s report. If the order of the municipality is not applied within the given time period, the municipality may directly eliminate the hazard or disturbance under the supervision of its own officers and collect the 15% of the expenditures from the relevant person. The above-mentioned regulations include cinemas, baths, hotels, shops, cafes, restaurants, shopping centers and all the other public places.

- To prevent the spread of infectious diseases to humans and animals, to give notifications to the Ministry of Health and Veterinary Affairs and neighboring municipalities in case of such diseases, to isolate the people who have infectious diseases, to treat or destroy harmful and stray animals who have infectious diseases in the city,

- It is the responsibility of the municipalities to prevent the establishment of spaces in cities which cause disturbance to inhabitants or violate health principles. In other words, the municipality is obliged to prevent the establishment of factories, workshops, garages, repair shops, shops and centers producing flammable materials. The municipality is also obliged to prevent the formation of animal stables and breeding farms and all the workplaces that create noise, disturbance and disturbing smoke and cause the accumulation of insects and animals. It also removes unhealthy bricks, gypsum, lime cooking boilers and bath boilers from public baths. The municipality takes precautions to prevent air pollution in the city by monitoring the status of smoke-producing spaces, factories and vehicles. If the above-mentioned establishments are formed after the approval of this law, they should stop their activities and, if necessary, be moved out of the city.

- To take the necessary steps to construct buildings and structures such as laundries, toilets, public baths, slaughterhouses, squares, playgrounds in
accordance with health and technical procedures and principles and to build low-priced houses for the low-income inhabitants of the city,

- To work to ensure compliance with health and hygienic conditions in factories and cleanliness of baths and care of poor and street children,

- Municipality is obliged to determine the dumping place for garbage, excavated soil, sewage waste (sewage sediment), etc. and to announce it to the public. The dumping place should be outside the city and the place where the factory, which will convert waste into fertilizer, will be located is determined by the municipality. Drivers of motorized or slow-moving vehicles are obliged to unload the cargo at places specified by the municipality. The fines for those who violate the law are determined according to the General Penal Code.

4.5. Metropolitan Capital: Tehran

Tehran is a capital with an area of approximately 730 km² and a population of about 13.5 million and has a history of 200 years. To the north of Tehran are the Alborz mountains and to the south are the Sand desert. The city has Ken, Farahzad, Dereke, Darband and Darabad rivers.

The historic Rey region, located in the south of the city, was the capital of the Great Seljuk State. The foundation of Tehran dates back to 1554. It became the capital in 1795. Agha Muhammad Khan, who founded the Qajar dynasty (1779-1925), declared Tehran, which he had seized in 1785, as the capital in 1788. Since that date, the rapidly developing city has remained as the capital of Iran. The city expanded greatly during the reign of Shah Reza Pahlavi (1924-41), who ascended the throne after the overthrow of the Qajar dynasty in 1925. During the reign of Muhammad Reza Pahlavi (1941-79), the city was rapidly modernized due to the development of the oil industry. After the overthrow of the Shah in 1979 and the establishment of the Islamic Republic of Iran, the capital retained its identity.

The first census conducted in 1885 showed the population of the city to be 106,482. In the first plan made in 1891, the population was planned to be 160,000 and the surface area was planned to be 24.5 km². The city grew unplanned. Therefore, environmental problems increased. Tehran’s population in certain years was as follows: 310,139 (1932), 1,512,082 (1956), 4,549,485 (1976), 11,176,239 (1996), 13,267,637 (2016). After 1981, the migration into the settlements around Tehran increased after the prohibition of the purchase of real estate of Iranians other than the native population of Tehran (Takieh, 2001, 16).

Iran’s major industrial and commercial facilities are located in Tehran. The policy of moving Eastern, Western, Southern and Central industrial zones outside of the city was adopted.

Tehran has a two-tier municipal structure: There are Tehran Metropolitan
Municipality and 22 district municipalities, 119 regions and 362 neighborhoods.

Today, there are more than 60,000 municipal personnel of Tehran municipality and around 110 companies affiliated with the municipality.

There are three main commissions in Tehran Municipality:

1- Development and Construction Commission,

2- Cultural and Social Commission,

3- Plan and Budget Commission.

In Tehran, master plan preparation was made for the first time in 1971; however, it could not be implemented due to the intensive migration from rural areas to the city, the increase in oil prices between 1972 and 1977 and the revolution in 1979. In 1994, the initiative failed due to the lack of coordination between the central government and the municipality. The last attempt was made in 2009 and the master plan was jointly prepared by the government, Tehran Municipality, Islamic City Council and consultancy companies. According to the principles of this plan, the Tehran Municipality continues to work on a detailed plan. According to the plan, the establishment of four zones in the city were envisaged. These are: R (residential zone) making up for 39% of the city, M (mixed work zone) making up for 10% of the city, S (activity zone) making up for 28% of the city and G (green and open areas) making up for 21% of the city. The plan is foreseen to be reviewed in five years.

Tehran is the most densely populated city in Iran and has been heavily influenced by traffic congestion. Tehran Municipality’s approach is to try to create a transportation solution that will constitute the strategic vision for the city for 2025 and the years after that. The backbone of the high-capacity public transport plan is a strong commitment to the railway (supported at national level). Bus Rapid Transport (BRT) is complemented by improved regular bus services, cycling and walking area improvements.

Municipal authorities have developed the comprehensive strategic plan entitled ‘Tehran Comprehensive Strategic Development Plan - 2025 Outlook’ based on a high-level strategic plan. Tehran Urban Planning & Research Center (TUPRC) was established in 1973 under the name of Urban Expansion Supervision Council to oversee the urban development of Tehran. It is an institution specialized in urban management of Tehran and other metropolitan cities. The main projects of TUPRC are as follows:

- Imam Ali Highway: It is a 35-km road that goes to the north and south of Tehran. Seven thousand real estates through which the road crosses were expropriated by the districts 16, 15, 14, 13, 8 and 7. There are 56 bridges and
25 intersections in this project.

- Niayesh Tunnel: It is the longest tunnel in Iran (including ramps) with 10,252 meters that crosses Tehran along the East-West.

- Shahid Sadr Highway: It starts from the West of Sadr-Niayesh Tunnel and is a 6-km road which connects with Imam Ali Highway in the East.

- Persian Gulf Martyrs’ Artificial Lake: This lake has an area of 132 hectares with its surrounding of 125 hectares. This is the largest artificial lake in the country. It serves as a social and recreational area at the regional and national level. 30,000 visitors visit the lake every week. It also reduces Tehran’s air pollution, improves air quality and contributes to ecological balance. The adjacent Kan river has 80 million cubic meters of water per year. Migratory birds use this river and the rainwater. The stakeholders of this project are: Tehran Regional Water Management and Tehran Park and Green Areas Management.

- Aradkooh Leachate Treatment Plant, Processing and Disposal Site: This plant is the most advanced leachate treatment plant in Tehran. Similar facilities are found in Tabriz and Isfahan.

- The length of the metro line in Tehran was 152 km in 2012 and 250 km in 2016. There are 5 lines and 88 stations. On average, 1,727,000 passengers are transported daily through these lines. 11% of the trip in the city is done by metro and 24% by bus. 40% of the bus fleet belongs to the public sector and 60% belongs to the private sector. Many innovations have been introduced to the bus network, such as electronic tickets, renewal of lines and greater ownership of the private sector. In addition, Bus Rapid Transit (BRT) in Tehran serves in densely-populated areas covering 85 km.

In the last decade, 1,680 hectares of parks have been created. Thus, Tehran’s Green Belt was created. In 2011, this belt covered 34,271 hectares, and it is aimed to reach 50,000 hectares in the next ten years. According to the data of Tehran Municipality, the amount of green area per capita in 2012 is 15.2 m². In addition, an area of 36,000 hectares has been afforested.

- It is also planned to build new highways and tunnels in Tehran. Tohid tunnel is the largest urban tunnel with 4,276 meters.

- Social Excellence: Socio-cultural development objectives include: cooperation of all units with developed socio-cultural connections; the establishment of strategic councils; the preparation of the social infrastructure needed by the regions to help commissions, neighborhood centers and 14-storey houses; the development of networks and capacity for public participation; and the development of cultural-social activities by means of the metropolis. As a
service organization of Tehran Municipality, it supports social, religious, national, revolutionary and local identities, strengthens urban identity values and symbols, supports mosques and neighborhood-oriented values and Neighborhood Houses for social and cultural development, and to follow up on the indicators of urban health as the focus of continuous development of society. The Municipality of Tehran focuses on management of urban activities by neighborhoods. As a matter of fact, these works were implemented in all 374 neighborhoods in the city. Within this framework, projects are in progress with women in need of protection, children and addicts.

- Entrepreneurship and Facing Social Damages: The aim of these works is to compile information and make plan to further improve the level of social services by educating the public in district meetings. Agreements are made with the relevant social centers to support socially-disadvantaged children, women and families. Crisis prevention and disaster mitigation project (DAVAM) and the public health project targeted at all social groups (Urban Health Equity Assurance and Response Tool - HEART) are implemented throughout the city.

- The water requirement of the city is met by the surface waters coming from the Karaj, Lar and Jajrod rivers. The water for the surrounding area is obtained from groundwater.

- The unplanned growth of Tehran has led to an increase in environmental problems. The traditional system, where every house has two wells but no sewer system, has led to pollution of water and soil (Takieh, 2001, 36). The environmental pollution works deal with air and noise pollution and solid waste management problems.

Tehran Municipality Recycling Organization is responsible for the collection, disposal, recycling and cleaning up of domestic, hospital and industrial waste. After the city’s solid wastes are collected, they are transported from the transfer centers to the Kehrizek disposal facilities. The waste transport and disposal of the 20 municipal areas of the city (except the 13th district) is carried out by the private sector. Solid waste production has increased dramatically in recent years, and 7,000 tons of solid waste is collected daily in the city. A compost and recycling facility was established in the southern part of Tehran. Tehran’s main landfill is in the Aradkooh region. Leachate treatment plants were established in that region. Air pollution and inadequate waste management are among the major problems in Tehran. Integrated solid waste management is based on innovative and knowledge-based treatment plants.

The Municipality is obliged to utilize solar energy for at least 10 percent of the parks in the city.
Milad Telecommunication Tower is a unit of Tehran International Trade and Exhibition Center. This complex has an IT park, a hotel and other establishments.

Tehran Municipality’s complaint and demand communication line is #137, and the Public Supervision System line is #1888.

The transfer of urban services to the private sector started in 1993 in Tehran. Despite the indifference of the private sector at the beginning, most of the urban services are carried out by the private sector today. Solid waste collection and disposal, maintenance of green areas are examples of this (Takieh, 2001, 258).

Each plan or payment of the municipal council is referred to the relevant commission after official acceptance and then submitted to the council for approval. Each committee has five members. All council members are members of a commission. The City Council also establishes commissions that monitor the performance of Tehran’s 22 district municipalities.

Tehran municipality has four sources of income. These are: government, municipal revenues, sales of goods and services, and land sales. Urban development projects are also seen as a separate source of income. The municipality produces joint projects with Iranian and foreign banks and privatizes many service areas. In recent years, the lack of financial resources has caused some problems. To this end, the Tehran City Council has adopted a plan that provides continuous income, prevents income reduction and envisages an increase of 5% in revenues annually. In the last decade, Tehran Municipality’s revenue has increased from $ 1.5 billion to $ 5.2 billion. This increase is attributed to socio-cultural development approach, localization and public participation. District councils and neighborhood houses, health houses, sports complexes and toy houses continue their activities for low income groups.

The White Line Project was put into practice in order to ensure public awareness about traffic.

The Tehran municipality’s service network has 9 deputies, 40 affiliated companies and organizations working in various fields. The municipality established the City Bank.

4. 6. Local Government Unions

The Association of Iranian Municipalities was established in 1956. The aim of the Association is to provide cooperation and coordination between municipalities and to improve cooperation opportunities with the international municipalities. The institution ceased its activities after the 1979 revolution. However, in 1986, it restarted its activities under the name of “Country Municipalities Institution.” This institution is affiliated to the Ministry of Interior and is an autonomous institution with legal personality.
5. References


Alaedini, Pooya; Namazi, Siamak. Decentralization and Sustainable Human Development: An Analysis of Local and Regional Councils of Iran. Human Settlement Development Vol. IV.


UNDP. Human Development Report 2016

Country Profile

Official Name of the State | Hashemite Kingdom of Jordan
---|---
Form of Government | Unitary Parliamentary Constitutional Monarchy
Official Language(s) | Arabic
Currency | Jordanian Dinar
Area | 89,342 km²
Total Population | 10,171,480 (2018)
Urban Population Rate | 67.8% (2018)
Capital City | Amman
Population of Capital City | 1,275,857 (2018)
Human Development Index Ranking | 95
Gross Domestic Product (per capita) | $4,247
Unemployment Rate | 18.3% (2017)
Poverty Rate | 13.3% (2018)
Forest Area Rate | 1.1%
CO₂ Emission (metric tons per capita) | 3.00 (2017)

Source: UN Data, WB Databank & National Legislation
1. Laws and Regulations on Local Governments

The concept of decentralized system and local governance was introduced with the establishment of the Hashemite Kingdom of Jordan. The first municipal law in Jordan territory dates back to the Ottoman law in 1877 where town councils were instituted in all-important agglomerations, in the towns of Salt, Ajloun, Karak, Ibrid.

The legislation concerning the Jordanian local administration system is structured and composed of three bylaws; namely the governorates bylaw, the municipality bylaw, and the villages’ management bylaw. But the fact that the governorates are subsidiary of the Ministry of the Interior make them closer to the central system than to the decentralized system. With regard to municipalities, the law no. 29 of 1955 called the “Municipalities Act” was regarded the municipal council as one of the local administration units in Jordan granting it the legal personality with financial independence and the right of possession and litigation. Later, the municipal law no. 13 of 2011 introduced the developmental role of municipalities in addition to a number of amendments to the elections and the participation of women.¹

In 2014, the legislation shaping the local decentralized administration was made known but headed by the Ministry of Interior. Under this legislation, the service is to be provided to the citizens by identifying local communities’ priorities through increasing public participation, to ensure equitable distribution of development returns. The draft article of the municipalities’ law for the year 2014 grants governors a developmental power to act as the vice president of the Executive Council and the General Secretariat of the development units in the governorates.

Based on the preceding, the local governance and decentralization system in Jordan was formed established on a futuristic vision and mechanism of action founded on participatory efforts of the public and private sectors stakeholders to enhance life quality for the citizens on the one hand, and to establish a national dialogue to reach a consensus on unified vision for a decentralized system for administration, as well as to study the basic pillars for the preparation of local development management strategy, on the other.

The most prominent pillars are the: development of integrated organizational structures; clarifying responsibilities between the different layers of the institutions; carrying out the local elections on regular basis; finding suitable financing system; establishment of a mechanism of financial supervision; empowerment of the partnerships; development of the human resources technical support; and finally promoting the principles of accountability and equal opportunities.²

¹ UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014, p40.
² UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014, p43.
2. Structure of Local Governments

Two sub-national system of local governance exist in Jordan: 1) the Governorate: a decentralized system of administration acting on behalf of the government; 2) the Municipality: a local institutional system composed of Municipalities (93) and Joint Service Councils (22). The first system reflects the territorial division: the governorate (Muhafazah, 13), the District (Liwa, 51), the Sub-district (Cazas, 38) and the chief town.

For the purposes of overall development, the kingdom was divided into 12 governorates, distributed as follows:

The northern governorates: (Irbid, Mafraq, Ajloun, Jerash), of which the population for 2013 has reached at (27.8%) of the total population of the Kingdom, constituting 32.6% of its total geographical area.

The central governorates: (The capital, Balqa, Zarqa, Madaba), of which the population has reached (4.1022 million) at (62.8%) of the total population of the Kingdom, constituting (16.2%) of its total geographical area.

The southern governorates: (Karak, Ma’an, Tafileh, Aqaba), of which the population has reached (612,500) at (9.4%) of the total population of the Kingdom, constituting (51.2%) of its total geographical area.\(^3\)

Each governorate has its own distinguishing characteristics in terms of topography, climate, environment, population, natural resources, and its economic pillar. This division came within the government strategy to improve and develop urban centers scattered in all governorates as prelude to realize the developmental, environmental and urban balance among them.

Table 1: Governorates’ administrative structure in Jordan

<table>
<thead>
<tr>
<th>Governance</th>
<th>Population(million inhabitant)</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amman</td>
<td>2.300</td>
<td>42.00</td>
</tr>
<tr>
<td>Al Balqa’a</td>
<td>0.367</td>
<td>6.70</td>
</tr>
<tr>
<td>Zarqa</td>
<td>0.810</td>
<td>14.8</td>
</tr>
<tr>
<td>Irbid</td>
<td>0.975</td>
<td>17.8</td>
</tr>
<tr>
<td>Al Mafraq</td>
<td>0.257</td>
<td>4.70</td>
</tr>
<tr>
<td>Other Governorates</td>
<td>0.7635</td>
<td>14.00</td>
</tr>
</tbody>
</table>


\(^3\) Myriam Ababsa; Jordanie: la Décentralisation par Décision Centralisée et la Démocratie par Volonté Royale, In M. Harb, S. Atallah, LCPS, 2015, p162.
In the second system, four categories of municipalities exist:

1) Center of the governorates and cities with more than 100,000 inhabitants;

2) Centers of Districts and cities with population more than 15,000 inhabitants;

3) Centers of Sub-districts and cities with population between 5,000 and 15,000;

4) All other municipalities below 5,000 inhabitants. However, and by recent law amendment, the government can subdivide the communal territories into zones or merge zones into one communal territory, motivated by a political demographic concern. From 1955 to 2001, Jordan had ‘village councils’ set up under Law No. 5 of 1954 to administer any tribal locality or village of less than 2,500 inhabitants. They had very limited resources. The governor appointed the village council presidents and all their members (between three and eleven) and approved all their decisions.

With regard, to the municipalities and since November 2011, Jordan now has 93 municipalities; some areas were favored, while others were not such as the peripheral municipalities; that’s why there is a need for a decentralized system of service provision within municipalities. Hence, there are four categories of municipalities:

Category 1: Those that are governorate centers (eleven plus the municipality of Greater Amman);

Category 2: Those that are district centers or whose population exceeds 15,000 inhabitants;

Category 3: the centers, or a population of between 5,000 and 15,000 and;

Category 4: all other municipalities.

Municipalities in the third and fourth categories saw their number reduced from 63% to 13% of municipalities in 2001, while the large municipalities in categories 1 and 2 went from 9.5% to 54.4% of the total (Table 2). Between 2007 and 2011, the Municipality of Greater Amman doubled its area by integrating six municipalities to the south of its agglomeration. From 1955 to 2001, Jordan had ‘village councils’ set up under Law No. 5 of 1954 to administer any tribal locality or village of less than 2,500 inhabitants. They had very limited resources. The governor appointed the village council presidents and all their members (between three and eleven) and approved all their decisions.


5 Myriam Ababsa; Jordanie: la Décentralisation par Décision Centralisée et la Démocratie par Volonté Royale, In M. Harb, S. Atallah, LCPS, 2015, p163.
Table 2: The municipal amalgamation of 2001.

<table>
<thead>
<tr>
<th>Type of Municipality</th>
<th>Population</th>
<th>Before Amalgamation</th>
<th>After Amalgamation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category</td>
<td>Number of Municipalities</td>
<td>% of total number</td>
<td>Number of Municipalities</td>
</tr>
<tr>
<td>4</td>
<td>2500 or less</td>
<td>103</td>
<td>31%</td>
</tr>
<tr>
<td>3</td>
<td>2500-5000</td>
<td>105</td>
<td>32%</td>
</tr>
<tr>
<td>2</td>
<td>5000-15000</td>
<td>89</td>
<td>27.5%</td>
</tr>
<tr>
<td>1</td>
<td>15000 and more</td>
<td>31</td>
<td>9.5%</td>
</tr>
<tr>
<td>Total</td>
<td>328</td>
<td>100%</td>
<td>99</td>
</tr>
</tbody>
</table>


The latter layer of the local governance is the Municipal Joint Service Councils (JSC), they are municipal services that involve several municipalities and have been created by Regulation No. 17 of 1983, in accordance with Clause 41 of the Municipal Act of 1955. They allow several municipalities to manage together certain services, and in particular the collection of household waste, to make economies of scale. They were 44 in 2001, but their number was reduced to 21 after the merger process, but no dismissals were the employees were divided among the JSCs.

Table 3: Variation in numbers of the Governorates, Municipalities, Villages Councils and Joint Service Councils from 1976 to 2001

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Governorates</td>
<td>5</td>
<td>12</td>
<td>12</td>
<td>12</td>
<td>12</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>Municipalities</td>
<td>90</td>
<td>301</td>
<td>304</td>
<td>319</td>
<td>328</td>
<td>328</td>
<td>99</td>
</tr>
<tr>
<td>Village Councils</td>
<td>237</td>
<td>354</td>
<td>354</td>
<td>354</td>
<td>354</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Joint Service Councils</td>
<td>7</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>38</td>
<td>20</td>
</tr>
</tbody>
</table>


2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

Local government system in Jordan is highly centralized; the central level consists
of the King as the head of State and his Cabinet of Ministries led by an appointed Prime Minister.

The Ministry of Interior (MoI) is the main authority responsible of the local governments in Jordan while the municipalities fall under the authority of the Ministry of Municipal Affairs (MoMA). The MoI supervises all the bodies, set plans and budgets and appoints governors, mayors and regional managers. The 70 Local Development Units (LDU) that used to be integrated to the governorate’s department were assimilated with the Ministry of Interior, though canceling a good tool of planning at the governorate level and strengthening the centralization of the authorities.

The Ministry of Municipal Affairs (MoMA), created in 1965, supervises all the municipalities as well as the Joint Services Council. This ministry appoints a local director at the municipal levels whose main task is to follow-up the day-to-day administrative work and municipality management along with the appointed Mayor; but, a prior approval is of this ministry is always required for any undertaken activity by the municipality\(^6\). As mentioned before, the central government exercises high powers over the local authorities. It can appoint a manager or other persons over the elected municipal councilors to join the municipal council with the same power as the elected ones.

At the regional level, Jordan is composed of 12 governorates headed by a governor who acts as an extension of the central government and are accountable to it. Governorates are further subdivided into districts (Liwa’) and Sub-districts (Qda’), they are directly under the directives of the Ministry of Interior and act locally as executive body on behalf on the Cabinet Ministers, whereas most of municipalities are under the directives of the Ministry of Municipal Affairs. This allocation of executive power over the local government often creates conflict between the concerned ministries.

The local level consists of 93 municipalities and the Greater Amman Municipality, they have limited power vis-à-vis the central government and its regional managers. Municipalities in Jordan today are dispossessed of any sort of administrative or political autonomy, making it the most fragile element in this centralized political system. Thus the laws of 2007 and 2011 now assign 29 responsibilities, 26 of which are urban services that concern the daily life of the citizens.

Aqaba and Amman are described as “extra-territorial” zones. These two town are independent from the Ministry of municipality and do not follow administratively their governorates. In Aqaba, a city with 120,000 inhabitants, all the public services are under the Aqaba Special Economic Zone Authority (ASEZA), the city is the sole port in Jordan and has a strategic location being on the frontiers of Saudi Arabia, Egypt and Israel, the government made from Aqaba a considerable pole of development both industrial and touristic. On the other hand, Amman is under the direct supervision of the Cabinet of Ministers. Another extra-territoriality zones are the Palestinian camps, which are under the directive of the UNERWA.

Two councils assist the governor, they are as follows:

1) The Executive Council: formed by the local managers of governmental ministries, especially those concerned with public services;

2) The Advisory Council: composed of 15 appointed members by the Ministry of Interior on the recommendation of the governor; these members are local stakeholders from the civil society, trade unions, private sectors.

The Executive Council (Majlîss Tanfîthi) has no real executive power when all the important decisions related to planning and budget are always set at the central level. It only follows up the work of the local ministerial departments (Mudiriya-s) coordinating their activities, programs and plans. While the Advisory Council (Majlîss Ichtîra’i), established in order to enhance local participation, has the lonely task to transmit propositions to the Executive Council. The latter can take these propositions, most of the time related to the annual budget, into consideration or not. What compromises also his role, the fact it is under the directives of the governor.

Mudiriya: is sectorial unit within the governorate administration. Each Mudiriya is concerned with one aspect of public service and under the authority of the concerned ministry.

Consequently, the central government can appoint a manager over the City council whose prerogatives can exceed those of the mayor. Mainly, he can assist,

without having a voting right, all the sessions of the municipal council, prepare
the agenda and take part of deliberations. Also, he can execute the decisions of
this council, prepare the annual budget and present it to the president as well
as collecting and monitoring the municipal revenues.

As for municipalities, they are described as a “civil institution” and are managed
by a municipal council composed of a president and council’s members; they are
the weakest circle in the politico-administrative system. The law attributes to them
responsibilities in domains such as: urban planning, construction, maintenance
of water and sewers networks, electricity, markets and shops, transport, public
squares, firefighting, disaster prevention and relief, public health, sports and
cultural institutions, public security, publicity in public space, etc.⁸

Figure 2- Administration of the Municipalities. Source: Mediterranean commission (N.D)

Finally, the Joint Service Council⁹ is a structure created to deliver public services
for a group of municipalities and villages in order to achieve economies of scale,
especially in the solid waste collection. Also this kind of structure exists for
zones with specific administration like the Petra Region, the industrial zone, and

---

⁸ Myriam Ababsa; Jordanie: la Décentralisation par Décision Centralisée et la Démocratie par
Volonté Royale, chapter 4. In Mona Harb, Sami Atallah; Local Governments and Public Goods,
LCPS, 2015, p.151

⁹ Created by the regulation no. 17 of 1983, According to the Clause no. 41 of the Municipal Act
of 1955.
special economic zone like Aqaba\textsuperscript{10}. The Ministry of Municipal Affairs decides, and with the recommendation of the governor, to form these councils. It can also dissolve this council or omit certain municipality from it. They enjoy a legal personality like the municipalities with regard to common services and projects.

After the 2002 fusion, 99 Municipalities and 22 Joint Services Councils exist, the operation went without any redundancy and the numbers of employees were kept the same. However, in 2007, Amman joined 6 municipalities to its jurisdiction, decreasing the total number of municipalities to 93.

Table 4: The municipal amalgamation of 2001.

<table>
<thead>
<tr>
<th>Population</th>
<th>Before Amalgamation</th>
<th>After Amalgamation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number of Municipalities</td>
<td>% of total number</td>
</tr>
<tr>
<td>2500 or less</td>
<td>103</td>
<td>31%</td>
</tr>
<tr>
<td>2500-5000</td>
<td>105</td>
<td>32%</td>
</tr>
<tr>
<td>5000-15000</td>
<td>89</td>
<td>27.5%</td>
</tr>
<tr>
<td>15000 and more</td>
<td>31</td>
<td>9.5%</td>
</tr>
<tr>
<td>Total</td>
<td>328</td>
<td>100%</td>
</tr>
</tbody>
</table>


The Municipal Council is the main elected body headed by the Mayor. The government, according to the size of the municipalities, fixes the members of the municipal council. There are between 6 and 11 councilors, having an administrative and supervising role that are assigned to them. The 2007 municipal law amendments gave Amman, the capital, a special status. The council oversees the municipality departements and staff to ensure the appropriate implementation of the responsibilities attributed to them by law. The council members have a general local development mandate in addition to the 39 functions assigned to them by law, e.g. cleaning, street lighting, construction and maintenance of roads, markets, public parks, libraries and town planning. The other members who are appointed from the central government (manager or two councilors) can act as the elected ones with even an extended power over the council or the Mayor.

2.2. Relations Between Central Government and Local Governments

The lack of power is considered to be one of the challenges municipalities face as a result of the centralized political system. The role of the City Council and the

Mayor remains open to intervention from the central administration especially on the ministerial level. The governor, an appointed figure by the Ministry of Interior, can run all the affairs of the mayor without even consulting with him. Additionally, mayors need an approval from the governor for any activity they wish to organize within its jurisdiction. Municipalities are not involved or consulted by the agencies providing the services in urban areas, in particular water and electricity. Furthermore, the Council of Ministers has the power to modify any municipal council’s boundary, merging or dividing municipalities, also the Council can fix the date of the municipal elections and set the limits and the number of the elected representatives.

According to the laws, municipalities should function autonomously collecting their taxes and managing their services. But they were gradually placed under the control of the government that must approve all their projects and all their expenses. This loss of autonomy was justified by the financial crisis and lack of qualified staff. What is more, is the absence of participatory local governance or forms of dialogue between the population and the local authorities, because, very few municipalities inform their population with upcoming projects through public meeting or newsletters. In 2009, the Minister of Planning launched, with the UNDP consultation, a decentralization operation, giving more role to municipalities in developing and planning their localities.

### 2.3. Local Elections and Mayors

At the governorate level there are no elections, the King under the recommendation of the Prime Minister appoints the governors. They are directly related to the Minister of Interior who appoints most of the governorate’s main staff and determines the governorate budget. The members of the two councils assisting the governor, the executive and the advisory council are directly appointed from the Minister of Interior.

At the municipal level and since 1989, every legislative or municipal election has been accompanied by a reform of the electoral law, the aim of which is first to guarantee tribal legislative assemblies and then to limit the rise of the Islamist opposition, in particular, after the 1999 winning elections the Islamic Action Front called at the boycott of the municipal elections of 2003, 2007 and 2013.

According to the law, the mayor and the members of the municipal council are directly elected by universal votequadrrennially. The members of the municipal council are fixed by the government according to the size of the municipalities.

---


they are between 6 and 11, in addition to the mayor. It is under the prerogatives of the Minister of Municipalities to postpone the elections or to dissolve the municipal councils (like on 1 March 2011) for an indeterminate period of up to two years.

The inhabitants elected their municipal councilors, who then voted to appoint the mayor. This process lasted from 1955 to 1995. It was only in 1982 that a new municipal law gave women the right to vote and stand for municipal elections and the age was reduced from 21 to 19 for all citizens (not only males) that could vote and be elected. In 1994, an amendment to the municipal law was promulgated according to which voters can directly elect mayors, except for Amman. The age was lowered to 18 years, widening the electoral base. In 1999, after the Victory of the Islamists in the municipal elections of Irbid, Zarqa, Russeifa and Tafila, a new municipal law was promulgated in 2001 by which the king designated the mayors of all the cities as well as half of the members of the municipal councils.

An amendment to the electoral law for municipalities in 2007 established a quota of 20% of the seats for women, finally present in numbers on the councils. For the elections of August 27, 2013, this quota was raised to 25% of the seats (amendment to the law of the municipalities of 2011). Moreover, all the mayors and municipal councils are elected by direct suffrage, except for the municipality of Greater Amman whose mayor and 1/3 of the councilors are appointed by the Council of Ministers; besides, the Minister of Municipal Affairs may, with the approval of the Council of Ministers, also appoints two members to each municipal council that have the same elected members’ rights.

Municipal elections that were supposed to be held in 2011 were adjourned to 27 August 2013, with the beginning of the incidents in some Arab countries, all elected mayors were thanked and mayors designated by the Council of Ministers were chosen. The new municipal elections were supposed to be held by the time that this report was in preparation in August 2017.\textsuperscript{13}

Despite the recent legislative amendments to foster public participation and develop local governance by reinforcing governors’ authorities, their capacities remain constraint by the central government decisions. Governors ‘coordinate’ the work of governmental departments and public services in the Governorates. They have responsibility for approving the budget of 93 municipalities, except for Amman (which falls directly under the jurisdiction of the Prime Minister). Despite, Governors have very little autonomy and cannot set taxes or spend budget, they can only make decisions on projects of less than JOD 100,000 (US$.

\textsuperscript{13} Myriam Ababsa; Jordanie: la Décentralisation par Décision Centralisée et la Démocratie par Volonté Royale. In M. Harb, S. Atallah; Local Governments and Public Goods, LCPS, 2015, p.151.
The Governor, for his part, is an employee of the Ministry of Interior, such as the executive authority and the head of public administration in his governorate. He is appointed by the Council of Ministers in accordance with a proposal of the Minister of Interior, at the end, Royal Decree shall accompany the decision. The main tasks of the governor are as follow:

- Leads the official institutions within the governorate and supervise their performance;
- Coordinates between the governorate, municipalities as well as the ministries and other public institutions;
- Supervises the development plans and the preparation of the governorate budget;
- Sets priorities and proposes projects;
- Approves the budget of the municipalities;
- Supervise the work of the Governorate’s Development Units GDU (since 2008).

Jordanian Municipalities represent a partially devolved component of a wider local governance system involving vertically de-concentrated line ministries. There is a big gap between the wide functions and responsibilities that the Law assigns to them and authorizes them to exert, on the one hand, and the extremely limited number of services that they provide and functions, which they assume, on the other. Except for Amman and Aqaba, the mandate of the elected municipal councilors is four years. This also applies to the councils, Executive and Advisory, at the governorate level.

The JSCs are mandated to carry out for several municipalities the construction of public and service buildings and schools, but as for the municipalities, their prerogatives were provided by the concerned ministries, for example, the Ministry of public works and Housing for Buildings or the Ministry of Education for Schools.

2.4. Strategic Planning and Performance Assessment

One of the most important goals set by the Jordanian government was to adopt certain strategies for urban development, it is manifested in supporting the economy of the state through establishing productive projects within the existing or future urban centers. Additionally, it is imperative to enhance the standard

of living through utilizing developmental projects, providing employment opportunities, upgrading the infrastructure of urban centers according to preset executive programs. Other strategies include the improvement of the services provided in the areas of education, health, culture, tourism and social services, ensuring sustainable development of urban centers and rural areas alike.

Local Development Directives LDD of the Ministry of Interior and Local Development Unit LDU at the Governorate level are two bodies of planning. Since 2010, the LDU and the LDD were merged under the directive of the Ministry of Interior. Since 2009 the Jordanian administration was so inspired, in term of Planning, by the development ideology promoted by the World Bank, emphasizing the importance of a participatory planning implicating the most vulnerable population. This procedure enabled the population of the informal zones to get out from their informality by giving facilities into accessing into ownership.

Today, LDUs continue to operate within a de-concentrated system, they have in theory assumed a position where they can play a major role in the preparation of local development strategies, and local development action plans for their respective Governorates. The reality is that their primary focus was on reporting to the centre on the implementation of projects by other government authorities.15

3. Duties and Responsibilities of Local Governments

The function of most of the municipalities is reduced to maintenance, monitor and supply of part of the basic services. The last amendments to the local government law, delegated a lot of the municipal prerogatives to the central government (13 from 39), including cultural development, water, electricity, sewage, firefighting, health, education, sports, local transportation, etc. Adding to that, the central government is encouraging the privatization of main local services which threaten the existential purpose of municipalities.

3.1. Social Duties and Responsibilities

With regard to infrastructure, the main responsibilities of the local authorities are limited to maintenance operations such as pavements and street lighting plus cleaning the streets and collecting waste where the Joint Service Council is not operative. The spending percentage of government on infrastructure in 2012 is lower than in 2011. The data indicates that the percentage of households connected with water, electricity, and sanitary services at the local level is about 96.7%, 99.9%, and 59.7 %, respectively, during 2012.16

16 UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014, P.65.
For the municipalities where a Joint Service Council is operative, the latter manages the solid waste collection overseen by governorate Executive Council. The Ministry of Environment is the central authority responsible over the solid waste management; it is responsible for the selection and the safety of the dumpsites. Concerning the roads construction and maintenance, the municipal law precise that road planning is one of its first prerogatives, but the Ministry of Municipal Affairs (MoMA) often completes this task.

The bottlenecks of infrastructure planning and sustainable infrastructure operation are diverse and can be clustered in:

- Lack of clear sharing out of responsibilities and funds for urban planning at responsible administrative levels and among concerned authorities (municipalities, governorates, ministries).
- Uncontrolled and unplanned horizontal and vertical expansion of residential areas often distant to public infrastructure due to lack of control.
- External population growth (displaced persons) which results in new residential areas beyond the national planning frame (refugee camps).

In order to meet the challenges, the Jordanian government is seeking to amend the relevant legislation with regard to housing provision system, the government continues to implement institutional and financial reforms to mobilize the financial resources and to enhance the equal competition in the housing finance market system. It also include includes land regulations and infrastructure and construction services, which impact the cost of housing, and thus provide an opportunity for housing finance.

In line with the government guidelines and in implementing of the recommendations of the national housing strategy, the restructuring program enables the regulatory private sector to become a direct product for the population. So, the role of the government is limited to sponsor and organize the housing sector in the Kingdom through the General Housing and Urban Development Corporation in the following areas:

- Activating the role of the private sector in providing housing to all segments, including for low-income people. The contribution of the private sector is (88%) of the total housing production in Jordan which meets (90%)

17 Ministry of Water & Irrigation; Decentralized Wastewater Management Policy, Jordan, 2016. P14

18 Exemption apartments area of less than 150 m² of the transfer fee and registration of property, and reducing registration fees and tax sale of the property (10%) to (5%) of the Apartments area of more than 150 m² maximum of (300) m².

19 UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014, p.65.
of housing. Several agreements between the public and private sectors have been signed to provide land plots suitable for the production of residential units.

- Coping with constraints that hinder the provision of land suitable to meet all segments. The comprehensive planning for organization and lands use has been adopted.
- Amending legislation regarding residential leasing in order to find a balanced relationship between the owners and tenants and encourage the private sector to produce housing for the purposes of leasing.
- Providing residential programs to meet demand of housing for poor families.\(^{20}\)

Unlike European cities, municipalities in Jordan do not have significant contributions to the cultural life of their citizens, culture is considered as part of the central government occupations, thus most of the cultural activities in cities are implemented by the Ministry of Culture through its regional directorates. In Greater Amman, the creation of the cultural department and centers at the municipal level and the issuance of cultural magazines had contributed to the enhancement of the national and local culture during the last decade. By supporting cultural activities, municipalities must allocate the required financial resources aiming to play a vital role in evolving the cultural infrastructure within the cities and to carve up the citizens’ needs. This accomplishment would have created solid foundations for the development of the Jordanian society. For the time being, culture do not fall among the top municipal priorities due to the constant shortage in urban service provision, so some of the budget items that belong to the culture would be derived to other items like infrastructure.

Archeological sites are normally managed by the Ministry of Tourism and Antiquities (MoTA) along with the Department of Antiquities (DoA). However, the lack of coordination between these central authorities and the local government authorities concerned by the urban planning, the Ministry of Municipal Affairs and local municipalities, led to severe landscape damage around these valuable sites. Therefore, the central government set a national committee for the protection of the Urban and Architectural Heritage. Formed by representatives of MMA, local municipalities and Ministries such MoTA, MoE and the DoA, this committee coordinates urban planning insuring buffer zones around the heritage sites and at the same time implicating local authorities in conserving heritage.\(^{21}\)

\(^{20}\) UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014, p.71.

Jordan has ratified a range of international agreements related to the promotion of human and women’s rights. The Higher Council for Disability was created in 2007, while the national strategy for people with disabilities for the years 2010-2015 was also issued.

Considering the situation of social and economic vulnerability, the public sector is supposed to play a major role of development by investing local resources and mobilizing institutions and population. It is also supposed to provide social and health care services for the elderly and people with disabilities in terms of preparing the strategies, legislation and infrastructure to provide providing different services for their support and their integration in the community. On the other side, the municipalities’ law for the year 2011 has increased the quota for women in municipal councils from 20% to 25%. Currently, women constitute 35.9% of the members of municipal councils in 2013.\(^\text{22}\)

Therefore, the municipalities according to the level of legislature in the country should be implicated in fighting poverty and providing adequate social services for the population. The local associations which also deliver in some cities basic social services leading the population to question even the role of the municipal council challenge this.

3.2. Financial Duties and Responsibilities

This topic is of great importance at the local level for its role in bridging the gaps among urban areas and for the efficient use of financial resources in coordination with the local authorities. On a strategic level and to boost the economic development, duty free zones were developed to serve investments by combining the location, infrastructure, services and labor in the same zone, and providing better access to regional and global markets (see details in section 3.7).

Besides, the “Green Building Manual”, an element of a sustainable design, will reduce energy demand and water consumption, which will save relevant sums of money that could be spent on other activities and projects contributing to raise the quality of life for the citizens of Jordanian cities. Jordan’s National Agenda 2006-2015 cites “environmentally sustainable economic development” as a priority, while its National Energy Strategy of 2007-2020 targets an energy mix of 10% renewable energy by 2020. In December 2014 and January 2015, Jordan gave licenses to build nine solar-run power plants in the Ma’an and Ma'afiq governorates. Two wind energy projects are planned for 2015. The projects help reach the goal of having several renewable energy projects with a total capacity of 1,800 megawatts by the end of 2018.

\(^{22}\) UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014, p.46.
Local development units in municipalities were established, and legislations governing the obligations of the municipalities and ensuring its authorities in the selection and implementation of priority projects in their localities have been updated. Units for local development in the provinces were established and supported with the necessary cadres and techniques to supervise the implementation of capital projects.\textsuperscript{23} After the 2001 Law amendment, the governors gain more prerogatives of economical nature, they became responsible of the economic development within its jurisdiction, promoting suitable environment for investments.\textsuperscript{24}

In order to provide appropriate services for the population, it is essential for the municipalities to have available resources to achieve their goals. Despite that, the Jordanian municipalities are dependent on the government aid constituting up to 40\% of their revenue. Less than half of municipal budget is collected by municipalities (43\% in 2004).\textsuperscript{25}

1) The first source of municipal revenue, counting for more than half of the budget (57\% in 2004), is state transfers which are derived from an 8\% tax on refined petroleum products and 40\% tax on the sale of vehicles and traffic violations. For years, these transfers were made according to a ‘transfer formula’ that included the number of inhabitants, the category of the municipality (from 1 to 4) and the level of its needs.

2) The second is a series of taxes on property, building permits and leases commercial. Only the three largest municipalities (Amman, Zarqa and Irbid) collect these taxes themselves; the others have delegated this task to the Ministry of Finance, which pays them with a discount of 10\%. The country is divided into five zones and for each one, the government set average prices. This tax represents between 10\% and 12\% of municipal revenues (8\% in 2004), but it is under-collected. It should also be revised every five years.

3) Finally, municipalities could borrow from the Cities and Villages Development Bank (CVDB), a government bank administered by the Minister of Municipalities. These borrowings, attained 14\%, are calculated depending on the size of the municipalities, their administrative rank and

\textsuperscript{23} UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014, p.53.


\textsuperscript{25} UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014, p.51.
the share of their contribution to income generation.\textsuperscript{26}

Most of the Jordanian municipalities are in deficit. Salaries are the important element in the expenditures, 55\% of the total budget,\textsuperscript{27} reaching 84\% for Ruseifa, Zarqa, Marfaq and the municipalities of southern Amman. Moreover, the operation of infrastructure take an important part of the expenditures of certain municipalities like the transport infrastructure serving Iraq and Syria in Mafraq or the construction of the airport in Marj al Hammam, or garbage collection a very expensive item, pavement, lighting, maintenance of gardens and squares, markets, building permits and public hygiene.\textsuperscript{28}

3.3. Environmental Duties and Responsibilities

Jordan’s environmental challenges, high rates of population, rapid and poorly planned urbanization, and heavy dependence on imported energy resources combine to create socio-economic and environmental pressures likely to dominate Jordan’s development processes for years to come. The scarcity of natural resources is coupled with the vulnerability of ecosystems and habitats that permit special conservation, including through sustainable development efforts. Climate change will affect Jordan through higher temperatures, shorter wet seasons, more erratic rain and rising sea levels.

The environmental law no. 52 of 2006 approached the protection of the environment together with the human health against pollution through the introduction of policies and projects as well as regulations and instructions complying with standard specifications aiming to reduce environmental pollution.

Climate Change

Adaptation to climate change is no longer an option but rather a necessity and a way of life. Perhaps, this is more important due to the growing population in Jordan and the region. Like many developing countries, Jordan has begun to suffer from the negative effects of the climate change including the increasing temperatures, the increase in drought-affected area, erratic rainfall, heat waves, a significant plunge in available water (underground and surface) thus threatening food shortage. In addition, there is also an impact on disease patterns.


\textsuperscript{27} Myriam Ababsa; Jordanie: la Décentralisation par Décision Centralisée et la Démocratie par Volonté Royale, chapter 4. In Mona Harb, Sami Atallah; Local Governments and Public Goods, LCPS, 2015, p.156.

\textsuperscript{28} Myriam Ababsa; Jordanie: la Décentralisation par Décision Centralisée et la Démocratie par Volonté Royale, chapter 4. In Mona Harb, Sami Atallah; Local Governments and Public Goods, LCPS, 2015, p.151
and availability of clean water and decent sanitation facilities that causes the migration of population from the most affected areas though endangering the achievement of the Millennium Development Goals.

The Jordanian cities are clearly suffering from the poor urban planning which must now consider the subject of climate change. Furthermore, chaotic patterns of land use seem to be prevalent which significantly burdens the environmental sector. Among the most important elements of poor land planning manifests in the concentration of the industrial zones in the cities and human settlements such as: Amman, Zarqa, Aqaba, and Irbid, and the negative influence of interactions that occur between these industries, urban centers, and environmental resources such as: groundwater, soil, unlicensed waste spools, and the excessive urban expansion. This has a devastating impact on increased air pollution, especially with greenhouse gases resulting primarily from vehicle emissions.

At the institutional level, the Ministry of Environment is reconsidering its organizational structure to introduce the directorate of climate change. This directorate will act as a green economy specialized unit. The MoE that issued a set of environmental legislation is currently reviewing the Environmental Protection law in force to introduce new articles related to addressing the climate change; the transition towards a green economy, green cities and buildings will help in facing the challenges posed by climate change. To facilitate such transition, many current practices must be subjected to “greening”; green city, green building and green transport.

According to Jordan’s Second National Communication Report to the UNFCCC, the mains contributing sectors of Greenhouse Gas Emissions to the atmosphere were: energy, including transport (74 %), wastes (13.5 %), industrial processes (7.9 %), land use change, forestry (3.7 %) and agriculture (0.9%). Climate change projections show an increase in temperatures of less than 2C by the year 2050, which could contribute to extreme weather patterns such as floods and droughts, the most critical climate change impact could occur with the temperature rising by more than 2% without a precipitation increase. According to climate models, even a 20% increase in precipitation will not compensate for the temperature increase which will affect agriculture, food security and water management.29

Water

The scarcity of water (Jordan is among the world’s five poorest countries in terms of water) is one of the country’s biggest environmental threats, which also puts its development at risk. Jordan relies primarily on rainwater to feed surface water and groundwater. According to the General Census of Population and Housing for the year 2004, the per capita share of water 147 liters/day,

and dropped to 89 liters/day in 2013. The refugee crisis adds further pressure, with the Zaatari refugee camp (housing only about 15% of all Syrian refugees) consuming over one million liters per day.

In the field of secure water, the monitoring programs has covered 100% of the specification requirements, for drinking water, as has been covered 100% of the chemical tests required in the specifications of Jordan standard for drinking water No. 286 of 2013. Jordan continues to improve the efficiency of water supply and distribution systems for domestic, industrial, commercial and agricultural purposes through the implementation of many projects to reduce water loss and rehabilitation of water systems in all regions of the Kingdom. Of these projects to improve water networks in Zarqa Governorate and Al- Rusaifa province projects and reduce waste in the governorate of Irbid and Karak, its completion rates are varied from (40%) to (75%). The implementation of these projects to reduce the wastage of networks to (42%) in (2011) compared to (43.9%) in (2008).  

Other strategic projects are the Disi reservoir water conveyance project that began in 2010 through a partnership with the private sector to secure the 100 million cubic liters of potable water; the purpose of the project is the distribution of water within pipelines to reach all the governorates of the Kingdom. On the other side, the Red Sea / Dead Sea water transporter project’s first phase includes the establishment of a desalination plant in Aqaba Governorate to desalinate (85-100) million cubic meters per year.  

The City of Amman receive its water requirements from several sources, it is consisted of 24% of local resources, 35% from the Jordan Valley, 31% from Madaba and Karak, 6% from Zarqa. It takes 15% of all electricity generated in Jordan to pump such amounts of water from low elevations. The huge cost and effort is also subject to about 45% of non-accounted for water lost to leakages in the pipe system or through illegal pumping from wells.

Waste Water

Jordan always seeks to expand sewer service to include all cities of the Kingdom, villages and communities. The waste water infrastructure and projects falls under the duty of the Ministry of Water and Irrigation, it oversees the projects’ phases from studies to implementation. The ministry is responsible for the:

- Construction of water treatment plants to increase the capacity and process the wastewater to be reused in irrigation and industry.

---

30 UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014, p.66.
31 UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014, p.67.
• Construction of drainage systems and building treatment plants, sewage water with the latest international standards and specifications to ensure sustainable access to sanitation services.

• Enhancing the participation of private sector in the management of water services and sanitation.\textsuperscript{33}

A decentralized method to wastewater management is generally most appropriate for suburban and rural communities, particularly toward the upper edge of catchments, where the costs of wastewater pumping over long distances to large centralized treatments plants outweigh the plant’s potential economies of scale. Hence decentralized and centralized wastewater management approaches are complementary to each other.\textsuperscript{34}

3.4. Other Duties and Responsibilities

Endorsing the urban development approach in Jordan was manifested in establishing the Ministry of Municipal Affairs (MoMA), Municipalities, Amman Greater Municipality, Aqaba Regional Authority, Petra Regional Authority, and the Development Zones Commission. Such departments were mandated to implement the plans, programs, and development projects within their districts, while the ministry is responsible for developing the elaborated structural plans for all the kingdom’s municipalities, participating in supporting and developing population clusters in which municipal councils lack, and manage financial transfer of funds.\textsuperscript{35}

The planning process in Jordan is highly centralized. Although the law specifically allows municipalities to execute and apply city planning and manage urban areas, the Ministry of Municipal Affairs has already developed inclusive schemes for all of them, as it is the most competent authority in this field while municipalities usually do not have this capability. Nevertheless, the main problem areas due to planning irresponsible of local conditions can be classified into four categories:

• Provision of infrastructure and basic services.

• Pollution resulting from urban wastes and emissions.

• Deterioration of resources.

• Creation of environmental hazards.

\textsuperscript{33} UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014, p.71.

\textsuperscript{34} Ministry of Water & Irrigation; Decentralized Wastewater Management Policy, Jordan, 2016, p.31.

\textsuperscript{35} UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014, p.16.
There is an urgent need to move away from centralized planning system to link physical planning with infrastructure planning that involves committees at the municipal level with representatives of the relevant authorities for planning.\textsuperscript{36}

From a strategic viewpoint, duty free zones were developed to facilitate investments by combining the location, infrastructure, services and labor in the same zone, and providing better access to regional and global markets, e.g. Aqaba Special Economic Zone (ASEZA), Ma’an development zone, Irbid development zone, the Dead Sea development zone, and others. The “Green Building Manual” was another element of a sustainable design and was approved by the Jordanian building council in 2013. This document defines the technical measures to meet the requirements of sustainability in the buildings to reduce energy and water consumption, in addition to the reduction of the consumption of materials during and after construction, promote recycling, and mitigate the environmental impact of buildings on the surrounding environment.

As mentioned before, the Ministry of Municipal Affairs (MoMA), is the main authority of urban planning. According to this Law, there are three planning committees at different level of administration: the Local Planning Committee, the District Planning Committee and the Central City and Village Planning Development CCVPD within the MoMA. Two kind of plans exist: Regional Plan and the Master Plan. Regional Plan is prepared by the Central Planning department in MoMA and defines, among others, the location of new cities and villages, land use, private/public areas, protected areas and the transportation system. Master Plan is prepared by the district local committee and defines existing and new roads; water supply and drainage infrastructure; land use; building regulation, public service areas and special service areas.

At the municipal level, Physical planning is undertaken following the Law of Planning of Cities, villages and Building No 79 of 1996. Hence, municipal councils were given limited responsibility in this regard. Planning decisions are presented through committees for public comment as a legal duty rather than an effective attempt made by the municipal council to identify the priorities and requirements of the residents. The Municipal council should prepare the Master Plan to be approved later by the High Council of Planning (Majlis Al Tanzim Al-A’la), but because of lack of qualified employees on the local level, the Master Plan preparation procedure is reversed, prepared by the High Council of Planning and approved by the City Council with very limited power to edit it or to add any modifications. Nevertheless, Amman’s Master Plan, which was initiated in 2006, aimed at preparing a serious and comprehensive city planning scheme, it has taken a new shape as The Metropolis 2025 model. This model was

\textsuperscript{36}Ministry of Water & Irrigation; Decentralized Wastewater Management Policy, Jordan, 2016, p.13.
adapted to each municipality according to their status, needs and objectives of development.

In the past decades, the degradation of the public transportation quality and services have led to more dependence on private vehicles and though to an increase in their numbers 70 cars/1000 inhabitants in Amman). On the central level, the Ministry of Transportation is currently developing a new strategy for transportation that aims to trace long-term plan that expands to 2030, and to arrange for a program of performance’s evaluation and monitoring besides setting the priorities for investments. In 2014, the Ministry of Transport, which is the body responsible for planning and drafting laws related to the transportation sector in Jordan, has elaborated a comprehensive scheme at the national level aiming to:

- Introduce unconventional transportation means,
- Establish the needed infrastructure projects,
- Identify the best practices for the management, operation and ownership of public passenger transportation, and
- Develop the most appropriate mechanisms to encourage investment and partnership with the private sector.37

In the coming decade, it is expected that the number of licensed vehicles will reach 2 million in Amman following the figures on private cars ownership. This fact will add more pressure on infrastructure and environment. To this end, a sustainable transportation policy will reduce the reliance on private vehicles by including a combination of integrated uses and public transportation systems. The Amman Greater Municipality has a leading experience with its strategic scheme for transportation and traffic, which prioritizes public transportation as the spine of the traffic system in the city, and increase the use of public transportation from (14%) to (40%). Another important project is the creation of Amman Development passageway which is an eastern extension of the Amman through a deliberate planning process, contributing to mitigate traffic congestions by providing alternative roads away from the city center, and open new locations for agricultural or industrial or new housing areas, especially for people with limited income.38

There are 4 types of public transport in Amman: bus, minibus, taxi and service taxi, all these modes are structured by the “Public Transport Regulatory Commission” (PTRC) in Amman and throughout Jordan. Taxis cover all destinations in Amman, but service taxis, minibuses and buses are restricted to

---

37 UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014, p.20.
38 UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014, p.21.
specific routes.

Buses: They are run by franchised companies, which are contracted to operate new routes or to increase the capacity on existing routes. All franchisees pay an annual franchise fee to the PTRC or to the Ministry of Finance according to the date of their contract.

Minibuses: Offer more flexibility than buses and complement their network. Franchising of minibuses is under the responsibility of the PTRC and follow the same procedures as buses. It is the intention of the PTRC to progressively replace minibuses with buses.

Service taxi: they are public vehicles that could be shared by 4 to 6 passengers according to their type and size. They do not depart from terminal stations until they are full, but they are quicker than buses and minibuses since they stop less often to drop off and pick up passengers.

Taxi: Taxis cover all destinations in Amman; they are not restricted to specific routes like service taxis, minibuses or buses.

There are 10 terminal stations in Amman owned by Amman Governorate and managed by franchised companies. Each vehicle using the terminal station is required to pay a monthly fee to the management company. They are start-end of lines for buses, minibuses and service taxis. Only buses of major companies have predefined departure times, minibuses and service taxis normally only leave when full, so waiting is sometimes required.39

4. Challenges and Opportunities of Local Governments

4.1. Internal Capacity, Urban Service Delivery and Reforms

Jordanian municipalities have the paradox of having rights and important responsibilities under the successive laws, but gradually they have been dispossessed of their power because, according to the government, they have neither the capacity nor the roles to assume their responsibilities due to their weak technical capacities to provide the appropriate services to the citizens. Most of urban services are ill-assured; cities are developing chaotically, old cities are unprotected, circulation uncontrolled, and so on.

The law granted municipalities lots of prerogatives that covered the entire daily life of citizens. However, it does not reflect the evolution of urban roles nor the functions and capacities that the municipalities assume these days. Apart urban planning, which is carried out by the Ministry of Municipalities, most of urban services are performed by urban delegates to other ministries or private companies; thus the Ministry of Water and Irrigation manages water and sewers;

Electricity is supplied by the Jordanian Electricity Authority that can install power plants without prior permission of the municipalities; construction and management schools are provided by the Ministry of Education, the Ministry of Health and medical centers and hospitals; of buildings by the Department of Public Works; Bus networks are managed by the Ministry of Transport; And the Ministry of Tourism and Antiquities arranges tourist sites and collects entrance fees.\(^{40}\)

4.2. Sustainable Urban Development

4.2.1. Urban Risks and Resilience

Jordan has invested substantial resources on infrastructure and service facilities to serve the citizens which made outstanding achievements and maintain stability. These achievements were accompanied by challenges that are still unresolved; mainly there is a development gap between governorates plus the high unemployment rates.

A major challenge in Jordan lies in urban sprawl that resulted in costly demand for water supply infrastructures. In this context, there is a clear need for more compact Jordanian cities, rather than low-density urban areas, to reduce per capita urban expenditures on services delivery. Following the sustainable urban planning approach will be an instrument to achieve a balance and integration in all urban sectors in order to boost the Jordanian cities to compete with each other’s.\(^{41}\)

Another development challenge comes from the high annual growth rates of energy demand: 4-5% for primary energy and 5.3% for demand for electricity, for the period 2015-2025, which remains one of the highest in the world. The high cost of importing energy puts a heavy burden on the public budget already constrained by running costs. To achieve this objective, the government launched a strategy entitled “Updated Master Strategy of Energy Sector in Jordan” for the period 2007-2020 to secure reliable energy supply, to develop renewable energy projects, and to promote energy conservation and energy efficiency and awareness.

The transport sector is the second source of greenhouse gases of Jordan with 16%. The Ministry of Transport has a long term strategy to increase the total number of commuters using public transportation, MoT believes that introducing higher order public transit systems such as bus rapid transit (BRT) systems is key to improving the transport service in the country. The Ministry is already taking on the Zarqa-Amman project that would link to the Amman BRT system that is

\(^{40}\) Mona Harb, Sami Atallah; Local Governments and Public Goods: Assessing Decentralization in the Arab World, LCPS, 2015, p159.

\(^{41}\) UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014, p.17.
being implemented. Initial steps are being taken to tackle other probable viable routes including Salt-Sweileh-Baqaa\(^{42}\). Furthermore, the country has adopted renewable energy laws and policies designed to attract investment in the area. In 2015, Jordan gave licenses to build nine solar-run power plants in the Ma’an and Mafrak governorates. Two wind energy projects are planned for 2015. The projects help reach the goal of having several renewable energy projects with a total capacity of 1,800 megawatts by the end of 2018.\(^{43}\)

By its geographical location, Jordan is prone to many risks such as earthquakes, floods, droughts, the risk of severe weather conditions (Freezes). The scale and impact of any disaster depends upon the level of preparedness of governments and community groups to:

- Understand the risk factors and relevant mitigation approaches;
- Monitor the situation to predict the potential imminence of hazards; and
- Institute timely preventive measures to guard against hazards turning into disasters.

Responsibilities for disaster management and mitigation in Jordan are widespread among many ministries and government agencies. What is missing is a comprehensive national level multi-sectorial plan, which incorporates the city and the governorate levels from technical and operational aspects and people centered approaches by encouraging civil society involvement.

In this regard, the Hashemite leadership has spared no effort to protect the citizen; the Supreme Council of Civil Defense was established through Royal directives to be the authorized body to take all actions and measures related to addressing emergencies. The Council shall be responsible for the developing the general policy of the civil defense, approving comprehensive plans needed in cases of emergencies and disasters, and determining the duties and responsibilities of each official or civil entity, besides monitoring their implementation. The Council issues the necessary instructions to organize the work of civil defense bases of operations in the governorates and districts. Also, it creates and equips public shelters in the Kingdom, pinpoints the duties and functions of the civil defense committees formed in the different governorates, plus identifies the duties of the armed forces and public security in emergency and disaster situations to support the civil defense. Moreover, the Council shall oversee the formation of civilian volunteer teams to support the civil defense and explain the mechanism of warning citizens of emergencies and disasters.

For Amman, a networking system does exist between the different agencies, but


inter-agency coordination needs strengthening through the establishment of a Coordination Unit at the Amman Municipality\textsuperscript{44}. A Disaster Risk Management Master Plan (DRMMP) for Earthquake Risk Reduction was also prepared for the Greater Amman Municipality (GAM) in 2009, based on the first ever seismic risk assessment and analysis in Jordan. A second plan was designed for Aqaba after the completion of a seismic risk assessment, social vulnerability and social impact. Thus developing community profile in terms of behavior patterns and vulnerabilities of communities and sub-groups such as children, youth, women, the disabled, and the elderly are important elements of preparedness plan.\textsuperscript{45}

4.2.2. External and Internal Migration

The conflict in Syria has led to the largest crisis in our time, with human and economic costs in addition to their bad consequences on host countries and host communities. Jordan faces exacerbating factors resulting from the increase of Syrian refugees, who comprise nearly 13\% of Jordan’s 6.388 million population almost 1.5 million. Most of these refugees have settled in host communities in urban areas in Amman and the northern governorates of the country, the remaining are hosted in refugee camps. They live in precarious circumstances, apart from the generosity of hosting governments, on the margins of peri-urban areas and face limited access to public services due to unprecedented demand.

The refugees in Jordan, whom are living below the country’s poverty line, put pressure on public services and already stressed water, energy resources and infrastructure as well as on the education sector\textsuperscript{46}. Since 2011, fuel, electricity and water use has risen sharply as for the subsidy bills for the government. State schools run double shift to cope with the increase in the their electricity and water bills for the Ministry of Education. Prior to that, Jordan municipalities were already struggling to provide services for the population and maintain an economic and social cohesion within communities\textsuperscript{47}. This situation has also affected the middle income Jordanian due to the inflation and the shortage in housing and employment.\textsuperscript{48}

Solid Waste Management (SWM) is a particular concern; the influx of refugees means in principle an increase of an estimated 340 tons of waste to dispose of daily. Prior to the crisis, SWM capacity was in many respects already exceeded, logistical means were outdated and insufficient, financial means overwhelmed by increasing fuel cost, and technical and institutional processes inefficient and environmentally not sustainable. A number of other municipal services and planning functions are impacted directly by the crisis notably: Urban management

\begin{itemize}
  \item \textsuperscript{44} EMI/UNDP Jordan, Amman Disaster Risk Management Plan, 2009.
  \item \textsuperscript{45} United Nations, Jordan Country Assessment Report, 2011.
  \item \textsuperscript{46} Zaatari camp (housing only about 15\% of all Syrian refugees) consuming over one million liters per day.
  \item \textsuperscript{47} Bertelsman Stiftung, BTI 2016, Jordan Country Report, Gütersloh: Bertelsman Stiftung, 2016.
  \item \textsuperscript{48} Lahn, Graffham and Sparr; Refugees and Energy Resilience in Jordan, 2016, p.3.
\end{itemize}
capacity, road degradation as a result of heavy transport, overutilization of public spaces and parks as transit areas for refugees, inadequate housing solutions, and poor water and sanitation conditions as a result of inadequate infrastructure.\textsuperscript{49}

The World Bank Group works in close collaboration with UNHCR to provide the practical advice and support to turn a humanitarian crisis into a development opportunity, thus broadening the focus of mitigating the refugee crisis from assistance to economic inclusion, working towards a more stable, prosperous future for all\textsuperscript{50}. Between 2015-2017, the program of UN-Habitat focus to work with central and local government to support them and to strengthen all aspects of governance and management in urban areas through:

- Effective urbanization, urban planning, and local governance;
- Improved land management and administration;
- Increased emphasis on pro-poor housing;
- Improved infrastructure and basic services; and
- Strengthened Jordanian resilience in urban protracted crisis.

5. References


Decentralization in the Mashrek region: challenges and opportunities, Platforma, the European voice of Local and Regional authorities for development, 2015.


Ministry of Water & Irrigation; Decentralized Wastewater Management Policy, Jordan, 2016.


UN-Habitat, the National Report for the Third UN Conference on the Habitat in cooperation with UN Program for Human Settlements for Jordan, 2014.


Country Profile

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>State of Kuwait</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Unitary Constitutional Monarchy</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Arabic</td>
</tr>
<tr>
<td>Currency</td>
<td>Kuwaiti Dinar</td>
</tr>
<tr>
<td>Area</td>
<td>17,818 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>4,621,638 (2018)</td>
</tr>
<tr>
<td>Urban Population Rate</td>
<td>90.3% (2018)</td>
</tr>
<tr>
<td>Capital City</td>
<td>Kuwait City</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>60,064 (2018)</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>56</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$34,244</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>1.24% (2017)</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>n/a</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>0.4%</td>
</tr>
<tr>
<td>CO₂ Emission (metric tons per capita)</td>
<td>25.22 (2017)</td>
</tr>
</tbody>
</table>

Source: UN Data, WB Databank & National Legislation
1. Laws and Regulations on Local Governments

Kuwait is a fully independent Arab State with a democratic style and administered by a central government where each ministry has a defined role in urban area. The legislative authority is vested in the Amir and the national Assembly, while executive power is vested exclusively in the Amir and his Cabinet as well as the Ministers. The cooperation between ministries is needed to achieve appropriately their roles defined by urban legislation in urban areas. Municipalities represent the focal point inside Kuwaiti Cities as they are the key agencies devoted to planning and development.

Historically, Kuwait had the first urban legislation among the Gulf Countries as Kuwait Municipality was established in 1930. Since its establishment, the municipality has been practicing many tasks compatible with the Kuwaiti community at that time and with the size of the City. These tasks included: public health, transportation, the demolition of buildings, waste collect and disposal, and the collection of fees. Later, the introduction of the Municipal Law in 1954 witnessed the executive power supported by the Municipal Manager; the executive branches consisted of several departments such as technical, financial, administrative and health affairs. After that, the Municipal Act in 1960 resulted in the improvement urban health, ensuring food safety and enhancing public infrastructure.

2. Structure of Local Governments

The Decree No. 290 of 1999 added a sixth governorate to Kuwait, these include:

1) The Capital Governorate (Asimah),

2) Hawally Governorate,

3) Farwaniyah Governorate,

4) Mubarak Al-Kabeer Governorate;

5) Ahmadi Governorate, and

6) Jahra Governorate, see table (1). Although, area-wise, Jahra and Ahmadi governorates are bigger in size, the proportion of the population is larger in Farwaniya, Hawalli and Ahmadi governorates.

---

Table 1: The Governorates of Kuwait

<table>
<thead>
<tr>
<th>Governorate</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>Capital</td>
<td>552,237</td>
</tr>
<tr>
<td>Hawalli</td>
<td>928,783</td>
</tr>
<tr>
<td>Ahmadi</td>
<td>909,812</td>
</tr>
<tr>
<td>Jahra</td>
<td>531,498</td>
</tr>
<tr>
<td>Farwaniya</td>
<td>1,155,856</td>
</tr>
<tr>
<td>Mubarak Al Kabeer</td>
<td>246,877</td>
</tr>
<tr>
<td>Not Stated</td>
<td>5,245</td>
</tr>
<tr>
<td>Total</td>
<td>4,330,308</td>
</tr>
</tbody>
</table>

Source: ttp://stat.paci.gov.kw/englishreports/#DataTabPlace:view1ArcGISRegionMap

As for the organizational structure of the Municipality, there are municipal branches in the Kuwaiti governorates, each two of them follow one branch that has two sectors; one for each governorate. Thus, there is a branch for the Capital and Mubarak Al-Kabeer governorates, a branch for Gaza and Al-Ahmadi governorates, and a branch for Farawaniye and Jahra governorates. Besides, there are sectors for control and inspection, for regulations and services and for financial and administrative affairs and for development and information, these sectors manage to run adequately the projects and the services provided by the municipality.

In 2016, the Cabinet of Ministers approved a draft decree regulating the system of governorates and the powers conferred to the governors, the objective of the decree is to modernize public services reflecting more public participation. Each governorate will have a council with more executive powers over their respective areas; these councils will be progressively delegated duties currently handled by ministries; except for the Legal Department at the level of the municipality which is according to the Law 33 of 2016 reports directly to the Minister State for Municipal Affairs.

At the city level, the municipality operates under the direction of the Minister of State for Municipal Affairs. The role of the municipality includes:

- Expansion of sewers and parks.
- Garbage collection and disposal.
- Implementation of projects to keep the city clean.
- Naming of neighborhoods and streets.
- Landscaping.
Approval for the construction of houses.

Apart from that, the Municipal Council contributes to setting public policy objectives and plans in all areas subject (under the authority) to the municipal functions. The Municipality is responsible for a variety of functions, including the usual municipal services such as town cleaning and refuse collection, as well as food and restaurant inspection. It has far-reaching executive powers in commercial licensing, health and safety at work, land acquisition, urban organization and planning and the approval of infrastructural projects. It is responsible for issuing building licenses\(^4\). In addition, the municipal council oversees the good implementation of laws and regulations related to functions like public health, building regulations, land divisions, etc. as well as the assessment of proposals submitted to the Council, and take a decision on their concern. In the same line, the council reviews the municipal budget of every new and previous fiscal years, evaluates the functions that bring revenues to the municipality and submits a report to the concerned administrative units and central authorities. In the field of urban planning, the Council develop general and specific master plans for residential, commercial, and industrial areas as well as land use adjustments and issues building permits.

The Council has the authority to compose so called permanent committees, they contain from 5 to 7 counselors and their scope of work is defined by the law. These committees are as follow:

- The Technical Committee.
- The Legal and Financial Committee.
- The Development Committee.
- The Environmental Affairs Committee.
- The Claims Committee.
- The Engineering Professions Committee.

The Council has the power to form other committees when it appears necessary to do so then to set the structure and the scope of work for each one of them.

The municipal council is following up urban and public utilities projects: developing landscape, gardens and roads; establishment of markets, besides issuing relevant licenses for various operation projects or activities. Also, the Municipal Council has a General Secretariat concerned to make available technical and administrative support to its committees by preparing and archiving their minutes of meetings, decisions and decrees. This entity is headed by a Secretary

General, under the supervision of the President of the Council, helped out by a number of assistants all nominated by the president of the council.

2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

In accordance with the provisions 51:53 of Kuwait Constitution, there are 3 authorities in the State of Kuwait: The Legislative, The Judicial and The Executive Authorities. First of all, the legislative authority is devolved to the National Assembly (50 members elected and 15 appointed by the Amir) who passes laws, debates policies and government programs and if needed withdraw confidence from ministers. Moreover, the judicial authority is vested in the courts which are independent and not subject to any interference or any external power. Furthermore, the executive authority which is conferred in the Amir and the Council of Ministers. The Amir, as the head of the State, appoints the Prime Minister, exercises his power through the ministers that he also appoints, and represents the State of Kuwait in the international instances. The Cabinet (Council of Ministers) controls state institutions, executes governmental policies and regulations, and can draft laws and decrees when the legislative power is not in session.\(^5\)

At the local level, Kuwait is divided into 6 governorates, each one is headed by a governor, a representative of the Amir, who is supported by a governorate council. The governor and the council act as channels of communication and coordination between the center and the local authorities as well as overseeing local security. Each governorate is divided into districts or areas, e.g., Jabriya, Khaldiya, etc. Each district is headed by a mayor or chief (Mukhtar) who is responsible to the Ministry of Interior\(^6\). As for the Municipality, Kuwait has five administrative districts or five municipalities, which largely exist as decentralized authorities for the central government, but there is only one Municipal Council for the entire state.\(^7\)

The municipality organizational structure and work mechanism had remarkably developed over years. The executive organs of the municipality are managed by a Director General that has one or more than a deputy, they oversee many departments and sectors that have technical, financial, service provision, planning and monitoring aspects. Sectors are as follow:

- Monitoring and Inspection Sector: that has several departments for management and performance evaluation.\(^8\)

\(^5\) http://www.nyulawglobal.org/globalex/Kuwait.html#thegovernance [25 March 2017].
\(^7\) Khedr A. A., “Kuwait Legal System”, NYU, 2016.
\(^8\) https://www.baladia.gov.kw/sites/ar/ControlInspectionSector/Pages/SectorStructure.aspx [27 March 2017].
• Planning and survey sectors, for planning management\textsuperscript{9} and property identification.\textsuperscript{10}

• As for implementation, there are the projects and services sectors responsible for construction management and Environmental Affairs\textsuperscript{11}, as well as municipal services.\textsuperscript{12}

• Financial and Administrative Affairs Sector, for financial, personnel management and public registry.\textsuperscript{13}

• Development and Information Sector, for Development and Training, Planning and Research and Management of Information Systems.\textsuperscript{14}

According to the Law, the municipality is responsible for the formulation of policies and plans, the provision of service and the implementation of infrastructure, the protection of the public health and of the environmental safety as ban planning and housing provision. The law No. 33 of 1964 on the state/municipal expropriation and temporary seizure of private property to provide public services that are of common benefit to all citizens. The law outlines the duties of the municipal Expropriation for Public Welfare Department, in coordination with the Ministry of Finance (amended by Law No. 2, issued in the year 2006).\textsuperscript{15}

There are municipal branches in the Kuwaiti governorates, each two of them follow one branch that has two sectors; one for each governorate. Thus, there is a branch for the Capital and Mubarak Al-Kabeer governorates, a branch for Gaza and Al-Ahmadi governorates, and a branch for Farawaniye and Jahra governorates. Besides, there are sectors for control and inspection, for regulations and services and for financial and administrative affairs and for development and information.

2.2. Relations Between Central Government and Local Governments

The organizational structure of the municipalities is characterized by an overlap/

\textsuperscript{9} https://www.baladia.gov.kw/sites/ar/OrganizationSector/Pages/SectorStructure.aspx [27 March 2017].

\textsuperscript{10} https://www.baladia.gov.kw/sites/ar/SurveySector/Pages/SectorStructure.aspx [27 March 2017].

\textsuperscript{11} https://www.baladia.gov.kw/sites/ar/EnterpriseSector/Pages/SectorStructure.aspx [27 March 2017].

\textsuperscript{12} https://www.baladia.gov.kw/sites/ar/SevicesSector/Pages/SectorStructure.aspx [27 March 2017].

\textsuperscript{13} https://www.baladia.gov.kw/sites/ar/HrSector/Pages/SectorStructure.aspx [27 March 2017].

\textsuperscript{14} https://www.baladia.gov.kw/sites/ar/devInfoSector/Pages/SectorStructure.aspx [27 March 2017].

redundancy in functions related to the provision of services and development activities, making implementation and long-term control a relatively convoluted and litigious process. Although that the Law 33 of 2016 is in favor of the decentralization and the delegation of power towards the local authorities, but it supported, at the same time, the transfer of some municipal responsibilities to the national level, such as the transfer to:

- The Ministry of Commerce and Industry, the competence of licensing, supervision and control of advertising in public places except deductive ads and street vendors.

- The General Authority for Roads and Transport jurisdiction of licensing, supervision and control over the evidentiary ads.

- The Public Authority for Industry competence of licensing, supervision and control of scrap sites.

- The Public Authority for Agriculture Affairs and Fish Resources licensing, supervision and control of birds, poultry, live animals and ornamental fish markets of the jurisdiction.

2.3. Local Elections and Mayors

On the national level, there are no elections. The Amir inherits his position as a member of the dynasty, and appoints the Prime Minister and the Crown Prince. While on the local level, Kuwait stands out amongst other gulf states for its mostly-elected municipal authorities, the Council is composed of 16 members elected for 4 years term, where 10 among them are elected by those eligible to vote in National Assembly election, and 6 are appointed by the Amir. Kuwait is divided into six electoral districts (governorates) according to a decision by the Council of Ministers.

The date of the election for members of the Municipal Council (usually with tribal-affiliations) is announced in a decision by the Council of Ministers, and the date of the supplementary elections is announced in a decision by the mayor. Both decisions are published at least 20 days before the fixed date of the election. Applications for candidacy are submitted in writing at the polling stations 10 days after the publication of the election decisions. The nomination date and time are recorded, and the lists of candidates for each department are released at the municipality, the police station and other places designated by the mayor at least 7 days before the date of the election.

The candidates for the Municipal Council must be included in one of the electoral lists, they have to be 30 years of age or older and able to read and write. Voters also must be Kuwaiti nationals or has been naturalized for a period of at least 15 years, they have to be 21 years age or older, and they should be residents of the constituency in which they exercise the right to vote. Voters must not have
a criminal record or must have been rehabilitated. Members of the army forces or the police are excluded from voting processes.

In 2016, the cabinet approved a draft decree regulating the system of governorates and governors’ powers with the purpose of revamping public services nationwide and reflecting positive public participation. As per the new decentralization efforts, each governorate will have a council with more executive powers over their respective areas, and will gradually be handed over duties currently handled by ministers.

The roles of the governors and their councils are related to social and security aspects. These include supervising the implementation of state policies, assessing the need for public utilities, and responding to the problems of citizens. The governorates are the agencies of the central government and the communication channels of with the national level, they manage local security and are responsible to the Ministry of Interior\textsuperscript{16}. They assist in enhancing homeland security and rule of law as well as public services.

The Mayor is appointed for a period of four years (renewable at the request of the Prime Minister) and tasked with the following responsibilities:

- Manage the affairs of the municipality (in coordination with the Municipal Council);
- Represent the executive authority; i.e. supervise the implementation of the general policies of the state and the development plans that serve the common good;
- Supervise and monitor the conditions of public facilities within the city;
- Review petitions and complaints by citizens, and obtain the necessary information and data from the concerned departments to in order to find suitable solutions;
- Follow-up on the work of the other local authorities that provide public utilities (every six months or whenever the need arises), and forward their reports to the concerned ministers;
- Carry out any additional tasks delegated by the ministers.\textsuperscript{17}

\textbf{2.4. Strategic Planning and Performance Assessment}

The State of Kuwait has engaged in 2015 the process for the preparation of “Kuwait Master Plan 2040”, which is a comprehensive long-term framework for the development of Kuwait. It will deliver a 4-layers’ analysis, strategy and

\textsuperscript{17} https://ar.wikipedia.org/wiki/محافظات_الكويت [retrieved on 2 April 2017].
policy development on the National, on the Regional, on the Metropolitan, and on the Capital City levels, it will deliver a strategy to guide development in the capital city area.

As for performance assessment, the State Audit Bureau implements a National Performance Management framework with the purpose of increasing accountability and assessing the performance of various central and local governmental entities in Kuwait (including municipalities). It makes sure the compliance with anti-corruption regulations and international standards, for example, in 1988, the State Audit Bureau charged the Kuwait Municipality for failing to collect penalties from contractors after they had completing their work.  

On a local level, the Department of Performance Evaluation at the municipality carries out the following tasks:

- Submits periodic reports on all matters related to the work of the municipality to demonstrate the extent to which the laws and regulations on municipal work are applied;
- Monitors the implementation of the plans by various department managers.

3. Duties and Responsibilities of Local Governments

The Municipality is responsible for a variety of duties, it was the first national entity entitled to regulate and supervise the urbanization of Kuwait and the provision of public services. The task is achieved in collaboration with different state bodies to ensure that the best level of services are provided to people. The municipality controls a number of public everyday jobs, this includes:

- Street cleaning and solid waste collection;
- Food and restaurant inspection;
- Commercial licensing;
- Sanitation works (while promoting health and safety);
- Land acquisition;
- Urban planning, approval of building permits and transport and infrastructural projects;

18 MEED - The Middle East’s Business Weekly, p. 35.
• Housing provision, environmental management, while streamlining its bureaucracy.

3.1. Social Duties and Responsibilities

In this regard, the Municipality operates in collaboration with the Ministry of Electricity and Water for contracting private companies for the provision of electricity and water services. The municipality also approves infrastructure projects and contracts private companies for street cleaning and rented garbage containers. Likewise, the Municipality coordinates local efforts with the Public Authority for Housing Welfare that recently invested in a US$1 billion contract for roads and infrastructure works.

The Public Authority for Housing Welfare (PAHW) is normally responsible for housing (see 3.2 below) and has also the mandate to provide housing with its integrated services which contains infrastructure (water and waste water networks), road network, road lighting and civil works for telephone networks, these services are provided in coordination with the concerned

The Public Authority for Housing Welfare (PAHW), established in 1974, is the authority having the mandate to plan, design and implement the suburbs and the cities’ housing integrated services and public utilities. The Public Authority for Housing Welfare operates under five-year plans for the completion of housing projects, it coordinates with the concerned ministries and holds the Kuwait Municipality to provide for the establishment of housing projects on land.

Recently, the demand for housing at present is much higher than its supply. In June 2016, there were 102,960 applications placed on the waiting list for housing, as opposed to 77,640 housing units provided since its start, the distribution of residential subdivision to the citizens follows the historical priority to apply to housing. The future scheme is to provide government-sponsored housing for approximately 2.6m people by 2030.

One of the most interesting feature related to rapid growth in the last 3 decades has been the development of a residential segregation policy which discriminates in favor of Kuwaitis at the expense of other nationals. Citizens are completely relying on the state for the provision of housing with specific “architectural type for Kuwaitis” that has created an unsustainable growth of the city that is difficult to reverse. This model for living places large burdens on the State for infrastructure provision and the availability of the resources. The citizens’ dependence on the state to distribute its resources has become an established

---

means of wealth creation and promoted opportunism.\textsuperscript{21}

Kuwait is a pioneer in cultural life and cultural activities in the region, and hundreds of events are held every year by the National Council for Culture, Arts and Letters (NCCAL). One of the council’s mandates is working on the development of intellectual production and enrichment not only at the country’s level but throughout the Arab region. The council produced a range of publications and arranges several cultural activities annually such as: Qurain Festival, an annual book Fair, the culture Festival children, and music festival.

At the local level, Kuwait municipality has beautifully decorated the city of Kuwait by building several municipal gardens and amusement parks. The Municipality successful Parks’ Initiative transformed gardens into cultural and social attractions. Municipal gardens are well decorated to let people to spend some time amidst nature so they can relax and watch the beauty. Most of the gardens have children’s parks and other entertainment parks to allow children to spend some lovely time. Equally, the Municipality supports various sports and cultural activities, and organizes local ceremonies that are attended by the mayor. It also promote public awareness on various matters related to the municipal tasks and propose mechanisms for citizen participation in local-level decision making.

Social development ensures that all individuals shaped by identity such as children, youth, old, women, persons with special needs, migrants, etc. experience social inclusion and provided equal opportunities as well as civic participation in the country’s social and economic progress. Public policy should be directed with impartiality and justice to fulfill the basic needs of those groups and to ensure that gaps between rich and poor is not too big\textsuperscript{22}. The Municipal Council is required to contribute to the social development of its governorate and to help improving its competence in various fields within its development frameworks. In particular, its role is to:

- Improve service accessibility for citizens in a timely manner, identify any problems in those services, and fix them;
- Encourage social education, and social and cultural activities such as sports to nurture a spirit of cooperation and patriotism;
- Inspire volunteer work to improve the standard of social life in cities;
- Limit/stop illegal begging, and encroachment on public/municipal

\textsuperscript{21} Alshalfan S., “The right to housing in Kuwait: An urban injustice in a socially just system”, 2013, p.28.

\textsuperscript{22} UN-Habitat, Kuwait National Report for the Third United Nations Conference on Housing and Sustainable Urban Development (Habitat III), 2016, p. 60.
property;
• Monitor a state-funded healthcare system by the Ministry of Health, which provides treatments without charge to holders of a Kuwaiti passport;
• Preserve and protect the environment.\textsuperscript{23}

3.2. Financial Duties and Responsibilities

Kuwait is mainly dependent on oil for its national revenues, so any municipal demand for a budget increase would be possible if the central government is convinced of its necessity. Nevertheless, it is essential for Kuwait, and for all the Gulf countries, to diversify their economies, in particular the local ones, making them not predominantly reliant on oil exports. In this direction, Kuwait established a National Fund in 2013 for the development of Small and Medium Enterprises (SME) with the objective to involve the private sector, beside the public sector, into the economic cycle of the city to increase their participation in the economy as job providers.

So, Kuwait Municipality encourages the creation of a business-friendly environment for those Small and Medium companies because they act as an economic engine catalyst and be situated as beneficial for the local economic development in Kuwait as the SME’s are mainly located in urban areas or in the near suburbs. Likewise, the municipality should boost private investment in large-scale projects that are executed through public-private partnerships (PPP). Consequently, it is indispensable for cities Kuwait to expand and diversify the sources of their local revenues since the national economy in the future could not rely only on oil exports.

The Ministry State for Municipality Affairs oversees and leads the work of Kuwait Municipality in terms of the yearly allocated budget which illustrates the yearly collected revenues from service fees that are then transferred to the Ministry of Finance for its annual expenditures. The Municipal/local finance is about the revenue and expenditure decisions of municipalities/local bodies, the sources of revenues used by them comes from taxes (property, income, sales, and excise taxes), user fees, and intergovernmental transfers. Furthermore, the State sets extra annual funds that reaches up to 250 thousand KD to spend during national celebrations of Kuwait.

The municipal expenditures are employees’ salaries, goods and services, transportation, equipment, fixtures, project construction, equipment and maintenance, land purchases and miscellaneous expenditures, and transfer payments\textsuperscript{24}. Those expenditures are much larger than the municipal revenues.

\textsuperscript{24} UN-Habitat, Kuwait National Report for the Third United Nations Conference on Housing and Sustainable Urban Development (Habitat III), 2016, p. 63.
as demonstrated in the table (2) below. The total expenditure of the government ministries and departments is much smaller than the total revenue of the government. Thus, it will not be difficult for the government to increase municipal finance, when the needs arise. Major parts of the expenditures lie around the development of the Kuwait Master Plans (KMP), the construction of houses & infrastructure, the garbage collection & disposal, the salary & allowances of its staff members and the contractual agreements with Municipality related projects.  

Table 2: Revenues & Expenditures of Kuwait Municipality (KWD) 2013/2014

<table>
<thead>
<tr>
<th></th>
<th>Independent Revenue and Expenditure of Kuwait Municipality</th>
<th>Revenue and Expenditure of Total Government Ministries and Departments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>25,308</td>
<td>31,811,422</td>
</tr>
<tr>
<td>Expenditure</td>
<td>218,046</td>
<td>18,903,306</td>
</tr>
</tbody>
</table>


3.3. Environmental Duties and Responsibilities

Climate Change

Kuwait suffers from numerous environmental challenges that include high temperature rates, high sand filling ratio and augmented frequency of sandstorms. The country also undergoes a lack of seasonal rains, a shortage in water resources, an increased desertification and a decline of vegetation cover. The average rise in temperature will be of 1.6 C during the period from 2010-2035 with more than 50 C in the shade, while the annual precipitations of 116 mm are expected to fall by 3 mm per year, though, affecting the groundwater level and leading to an augmented draughts and desertification levels in the country. In addition, it is expected that the frequency and the intensity of the sandstorms will increase with the rising of heat waves and the drop of rainfall, the dust fallout is equivalent to 1 million of dust annually.  

As for the Green House Gases such as CO2, they are produced from energy consumption in electricity production and heat production, industry and construction, plus in particular in the transportation and residential sectors. Currently, the use of renewable sources of energy such as solar, wind, geothermal, and biomass for the production of energy is very low. Accordingly, Kuwait needs

to develop and use renewable energies to prevent global warming and climate change, since the country signed the Paris Agreement on Climate Change aiming collectively to keep a global temperature rise well below 2°C and to drive efforts to limit the temperature increase even further to 1.5°C.27

Other environmental issue is the impact of sea level rise. Any rise in the sea level will cause flooding and inundations that affect severely the urban infrastructure and the coastal ecosystem as well as the groundwater quality. Global sea levels could rise by 1-3 meters during this century according to the Intergovernmental Panel on Climate Change (IPCC). With a rise of (0.5 - 2 meters) at sea level, Kuwait could lose 1.4 -3% of its coastal territory causing a decline in the country’s GDP by 5%.

As a result, the municipality of Kuwait must drive and concentrate substantial efforts in raising the awareness of the population to the danger of climate change and organize campaigns in cooperation with the concerned institutions and stakeholders on the adverse effect of human behavior and economic activities on climate change.

Water

The population in Kuwait has access to safe potable water, the source is coming mainly from seawater desalination: 93% while the remaining percentage comes from non-renewable groundwater due to scarcity of rainfall. Nevertheless, the seawater desalination process has an adverse impact on the marine ecosystem due to its high level of energy consumption.

In addition, the mean consumption of fresh water is one of the highest in the world, one of the fact that the water is highly subsidized in Kuwait and other fact related to the influx of wealth which increased the financing ability of the country in modern water production facilities that could cater for fresh water demand.

Waste Water

In Kuwait, 100% of population in Kuwait has access to improved sanitation. PAHW and the Ministry of Public Works construct all services required to run the city, including drinking water and sanitation, and road and drainage network. All houses, apartments, and public, private, industrial and commercial buildings have water and sanitation facilities. Treated waste water is one of the sources of water supply in Kuwait but used in agriculture.

Table 3: Production and consumption of Water in Kuwait (million gallons)

<table>
<thead>
<tr>
<th>Item</th>
<th>2011</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potable water</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Produced</td>
<td>128,236</td>
<td>130,463</td>
</tr>
<tr>
<td>Consumed</td>
<td>128,026</td>
<td>136,451</td>
</tr>
<tr>
<td>Brackish water</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Produced</td>
<td>21,622</td>
<td>17,996</td>
</tr>
<tr>
<td>Consumed</td>
<td>19,265</td>
<td>15,797</td>
</tr>
</tbody>
</table>


3.4. Other Duties and Responsibilities

The planning system in Kuwait is centralized, it is aligned with both the national development policy and the urban development policy. The Kuwait National Development Plan (KNDP) is prepared by the General Secretariat of the Supreme Council for Planning and Development (GS-SCPD) and the Kuwait Master Plan (KMP) is prepared by Kuwait Municipality (KM). The first Kuwait Master Plan on the national level was prepared in 1952 and the first Kuwait Municipal Master Plan for Development was prepared in 1967.

The first Kuwait Master Plan (KMP) was developed in 1952, designing plans for self-sufficient low density urban sprawl with the car and the road system dominating the landscape. The 3rd Kuwait Master Plan which is currently in use aims at transforming Kuwait into a financial hub by 2035 to attract investments and diversify the national economy to decrease the dependence on oil exports. It also includes the development of new cities to redistribute the population towards the northern and southern parts of the country, which would in return create new jobs.

The last one in preparation is the “Kuwait Master Plan 2040” that will deliver a comprehensive analysis, strategy and policy development in 4 layers:

- Kuwait National Physical Plan Strategy.
- Kuwait Regional Master Plan.
- Kuwait Metropolitan Area Master Plan.
- Kuwait Capital City Master Plan.

28 Brackish water is a mixture of sea water with fresh water. It has more salinity than fresh water but not as much as seawater, or it may occur in brackish fossil aquifers.
The Master Plan will define a strategic long-term vision for the State of Kuwait and will provide integrated policies and land use directions for the upcoming planning period ending in 2040. It will be aligned with the Kuwait’s Development Plan Vision 2035, which will result in a holistic structuring of land use for social, economic and environmental prosperity.

There is a heavy reliance on the use of private vehicles or taxies for commuting rather than taking the public transportation. This trend has created challenges for national and local authorities to improve the existing road network from one side and to introduce new way of transport means such as the subway system from the other side. The metro project if implemented, will be very important for Kuwait’s future urban development because it will serve all areas of the Metropolitan Kuwait and at the same time it will be environmentally friendly using electricity as energy and not emitting harmful pollutants such as carbon dioxide.

The Municipality of Kuwait will be the main stakeholder in developing the subway project to address the congestion problem, it has also the mandate to oversee the operations (and control the fares) of the local public transport system that is limited to buses and taxis, in coordination with the Ministry of Transportation. The two main state-owned transport companies are City Bus and Kuwait Public Transport Company. The municipality also improve traffic signals, parking controls and set the rates for public transport and public parking fees in coordination with the Ministry of Transportation and the Ministry of Finance.

4. Challenges and Opportunities of Local Governments

4.1. Internal Capacity, Urban Service Delivery and Reforms

Municipalities in Kuwait opt to improve service accessibility through the provision of transparent and fair accessibility to government services regardless of location and proximity to services. Guidelines and announcements are publicly available through bulletin boards and news outlets.

The Ministry of Public Works is responsible for improving road infrastructure. It is scheduled to expand road network to enhance connectivity with hinterland and with key gateways (port, airport and rail). The Ministry has ongoing program of roads and ports development.

4.2. Sustainable Urban Development

4.2.1. Urban Risks and Resilience

To improve their sustainable urban development efforts, a number of municipalities in Kuwait have initiated a campaign to reuse treated municipal wastewater as an alternative source for irrigation. The Kuwait City Municipal
Council, in specific, is pursuing a more sustainable urban development and is adopting a participatory approach in tackling important municipal matters that are particular to Kuwait such as rapid climate change.\footnote{http://www.unhabitatiraq.org/en/inp/view.asp?ID=170 [27 March 2017].}

The future of urban development in the Gulf lies in human development. Over-dependence on oil and the belief that modernity equals infrastructure development have distracted attention from human development which requires social, political, cultural, and academic restructuring.

The main natural disasters that could happen in Kuwait are sudden heavy rains that can damage roads, infrastructure and houses, sandstorms and dust storms, they occur in certain seasons. Desertification also constitute one the major risks resulting high temperature and water scarcity, the increase in temperature also induces a high frequency of droughts. From a different perspective, the persistence of the present practice of urban growth with low density’s urban sprawl will accentuate the environmental degradation in the country and will be coupled with the scarcity of lands and a costly infrastructure and service networks.

### 4.2.2. External and Internal Migration

Kuwait’s population has increased from 994,837 in 1975 to 4,183,658 in 2015, it includes Kuwaiti and non-Kuwaiti citizens. In 1975 and in 2015, the proportion of Kuwaiti and non-Kuwaiti population was 31% to 69%, respectively. The non-Kuwaiti population comes mainly from Arabic-speaking countries such as Egypt, Syria, Lebanon, as well as the Bidoon\textsuperscript{5} from the deserts of Iraq, Saudi Arabia and other Arab countries; as well as non-Arabic speaking countries of Asia including India, Pakistan, Bangladesh, Sri Lanka, Nepal, and the Philippines. Of the total non-Kuwaiti residents in 2014, 34% were from Arabic speaking countries, 62% from non-Arabic speaking Asian countries, 3% from non-Arabic speaking African countries, and 1% from the continents of Europe, North America, and Australia.

Kuwait is a city-state where more than 98% of the total population resides in the urban area. Most of the population is concentrated in Kuwait Metropolitan Area and few other urban areas, which cover about 8% of the total area of the country. Because of the smaller Kuwaiti population, the country requires expatriate labor forces to adequately respond to meet the increasing rates of economic growth. In 2014, the total labor force of Kuwait was 2.42 million, 2.38 million of which was employed. Of the total employed persons, about 17% were Kuwaiti citizens and the remaining 83% were non-Kuwaiti residents.

The government aims to balance the proportion of the Kuwaiti and non-Kuwaiti populations due to growing numbers of low skilled workers; therefore, the government is working to manage and reduce this population.
Table 4: Number & proportion (percentage) of employed persons in Kuwait by nationality & sex, 2014

<table>
<thead>
<tr>
<th></th>
<th>Kuwaiti</th>
<th>Non-Kuwaiti</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>%</td>
<td>No.</td>
</tr>
<tr>
<td>Male</td>
<td>216,685</td>
<td>9.10</td>
<td>1,501,860</td>
</tr>
<tr>
<td>Female</td>
<td>190,706</td>
<td>8.01</td>
<td>470,943</td>
</tr>
<tr>
<td>Total</td>
<td>407,391</td>
<td>17.12</td>
<td>1,972,803</td>
</tr>
</tbody>
</table>


International Migrant Stock (1990-2013)

Source: [https://esa.un.org/miggmgprofiles/indicators/files/Kuwait.pdf](https://esa.un.org/miggmgprofiles/indicators/files/Kuwait.pdf) [retrieved on 4 April 2017].
5. References


Sharifa Alshalfan, “The right to housing in Kuwait: An urban injustice in a socially just system”, London School of Economics and Political Science with the support of the Kuwait Foundation for the Advancement of Sciences, 2013.


Country Profile

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>Lebanese Republic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Unitary Parliamentary Multi-Confessionalist Republic</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Arabic, French</td>
</tr>
<tr>
<td>Currency</td>
<td>Lebanese Pound</td>
</tr>
<tr>
<td>Area</td>
<td>10,452 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>6,082,000 (2017)</td>
</tr>
<tr>
<td>Urban Population Rate</td>
<td>87.91% (2016)</td>
</tr>
<tr>
<td>Capital City</td>
<td>Beirut</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>2,406,875 (2015)</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>80</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$8,269</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>6.64% (2017)</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>16% (2018)</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>13.4%</td>
</tr>
<tr>
<td>CO₂ Emission (metric tons per capita)</td>
<td>4.30 (2017)</td>
</tr>
</tbody>
</table>

Source: UN Data, WB Databank & National Legislation
1. Laws and Regulations on Local Governments

Municipal laws in Lebanon are the products of both Ottoman and French influences. The history of municipal councils dates back to 1833 when, under the Egyptian influence, the Wali of Beirut established a council whose main missions were cleaning streets and public spaces, gardening and lighting public spaces. The first municipal Law date to the Ottoman rule in 1877 establishing in result municipalities in every city and town. This law expanded the prerogatives of municipalities to include social services, sanitation, health and public works. By this law, councilors were elected for a period of four years while mayors were appointed by the government.¹

The second local administration Law was in 1922 during the French Mandate. However, its general framework was traced on the Ottoman Law. The local officers’ jurisdictions and their relation to the central government did not change, the modifications impacted only the administration structure dividing the country into five Muhafazat-s headed by a Muhafez then into Qdaas headed by a Qaimaqam-s.

Since the independence of Lebanon in 1943, numerous local administration’ Law were promulgated. The last Law regulating the administrative de-concentration of authority (Muhafazah and Qadaa) is the Decree-Law 116 in June 1959; and the last law regulating municipal administration (Municipality) is the Decree-Law 118 of 1977 with some amendments introduced in 1997 and 1999.²

2. Structure of Local Governments

The local level of administrative bodies in Lebanon is distributed between 3 main levels: Governorate, Qadaa, and Municipalities. Also, there is a fourth level represented by the municipal unions. (Figure 1).

There are 8 Governorates in Lebanon, each one has regional branches of the main line ministries; the governor retains considerable power in overseeing their work. Lebanon’s eight governorates are: Beirut, Akkar, Baalbak-Hermel, Bekaa, Mount Lebanon, Nabatiyya, North Lebanon and South Lebanon. The 26 Qada’s are distributed over these eight governorates.

---

¹ Attalah & Harb, 2015, p.189.
There are 1,108 municipalities, unevenly spread across the country, they are often been demarcated on the basis of a very critical sectarian basis. Thus, there is no standard definition of size for them. A Qadaa may have a large number or a small number of municipalities.

The Municipal administrative staff tend to assist the Mayor in doing the municipal tasks, it is distributed amongst the directorates, departments and sections: administrative, financial, technical, health, municipal police, fire brigades, etc. For the most part, municipalities have had little administrative staff to oversee their core mandates, for everything else they are entirely dependent on the regional offices of line ministries, or on central government administration to provide technical services, not to mention finance capital investment projects. Most municipalities suffer from a lack of qualified and motivated human resource base as they have little power to hire and fire, and have to follow central government ordinances in managing their affairs. Ensuring the application of central directives is guaranteed by the Qaimaqams for the basic day-to-day functions, the governor for major bureaucratic and human resource issues and the Ministry of Interior for other regulatory statutes.

This situation hinders the municipalities from implementing local development projects and using modern municipal planning and management tools, most of them are tremendously short-staffed and yet big cities have limited number of employees. This is mainly due to the lack of financial resources on one hand and to the very low remuneration offered to municipal staff on the other.

The Municipal Council is an elected body by direct suffrage for six years. The number of municipalities has increased enormously, from 219 in 1959 until 595 in 1960 reaching in 2013 1,103. In fact, according to the Article 2 to 5 of the Decree-Law 118/ 1977, municipality is established by a ministerial decision, setting its name, location and limits. According to Article 1 of the same Law, municipality, as the decision-making body at the lower local level, enjoys a legal and moral personality with a financial and administrative autonomy. The number of municipal councilors is relative to the population size, it can vary from 9, 12, 15, 18, 21 or 24 (Table 1).

Even though the Municipal Council is bypassed by all ministries which can implement projects without the saying of the municipality, this council still has wide prerogatives given by the Law:

- Budgeting, including opening, and transferring of approbations;
- Deciding on revenues and expenditures;

4 The Municipality of Beirut is the only exception where 1§ of its 24 emebers are elected and the rest are appointed by the government.
Table 1: Municipal council size according to the population size

<table>
<thead>
<tr>
<th>Size of municipal council (members)</th>
<th>Population</th>
<th>Share of total municipalities</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Less than 2,000</td>
<td>45%</td>
</tr>
<tr>
<td>12</td>
<td>2,001 – 4,000</td>
<td>26%</td>
</tr>
<tr>
<td>15</td>
<td>4,001 – 12,000</td>
<td>23.6%</td>
</tr>
<tr>
<td>18</td>
<td>12,001 – 24,000</td>
<td>3.72%</td>
</tr>
<tr>
<td>21</td>
<td>More than 24,000</td>
<td>1.5%</td>
</tr>
<tr>
<td>24</td>
<td>For Beirut and Tripoli</td>
<td>0.18%</td>
</tr>
</tbody>
</table>

Source: Atallah & Hrab, 2015 and Law 665/1997

- Taking up loans to implement projects with feasibility studies;
- Setting the fees to be collected as specified in the law;
- Issuing terms of reference for works and services;
- Issuing terms of reference for selling municipal properties;
- Accepting and refusing grant;
- Urban planning, setting up gardens, and public square;
- Setting up markets, museums, hospitals, clinics, public libraries;
- Contributing to the expenditure of public hospitals;
- Contributing to the expenditure of public projects.

The Municipal Unions council is presided by a president elected by the council members, the Mayors of the united municipalities. This council has several departments: administrative body, financial department, engineering department and the police department. The foundation of a Municipal Union must be approved by the ministry cabinet based on the recommendation of the Ministry of Interior and Municipalities. Its main prerogatives are:

“Public projects that have common interests to most member municipalities, such as roads, sewerage, garbage, slaughterhouses, firefighting, organization of transportation, co-operatives, and markets;

- Planning, expropriation, and terms of references concerning projects’
improvements;
• Coordinating among member municipalities;
• Management of Masha’a land;
• Borrowing”5.

2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

The administrative structure in Lebanon is composed of four-tier level: the central level (Ministry), the regional level (Muhafazat led by a Muhafez), the sub-regional level (Qadaa led by a Qaimaqam), and the local level of municipalities (Baladiyyat led by the Mayor). The Ministry of Interior and Municipalities (MoIM) is the central body responsible for the local administration. It is responsible for planning, budgeting and spending municipal revenues, plus, it organizes the municipal election while guaranteeing internal security. It exercises administrational supervision over municipal councils through the Muhafez and the Qaimaqam, besides, it controls financially the Municipalities through its chief controller.

At the regional level, Lebanon is comprised of 8 governorates (Muhafazat), which is the de-concentrated level of governance represented by the governor who presides over basic security functions in addition to his duties in backstopping and supervising the elected municipal councils. Each governorate is then divided into several qadaa’s, which are administered by appointed Qaimaqams. These functionaries oversee local policing as well as providing some basic supervision over the elected councils to ensure that they do not transgress their jurisdictions.

Thus, the elected Municipality is the local level of public administration in the country, which was imbued by law with the status of an independent legal personality. The Municipal Council has deliberative and consultative power. However, its decisions are only effective after the approbation of the concerned Qaimaqam, the Muhafez and the Ministry of Interior. Moreover, the Muhafez can suspend the municipal decision’ execution for a renewable period of three months.

2.2. Relations Between Central Government and Local Governments

• The “Taef Agreement” which marked the end of the civil war, emphasized simultaneously centralization and decentralization of the Lebanese administration:
• The prerogatives of the Muhafez and the Qaimaqam should be enlarged

5 Attallah & Harb, 2015, p.206.
• All ministries should be represented locally through executive branches
• Electing local councils at the Qadaa as part of the decentralization process of the local administration
• Enhancing the municipalities and joint municipalities’ resources through governmental financial support.

In recent years, limited advances have been achieved in relation to the decentralization, a draft law announced by 2014 but not yet passed. Slow progress can be associated with the center-local reluctances in relations of the national elite to share the privilege of power and resources with other levels of government and to the municipal relative confessional homogeneity.⁶

Although the Lebanese municipalities are local bodies with administrative and fiscal autonomy, but by law they are under the control of the Ministry of Interior and Municipalities as well as the Ministry of Justice. Municipalities can refer to the Ministry of Interior for technical and financial assistance when needed. Also, other levels of central control over some municipal council’s decisions are exercised by e.g. the Civil Service Board, the General Inspection, the Ministry of Public Works, the Directorate General of Urbanism, etc. According to the Municipal Act of 1977, there is a central government tutelage over the municipal council decisions that shall be exercised by: The District Commissioner (Qaimmaqam), The Governor (Muhafez), and The Minister of Interior with the exception of Beirut City which necessitates only the approval of the Minister of Interior.

In fact, the city councils tend to keep good liaisons with the central administration on which they are largely dependent, so prior to the implementation of their decisions they often wait for the central approval. Some approvals go against the municipal law such as the donations which some of them are subject to the city council approval only, but in practice all donations should have the prior approval of the Cabinet of Ministers. Additionally, it is under the prerogative of the Minister of Interior and Municipalities to dissolve a city council when it lost more than half of its members.⁷

2.3. Local Elections and Mayors

Despite the seniority of the municipal institution in Lebanon, the first significant elections took place on a national scale only in 1963, these “first” elections were to be the last, since. Indeed, although the law of 29 May 1963 then in force provided for a mandate four years for elected municipal councils, Parliament intervened in 1967, at the end of the of the four years, by passing a law extending

⁷ Municipalities and local development, 2010:44.
Municipal election is organized by the Ministry of Interior and Municipalities. Municipalities are the only elected body whereas the Muhafez and Qaimaqam are appointed by the Cabinet of Ministers upon recommendation of the Minister of Interior. Voters elect municipal councils for a six-year term in a bloc-vote list system. Each municipality is a single unified voting district with no sectarian quotas. Each voter casts a single list with up to as many names as available spots. Candidates who win the highest number of votes are elected. This system encourages cross-sectarian electoral alliances since candidates require the support of constituencies greater than their own to be elected. The system also allows voters to cast ballots from different lists and party affiliations if they so choose. However, the system enables a winner-take-all outcome.

One electoral list can monopolize the council if its candidates receive the most votes. A popular list, party or candidate can win significant votes but still not make the council. Another aspect of the election system merits consideration. Individuals are restricted to both vote and run in the districts of their official town of origin, established residency in a municipality is a condition for eligibility to vote. Thus, while a large proportion of Lebanon’s population currently resides in Beirut, only a small percentage of them are registered to vote and run for elected office there.

The Muhafez represents locally the all ministries except for the Ministry of Justice and Ministry of Defense. The duties of the governor, regulated by the Article 4 to 26 of Decree Law 116 of 1959, are mainly:

- Administering the governorate affairs: inspecting and controlling all the representative offices of the central government in the governorate;
- Coordinating between the central offices and the governorate’ offices in the implementation of central development policies.
- Implementation of Laws and regulations and insuring public safety, Personal freedom and property.

The Qaimaqam is the head of the Qadaa. Mainly, his/her duties replicate those of the Muhafez in the addition of the supervision of the agricultural sector within the Qadaa and issuing building and hunting permits.

The Mayor, elected for six years, represents in his/her person the executive body at the municipal level.

---

8 Ziad Abu-Rish, Municipal Politics in Lebanon, vol. 46, Fall 2016.
2.4 Strategic Planning and Performance Assessment

A new type of planning tool created in the mid-2000s aimed at articulating urban land management on one side and urban and territorial development on the other. It was the Strategic Plan. Even though this model has existed in Lebanon since the eighties when it was mobilized by the Central Government for the Beirut Metropolitan Region Master Plan, the Plan was produced but never adopted.

At another level, the development of the Union of Municipalities (UoM) and the promotion of decentralization made the strategic planning gain popularity. Today, there are around 10 strategic plans, adopted or ongoing, which are developed based on different methodologies and priorities. These plans are key to local actors and donors as they provide vision and orientation for territorial development.

3. Duties and Responsibilities of Local Governments

Mainly the service delivery system in Lebanon is centralized through ministries. Education, agriculture, tourism, transportation, and industry are centrally planned and administered.

3.1. Social Duties and Responsibilities

All the infrastructural services in Lebanon like electricity, transport or communication are centralized. Though, the clear majority of the municipal services is linked to the provision and maintenance of roads and, to a much lesser degree, water and waste water infrastructure. Water services which are partly decentralized allowing municipalities to undertake, in collaboration with concerned ministries, the main municipality functions are garbage collection (63%), road planning and maintenance (45%), water (36%), electricity (35%) and beautification (23%).

Although it is under the prerogatives of the municipalities to provide popular housing, but housing construction and delivery is mainly assumed by private developers. On the other hand, municipalities are responsible for the issue of building permits for any construction within its jurisdiction. These permits are obtained by the head of the executive power in the municipality. However, two other institutions are implicated in this process, the Order of Engineers and Architects (OEA) and the Directorate General of Urbanism (DGU) if the nature of the project requires to.

9 Harb & Atallah, 2015, p.201.
10 The Ministry of Energy and Water (MoEW) is responsible for water monitoring in Lebanon by means of the regional water authorities, which are in charge of the distribution, regulating consumption, and management.
While the overwhelming majority of the municipal work is related to provision and maintenance of infrastructure, little or no attention is given to the cultural role that the municipality must play, though they are not perceived to be providers of cultural or educational activities, the ability to deliver is hindered by poor financial and administrative capacities\(^{11}\).

The administrative system of service provision in Lebanon is managed at the central level, most ministries are responsible for their sector of work and do not have regional and local institutional representatives. However, there are exceptions, social and health services are provided locally by the Ministry of Social Affairs by means of the so called “Social Development Centers” that perform often in association with the concerned municipalities\(^{12}\).

### 3.2. Financial Duties and Responsibilities

The cities in Lebanon are facing a declining trend in their local resources, thus local economic development is one of the main focal areas that should be considered to improve the level and quality of service delivery.

Cities in Lebanon used to manage economic sector in different ways: some of them chose to be integrated to the center of the economy which is Beirut where most of the activities tend to be concentrated. Others tend to value city’s potentials by identifying and developing products that are specific to the city, new or existing products, benefiting from local costs, skills and advantages. Therefore, a city can be a main producer of a specific product in the world (art craft, unique culinary product, etc.) and gradually enters the sphere of international competition.

The local authorities in Lebanon suffer from long standing lack of financial resources, expenditures are assigned to basic infrastructure works or in the more extreme cases to cover running costs. The Law 118/1997 was issued to increase the municipal financial capacity and autonomy. Municipalities receive funds from 7 different sources of revenues, making local budgeting and finance difficult. The municipal revenues can be categorized as follow:

1) Direct fees: Taxes and fees collected directly by the municipality, they constitute 43% of the total budget; there are also other sources of revenues that fall into this category but with a smaller percentage such as: Aid & loans, Revenues from municipal properties, Fines, etc.

2) Allocations: They are paid directly by the government to the municipalities through the Independent Municipal Fund (IMF) and constitute 26% of the total municipal budget.

\(^{11}\) Mourad & Piron, 2016, p.27-28.

\(^{12}\) Harb & Atallah, 2015, p.196.
3) Other sources: Taxes and fees collected by the central government and then transferred to the municipality, they are set at 31% of the total municipal budget.\textsuperscript{13}

Municipal collection of fees and taxes are regulated by the Law 60 of 1988. The three main collected fees, constituting 83% of the municipal revenue, are: Fees on rental values, fees on building permits and charges on sewerage and street pavement and maintenance. The tax collection is often at a poor rate from 28-45%, it is due to the lack of collectors from one side and to the inefficient tax collection process.\textsuperscript{14}

The IMF is an intergovernmental grant system, distributing money on municipal administration according to the Decree 1917 of 1979. The Ministry of Finance collect 12 fees and taxes and put them directly in the IMF system. After the deduction of salaries, wages, compensations as well as supplies, public services for the staff outside the cadre of the Municipal Affair Department the rest is paid to municipalities. 31% of the municipal revenues and the 70% of the union revenues come from this budget.\textsuperscript{15}

The calculation of the IMF’ allocation for municipalities is based on the number of the population registered and not upon the number of residents. This is a problem for populated cities where for instance allocations given for 231,000 registered individuals must serve 916,000 residents.\textsuperscript{16}

The financial management in the Lebanese local authorities is not subject to a unified system, in term of spending they are divided into two groups depending on their size: large municipalities, which are 26 until now, are usually dependent on the 1963 Public Accounting Act, which is used in all central government administrations, while other municipalities follow the 1982 Municipal Accounting Act.\textsuperscript{17}

3.3. Environmental Duties and Responsibilities

Since 1999, the date of the preparation of the Initial National Communication (INC) to the United Nations Framework Convention on Climate Change (UNFCCC), Lebanon started developing climate change impact scenarios for various sectors to face the mounting challenges like rising temperature and rainfalls\textsuperscript{18}, and mitigate their effects especially on the already fragile water sector.

\textsuperscript{15} Harb & Atallah, 2015, p.196.
\textsuperscript{16} Ibid.
\textsuperscript{17} Democracy Reporting International, 2017.
\textsuperscript{18} Rise in temperatures is expected to be 1°C higher on the coast and 2°C in the mainland by 2040 and 3.5°C and 5°C higher by 2090. Rainfall expected to diminish 10-20% by 2040 and 25-45% by 2090.
Likewise, Lebanon’s Biennial Update Report (2015) indicated an increase in Green House Gazes (GHG) emissions of 33.7% since 1994, main contributors are: energy sector 74%, waste sector 11% and industrial sector 10%.

In 2012, the Council of Ministers establish the National Council for the Environment (NCE) representing line ministries and several non-governmental entities, it constitutes a platform to coordinate environmental issues at the national level including climate change. Also, the Ministry of Environment (MoE) created a Climate Change Coordination Unit (CCCU) which is composed of 40 institutions from public, private, NGO’s as well as the academic sectors. The Low Emissions Capacity Building is a “MoE-EU-UNDP” project aimed at developing the national capacity in order to improve Lebanon’s GHG inventory infrastructure, develop Nationally Appropriate Mitigation Actions (NAMAs), and design a Measurement, Reporting and Verification system.

Solid Waste

In this sector, the waste management is very precarious and the collection is less than satisfactory. Given that there are few facilities in function, wastes are dumped in an inappropriate way making cities in Lebanon witnessing a waste management crisis with forthcoming consequences on health and environment; time and changes in weather conditions affect the release of pollutants, the contamination of ground water, and the emergence of infectious diseases. Also, the absence of long term planning and political favoritism as well as the absence of long term planning help amplifying the waste problem.

In reality, besides the confusing law on wastes, there are no long-term plans to manage any type of solid waste. Multitude of ministries and administrations are handling this file: Health, Interior, and Environment ministries, the Council for Development and Reconciliation (CDR), and Municipalities. Municipalities are responsible for the collection, transportation and discharge of the wastes within the designated areas and the Ministry of Environment follows the treatment according to the law 444 of 2002. In 2006, the Lebanese government approved a long-term national waste strategy that was developed by the CDR. The plan focused on landfills or dumping sites, on the production of compost to be used in architecture and on awareness raising campaigns for the citizens. Unfortunately, the plan has been only implemented in the Greater Beirut area.

The incremental annual waste generated by de facto refugees is significant and is equivalent to 15.7 per cent of the solid waste generated by Lebanese citizens prior to the crisis; solid waste management is decentralized to the municipality.

19 Habitat III National Report, Lebanon, 2016, p.32.
20 Ibid.
21 Rima Tarabay, 2016.
22 Rima Tarabay, 2016.
level with limited regulation.23

Water

Water and groundwater quality and quantity are in an alarming situation, exhaust of wells by extra and uncontrolled drilling and the infiltration of pollutants (wastes leachates, waste water, etc.). Lebanon is already using two thirds of its available water resources and demand is rising24.

The increase in water demand is due to several internal and external factors: the population growth, the business and industries growth, and the rise of per-capita consumption, in addition and prior to that, there are losses that occur in the water distribution network. External factor comes from the flux and the consistency of Syrian refugees’ presence in Lebanon, 1.5 million according to the government estimates, which in combination of all other factors lead to an increase in the water demand and put additional pressure on local authorities to stop the degradation of water resources, especially in zones of vulnerable resources.

This will constitute one of the most important challenges Lebanon will have to face in the coming years. The responsible Ministries, Water Establishments (WEs) and Municipalities need a substantial investment and capacity building to support the implementation of strategies and reforms and to elaborate plans that ensure decreased impact on the environment and effective sustainable service provision.

Waste Water

The waste water treatment is at low levels combined with a poor wastewater networks in many cities in Lebanon and a decentralized household sewage systems all require regular and costly emptying services, and run a high risk of groundwater contamination. Pre-crisis, up to 92% of Lebanon’s sewage stayed and rejected into the sea or into watercourses.

Available information is restricted to the number of connections and the number of operational wastewater treatment facilities per mouhafazat. Information on the location, size of wastewater treatment plants (WWTP) in population equivalents, status, design flow, wastewater treatment processes and components, methods of sludge treatment, effluent standards (BOD5, SS, Total N) can be obtained or estimated based on the design of the facilities. Nevertheless, a study currently being developed for the assessment of the bioenergy generation potential testifies to the difficulty in accessing such information. Furthermore, due the important financial investments required for the upgrade and rehabilitation of

23 Lebanon crisis response plan 2015-16.
24 Lebanon crisis response plan 2015-16.
the infrastructure (treatment facilities and connection network), a date for the start of operation of the WWTP and consequently, for the generation of quantity and quality data, cannot be specified for the plants, even for those finalized.

According to the “Lebanon Environmental Assessment of the Syrian Conflict & Priority Interventions, September 2014” report, *de facto* refugees contribute to an increase in wastewater generation between 8 and 14 per cent.\(^{25}\)

### 3.4. Other Duties and Responsibilities

The central bodies responsible for urban planning in Lebanon are the Directorate General of Urban (DGU) and the Council for Development and Reconstruction (CDR).

The DGU oversees implementing the 1983 Urbanism law which set all the rules of expropriation, land subdivision, public agencies and real estate companies. It is also responsible for controlling urban growth and setting Master planning. The DGU is not obliged to coordinate the master plan with the concerned municipality, moreover, the opinion of this latter is not binding. The Urban Planning Code 69 of 1983 provides three levels of planning: The Territorial Land Use Plan, the Master Plan and, the Detailed Master Plan, but has a main gap about monitoring construction in unplanned areas that obstruct the ability to control of urban sprawl.

The CDR was found in 1977 to replace the Ministry of Planning. Its main objective at the time was setting a national master plan for all Lebanon. It has some high prerogatives allowing it to bypass all ministries, getting approval directly from the government, and establishing on its own agreement with international organizations and donors like the World Bank and others. The CDR submitted its national plan for the country: The National Physical Master Plan for the Lebanese Territory (NPMLPT) which provides direction in terms of projects, regulations, planning, and institutional reform. Lacking implementation mechanism at the regional and local levels, the CDR is trying to work closely with the DGU and the Municipal Unions to address this issue.

In 30 years, the vehicle fleet is expected to increase by almost 60 %, as will the average number of daily motorized trips per person in the same proportions. This will double the total number of motorized trips, considered the expected demographic growth. This evolution will provoke problems of infrastructure, densely located in the Central Urban Area (Greater Beirut and Mount-Lebanon), where the situation could become critical in many places if adequate managements or serious alternative public transport are not implemented. Similar problems will arise at the entrances and crossings of large cities.

In Lebanon, there is no provision of an effective public transportation, public

---

\(^{25}\) Lebanon crisis response plan 2015-16.
and private companies are providing services but not covering all the regions. Four types of transportation modes are available in the Lebanese cities: buses, minibuses, taxi-service and taxis, the buses are the least preferred transport mode in the Lebanese cities, while minibuses manage to be more efficient than the buses linking Beirut to the countryside and secondary cities. Taxi-service constitutes another efficient share transport besides the taxis that have their own syndicate and present a well-organized transport mode.

The roads in the Lebanese cities suffer from deterioration due to the Lebanese war from one side and the lack of maintenance due to budget shortage of the municipalities. They have a vital role in road safety issues, specifically by means of the implementation of road signals and traffic security measures. In 2015, a new traffic law was put in place including various rules related to the safety of the citizens, rules were stricter to ensure that the population will stand by this law.26

The CDR launch the Urban Transport Development Project (UTDP) for greater Beirut but concern only road projects, however, the project introduced lately a traffic management component with measures implemented and initiatives setup to control traffic. Other future projects like a train network that links the coastal cities or a Light Rail Transport (LRT) that connects Beirut to the North of Lebanon – Tripoli or a Bus Rapid Transport (BRT) project which proposes a re-configuration of Beirut ring road.27

4. Challenges and Opportunities of Local Governments

4.1. Internal Capacity, Urban Service Delivery and Reforms

Lebanese municipalities provide tasks with public character or utility, they are delegated to establish, manage and help in the implementation of infrastructure and service projects in their territories. Municipalities provide services in different sectors including infrastructure like sidewalks, potable water network, road lighting network, paving but only 8% of the Lebanese municipalities offered all the above services in 2012.28 The services Lebanese municipalities deliver are restricted to marginal activities such as street cleaning, road asphalting, street lighting, setting up road signs, rehabilitating and extending the sewage and water drainage systems, etc.29

Because of the bureaucracy and lack of competent staff able to address all task of urban planning, the Directorate General of Urbanism (DGU) contracts with urban planner and urban planning firms to achieve its missions. However, the

26 Habitat III National Report, Lebanon, 2016, p.27
27 Ibid.
28 LCPS, About Administrative Decentralization in Lebanon, 2015, p.6
29 Harb & Atallah, 2015, p.199.
DGU takes a long period before approving and implementing these studies making them obsolete at the moment of their execution.

Likewise, underfunding of municipalities and the limited tools to increase their resources made them lose power and competencies towards central authorities, and lose their credibility vis-à-vis their populations without that how they will convince the citizens to pay real fees and taxes.

On the other hand, limitation of resources has led local municipalities to a more efficient collaboration with civil society and local businesses to bring projects and investments. Some Mayors have established volunteer technical advisory groups as a compensation the weak human resources to solve specific problems. Other municipalities tend to collaborate with NGO’s to put their cities on the tourist map by organizing successful cultural and touristic events. So, the international aid delivered to local NGO’s and local authorities with limited absorption capacity which resulted in a loss of great deal of resources, though more pressure will be exercised for further decentralization due to that.30

4.2. Sustainable Urban Development

4.2.1. Urban Risks and Resilience

Today, urban planning and sustainability are not absent in the Lebanese discourse when documents evoke the necessity of sustainable planning but concentrate on issues like ecosystem, queries among others. At the city level, municipalities in the urban design documents contributed to production of green areas such as parks, trees and side road plantation and greenery from one side, and consider the reduction of energy and water consumption from the other side. Concerning transportation, the attention was put on car mobility while ignoring public transport, apart from “Liaisons Douces” project launched by Beirut Municipality. The project creates various scales of green spaces as public and street greenery and provides safe pedestrian axis and cycling tracks in the city but it is not yet implemented31. Lately, some developers of large urban development projects start to address sustainability concerns in their projects with the support of the Lebanese government and under the influence of international sustainability standards for neighborhood development.

Additionally present and future challenges of sustainable urban development need efficient administrative and political frameworks due to the complexity of the urban situation in Lebanon. There are organizational gaps within the institutions such as the systemized or complete database, the lack of human and financial capacities, and the absence of coordination between the actors, in addition to all that, the is no shared vision among political actors which add

30 Platforma, Decentralization in the Mashrek region: challenges and opportunities, 2015, p.28.
31 Habitat III National Report, Lebanon, 2016, p.23
another level of complexity to the situation.

Large cities suffer from speculative pressure in the real estate sector which result in amendments on the Master Plan in terms of raising building ratios or changing land use that often happens on the expense of green areas and agriculture lands. Municipalities tend to attract more businesses and residents as form the primary source of taxes. The situation in the secondary cities differs considerably, they are suffering from speculation but mainly from densification and fragmentation due to the influx of Syrian refugees, however, some of them are involved in developing strategic plans on the local or Union of Municipalities level which might bring significant solutions.32

Disaster risk management becomes one of the priorities for the Lebanese government and cities. The country faces natural risks such as earthquakes and other of different scale like floods, wild fires, landslides, and drought. Most efforts concentrate on response more than prevention to ease the effect of disasters, no clear methodologies, lack of experts and weak coordination between the pertinent stakeholders33. The High Relief Committee (HRC) is the main body responsible for disaster risk management but to date34 no prevention duties was carried out. Municipalities have their role besides other stakeholders i.e. CDR, civil defense, universities, various donors, etc.

Moreover, as a reaction to recurrent national and international disasters, the Lebanese Government established the National Emergency Response Committee (NERC) in 2010, it is composed of 22 members representing different ministries and has for tasks:

- The development of a general framework for combating disasters,
- The development of a detailed contingency plan to respond to threats from various types of disaster (i.e., earthquakes, floods, forest-fires, landslides, and weapons of mass destruction, wars, and radioactive threats) and,
- The development of an emergency management plan when a disaster occurs.35

Furthermore, the Municipality of Beirut supported by the World Bank, launched a project in 2015 aiming at improving Beirut’s infrastructure and making the city more resilient against earthquakes and other natural disasters36. This involves

---

35 Ibid.
36 Sidahmed, Mazin, World Bank, municipality agree to make Beirut earthquake resilient, 2015.
the evaluation of the current conditions and the development of a master plan to address the issue of resilience. The main challenge that face the Lebanese cities in this regard is the law enforcement as well as the lack of guidelines and procedures for implementation.

4.2.2. External and Internal Migration

In its seventh year, the Syrian crisis prove to have critical social, economic and cultural repercussions on Local Authorities in Lebanon who accommodate around 1.5 million refugees, about a quarter of the Lebanese population, since the conflict started in March 2011. This situation has stressed Lebanon’s public finances, service delivery, and the environment and impose additional pressure on an already fragile infrastructure such as electricity, water and waste water networks, and by aggravating the deficiencies of public and social services, in particular, solid waste management, health and education. Furthermore, refugees in “at risk” regions like North-Lebanon and the Beqaa Valley are mostly suffering from insecurities and competition over employment opportunities, rather than from lack of access to services.37

The municipalities which are facing the main challenges, must provide services for their citizens and for the Syrians refugees alike. Most of the persons displaced from Syria (57%) live in rented apartments, houses or small shelter units, 17% live in Informal Settlements and 2% in Collective Shelters, and they share similar critical level of services as the host population: water scarcity, ambiguous water quality, poor levels of service in many areas38. For example, the municipality of Qub Elias in the central Bekaa, with a population of 47,000 Lebanese citizens hosts 33,000 Syrians which means a total population of 80,000. Thus, the amount received from IMF is intended to be spent on 47,000 people and not covering the

needs of 80,000. Some municipalities took the decision to stop receiving new displaced people or refugees to organize the aid procedures, so they would select organizations to be allowed to enter a camp and what their function in the camp would be? Aid must pass through the municipality and be suitable for long-term projects that benefit Lebanese first and Syrians second.

Consequently, since municipalities are on the front line of dealing with the migration crisis, funds should be provided to help mayors guide strategic planning, a strategic plan is made to properly undertake development projects. This should include the disbursement of telecoms tax money held in the Independent Municipal Fund. The gap between the central authorities and local administrations must be narrowed. Thus, there is an urgent need for a working relationship between various parties with a stake addressing the refugee crisis, possibly through the establishment of a crisis management unit or committees in each Muhafazat that bring together local authorities.

40 Ibid.
5. References

Decentralization in the Mashrek region: challenges and opportunities, Platforma, the European voice of Local and Regional authorities for development, 2015.


Municipalities and local development, Mubadrat & Friedrich Ebert Foundation, 2010:44.

Rima Tarabay, Solutions for the ongoing garbage crisis in Lebanon, 2016.


The Lebanese Center for Policy Studies (LCPS), About Administrative Decentralization in Lebanon, 2015.


UNDP (Programme on Governance in the Arab Region) - Lebanon: Decentralization.


Ziad Abu-Rish, Municipal Politics in Lebanon, MER 280 – Politics on the Move. Middle East Research and Information Project, vol. 46, Fall 2016.

## Country Profile

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>The State of Libya</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Interim Government</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Arabic</td>
</tr>
<tr>
<td>Currency</td>
<td>Libyan Dinar</td>
</tr>
<tr>
<td>Area</td>
<td>1,759,541 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>7,200,000 (2018)</td>
</tr>
<tr>
<td>Urban Population Rate</td>
<td>80.5% (2018)</td>
</tr>
<tr>
<td>Capital City</td>
<td>Tripoli</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>1,158,000 (2018)</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>108</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$7,235</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>17.68% (2017)</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>33% (2017)</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>0.1%</td>
</tr>
<tr>
<td>CO₂ Emission (metric tons per capita)</td>
<td>9.19 (2017)</td>
</tr>
</tbody>
</table>

Source: UN Data, WB Databank & National Legislation

![Map of Libya](attachment:libya_map.png)
1. Laws and Regulations on Local Governments

The local administration system in Libya has moved a clear step ahead by the adoption of the Local Administration Law no. 59 in 2012. It came as a response to the local elites and local communities after the strong pressure exercise by them, creating autonomous municipal institutions that were elected through universal suffrage after decades of a centralized system. Moreover, additional pressure was also used by the citizens with expectations that municipalities can protect them from the impacts of the conflict regulated by the Law no. 59 of 2012. This law was drafted by the Ministry of Local Government and endorsed by the National Transitional Council; later the General National Congress (GNC) approved it in 2013. It distributed the authority into two territorial level: Governorate (Muhafazah) and District (Baladyat equivalent of municipality).\(^1\) The Decree no. 180 of the year 2013 has created 99 municipalities among them 23 are capital cities of former “Shaabiya”. In fact, this law succeeded to introduce, to a certain extent, the decentralization into the sub-national system of government. However, the law has a lot of weaknesses:

- First, it does not define a clear methodology in delimiting municipalities or cities, neglecting any kind of size, capacities or local resources as criteria.

- Second, the increase in the number of municipalities has enormously affected the number of employees and so the sum vowed to salaries budget. 40% of the public budget now is allocated to local government where 80% are spent locally on salaries leaving public services with almost nothing.

- Third, this Law and especially the Decree no. 130 of 2013 leaves a little discrepancies regarding the regulatory aspect of the municipalities’ responsibilities. Despite the fact that law clearly defines their roles, but still blurred on the implementation aspect in particular the tasks that overlap with the executive body.

- Finally, the law did not clearly determine the relation between the local organs leaving them with ambiguous state of coordination.

2. Structure of Local Governments

After the final amendment of the Law in 2012, the governorate level was added between municipalities which is the lower level and territory. After the 2012 territorial division, 22 governorates had been created and 99 municipalities on the lower level. Some municipalities have a functioning Municipal Council and Municipal Administration (or Diwan), whereas larger ones have lower-level branches to bring municipal services closer to the population.

Municipalities are divided into Mahallah and then, in big cities, into sub-urban

---

1 Bader, Mahmoud, Is Local Government in Libya the Solution, 2014.
divisions. Also, in some few municipalities, initiative have been taken up to promote with their citizens the formation of Mahalla committees. Each Mahallah has a Mukhtar or neighborhood chief who is part of the municipal administration but do not enjoy authority. They are appointed by the governors based on efficiency and merit, nowadays, Mayors share the responsibility for nominating mukhtars with the Ministry of Local Governance (MoLG). In addition, horizontal relations between municipalities are governed partly by the lack of clarity on their borders, this issue created overlap of responsibilities particularly for the service delivery, also, the border disputes restrains the development of inter-municipal cooperation and, on larger scale, the regional development.

The Local Administration Law no.59 of 2012 and the following Cabinet Decree 130 of 2013 determine the framework under which municipalities are supposed to function. Prerogatives fall into areas like urban planning, building and business licensing, local economic development, public health and environment monitoring. So far, executive bodies and branches of state agencies are accountable of the major part of those functions, while municipalities are under delivering especially in the areas of planning and budgeting for local development or promoting local economies.

**Executive body** is a local administration with executive power representing locally the central ministries. They implement locally the national programs approved centrally in the fields of Planning Economy, Finance Electricity Water & Environment, Sewage & Sanitation, Housing, Education, Tourism and Health. Currently, the capacities of the executive councils are not the same in all the 99 municipalities. In fact, in the old “Shaabiya” municipality, the executive body is powerful, possesses qualified employees especially in the financing sector. It can operate and invest budgets in local projects where as executive bodies in the newly created municipalities are just administrative.²

The Municipal Councils are composed of 7 to 9 members depending on the city and the population size, one of the councilors should be a female. The law enable the Municipalities to recruit technical and administrative staff, however in reality, the executive body designates the technical staff. By the Law 59 of 2012, the municipal council can establish local committees (Diwan) for service delivery, education committee, health, economy, communications, security, women’s affairs, special needs, water, sanitation, youth & sport, agriculture, human development, transportation, financial affairs, culture & media, projects, housing & facilities, industry, conflict resolution, social affairs, civil servants, and more. In certain large agglomeration, the municipal council

² UNDP, “Rapid Diagnostic on the Situation of Local Governance and Local Development in Libya”, 2015.
has local branches to bring the local administration closer to the population.\(^3\) The Law Also established the Shura Council that has an advisory role to the municipal council without any right to vote on important issues related to municipal work. Likewise, this council plays an important role in matters of conflict prevention, customary justice and reducing crimes. Constituted from technical staff, local experts and personalities, elderlies, and tribe’s figures, the number of its members should reflect the half of the number of the municipal council. The Shura Council advise the Municipal Council on important matters for local governance and local development.

The municipal councils meet regularly each month, they can hold extraordinary meetings occasionally if the conditions grant for it. In fact, most councils meet more frequent than it was decided by the law, the frequency is mostly linked to the humanitarian crisis, the security incidents and the emergency conditions. The municipal councils can establish committees to follow or resolve technical issues related to the municipality tasks and responsibilities. In some municipalities they are reported to be between 10 to 20 committees and sometimes more. These numbers could seem excessive compared to the municipal council’s members (7 to 9); municipal committees covered the following domains: education, health, economy, communications, security, water, sanitation, youth & sport, human development, transportation, financial affairs, culture & media, projects, housing & facilities, industry, conflict resolution, social affairs, and more.\(^4\)

2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

The local administration law defines the vertical relationship between the central and local institutions, although there is an absence of national policy to define the mandates and functions of Libyan system of local governance. The system is still centralized, the Ministry of Local government can directly oversee all the local institutions: the municipal councils and their executive bodies as well as the “Shura Councils”. Nevertheless, the central government is less capable of playing a supporting role to make an effective impact: first, the line ministries with limited authority try to follow the public service delivery, and second, the municipalities in direct contact with the population needs but with limited given resources and responsibilities to mark the development process.

Besides, the system generally reflects the lack of coordination between the central and the local governments, but still this is changing from one city to another. It also reflects the limited communications (even at the local level between executive bodies of line ministries and municipal councils), the failing trust,

\(^3\) UNDP, “Rapid Diagnostic on the Situation of Local Governance and Local Development in Libya”, 2015, p21.

unpredictable and decreasing financial support and capacity development assistance. Likewise, relations and coordination even within the municipalities is weak, the borders between them are not defined which hinder the engagement at the governorate and the regional levels. The incomplete legal framework under Law 59 obstructs the municipalities from playing a leadership role in their areas in addition to the overlapping roles even with those given to executive bodies. Moreover, no institution, whether central or local, is clearly identified in law for initiating policy-making and resolving major policy issues.\(^5\)

The latter whether at the governmental or municipal levels answer directly to the related technical ministry, however, some of their decisions could be discussed at the local level with the local councils but before the approval of the central administration. Also the governorate’s institutions supervise directly the municipal institutions. However, and because of the war circumstances, a certain disequilibrium in the central local interrelation issued, canceling in certain district the role of the governorate’ institutions.

2.2. Relations Between Central Government and Local Governments

The main sources of regulatory oversight over the municipal work came, in the first place, from the Ministry of local governance and less so from technical line ministries and from the National Audit Bureau. Regarding technical line ministries there is little cooperation provided by executive bodies towards municipalities and vice-versa. The former respond mostly to vertical accountability lines and hardly coordinate with each other and with local authorities. Only where a mayor has strong power and long-established links with heads of executive bodies (in the old shaabiyat), do horizontal accountability lines develop.

The executive bodies of the Ministries of finance, planning and civil service also respond mostly to their central administration though operate outside of the local governance system.

In the best cases, they will coordinate some of their decisions with mayors, however, some flexibility given to executive bodies in utilizing their available funds from one expenditure category to another in line with the most pressing needs. Due to the lack of clarity regarding the Libyan administration, municipalities are delegating part of their main responsibilities, mainly public services, to the executive bodies that are directly controlled by the ministries.

As for local cooperation, the current conflict strengthened the tribal power over the local institutions aggravating spatial segregation and weakening the state building. As for the new municipalities, administrative borders are not clearly delimited, this issue can create overlaps of responsibilities for service delivery

and other municipal functions. Plus, it creates conflicts with adjacent municipalities and complication on the regional development level. Border disputes also constrain the development of inter-municipal cooperation and more broadly, regional development. Inter-municipal cooperation maintaining some level of coordination and collaboration with neighboring municipalities, usually for matters related, service delivery, cultural activities and civic awareness campaigns. Inter-municipal cooperation remains therefore marginal and guided mostly by short-term objectives. Inter-communal collaboration remains marginal, lacking of legal framework and guided by short term objectives.\(^6\)

### 2.3. Local Elections and Mayors

The Cabinet of ministers set up the creation of 997 municipalities following the Decree no. 180 of 2013 representing the legal framework of the local elections’ procedure. The first local election after the events took place in 2013 and 2014, during this 85 municipal councils were effectively elected under supervision of the Central Committee for Municipal Council Elections. However, in the areas where election could not take place, elected local councils after 2011 are still assuming local governance’s responsibilities.

Following the law no. 59 of 2012, the councilors are directly electing the Mayor and the deputy mayor, whereas, the executive bodies at both levels are appointed by the central government. At a lower level of governance, the Governor appoints so called the “Mukhtar” or the chief of the neighborhood based on the Mayor recommendations. However, and due to the absence of governorate level because of the ongoing conflict curbing the Law implementation, Mukhtars are now directly appointed by the Mayors.\(^7\)

According to the Local Governance Law no. 59 of the year 2012, the Governors have the following tasks and responsibilities:

- Representing the central government within their jurisdiction and overseeing the implementation of the central governmental policies;
- Setting rules regulating the relation between the population and the governorate’ systems;
- Setting annual report and budget;
- Representing the governorate vis-a-vis the Ministry of Local Government;

\(^6\) UNDP, “Rapid Diagnostic on the Situation of Local Governance and Local Development in Libya”, 2015, p16.

\(^7\) UNDP, “Rapid Diagnostic on the Situation of Local Governance and Local Development in Libya”, 2015, p11.
• Responsible for social and food security of the population falling under the governorate responsibility;

• In case of absence of local executive body, the governor will take over;

• Overseeing the main facilities within the governorate’ limits;

• Submitting the decisions of the governorate’s council to the Ministry of Local Government within 15 days following the date of issue.

On the other side, the mayors are the highest ranked responsible within the municipal councils. According to the Local Government Law of 2012, mayors have the same municipal administration prerogatives as the minister of finance and the minister of local administration on all related local branches; their main responsibilities confer to the execution of the approved local plan in accordance with the established budget. When a mayor is revoked / resigned, the Central Committee for Municipal Council Elections ensures the appointment of a new Mayor conferring to the procedures set in law.

The mandates of executive bodies are mostly expressed in terms of administrative and procedural tasks to be conducted, and sometimes national programs to be administered, rather than according to strategic missions from which functional assignments are derived. Also, the mandates of executive bodies have not been revised following the adoption of Law 59/2012, leading to the overlap and poor coordination issues with municipalities mentioned earlier. They fall into two categories: first, in the previous shaabiya, executive bodies were more powerful and well-equipped in staff, especially in financial departments; second, in the new municipalities, they are less powerful and poorly staffed especially in concern with budget issues they cannot effectively contribute to improving service delivery at the local level. Finally, Mukhtars have an administrative role without any executive power, they are the chief of the neighborhoods (Mahallah). Mukhtars hold the civil registry, help resolving conflicts and participate in the civil defense works.8

2.4. Strategic Planning and Performance Assessment

Policy making and planning procedures are designed at the central level, the local authorities are put at the margin of this process. Exceptionally, the central government might consult the local authorities for some matters but with no obligation or effect on decisions making at the central level; such as the domains related to long-term planning instruments like the Master Plan, Zoning Plan, Local Economic Development Plan or Strategic Development Plan. Generally, local level’s policy remain in effective in tackling local issues despite the central government support to improve local governance performance; the repartition of responsibil-

8 Local Government Law no.59 of 2012.
ities between different layers of government plus the conflict, put off any efforts to challenge these deficiencies.

Another problem is the lack of socioeconomic data that the municipality can rely on in terms of planning; most of the data to be used in this process are outdated or unreliable. However, when development plans exist, outsourced for the most of the time by an academic institution or private consultant, their implementation is not so evident. In fact, most of plans prepared by municipalities remain without implementation due to the lack of funding and the excessive control of the central government over municipal planning processes and decisions.9

The Supreme Committee for Local administration Strategies is formed centrally and supposed to organize the effective transfer of central government responsibilities to municipalities. All key central ministries are represented in this committee. Nevertheless, there is a lack of integration between vertical-sectorial planning processes and horizontal-municipal planning, municipal executive bodies are not involved when preparing their development plans. Moreover, development plans, when they exist, are not then translated into multi-annual investment programs and yearly program-based budgets. Consequently, there is no integration between horizontal and vertical planning creating a budget overlap which hinder the proper use of public budgets.10

3. Duties and Responsibilities of Local Governments

Most of municipalities coordinate with the neighboring one in service delivery, security matters, cultural activities and civil awareness. By the Law, the municipalities are responsible for the establishment and the management of the facilities relating to “urban planning and organization of buildings, health and social affairs, water utilities, lighting, sanitation, roads, local transportation means, public cleanliness, gardens, shelters, cemeteries, public markets, and approval of licenses for the establishment of investment and touristic projects within its borders”11. However, in reality due to lack of funds, technical resources municipalities are assuming a small part of these duties, the rest are assumed by central government.

3.1. Social Duties and Responsibilities

All the infrastructural sectors such as electricity, water, wastewater, roads and transport are regulated at the ministerial level without any interference of the local authorities.

This sector falls under the responsibility of the central government by the Ministry of Housing and Construction through elaborated programs and initiatives to deliver public housing. Nevertheless, housing shortage remained despite expanded number of initiatives to provide adequate housing from both public and private funds. Sources were directed toward construction projects to improve housing quality and alleviate the pressure. Some of the poorer migrant communities continue to live in informal settlements on the outskirts of a number of the country’s urban areas.

Public education in Libya is free, and the Arabic is the language of instruction at all levels. Although insecurity and disruptions that took place after 2011, the education system is still more or less functioning. The school system is composed of a six-year primary level, a three-year intermediate and vocational level, and a three-year secondary and advanced vocational level. Presently, about 4/5 of the adult population is literate, so in order to reduce the illiteracy rate, the government sponsored an adult educational program. As for higher education, it is offered by several institutions; Al-Fāteh University in Tripoli,Garyounis University in Banghazi, and Al-Bayda University for advanced religious education. At the local level in each municipality, there is a committee of education responsible for the follow up, management and training of staff.  

As for the health concerns, municipal health committee in collaboration with the district offices and the Social Security Fund distributes daily assistance in cash for self-employed individuals in the case of temporary disability. These grants are: pregnancy aid, childbirth grants, burial grants, and relief grants in case of disaster. The Health secretariats in the health committee of the municipality are responsible for all health issues within their jurisdiction.

### 3.2. Financial Duties and Responsibilities

Local economic development is one of the key factors of economic recovery within municipalities in Libya. The conflict has affected the economic growth and so the infrastructure resulted in a high unemployment rates. So, the law 59 gives the strength to municipalities in catalyzing local economy through the improvement of the local business to create job opportunities through the creation of enterprises and foreign investment. Municipalities lacks revenues to support economic development projects and building capacities for planning. The reality is that the central government is making little efforts to coordinate and involve the municipalities, so, the support of the Ministry of Economy and other national institutions and programs is essential for Mayors for the economic and the private sector development in order to plan and implement local devel-

---

In term of revenues, the central government allocations present the only source for municipalities as these latter cannot set or collect local taxes. These transfers cover only the administrative expenditures whereas the development expenditures are directly allocated to the executive bodies through the concerned ministry. The only local revenue that the municipality can have indirectly through the executive bodies are the costs that citizens pay for using some of the public facilities. Municipalities have sometimes a limited role in helping with the collection of such revenues, but no control on their use.

Between 2011 and 2014, most of the Libyan municipalities endured difficulties setting municipal budgets. Normally, the Planning and Finance committees of the municipal council prepare a draft annual plan with a proper budget and send it for endorsement to the financial controller in the executive body employed by the Ministry of Finance. After the vote in the municipal council on the plan, the Ministry of Local Governance integrates the plan in its annual operational budget. This ministry proceeds in quarterly instalement to municipalities annually. Likewise, the Ministry of finance provides executive bodies with the proper subsidy in order to deliver and operate public services without referring to Municipal Council. However, municipalities can use part of their operating budget to restore public facilities such as health units, schools or roads. Local finances, including municipal and executive bodies’ budgets, cover three categories of expenditures: capital investments, operating costs and salaries.

### 3.3. Environmental Duties and Responsibilities

#### Climate Change

Climate change will be overwhelming for Libya if it is not considered among the top of the political, economic and regulatory agendas; decision-makers should be planning with this vital issue in mind. The country is at risk due to several concerns such as water scarcity, high temperatures and the rise of the Mediterranean Sea level. Moreover, climate change will affect the rainfall in Libya resulting in a more arid situation, in addition to that, rainfall amount will decline, rainfalls interval will rise and rainfalls duration will be shortened. As for the temperature, the number of hot days is constantly increasing and heat waves are more frequent, so soil is affected and evaporation plus aridity would be intensified. Likewise, the rise of sea levels and storms lead to flood inlands

---


as long as much of Libya is low in elevation, thus, coastal areas are particularly at high risk of submersion.

Libya could be a leader in regard to solar energy production of electricity, this transition will help the country to sustain their resources, reduce pollution and protect the environment. The main sources of air pollution are sand dunes, transportation, inadequate garbage collection systems, and discharging unprocessed sewage to sea water. As a result, solar electricity could be exported northward helping Europe to become carbon neutral and ensuring the sustainability of the water supply. Furthermore, a policy adopted 2006-2030 aims to develop supportive strategies in the following sectors: Transportation, urban planning and land use, business and industrial development, waste management and water supply.

Water

Water supply is largely related to the artificial river project, which is characterized by the transport of the fresh water from the southern part of Libya to the northern agglomerations for human, agricultural and industrial uses. The implementation of this project has been effectively beneficial to solve the drinking water crisis, in particular, in high density coastal areas, nevertheless, this source of water should be carefully consumed as it is considered as a non-renewable source of drinking water. As a result of the serious water shortages, the level of groundwater in all areas of Libya continues to decrease, particularly areas located along the coast, an increase in soil salinity, elimination of many crops, extinction of many forests and desertification.

Most of the households are provided with water network, and their consumption is metered. The greatest amount of water is consumed by prosperous households, so, the government should subsidize the allocation of water to the poor. More than 60% of households do not pay their water bills, this means the government is subsidizing the rich, though loss reduction could be achieved if the concerned consumers start paying the real cost of supply. In the same context, a sustainable water strategy would balance water conservation with water pricing, however, the first and least-cost measure for approaching sustainability is conservation of water. Besides, leakage losses from supply pipes and reservoirs should be continuously under control, so by the use of brackish water should be maximized for purposes that do not require high-quality freshwater.

17 UN-HABITAT, the State of Libya, The National Report for HABITAT III, 2016, p27.
18 UN-HABITAT, the State of Libya, The National Report for HABITAT III, 2016, p54.
Wastewater

Libya treats yearly about 40 million m³ of wastewater that are designated for agricultural use. Treating and reusing wastewater can be expanded to improve the water conservation. A high number of treatment plants were built near most big cities in Libya, with a cumulative design capacity reaching to 175 million m³/year, those plants suffer from the maintenance deficiencies or the lack of spare parts. If those plants work properly besides other potential areas like the use of water-saving toilets, brackish water or seawater, Libya has a great potential to save water and reduce the quantity of waste water.\(^{20}\)

In terms of waste water services, the population is linked to waste networks in urban areas have increased recently attaining 97%. The General Company for Water and Sanitation, established in 2008, is responsible for establishing infrastructure and maintenance of sewage network. It is a part of a centralized governmental sector, both in terms of planning or maintenance. As a result of the events that follow 2011, the deficit in sanitary and treatment systems is increasing due to an obsolete maintenance budgets and in-depth problems of access to services as well as the displacement of large numbers of the population subsequent in increased pressure on poor infrastructure in host communities.

In a future context, it is important to ensure that all sectors of the public and private sector have a clear responsibility; the public sector is responsible for the performance and the application of the planning standards in establishing sanitary facilities and the private sector should be enabled to perform fully on a horizontal and vertical basis to meet the communities’ needs in different areas.\(^{21}\)

3.4. Other Duties and Responsibilities

Although that the planning process in Libya started a long time ago, the Libyan view and practice of urban planning remained underdeveloped. Planning began during the Ottoman period (1835-1911), and continued through the Italian and the British periods (1911-1968) and finally the recent era which started in 1968 until present days. The inherent defects of the traditional planning approach, such as decision-making by the central authorities, the central role of the planners and the missed process of plan reconsidering, contradictory legislations, lead to inefficient patterns of land uses and unsatisfactory urban environment.

Now the planning process is marked by the third planning Phase that has begun in 2005 and has development objectives concerning the country until 2025. The urban planning practice is set at the central level, also, on the long term, urban studies did not reflect the urban dynamic and sprawl which have led to a deep defect in this sector: “inefficient patterns of land uses and unsatisfactory urban

environment”. Consequently, the planning in Libya has been incapable of tackling urban problems and failed to respond to the concerns and shortages within Libyan cities: housing supply, shortage of lands, poor level of access to urban services and facilities, and deterioration of the urban environment.22

The Third Draft Project for the 2005 Plans are elaborated in collaboration with a group of consultation agencies, it encompassed the preparation of drafts of the planning sections and sub-sections for Madaba, Ramses, Benghazi, Sirte and Sebia. As for the districts and branches of the districts’ plans, the opposition of the planning council raised in the absence of a spatial vision of the strategic plan has caused the delay in plans preparation, besides the outbreak of the events in Libya after February 2011. Currently, The State of Libya has been very ambitious in planning and since 2000, contract for the third phase planning project was in 2004 but the work has not been completed, except for the present day of Tarbes and Benghazi. As a result, the approved schemes had to be updated and the existing conditions of the planning tools and the legal framework had to be re-evaluated according to the consequent change urban visions and policies.23

Other challenges have to be resolved; Firstly, the lack of detailed plans for urban extension zones. These plans caused confusion and delay when the ministries and municipalities would have the intention to implement technical and social infrastructure projects according to the approved master plans. Secondly, the laws and legislations related to the planning and development process as well as the shifting situation on the ground needs to be evaluated as a point of demand for the development of large-scale land use plans in recent years. In the future, procedures and regulations have to be monitored to achieve the vision through a set of objectives:

- Formulate a new planning model to complete the projects, to overcome the resources problem and to create an integrated national and spatial policy.
- Initiate a new planning period with an appropriate vision.
- Undertake the preparation and implementation of urban plans for the beneficiaries, and to facilitate the participation of the private sector.
- Develop the planning process and include the restructuring of institutions responsible for planning at all levels as well as identify the necessary work mechanisms and procedures.

Other types of future challenges have to be resolved at different levels. The first layer is concerned with the coordination capacity of the planning institution and the handling and circulation of information, both public and private which is for the time being limited; the technological poverty and the primacy of man-

---
22 Sultan, 2004, p. 1
agement in government institutions and the delay in transferring the required technologies and training; and finally, the absence of strategies and policies plus future visions. The second layer involves absence of participation in planning also the participation of beneficiaries and partners from the private sector in the planning process in terms of providing data or returns avenue to the proposed charts. The third layer concerns the centralization of decision-making and the promise of updating laws and legislation in-depth planning and urban governance.24

The increasing number of motor vehicles of all kinds in Libya in 1998-2008 amplified the severe congestions on major roads inside cities. During this period, the number of vehicles had increased ten folds for the following private vehicles; car, taxis, trailer and lorry, motorcycles, and heavy equipment vehicles. The urban transportation scheme in Libya is composed of taxis, shared taxis (mini-van) and coaches, there are no trains or light train systems since 1965; they are completely privatized and detained by the main tribes’ families. Taxis are available in large cities and in the capital city of Tripoli, they are operating under the supervision of a private union.

Tripoli is the capital city of Libya and the largest seaport, the importance of its location is suggested in Tripoli as one of the best economic and commercial centers in North Africa. The continuing growth in the vehicle’s ownership, lack of road spaces and public transport system has led to the various traffic problems in Tripoli streets. Additional policies and regulations were being developed particularly in the fields of traffic and transport, the movement of people, goods and services, all considered parts of key city’s priorities.

Managing and planning the transport system has to consider resolving the issues of traffic congestion and environmental pollution from the increasing use of private vehicles. The high number of private vehicles’ ownership and no efficient public transport services subsequently leads to a critical traffic congestion. Thus decreasing the traffic volume would require reducing trips through the mixed land use of the city structure which reduce traffic in specific areas, giving more attention to public transport system, developing alternative possibilities of non-motorized mobility than the automobile, and finally, classifying streets and arrange new parking spaces especially close to the city center where policies to be adopted to prevent the access of private cars. Accordingly, the development of rules for public transportation encourages the investors to come so achieving a balance between economic growth and mobility needs.25

4. Challenges and Opportunities of Local Governments

4.1. Internal Capacity, Urban Service Delivery and Reforms

The service delivery system is state controlled and involves mostly the central government, important state-owned companies are delivering main public services in the country. These companies do not provide any source of revenue in form of tax to the local government administration. The conflict is affecting the service delivery by increasing the infrastructure damage, loss of local assets, operational costs (fuel prices), and more. The state controlled service delivery system is suffering from lot of deficiencies including:

- The lack of coordination among concerned institution in the service delivery provision as well as the absence of organizational structure.
- The inappropriate selection of personnel in executive bodies and service facilities.
- The very limited frequency of public-private partnerships for service delivery.
- The lack of understanding of what are the exact issues that affect the service delivery system.

The conflict and the fiscal difficulties will endanger the ability of the government to continue providing essential services to the population, central institutions are more and more unable to take up their mandates and responsibilities in service delivery and public finance management. So, the local governments are seen as the main guarantors to fulfil amply the population needs. From the one side, municipalities are the closest level of the government to the population that could respond to their expectations, and from the other side, their election process by the citizens gives them the needed legitimacy to face the high level of expectations from their constituents. Therefore, municipalities can play a leading role in promoting dialogue and improving social cohesion, enhancing service delivery and promoting local economic recovery.26

The ineffective division of responsibilities within the municipalities is affecting service delivery seen as a major problem constraining the resilience of services. Law 59 did not define properly the division of responsibilities between line ministries and municipalities, nor guarantee satisfactory human and financial resources to municipalities to take on this role. In addition, the central government don’t have the power nor the will to decentralize the service delivery system. However, some municipalities try to use resources and capacities to

---

ease the pressing blocks hampering the delivery of essential services. Also, some wealthy persons can collaborate with the municipality, more specifically with the Shura council, to deliver some of the public services. For example, there are great efforts employed by municipalities and the solid waste management companies to upgrade public recreational areas and sustain landscaping services.27

4.2. Sustainable Urban Development

4.2.1. Urban Risks and Resilience

Libya has a specific location which contains the highest solar insolation on the planet, so, there is a quick need to make a transition to renewable energy and to sustain the water supply to become scarce unless preserved. Sustainable water resources and energy are related; sustainable water means solar-powered desalination and solar-fuelled water pumps. Financial resources should be allocated to ensure the transition from oil or gas to solar electricity, which should fast become the most profitable and sustainable export to Europe. For this reason, adopting a policy of hydrocarbons consumption efficiency is primordial to boost oil and gas exports, the surplus would be used to finance the switch to solar electricity. The more climate change problem is stepping up, the more Libya will be well placed to become carbon neutral and to help Europe reduce its greenhouse emissions by importing Libya’s solar electricity.28

In this shade, sustainable urban development could debuted by preparing new urban plans for new urban areas. New digital satellite and aerial imagery of urban areas should be prepared and a new planning phase for development visions and implementation is to be initiated; laws concerning land use development are to be amended or formulated particularly those which allow participation in governance as well as the private sector investments. Later, the plans of districts and sub-districts and adoption of urban plans should be prepared, and the urban growth of slum areas should be controlled specifically for major agglomerations. Nevertheless, the unstable security situation has negative implications for the work especially when monitoring violations and infringements of the planning law, also, the development of a mechanism of public planning activities to monitor and correct any irregularities in the approved plans and encourage popular participation in those activities.29

In Libya, natural disaster were at a minimum scale prior to the year 2011, later, due to the war situation, man-made disasters occurred and concerned the main urban and agglomerations in the country. To help mitigating the effects of the war, it is not enough to accommodate the event but facing the continuing con-

Disaster risk reduction and risk reduction is often called community resilience to disturbance, recovery and responses. Despite all the efforts, it is still insufficient to address the disaster and to address the risk of lack of management, due to absence of the competent authorities and the absence of the coordination between the existing institutions and civil society institutions. So, the existence of risk profiles and the availability of data, statistics and information from climate are necessary tools to ease the burden and integrate responses into the planning, recovery and reconstruction. Plans for disaster response, warning mechanisms and preparedness level have to be elaborated, plus, how to manage crowds to get away risk and gatherings in safe and secure environment for vulnerable households. Response plans should consider other domains related to other infrastructure, road networks, public transport and civil defense, and more stakeholders.

Flexible and inclusive policies must be developed to achieve sustainability and to address the crises faced by disasters first. In the event of an accident, and reconstruction of post-traumatic effects, both short-term and long-term, work on the creation of specialized fibers for the management and response of disasters and crises, road networks and means transition to cope with emergencies and mass exoduses and to implement the processes of innovation and mobilization.30

4.2.2. External and Internal Migration

Prior to the events of 2011, the external migration was minor and of the population residing abroad were no more than 1.6%. The armed conflict accelerated the movement of people, their first destination was Europe and mostly Italy (36%) and UK 15.9%. Following the numbers of the International Organization of Migration (IOM), 768,372 migrants have fled the country of which 422,912 Libyans. Referring to the same organization’s estimates, the number of foreign nationals living in Libya is around 2.5 million including 1 million Egyptians, 80,000 Pakistanis, 59,000 Sudanese, 63,000 Bangladeshis, 26,000 Filipinos and 10,500 Vietnamese. Theses number are subject to decrease after the end of the armed conflict.

5. References


Law No. 59 for the year 2012 AD on the local administration System, the Central Committee for the election of Baladiyah Councils, 27 March 2014.

MPC – Migration Policy Centre, Libya Migration Profile, 2013.


UN-HABITAT, the State of Libya, The National Report for the third United Nation Conference on Housing and Sustainable Urban Development (HABITAT III), Quito, Ecuador, 2016. (Arabic)

## Country Profile

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>Sultanate of Oman</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Unitary Parliamentary Absolute Monarchy</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Arabic</td>
</tr>
<tr>
<td>Currency</td>
<td>Rial (OMR)</td>
</tr>
<tr>
<td>Area</td>
<td>309,500 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>4,636,000 (2017)</td>
</tr>
<tr>
<td>Urban Population Rate</td>
<td>83.6% (2017)</td>
</tr>
<tr>
<td>Capital City</td>
<td>Muscat</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>1,720,000 (2017)</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>48</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$16,418 (2017)</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>3.25 % (2017)</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>n/a</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>n/a</td>
</tr>
<tr>
<td>CO₂ Emission (metric tons per capita)</td>
<td>15.44 (2017)</td>
</tr>
</tbody>
</table>

Source: UN Data, WB Databank & National Legislation
1. Laws and Regulations on Local Governments

The municipalities conduct their functions by the Decree No. 116, issued in the year 2011 that provides guidelines on the election and the formation process of municipal councils. It details the duties of the council members, the chairperson, and the secretary in the municipality and the duration of their service.

Article 4 of the same law states the establishment of the following Councils:


A myriad of Local Ordinances:

- provide guidelines on the collection of municipal revenues from local electricity supplies;
- provide general guidelines on the collection of municipal revenues;
- provide guidelines for the management of water supply systems;
• organize the relationship between landlords and tenants in residential, commercial and industrial premises;
• provide guidelines on the registration of tenancy contracts;
• organize and control the use of public advertisements;
• provide guidelines on the management of local slaughterhouses;
• provide guidelines on the protection of public utilities that belong to the municipality;
• organize the work of local taxis;
• regulate the work of local markets.

Furthermore, there are some laws and decrees on commercial and economic affairs that relate to the scope of the work of the municipalities:

• Codes of arbitration in civil and commercial disputes, commercial agencies, protection of consumers and privatization;
• Finance and Foreign investment Codes;
• Codes on Oil and gas, maritime fishing and tourism;
• Code of expropriation for the public interest as well as the real estate.¹

2. Structure of Local Governments

The political structure had been maintained by the sultan’s father with a traditional and personalized rule. Modern political institutions in Oman are therefore new and still in a relatively primary stage. There is no constitution or judicial system and there are no political parties or elections. Islamic law is still the law of the land and is administered through traditional Islamic courts. Judges are appointed by the sultan. In the most remote regions, tribal law still functions in a rough-and-ready manner.

Final legal and administrative power in the country is vested in the sultan. Sultan Qaboos is head of state and all authority emanates from him. Since coming to power, however, he has created a formal council of ministers to carry out the administrative and legislative operations of the government. The Council of Ministers is headed by the prime minister, who is appointed by the sultan. Although all important decisions have to be approved by the sultan, the ministers

have a great deal of freedom in formulating day-to-day policy.

In 1976, the sultan reorganized regional and local government by establishing thirty-seven divisions (wilayats), one province, and a municipality of the capital. The wilayats are administered by governors appointed by the sultan, who collect taxes, provide local security, settle disputes, and advise the sultan. The province, Dhufar, was historically a separate sultanate and still has more local autonomy than other regions. The municipality of Muscat was also considered important enough to deserve special status.²

Each municipality includes a Municipal Council and an executive branch that is divided into four departments: The Area Directorate General, the Department of Awareness and Guidance, the Central Slaughter House, and the Department of Geographic Information Systems. These departments have different sets of expertise and carry out activities that enhance decentralization; that range from: organizing school campaigns that promote awareness on environment protection, managing public facilities that provide food items, to promoting the use of digital technologies including geographic information systems.

Administratively the country is comprised of five regions (A Dakhiliyah, Al Batinah, Al Wusta, Ash Sharqiyah and Al Dhahirah) and four governorates (Muscat, Musandam, Dhofar, and Al Buraymi). It can be divided into the following physiographic regions:

- The coastal plain: the most important parts are the Batinah Plain in the north, which is the principal agricultural area, and the Salalah Plain in the south. The elevation ranges between 0 near the sea to 500 meters further inland.

- The mountain ranges: occupy 15% of the total area of the country. There is the mountain range that runs from Musandam in the north to the Ras Al-Hadd in the southeast. In the north close to the Batinah Plain is the Jebel Al Akhdar with a peak of 3,000 meters. Other mountains are located in the Dhufar province, in the extreme southern part of the country, with peaks from 1,000 to 2,500 meters.

- The internal regions: between the coastal plain and the mountains in the north and south lie the internal regions, with elevations not exceeding 500 meters. This part covers 82% of the country with mainly desert, sand and gravel plains. It includes part of the Rub’ al Khali, also known as the Empty Quarter or the Great Sandy Desert.³

The southern province, the Governorate of Dhofar is dominated by a range of

³ K.Frenken; “Irrigation in the Middle East region in figures”, 2009, p299.
coastal mountains known as the Dhofar Mountain Chain. The height of these mountains helps to capture valuable moisture during the summer monsoon season, which impacts only the southern region. The character of the mountains in the south is quite different from those in the north. During the summer monsoon, the southern mountains turn green with vegetation, whose roots help delay the effects of erosion, resulting in a soft rolling landscape more akin to central Africa than the Middle East. As in the north, a narrow fertile coastal plain lies between the mountains and the sea whose center lies at the southern city of Salalah, surrounded by lush vegetable farms and coconut groves. The Governorate of Musandam, projecting into the Straits of Hormuz, the enclave of Madha and numerous islands complete a country of the great diversity of terrain and natural beauty.

The Sultanate is divided into four Governorates (muafazah) – Muscat, Al Buraimi, Musandam and Dhofar – and five regions (mintaqah) – Al Batinah, Al Dakhliyah, Adh Dhahirah, Al Sharqiyyah and Al Wusta. In 2011, all regions became Governorates. In 2012, in response to growing populations, the Governorates of Al Batinah and Al Sharqiyyah were subdivided into Al Batinah North, Al Batinah South, Al Sharqiyyah North and Al Sharqiyyah South, creating eleven Governorates in all. The Governorates are sub-divided into a total of 61 provinces or wilayat. With the exception of the Governors of Muscat and Dhofar, the Governors of the new Governorates exercise their powers under the Ministry of the Interior’s supervision.

The eleven Governorates provide an administrative and spatial framework to the country. The characteristics of each Governorate is summarised and mapped to provide an overview of the regional spatial strategies which will be conducted on a Governorate by Governorate basis. The natural endowments of each Governorate is distinctive. Oman has a highly varied landscape, and an uneven distribution of resources. Some notable features are highlighted on the maps, and their effect on the character of each Governorate noted.

The northern coastal Governorates are almost entirely occupied with villages and inhabited localities; towns are surrounded by settled areas. Parts of the interior Governorates are areas like this, while other areas are largely uninhabited, with isolated towns. Al Wusta has only isolated towns: it has no continuous areas of settlement, other than the recently urbanised port of Al Duqm. Areas no longer inhabited correspond fairly closely to the areas where there is continuous settlement: people have left small localities in the mountains and moved towards the towns, leaving abandoned houses and places visited only occasionally. The Governorates differ significantly in the proportion of expatriates in their populations. To a large degree, the proportion of expatriates relates to economic activity and growth.
2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

The central government includes four main administrative units/figures with a number of executive, legislative, and judicial authorities:

**Firstly**, the Sultan as Head of State and Supreme Commander of the armed forces, he safeguards the rule of law and maintains the rights and freedoms of the citizens, the sultan presides the Council of Ministers, and appoints and dismisses the prime ministers, ministers, and senior judges.

**Secondly**, the Council of Ministers implements the general state policies and laws for economic, social, and administrative development and submits recommendations to the Sultan with proposed draft laws and decrees. The council also supervises the enforcement of the laws, decisions, and treaties, oversees all financial matters related to the collection of taxes, the general state budget, currency and banking, salaries, pensions, indemnities, and subsidies charged to the state treasury, and monitors the performance of the state’s administrative apparatus.

**Thirdly**, the prime minister who presides over the Council of Ministers, his duties are outlined in the decree of appointment. The deputy prime minister and the ministers with executive authorities who supervise the affairs of the ministries articulate future guidelines, and follow-up on their implementation.  

**Fourthly**, the Ministry of Regional Municipalities and Environment, implements policies and legislative frameworks for the management of the different sectors of the municipalities and improves the institutional capacities within the planning process. The ministry also invests in modern technologies to improve the service delivery, enhances the partnerships with the private sector as well as emphasizes the need for further decentralization and more balanced urban development in the management of the municipalities. Its formation gave the municipalities more visibility with a number of added responsibilities related to land ownership.

The Majlis al-Shura can draft laws on its own initiative but must submit it to the Council of Ministers for review. In addition, drafted laws prepared by the Council of Ministers must be submitted to the Council of Oman for approval or amendment before being submitted to the ruler. However, the Majlis cannot address important issues such as national security, oil, foreign relations, or the structure of the political system, it can only make recommendations concerning draft development plans and the annual budget. It cannot question ministers

4 http://www.nyulawglobal.org/globalex/Oman.html#hierarchyoflaws [retrieved on 17 March 2017].  
involved in national sovereignty (Foreign Affairs, Defense, Finance, Interior, and Oil) and the opinions of the two councils are not binding for the government – nor, a fortiori, for the sultan, who can dissolve the Majlis al-Shura at any moment and without cause.\(^6\)

**Finally**, the municipal councils within the governorates can provide recommendations regarding the development of the municipal services in several domains such as: roads and traffic regulations and organization of taxis and public transports; public health and safeguarding the environment; implementation of infrastructure, implementation and follow-up the execution of the regulations regarding public services and public utilitie projects; establishment of markets, slaughterhouses and landfills and suggest the regulations that govern collecting, disposing and recycling wastes; name districts, schemes, locations, and roads; suggest the regulations that govern the public stores, restaurants, cafes, industrial and commercial shops; Plan and provide recommendations on general urban schemes of land uses regarding housing, commercial, industrial and tourism areas; within the Council`s competency, investigate the complaints submitted by citizens; impose, amend or cancel the municipal fees and its collection methods as well as follow-up the execution of contracts that gain financial rights or liabilities upon the governorate; and approve the cultural, recreational and tourism festivals and coordinating with the respective authorities.

### 2.2. Relations Between Central Government and Local Governments

Overlap in Functions (common to local governance systems in the Gulf States):
The organizational structure of the municipalities is characterized by an overlaps/redundancy in functions related to the provision of services and development activities, making implementation and long-term control a relatively convoluted and litigious process.

Privatization of government roles: In the 1970s and in an effort to reduce state expenditure and boost revenues, the government (including the Public Authority for Electricity and Water) announced a new legal mechanism: The Commercial Companies Law No. 4, issued in the year 74. The law promotes the creation and operation of public-private partnerships that can contribute to local urban development and the delivery of municipal services (previously, a strictly state function).\(^7\)

### 2.3. Local Elections and Mayors

Oman is an absolute monarchy ruled by the sultan and his appointed government. In 2003, Qaboos granted universal suffrage for the lower chamber (Majlis al-

---

Shura) elections to all male and female adults over the age of 21. The Majlis al-Shura is composed of 84 members elected for a renewable four-year term. Its chairman has been elected by the Council’s members since 2011. Districts (wilayas) whose population exceeds 30,000 inhabitants have two representatives, and smaller wilayas just one.

In October 2011, a Sultan’s decree announced the establishment of municipal councils in all 11 governorates (Muhafadhat), composed of members representing wilayas and elected for a renewable four-year term, in addition to ex-officio members representing ministries. Wilayas with up to 30,000 inhabitants are represented in the local council by two members, while those having more than 30,000 but less than 60,000 have four representatives, and larger wilayas have six representatives. All municipal councils are chaired by the head of the governorate appointed by the sultan. Municipal elections were conducted in December 2012 for the first time.

Candidates for the 2011 Majlis al-Shura elections and 2012 municipal elections competed under their own names, as the regime forbids political parties and platforms. They were allowed to put up posters and banners in streets and public places, advertising on television and in the newspapers, and for the first time hold public meetings in halls or electoral tents. These elections do not, in any case, threaten the legitimacy of the ruler and leading political figures. The Majlis al-Shura and the municipal councils are responsible of the sultan and the Council of Ministers.8

The Law of Municipal Council No. 116 of 2011 provides guidelines on the election of the council members, the chairperson, and the secretary in the municipality and the duration of their service. The first municipal elections with men and women voters and candidates were held in 2007. The elected Municipal Council has no executive powers but may offer advice to the Minister of Regional Municipalities and Environment. A candidate for the Municipal Council must meet the following criteria:

- Is an Omani national;
- Is 30 years of age or older;
- Does not have a criminal record, or otherwise, has been rehabilitated;
- Has an acceptable level of practical experience;
- Is listed on the electoral register of his/her constituency;
- Is not a member of the state or Shura Councils or an employee in any

---

public administrative unit. A Municipal Council voter must meet the following criteria:

- Is 21 years of age or older on the first day of the January of the election year;
- Is bound by the electoral register, in accordance with the relevant provisions and procedures;
- Has an identity card that mentions the electoral governorate she/he belongs to;
- Is not diagnosed with any mental illness;
- Was never in custody or imprisoned according to a judicial ruling;
- Is not affiliated with or employed in the police or armed forces.

A candidate of Majlis al-Shura shall fulfill the followings:

- An Omani national by origin;
- Aged not less than 30 years of the Gregorian calendar on the commencement date of candidature;
- Minimum age for first chamber;
- With a level of education that is not less than the General Education Diploma;
- Never sentenced to a felony or crime involving moral turpitude or trust, even if he was rehabilitated;
- Enrolled in the election register;
- Not affiliated with a security or military authority;
- Not interdicted by a judicial judgment;
- Not suffering from a mental illness.

It is permissible for whoever completes his membership term to run again as a candidate to Majlis al-Shura. The article 58 of the constitution states that the term of Majlisal-Shura shall be four years of the Gregorian calendar commencing from the date of its first meeting. The elections for the new Majlis shall take place during the last ninety days prior to the end of the current term, if the elections are not held at the end of its term or have been delayed for whatever reason, the Majlis shall continue until a new one is elected. The term shall not be extended unless there is a necessity and pursuant to a Royal Decree provided that the
extension shall not exceed the period of one session.

It also specifies that Majlis al-Shura shall convene upon an invitation by His Majesty the Sultan in an extraordinary meeting, prior to the first session, for the purpose of electing its Chairman and two Deputies to the Chairman for duration identical to its term. The member oldest in age shall chair this meeting. If the seat of any of them falls vacant, the Majlis shall elect a replacement until the end of its term. In all cases, the election shall be by direct secret vote and the absolute majority of the members of the Majlis.\(^9\)

### 2.4. Strategic Planning and Performance Assessment

Apart from frequent, arbitrary royal directives to address short-term issues among specific sectors of the population, the first announcements of the new Supreme Council for Planning (created in 2012) and the Oman Vision 2040 main committee (appointed in 2013) are still awaited. These bodies have yet to demonstrate a coherent development framework or allay considerable uncertainties related to the country’s long-term economic and social priorities.\(^10\)

Following the dismantlement of the Ministry of National Economy in 2011, a new Supreme Council for Planning, which was supposed to take over many of the Ministry’s functions and responsibilities, was established by royal decree in May 2012. In addition, the sultan issued royal orders in December 2013 to set up the main committee responsible for developing and drafting a new long-term national strategy entitled Oman Vision 2040, established to replace the old Oman Vision 2020 from 1995, with objectives that already proved unreachable in the mid-2000s and which became obsolete with the Omani Spring. However, both the Supreme Council and the Oman Vision 2040 main committee have yet to issue a roadmap in 2015 and, in the context of the sultan’s absence from Muscat for health reasons since July 2014 and the fall of oil prices, any consensus with regard to economic objectives seems unattainable.\(^11\)

The different functions of the municipalities are typically the focus of external auditing sessions conducted in the premises of the Ministry of Regional Municipalities and Environment. An auditing session usually runs for a week and closes with recommendations on requirements to enhance performance and become ISO 9001 certified. The first day of the audit covers the work of the senior employees, namely the mayor, the directors, and managers. Municipalities also carry out an internal training plan in an effort to enhance the day-to-day work

---

of its employees.\textsuperscript{12}

From another perspective, there is the National Spatial Strategy elaborated by the Supreme Committee for Town Planning, in coordination with the Ministry of Housing, and other concerned ministries. They conducted a study for the preparation of sustainable land use map in the Sultanate to form as a framework for directing sectoral development programs and identifying the optimum land use and locations according to environmental, social and economic considerations.

3. Duties and Responsibilities of Local Governments

The following sectors outline the duties of the municipalities in regards: infrastructure, housing, social development, economy, finance, urban planning, and transportation. These duties directly overlap, in different ways, with the main functions of the central authorities including: The Ministry of Regional Municipalities and Environment, the Ministry of Transport and Communications, the Public Authority for Electricity and Water, the Ministry of Transport, the Ministry of Social Development, the Ministry of Commerce and Industry, the Ministry of Finance, the Ministry of Environment and Climatic Affairs, and the Supreme Council for Planning, which is chaired by the Head of the State and affiliated with the Secretariat General of the Supreme Council of Planning and the National Centre for Statistics and Information.

3.1. Social Duties and Responsibilities

The deficiency in the provision of infrastructure and basic services in Omani cities comes from the geographical nature and dispersal of settlements throughout the country. The municipalities in Oman are responsible for issuing permits in order to conduct technical studies; approving water, electricity, and phone lines; supervising the operation of local cemeteries and the burial rituals; and providing the labor and equipment required for public excavations.

The main responsibilities of municipalities are:

- Fully responsible for its development projects (roads, bridges, etc.).
- Regulation of local markets, public stores, and health affairs.
- Other activities related to human public health (cleanliness, eating, drinking, garbage management and disposal).

• Supervising building constructions, approving the plans and layouts of all types of buildings inside the Governorate, and issuing construction permits.
• Ornamenting and greening the city through the building of public gardens and parks, children’s playgrounds.

Municipalities coordinate issues related to housing supply (that are outside the scope of the work of the municipalities) with the Ministry of Housing that provides units through the Housing Assistance Scheme and the no-interest Housing Loan Program. There are problems and challenges which can be summarized as follow:

The problems are:

• Shortage vs. oversupply of housing for rent;
• Residential areas invaded by commercial use;
• Not adequate provision for parking;
• Affordability – rents are overpriced;
• Quality issue with the housing stock.

The challenges are:

• Mixed inhabitants
• Lack of infrastructure to supplement housing
• Large need for social housing
• Not enough variety of housing

The Ministry of Housing identified the issue of large need for social housing and even a large need for social housing. In terms of the social impact of urban housing in Muscat identified two patterns that have emerged post 1970 in terms of the dispersion of the Omani population in Muscat:

1) When the wealthier of Muscat and Muttrah inhabitants moved to new homes in the initial new development, such as Ruwi and Bait Al Falaj;

2) The influx of inhabitants, added that “the striking impression left by residential patterns is the complete mingling of Omani and expatriates. Rather than the result of deliberate government policy, this pattern appears to have developed naturally”.

On the other hand, one of the main factors that determine the housing development
and typology is the cultural preferences of the population, because houses are designed and built like that to meet cultural requirements. Consequently, this demonstrates the correlation between the cultural background and preference of the population which is reflected on the scope of the housing typology and development. Increasing demand for housing and preference of independent and modern housing units resulting in higher demand for land.

With respect to housing demands, demand and supply were at that period better balanced and the challenge was for the government to ensure there will not be a considerable surplus of middle priced housing. It should be located close to employment and that development of large numbers of public houses of the same or very similar design should be avoided for a better environment.13

Finally, the National Report on Urban Settlements identified the following objectives and goals which are associated with housing in Oman, they are as follow:

- Provision of adequate housing for the Omani family, with respect to privacy, space, security, lighting, ventilation, infrastructure and workplace, and taking into consideration the community interconnection, family bond and basic housing needs of the Omani family.
- Mobilization of all kind resources, human and physical, for the provision of adequate housing.
- Equitable distribution of national investment among the geographic regions.
- Human resources development to manage and implement housing policies and projects.

The Omani Constitution’s Article 13 emphasizes education as a cornerstone for the progress of society, which the State fosters and endeavors to disseminate and make accessible to all. It aims to raise and develop general cultural standards, promote scientific thought, kindle the spirit of research, respond to the requirements of economic and social plans, and build a generation that is physically and morally strong, which takes pride in its Nation, Country, and heritage and preserves its achievements. With regards to the State, it shall provide public education, work to combat illiteracy, and encourage the establishment of private schools and institutes under its supervision in accordance with the provisions of the Law; and shall foster and preserve the national heritage, encourage the sciences, arts, literature, scientific research and assist in their dissemination.

Oman has placed great importance on primary and secondary education since

---

1970 and over 15% of government civil expenditures go toward education and higher education (3.6% of GDP in 2013). By 2013, Oman had over 1,500 schools, 69% of which were government-run, providing education at primary, preparatory and secondary levels. Girls represent 50% of all pupils registered up to secondary school certification. Although the Omani education system appears healthy from a purely quantitative perspective, there are structural qualitative deficits. The standard qualifications for schoolteachers remain low – and the Omanization process of replacing foreign teachers with local ones has not remedied this structural problem. The Oman 2020 plan emphasized the need for upgrading the level of education by improving basic education and technical and vocational training. In the academic year 2013-2014, the sultanate had only one public university and 27 private institutions of higher education. The government funds and subsidizes all of them. In 2011, the sultan announced the creation of a second public university, but no concrete progress was made on this project until January 2015. Research expenditures were evaluated at 0.1% of GDP in 2010, but within the frame of the last Five Year Plan targeted those expenditures are targeted to reach 1% of GDP for 2011 – 2015, but this objective proved completely improbable after the change in spending priorities after the events that the Arab World had witnessed in the last seven years.14

Justice, equality, and equal opportunities between Omanis are pillars of the Society guaranteed by the State. The Omani government is responsible for public health and the means of prevention and treatment of diseases and epidemics for every citizen through the establishment of private hospitals, polyclinics and medical institutions. The State shall work for the solidarity of the Society and shall guarantee aid for families in cases of emergency, sickness, disability, and old age according to the social security scheme.

The government recognized the importance of instigating social development at the core of its long term development strategy (1996-2020). The implementation of this strategy passes through the improvement of the living standards and the reduction of disparities among regions and ensure that all citizens will benefit from development outcomes. The government shall foster geographical balance through equitable distribution national resources and of development programs among the various Governorates/regions of the Sultanate and reduce the inter-regional disparities by directing the physical and socio-economic development towards the neighboring regions. This will maximize the social return of development in a way that positively reflects on citizens’ life.15

The lack of skilled worker quantitatively and qualitatively to accompany the economic development had forced Oman to call for expatriates to fill this gap.

The Governorates differ significantly in the number of expatriates that is related to the economic activity and growth. The lowest proportion of expatriates, less than 25%, witnessed in the central governorates, whereas, the eastern and western governorates the number makes up to the 1/3 of the population. In the south and Buraimi the proportion is approaching one half, while in Muscat expatriates are 60%.

As for municipalities, their interventions concerning the social development of Omani cities will be limited to the following domains:

- Limit illegal begging;
- Issue permits for international and local exhibitions in coordination with the Ministry of Commerce and Industry;
- Promote public awareness on civic matters;
- Foster interaction with their constituencies and encourage them to voice their needs through formal mechanisms for citizen participation in local governance;
- Promote various sports/cultural activities and organize local ceremonies that are attended by the mayor.
- Follow up anti-begging procedures and providing its feedback and recommendations.
- Suggest the suitable programs for helping the needy, those on low-income, care of orphans and disabled and coordinating with the respective authorities regarding these issues.
- Coordinate the following with the Ministry of Social Development:
  1) The provision of social care, which includes social security, relief, and emergency assistance;
  2) Volunteerism and contributions by local communities to sustainable development processes.

3.2. Financial Duties and Responsibilities

The financial crisis had less impact in Oman than in its Gulf Cooperation Council (GCC) neighbors, given the still limited integration of the country’s economy into the global one. Job creation for Omani citizens remains a significant challenge. Unofficial sources estimate unemployment at 15%. Oman’s eighth five-year plan (2011–2015) concentrates on economic diversification, the creation of jobs for Omanis, the encouragement of foreign investment and an expansion of the private sector’s role as the key components of the move toward a post-oil economy. The government identified the following economic goals and
objectives associated with urban economy which were also incorporated into the ONSS:

- Emphasizing diversification of the economy;
- Reinforcement of economic sectors with high growth potentials;
- Intensification of regional economic cooperation among G.C.C. member states.
- More balanced regional development;
- Improved distribution of job opportunities;
- Facilitating the development of the private sector so as to assist balanced and sustainable development and even maintain competitiveness in the global market.¹⁶

With respect to the Omani’s Cities and Municipalities’ future visions, they encourage investment in non-oil activities in order to have a various panoply of local sources of income and to be less dependent on central assistance. Municipalities are covering the following issues:

- Sets principles for economic integration on the local and national levels;
- Process and approve application for rent contracts;
- Issue registration permits for the following:
  1) Markets and commercial shops;
  2) Commercial vehicles;
  3) Entertainment businesses.
- Assist the Ministry of Commerce and Industry in their following duties:
  1) Monitoring the import and export of goods;
  2) Inspecting the work of local establishments and companies in order to meet set goals for commercial development.

Municipalities in Oman have different capabilities to create flexible but sustainable sources of revenue which permits them to improve the quality of the services to be provided to their citizens. For instance, they can propose financial policies, plans, and necessary procedures to submit to the Ministry of Finance and the Ministry of Regional Municipalities and Environment for approval. Also, they study and analyze international and regional financial policies and ¹⁶ K. Al Shueili, “Towards a sustainable urban future in Oman, 2015, p168.
their impact on local plans to follow up the implementation of ratified policies and financial plans. Moreover, as a traditional task of a municipality, they can sell and lease municipal land in addition to the collection of municipal revenues (mainly from leasing public properties and charges on signs and advertisement posts), they can develop and apply a system of penalty charges and fines on violations

3.3 Environmental Duties and Responsibilities

In principle, the Sultan has demonstrated a personal commitment to environmental protection, and the country has a sound record of environmental law, enforced by the Ministry of Environment and Climate Affairs. Environmental concerns are increasingly losing out in the face of private interests and the development of tourism, real estate, and industrial projects. Severe pollution caused by industries in Sohar port helped trigger popular protests in the Batinah region since 2011.17

The UNFCCC will be required by the Sultanate of Oman to make further efforts in the areas of mitigation and adaptation that cover the sectors of energy, water, transport, industry and solid waste18. On the other hand, Omani Municipalities will assist the Ministry of Environment and Climatic Affairs in their following duties:

- Introducing the principle of sustainable management to administrative processes;
- Promoting a balance between development requirements and environment protection;
- Reinforcing the principle of cooperation between public and private agencies;
- Raising awareness on environmental concerns relating to climate change.

Climate Change

Muscat Municipality had experienced dire flooding in 2006, but failed to provide the right flood alleviation scheme for Muscat and some of it is due to planning mistakes that allowed people to build on wadi areas and some of it is due to the lack of information. The flood problem does not concern Muscat are only but also other Wilayat. It is particularly ironic, in a country where water is such a scarce resource, that flash flooding presents one of the greatest natural dangers. Climate change is unpredictable, so detecting a signal against this massively variable phenomenon is impossible or very difficult, though challenges are not coming not only from the slow response decision making of the government

18 UNFCCC, INDCs, the Sultanate of Oman, 2015.
but also from the planners that are not sure how to consider the problem of the climate change.

**Water**

The Ministry of Regional Municipalities and Water Resources is responsible for the management of the water resources network. This network includes rain and Wadi gauges, flow peaks, Aflaj, and springs in addition to 36 dams distributed all over the Sultanate. The water balance is affected, water demand exceeds its natural replenishment. For instance in coastal areas, over withdrawal has led to saline water intrusion and a deterioration in the water quality.19

Total internal renewable water resources are estimated at 1400 million m³/year. About 1050 million m³ is surface water and 1300 million m³ groundwater, while 950 million m³ is considered to be the overlap between surface water and groundwater. Moreover, the quantity of water retained by dams was 42 million m³ during 2011; dams are of different types: surface retention dams, recharge dams and flood protection dams. The system is depending on them because the desalination plants are not able to meet all requirements, particularly at peak times, whereas, this is a very energy intensive method by which water is retrieved. The desalination plants currently provide approximately 80% of the potable water supply in urban areas.20

Finally, some issues are associated with urban services among them the unsatisfactory water supply situation: high water losses in the supply system, and high domestic water consumption; the water network efficiency: “it is assumed that approx. 30% of the water fed into the network is lost”; and the unsuitable housing conditions (location in flood prone areas, negative visual impact).

**Waste Water**

Water treatment occurs mainly in urban areas which have comprehensive, high capacity sewer networks. Wastewater produces around 100 million m³/year. Of this, 40 million m³/year of treated wastewater is produced, and all of this is reused. Muscat has some of the most advanced membrane Bio-Reactor technology available. Each of the cities of Muscat, Sohar, and Salalah has its own wastewater services company responsible for establishing and operating this utility. They are government run and owned. The Ministry of Regional Municipalities and Water Resources looks after the wastewater services for the rest of Oman.

The Municipality of Muscat has been investing in extending the sewage

19 K. Frenken; “Irrigation in the Middle East region in figures”, FAO, 2009, p304.
20 SCP, Oman National Spatial Strategy, p43.
treatment plant network and has spent considerable sums on high-tech solutions to efficiently meet the demand of population growth. The revised Master Plan of 2010, (updated in 2011), undertook a comprehensive study to forecast the projected population up to 2035. The wilayat of Al Seeb will see the greatest growth in population, more than doubling in the period to 2035. According to the current plan it is estimated that by the year 2018, 80% of the population will be connected to a modern sewerage system increasing to 93% in 2035.

Besides, the Salalah Sanitary Drainage Services Company was established to coordinate the construction of the sewage network and treatment of waste for the City of Salalah. It is also responsible for the management and operation of treatment plants and groundwater recharge. The Salalah sanitation project includes a collection network and transport, a treatment plant and network recharge. At present, the total water treatment in the municipality is about 25,000 m³/day but in the near future, 70,000 m³/day should be generated. Treatment plants exist in each region. The recent water treatment station built in Salalah city (south of Oman) will produce about 40,000 m³/day. The effluent undergoes an effective tertiary treatment, one of the best in the world according to world standards in this field.

A master plan was created to meet the problem of salination of aquifers due to over withdrawal. It was established that recharging the aquifers with treated wastewater presented the best option. Social and religious issues were also considered in the course of creating the master plan to take account of cultural sensibilities.\(^{21}\)

3.4. Other Duties and Responsibilities

The transport sector in Oman is suffering from a myriad of problems, so the government is looking very seriously structure and upgrade the public transport sector with the objective to expand its level of service and its territory. A season transport pass has been introduced to make travel easier by allowing transfer between routes without extra cost for passengers. Currently, the company is implementing information technology in order to enhance company management and network operation\(^{22}\).

There is a heavy reliance on private cars’ use rather than using the public transportation. A challenging trend for central and local authorities to improve the existing public transportation system by encouraging the use of environmentally friendly transport system. With respect to passenger transportation, currently around 85% of all trips are made using a private car, and a very small proportion

\(^{21}\) SCP, Oman National Spatial Strategy, p44.  
of trips are made by public transport. Also, The Ministry of Transport conducted an interview with participants and focus groups which revealed that in terms of current use of public transport. The main reasons why participants are not using public transport: 34.5% because public transport is not available; 29.5% because it is not comfortable; 9.2% because the climate is too hot, and only 4.2% because of the cost. Interviews also conveyed main problems and challenges. On one hand, problems can be summarized by serious traffic accidents, no incentive for using public transport and addiction to the use of private cars, transport studies are disconnected from land use, parking problem as well as extreme congestion and traffic. On the other hand, challenges obtained from interviews and focus groups concern mainly the development of public transport and the construction of new roads.

Road capacities in the region of Muscat are fully utilized along the main axis, Sultan Qaboos Highway, especially at peak times. The construction of the second highway (Southern Expressway) running parallel to the Sultan Qaboos Highway has brought about short-term relief, but will ultimately lead to an increase in transport demand. In the long-term, the only viable solution is to create an efficient public transport system. The capacities of the intercity road network are currently sufficient, whereby congestion mainly occurs in urban areas. Capacity expansion will be particularly necessary for node areas and linking areas of traffic flow.

Many new roads in the Muscat Area, which were initially planned to function as efficient traffic arteries, failed to achieve this purpose because they attracted new building and commercial activities to their sides. This unforeseen land use pattern tends to unload various slow-moving traffic onto the roads with the result that the new roads normally end up with heavy congestion. The resulting competition for space has as one of its consequences that insufficient land is allocated for car parking in the major activity centers. The topographical features make it difficult to provide sufficient transportation facilities. Generally, the daily tasks of municipalities in Oman cover the following domains:

- Administer an online eParking service;
- Implement strategic projects for roads, bridges, roundabouts, and public parking lots in coordination with the Ministry of Transport and Communications and issue the construction permits;
- Conduct periodic maintenance of marine fronts, public sheds, subways, roads, and bridges including, asphalting, paving, green islands, and street-lighting in coordination with the Ministry of Transport and Communications;
- Set the rates for public transport and public parking fees in coordination with the Ministry of Transport and Communications and the Ministry of Finance.
Finally, the new Muscat International Airport is being built for a capacity of 12 million passengers a year, compared with a record 7.5 million passengers in 2012 and expectations of continued growth at rates of 15% per annum. The new airport is modular, with expansions to 12, 24 and 36 million passengers allowed for. At Salalah (600,000 passengers in 2012) the new airport will cater for one million passengers. New airports are also being built at Sohar, Ad Duqm, and Ras Al Hadd, each capable of handling 500,000 passengers and A380 aircraft.

4. Challenges and Opportunities of Local Governments

4.1. Internal Capacity, Urban Service Delivery and Reforms

Municipalities in Oman opt to improve service accessibility through:

- Researching ways to develop knowledge of the community needs and what that means for the design of the service;
- Reviewing feedback from tax paying citizens that is used to improve services and keep up with economic and other local city changes;
- Hiring a multidisciplinary team that can understand how services are based on the relations between domestic, governmental, economic growth and changes. This means iterations have to be studied, approved and implemented as needed;
- Making sure that accessing those services is easy and convenient to tax paying citizens. For example, road and pavement repairs, garbage collection, and utility infrastructural updates should do minimal disruption. Citizens should find it easy to file complaints otherwise.

4.2. Sustainable Urban Development

4.2.1. Urban Risks and Resilience

The Sultanate of Oman has been actively pursuing a five-year National Development Plan by the Supreme Council of Planning (vision 2020) that focuses on diversification, industrialization, and privatization, with the objective of creating more employment opportunities for the rising number of young Omanis entering the workforce. It aims to provide policy options and practical Policy Recommendations that can assist key economic sectors in the sultanate to move along more sustainable trajectories.

While adhering to the principles of this national plan, municipalities aim to address local development in a holistic manner that integrates the main pillars of sustainability: economic development, social development, and environmental

Climate change, which induces temperature increases and a high frequency of droughts, desertification due to water scarcity, rapid urbanization and urban sprawl due to growth patterns and environmental degradation, scarcity of land coupled by high densities, and, the concentration of services, infrastructure, economy, and housing in urban areas.

In addition to the efforts made by the Sultanate on adaptation, further efforts would be made conditional to the fund, capacity building and transfer of technology which will be provided by the UNFCCC. Cities Oman could suggest suitable programs for providing quick relief against fire, floods, climate catastrophes and allocating financial resources to be withdrawn for this purposes and coordinating with the respective authorities regarding these issues. The efforts will be in the following areas:

- Tropical cyclone, coastal erosion, and sea Level rise;
- Water scarcity and desertification;
- Flood protection;
- Energy security;
- Development of national adaptation strategy on climate impacts.

5. References


Oman’s Constitution of 1996 with Amendments through 2011, Constitute, constituteproject.org,


# Country Profile

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>Islamic Republic of Pakistan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Federal Republic</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Urdu, English</td>
</tr>
<tr>
<td>Currency</td>
<td>Pakistan Rupee</td>
</tr>
<tr>
<td>Area</td>
<td>796,095 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>212,228,286</td>
</tr>
<tr>
<td>Urban Population Rate</td>
<td>36.7%</td>
</tr>
<tr>
<td>Capital City</td>
<td>Islamabad</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>1,061,000</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>150</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$1,472</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>4.2%</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>24.3% (2015)</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>1.9%</td>
</tr>
<tr>
<td>CO₂ Emission (metric tons per capita)</td>
<td>0.9</td>
</tr>
</tbody>
</table>

Source: UN Data, WB Databank & National Legislation
1. Legal Status

1.1. Historical Background

Pakistan and India have a shared history prior to 1947. The establishment of independent states in the region is a result of the historical and political developments that occurred in the first half of the 20th century. Following the spread of Islam to the Indian subcontinent in the 8th century, Muslim states started to appear in the region with the establishments of Ghaznavids in the 10th century. By the 18th century several Muslim countries like the Delhi Sultanate, Bengal Sultanate and the Mughal Empire had achieved considerable influence in the political and administrative affairs of the region. The unsuccessful Indian Rebellion of 1857 culminated in the complete control of the British Empire as the governance of the country became directly tied to London. (Özcan, Azmi)

When Pakistan was established as an independent state in 1947, it was comprised of two separate regions approximately 1000 miles apart. The first constitution of the country was suspended two years after its adoption in 1956. The new constitution adopted in 1962, stipulated the establishment of a parliamentary federation of two provincial governments with a president that held the power to assign the respective governors. The country was divided into 2 provinces, 16 sub-provinces, 78 districts, 630 sub-districts (called thanas in West Pakistan and tehsils in East Pakistan), 108 urban municipalities and around 7000 rural municipalities for administrative purposes (Humes, Samuel; Eilen Martin. 1969).

Basic Democracies Ordinance foresaw additional administrative changes in local governance and was adopted by rural communities in 1959 and urban communities in 1960. The wars with India and military coups during the period led to the creation of a highly centralized administration in the country as a result of a security focused discourse in state mentality. Jammu and Kashmir still continue to be important sources of dispute between Pakistan and India.

On 16 December 1971, East Pakistan declared its independence and seceded from the country as Bangladesh.

Many regional and ethnic languages like Balochi, Pashto, Punjabi and Sindhi are spoken in the country alongside the official languages of Urdu and English.


National and provincial assemblies were disbanded by General Ayyub Khan in 1958 and local governments were revitalized as the representative level of the administration. The Basic Democracies Ordinance of 1959 created a separate legal framework for rural administration, different from that of the urban regions which was established in the Municipal Administration Ordinance of 1960.
The share of development investment for rural areas was increased in order to secure electoral victory during the period. The Basic Democracies System which failed to mobilize the rural population around national integration institutions eventually collapsed in 1969.

Under the military regime of General Muhammad Zia-Ul-Haq (1978-1988), local governments were once again revitalized with the adoption of the Local Governance Ordinance. In 1979 and 1980, elections were held in four provinces in the country, and the financial rights and responsibilities transferred to local government were in conformity with the ones foreseen in the Basic Democracies System. The practice of appointing bureaucrats to local governments as presidents or members was abolished, and direct election of all members in every stage of local government was made mandatory. The nonpartisan and individual nature of local politics in the country also led to an increase in influence of the tribes, and the separation between urban and rural areas in local governance precipitated into municipal institutions. With the renewal of federal and provincial councils in 1985, the disconnect between different levels of government evolved into a competitive and self-protective environment.

The increase of the federal and provincial income in the Evolutionary Epoch between 1985 and 1999 further led to the diminishment of the effective power of local governments. The responsibility of local governments in municipal services like water, health and development diminished with ever-increasing involvement of provincial government. This situation gave rise to the restriction in local governments’ fiscal capacity and ultimately suspension of their local bodies.

A new Local Government Ordinance was adopted in 2001 under the rule of Pervez Musharraf with the aim of establishing a renewed local government system. In accordance with the new model, a District Coordination Officer was appointed to directly report to the elected district president. The members and presidents of the executive organs of the local governments became elected representatives, and many of the provincial responsibilities were transferred to local governments. Federal responsibilities however remained strictly same, and none were delegated to other levels of the government. Most of these reforms were brought to life during the administration of military regimes with no elected representatives, which eventually caused a disconnectedness between provincial and federal governments.

These systems had five shared characteristics:

- Military Governments established three local government models.
- Local government systems were established by bypassing the provincial governance level of the federal government.
• Local governments were established as “legal levels” by consecutive military administrations.

• These systems led to the creation of overcentralized governance structures in Pakistan.

• The delegation of government responsibilities to local governments became a source of concern and distrust among political parties. (UNDP and AHKRC, 2013).

1.2. Constitutional Regulation of Local Governments

Pakistan is a federal republic composed of the four provinces of Sindh, Punjab, Baluchistan and Khyber Pakhtunkhwa and the four territories of Azad Jammu and Kashmir, Gilgit-Balitistan, the Federally Administered Tribal Areas and the Islamabad Capital Territory. The bicameral parliament is the legislative organ that comes into power through elections. Federalism refers to the constitutional distribution of political power among the provinces with each province having distinct internal governments.

Despite the declaration of “Principles of Policy” in the 1973 Constitution, the spending responsibilities of local governments has not been considered as a topic related to the constituent provinces. The 140th article of the Constitution stipulates the creation of local governments in every province. While local governments developed under the military administrations, they are still weak compared to democratically elected provincial governments. Local governments are guaranteed by articles 32 and 140-A of the Constitution.

Article 32: “Promotion of local government institutions. The State shall encourage local government institutions composed of elected representatives of the areas concerned and, in such institutions, special representation will be given to peasants, workers and women.”

Article 140-A: “Each Province shall, by law, establish a local government system and devolve political, administrative and financial responsibility and authority to the elected representatives of the local governments.”

1.3. Legislative Regulation of Local Governments

Pakistan has no law on local governments in the federal level. Every province has the right to regulate local governments in its own area of jurisdiction. District councils and metropolitan corporations are the highest authorities in rural and urban local governments. With the exception of Khyber Pakhtunkhwa, urban and rural governments in all provinces are composed of three levels.
Table 1: Local Government Legislation in the Provinces of Pakistan

<table>
<thead>
<tr>
<th>Provinces</th>
<th>Legal Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baluchistan</td>
<td>Baluchistan Local Government Act 2010</td>
</tr>
<tr>
<td>KPK The Khyber Pakhtunkhwa</td>
<td>Khyber Pakhtunkhwa Local Government Act 2013</td>
</tr>
<tr>
<td>Punjab</td>
<td>Punjab Local Government Act 2013</td>
</tr>
<tr>
<td>Sindh</td>
<td>Sindh Local Government Act 2013</td>
</tr>
<tr>
<td>Gilgit-Baltistan</td>
<td>Gilgit-Baltistan Local Government Act 2014</td>
</tr>
<tr>
<td>Islamabad Capital Territory</td>
<td>Islamabad Capital Territory Local Government Act 2013</td>
</tr>
</tbody>
</table>

As an example, Khyber Pakhtunkhwa province consists of the regions of Dera Ismail Khan, Peshawar, Hazara and Malakand. Local Government Act was adopted by the provincial council in 2013. Prospective practices in the province are the following (UNDP):

District Administration: Focuses on water, sanitation, health, education and social services. District Council and District Administration are responsible for the delivery of services. The president is responsible for the monitoring, management and provision of services to the people and the government.

Tehsil Administration: Responsible for the development and management of infrastructure and related services.

Village and Neighborhood Councils: They constitute the lowest level of government and are formed by 4000 to 8000 elected representatives. These councils are responsible for the monitoring and evaluation of several administrative functions like health, education, agriculture and animal husbandry.

1.4. Local Government Elections

Decentralization in local government is not a new concept for Pakistan. In its 60-year history, the three most important decentralization reforms in the country were implemented in 1959, 1979 and 2001 by the authoritarian military governments. The amendment of the Article 18 in April 2010 is the most extensive reform made in the country. With the purpose of removing the influence of Article 17, it emphasizes subsidiarity and stipulates the formation of local government systems at the state level. The amendments were critical in the delegation of power from the central authorities to local governments under the four parameters of politics, administration, finance and elections.

Under the framework of new dynamics, Supreme Court of Pakistan has been influential in the regulation and development of elections in newly established provincial governments. In accordance with the policy reform, the Court has initiated the process of ordinance preparation regarding the political,
administrative and financial responsibilities of local governments. (UNDP and AHKRC, 2013)

2. Structure of Local Governments

Provincial governments have the authority to monitor the local governments in their areas of jurisdiction. Each unit is led by a provincial minister who holds the role of coordination in the Ministry of Inter Provincial Coordination. The three-level local government system is composed of the union, tehsil municipal administration and the district which are represented by the elected officials of nazim (mayor) and naib nazim (deputy mayor). The process initiated by the National Reconstruction Bureau foresaw the delegation of central authority to local governments through the inclusion of citizens via the Citizen Community Boards. These boards were given power over local capital investment projects, local service monitoring boards and local power delegation procedures.

The democratic elements that are necessary for the process, however, remained insufficient, which led to the failure of the process. The reform procedures were further hampered by the extensive powers of the presidency, inherent weakness of monitoring and evaluation mechanisms, the inefficient use of investment budgets and, in some cases, the presence of armed groups that control local resources.

2.1. Central, Regional and Local Governments: Interrelations And Responsibilities

The most extensive reform package after the 1973 Constitution is the 18th Amendment adopted in 2010 under the Charter of Democracy. The charter established a foundation for the Constitutional Reform endeavors based on the principle of subsidiarity. The principle was further reinforced at a meeting held between political actors in London on May, 2016 in which the charter was signed with the purpose of starting a democratic transition.

Article 140-A which was adopted with the 18th Amendment dictates: “Each Province shall, by law, establish a local government system and devolve political, administrative and financial responsibility and authority to the elected representatives of the local governments.”

The Ministry of Local Government and Rural Development under the federal government accepts the importance of provincial governments in the reform process and advocates for the establishment of a common legal framework that can be adopted to every province with the purpose of intergovernmental consultation and coordination.

Elected governments are composed of a three-layered federal structure, namely the district, tehsil and the union. Every level of government has its own
responsibilities and rights defined by law. Districts are responsible for agriculture, communal development, education and health. Tehsils are responsible for municipal infrastructure investments and the union is responsible for the provision of societal services. The monitoring of the services provided at local government levels, low level planning and council elections are regulated via special procedures.

Since the establishment of local government systems in 2001, income collection and the assignment of management staff have been contested topics. Provinces, through their control over the functions of local budgets, have set priorities for spending and investment. In certain cases, this has led to the centralization of certain functions traditionally reserved for local governments. An agreement between the federal government and provinces has limited the dismissal of mayors to certain cases of malpractice and mismanagement.

After the general election in 2008, problems regarding power delegation between federal, provincial and local levels became apparent and the advent of centralization was discussed in the public sphere and later on in the National Assembly.

2.2. Organs of Local Government

Every level of local government has an elected council of its own. Every union council is composed of 13 members including the mayor and the deputy mayor. The mayor acts as the president of the council while the deputy mayor serves as the secretary. One third of the seats is reserved for women representatives and farmers, and workers have quotes reserved for them.

The representatives of the council are elected through a plurality-at-large voting system. Only adults have voting rights in the elections. The union mayors are also part of the Zila councils in their respective districts. These mayors form the two thirds of the council members while the remaining quota is reserved for women. (Bahl, R.; M. Cyan)

In the Tehsil municipal administrations, the deputy mayors are also automatic members of the Zila councils while the remaining third is again reserved for women. District and Tehsil mayors are elected indirectly through the participation of elected officials in the respective councils. The mayors can be dismissed through majority vote in their own councils.

Village and neighborhood councils are formed through the direct election of non-party representatives. The two representatives that receive the most votes become the president and vice president of the council. The quota structure is formulated to have 5-10 Muslim representatives, 2 women, and 1 representative for farmers or workers, 1 representative for minorities and 1 for young people.
2.3. Councils of Local Government

Every provincial law includes several mechanisms for communal participation. This mechanisms and laws aim to increase participation for the purpose of creating small scale programs regarding education, gender equality and recreational activities for the youth.

In the 5 provinces, there is a total of 129 district councils, 619 urban councils, 13 municipal corporations, 96 municipal committees, 148 town councils, 360 urban union councils and 1925 rural councils. Khyber Pakhtunkhwa distinctly has 3408 tehsil and village councils.

The responsibilities regarding cooperation between district councils and metropolitan corporations are related to several areas like constabulary, education, health, road construction, economic development, wastewater management and environmental protection.

In the 5 districts except for Khyber Pakhtunkhwa, district councils and metropolitan corporations are the highest level of administrative bodies of local government. Both urban and rural local governments have two or three levels in all provinces except Khyber Pakhtunkhwa.

2.4. Mayors

The Mayor is the head of the local government and has chief officers that are responsible for planning, financial services, infrastructure and other key service departments.

The mayor holds the right to appoint and relocate public officers like teachers and medical staff in their areas of jurisdiction. In every service field, the monitoring and evaluation of service quality and human resource management is under the responsibility of the mayor. In three tiered local governments, the appointments of high-level bureaucrats are done according to the laws and ordinances of the respective government. The members of the district institutions are composed of federal and provincial officers and the acting head of the city/district serves as the manager.

Local governments can only dismiss their own officers and do not have the right to dismiss officers of provincial or federal origin. Employment in these areas mostly consist of contracted personnel on fixed term agreements, usually hired from the local populous. The number and respective compensation of such staff however is determined in the provincial level.

3. Duties and Authorities

Three different models of local governance can be observed in Pakistan since 1959. The Basic Democracies Scheme implemented by the military regime is characterized by the limited capacity of local governments in terms of income
generation and was discontinued in 1969. The next local governance system, which was similarly established under a military regime in 1979 and lasted for a decade, is also known for limited responsibilities and income opportunities. The duties and powers defined in the system were not different from those of basic democracies. The final system adopted in 2001 includes a different local governance model based on population and taxation capacity specific to each district. Four of the districts in the system are composed of three-tiered system.

Table 2: Administrative Units in Pakistan. The number of local administrative units is presented in the table below:

<table>
<thead>
<tr>
<th>Districts</th>
<th>District Governments</th>
<th>Tehsil Municipal Administrations</th>
<th>Unions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baluchistan</td>
<td>28</td>
<td>77</td>
<td>567</td>
</tr>
<tr>
<td>NWFP</td>
<td>24</td>
<td>54</td>
<td>986</td>
</tr>
<tr>
<td>Punjab</td>
<td>35</td>
<td>144</td>
<td>3464</td>
</tr>
<tr>
<td>Sindh</td>
<td>23</td>
<td>121</td>
<td>1114</td>
</tr>
<tr>
<td>Total</td>
<td>110</td>
<td>396</td>
<td>6131</td>
</tr>
</tbody>
</table>

Source: NRB, Government of Pakistan

The highest level is composed of District Governments which are responsible for health, education, roads, agricultural development and industrial management. These administrations have their own tax revenues and can determine the rates in Zila councils. The tax base, however, is determined by the provincial authorities.

The Tehsil Municipal Administration is the second tier of the administrative units. Every district is divided into Tehsil Municipal Administrations based on their surface areas and populations. This level was established through the integration of rural regions into urban administrations prior to 2001. With the changes made in 2001, tehsils were authorized to deliver services only in urban areas. In the separate administrative bodies of unions, the District Council has limited responsibilities and includes both urban and rural areas. Tehsil Municipal Administration has control and responsibility over municipal service delivery and urban structure monitoring while in urban districts this right is reserved for the councils.

As part of the reform process, water and wastewater management has been the responsibility of provincial Public Health Engineering under the tehsil administrations. These administrations enjoy a certain degree of autonomy in most areas and have their separate sources of income. While the property taxes in respective jurisdiction areas belong to these administrations, the taxation procedures are still defined within the legal limits.
The third tier is the Union Administrations. Union Administrations have limited authority and do not have any sources of tax income. They are composed of units in both urban and rural areas and have predetermined budgets given by the provinces.

Both urban and rural districts have similar legal structures.

While urban and rural areas have similar income sources, metropolitan districts have special rights in which the property taxes constitute a much higher ratio. These areas composed of municipal administrations have separate functions in terms of water supply, urban planning, property control and have more centralized characteristics.

Table 3: District Numbers in Provinces

<table>
<thead>
<tr>
<th>Province</th>
<th>Metropolitan Districts</th>
<th>Regular Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pencap</td>
<td>5</td>
<td>30</td>
</tr>
<tr>
<td>Sind</td>
<td>1</td>
<td>22</td>
</tr>
<tr>
<td>NWFP</td>
<td>1</td>
<td>23</td>
</tr>
<tr>
<td>Baluchistan</td>
<td>1</td>
<td>27</td>
</tr>
</tbody>
</table>

Source: ADB Decentralization Support Program

Every district in provinces varies in population and size, which creates considerable differences between them. The metropolitan districts have distinct organizational structures that are more centralized. Ziarat is the smallest district with a population of 39000. (2004)

While taxes stipulated in the laws are similar, the ratios vary depending on the district. The use of land for agriculture, industry and urbanization is remarkably different. For instance, Baluchistan has the largest districts in terms of size with each one having a population of less than 300,000 on average. Having large areas with such low populations creates a high cost for service delivery, especially in water management for agricultural purposes.

On the other hand, the districts of Punjab, with fertile land and watering systems, have high urbanization and industrialization rates. On average, a district in Punjab has about a population of 2.5 million and often has multiple city centers.

With the exception of Karachi, which is heavily industrialized, the districts in Sind are urban-centered agricultural areas with an average population of 2 million. Each of the districts in NWFP has on average a number of residents lower than 1 million.

Every district has considerable difference in development indicators and variables. These differences include elements from within and beyond the districts.
Despite their differences, their responsibilities are similar and include elementary and secondary education, literacy, health, agriculture and road management. Tehsils are responsible for local roads, slaughterhouses, marketplaces and cultural activities. Metropolitan corporations are responsible for city-wide economic arrangements. The unions are responsible for the libraries in their areas, local roads and related maintenance services and for the management of local natural water sources. Union councils are in charge of local security and work in close cooperation with districts and tehsils regarding the topic.

Tehsil municipal administrations are responsible for the management of environmental issues that arise due to the expansion of the population. These responsibilities include spatial planning, wastewater management, solid waste management and rainwater management. Due to limited income of tehsil municipal administrations, solid waste management remains to be one of the biggest environmental challenges. Open landfills, indiscriminate incineration and contaminated water supplies can be seen in all parts of the country and a fourth of the population still lacks access to clean drinking water. (Tayyaba Sana, Abida Parveen, Abid Ghafoor Chaudhry and Syeda Aimen Hadi)

Table 4: Distribution of public services (Source: www.clgf.org.uk/pakistan)
As given in the table above, infrastructure services are among the common services of the administrations. No local government is responsible for housing services. There are joint or voluntary activities in culture, theater, sports and parks, and leisure programs, by all level of governments.

3.1. Social Development

The Human Development Index (HDI) of Pakistan for 2015 is 0.550. Thus, it is in the mid-level category of development and ranks as the 147th among 188 countries and regions. Between 1990 and 2015, the HDI of Pakistan increased from 0.404 to 0.550 with an increase of 36.2%. During the same period, Pakistan’s average life expectancy at birth, the average school year, and the expected school year increased by 6.3, 2.8 and 3.5 years respectively. The GNP per capita increased by 57.5% between 1990 and 2015.

Pakistan’s Multidimensional Poverty Index (MPI) is estimated for the 2012/2013 period, with 45.6 percent (82,612 people) living in multidimensional neediness and 14.9 percent living in multidimensional deprivation (27,062 people). The average deprivation score living in multidimensional poverty, which is the width of deprivation (intensity) in Pakistan, is 52.0 percent. The MPI, the share of the population adjusted to the intensity of people in multidimensional in poverty is 0.237 (UNDP).

When the provinces are ranked according to the level of education, Punjab, Sind, Serhat Province, and Balochistan should be considered. The number of schools is 63,962 in Punjab, 39,141 in Sindh, 27,720 in Serhat Province and 9,433 in Balochistan. The total number of madrasahs, which have an important place in education, is 11,351. The number of students is 1,457,189 and the number of
teachers is 9.237. There are 33 million students while the total number of students should be 44 million. Of this number, 21 million are in public schools and 12 million in private schools. The share allocated to education from the total budget is below 2%. There are 107 universities in the country. 74 of them are located in Punjab and Sind Province (Mermer, 2010: 87).

3.2. Economic Development

Regarding development, federal and provincial programs overlap with local functions. Both federal and provincial governments finance education and health programs. However, the central control over them is different. Most of the grant-financed data followed an approach in which local governments had discretion in spending options. However, at the provincial level, project offices play an active role in planning, project designing, and implementation as well as accounting and accountability.

3.3. Financial Management

Local revenues are collected as per the provincial laws. Provincial Financial Commission has submitted some proposals to the Government on the amount of the Local Government Grant from the Provincial Consolidated Fund, apart from the Octroi and Zilla Taxi, and that the development aid for the local governments should not be less than 50% of the development budget of the relevant province in a given year. Grants allocated to the local governments depend on the following criteria: poverty, infrastructure delay and income base. In the district and tehsil councils, specific seats are allocated for women, farmers and minorities. In these councils, elections are to be held on a party basis and each party is entitled to file objections to the election results. Members would fill in the seats allocated as per the representative system which is proportionate to the candidate lists of the parties.

The Council is authorized to ratify its own budget. No expenditures can be made without ratification of the budget. The district accounts are kept by the provincial or federal accountants. Rules of accounting of the districts are determined by the Auditor General of Pakistan (AGP). TMA (Tehsil Municipal Administration) accounts are managed by the accountants in the TMA. There is a comprehensive control system at the district level and the annual audit of the regional accounts is performed by AGP. The TMA and association audit is done by the Local Fund Audit, a provincial agency. Accounts Committee of the Council collects the annual audit report from the relevant officials and is authorized to carry out audits in consideration of the audit report. (Bahl, R.; M. Cayna)

The local governments were endowed with the authority to determine their incomes and expenditures by virtue of the 2001 dated law. As per the legal regulation, local governments are entitled to allocate funds, in accordance with their
priorities. However, in practice, provinces have tutelage on the expenditures. Controls are stricter for the conditional expenditures.

Table 5: Districts in respect of income sources (ratio in the total income)

<table>
<thead>
<tr>
<th>Province/district</th>
<th>District</th>
<th>Tax</th>
<th>Non-tax</th>
<th>Transfers</th>
<th>Capital Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>Punjab</td>
<td>Attock</td>
<td>0</td>
<td>1</td>
<td>85</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>Chakwal</td>
<td>1</td>
<td>0</td>
<td>91</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Faisalabad</td>
<td>0</td>
<td>2</td>
<td>76</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td>Lahore</td>
<td>2</td>
<td>5</td>
<td>82</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>Sialkot</td>
<td>1</td>
<td>0</td>
<td>85</td>
<td>14</td>
</tr>
<tr>
<td>Sindh</td>
<td>Karachi</td>
<td>20</td>
<td>7</td>
<td>70</td>
<td>3</td>
</tr>
<tr>
<td>Balochistan</td>
<td>Pishin</td>
<td>0</td>
<td>0</td>
<td>93</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>Qilla Abdul-</td>
<td>0</td>
<td>0</td>
<td>54</td>
<td>46</td>
</tr>
<tr>
<td></td>
<td>lah</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Quetta</td>
<td>2</td>
<td>0</td>
<td>89</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>Sibi</td>
<td>0</td>
<td>0</td>
<td>94</td>
<td>6</td>
</tr>
<tr>
<td>NWFP</td>
<td>Mardan</td>
<td>1</td>
<td>2</td>
<td>84</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>Peshawar</td>
<td>0</td>
<td>4</td>
<td>91</td>
<td>5</td>
</tr>
</tbody>
</table>

Source: ADB Decentralization Support Program

Notes:
1) Data have been compiled from the ADB Decentralization Support Program
2) Capital income, in some cases, includes the opening budget.
3) Some “0”s have been inserted as an error.

Districts display huge disparities in their incomes and expenditures, and only some parts of the incomes are provided locally. Therefore, they are largely dependent on provincial transfers.

District administrations have two tax collection offices with the capacity of managing taxes. They are the district-level units of the provincial Special Consumption and Tax Administration and provincial Income Council. The District Tax Office collects the provincial taxes, including the property tax. Land income section collects the land income, transformation and registration fees and agricultural income tax. Apart from these two departments, district administrations do not have administratively developed tax collection mechanisms, except for the city-provinces. These two sections are principally related to the collection of provincial taxes. Provinces perform audits at various levels on the two regional section, which are the main income collection entities. They are administratively autonomous whereas in practice, they are nominally part of the district management. When it comes to the land income section, it functions as a part of the district.
It collects the provincial taxes as per the targets defined by the provincial authorities. District directorates collect the provincial taxes as per the targets determined by the rural authorities. However, since none of the district levels are allocated for these sections, the tax office of the district operates for its own benefit. In most cases, apart from these two departments, districts have taken over tax collection authorities which are weak in local taxes, from the previous District Councils. Their personnel have mostly focused on zila tax (a type of export tax) and have not been adequately trained. Their personnel now work under the Consumption and Tax Office in the district.

TMAs are ready to mobilize more incomes from the district authorities. The previous local authorities had their own income sources in the form of otoroi and zila tax. This tax was abolished in 1998. A 2.5% was added to the federal GST, to compensate for the local bodies. The increase entered into force in 1999, but the replacement grant was not activated until 2002. The Urban Property Tax, which is another important tax, was allocated to the TMAs, but localization of the tax is yet to be realized.

Currently, the income is divided between the district and TMA, with a ratio of 15/85%. In the previous years, urban local bodies gained experience in managing the other tax items which is now the income source for TMA. The local tax administration, weak as it may be, has a system and capacity.

Most of the TMAs obtain a significant part of its income in the urban areas, through non-tax sources. Generally, they are less dependent on inter-administration transfers. In this regard, the TMAs are financially more self-sufficient.

As for the expenditures, local governments have legal autonomy as per the Local Government Budget Rules, adopted in 2002. These rules provide a detailed system for preparing the budget and submitting it to the approval of the local councils. However, there are certain restrictions on the expenditure allocations, in practice. Firstly, more than 90% of the local expenditures are reserved for salaries. Most of the civil servants working in the local governments are federal or provincial employees who are appointed principally or as proxy. Only a small portion of the personnel are the actual employees of the local government. Local governments have quite limited power in terms of determining the number of officials in each section. Provincial financial departments closely monitor the size of the organizations and the level of the posts. Creation of new posts initially requires the provincial approval. The federal government determines the base salaries and increase rates for all the employee categories under the “united fee scale system”. Although it is not a legal requirement, deviation from the unified fee balances are neither practical nor possible for local administrations. The federal salary increase implies an immediate financial burden for local governments. The federal government has tripled the salaries in the last 7 years. For example, this lawsuit caused a 15% increase in the local governments’ salary budget.
Theoretically, capital budgets are less restricted and local governments may allocate funds in accordance with the local priorities. In practice, however, a significant portion of the capital grants are provided to them under strict conditions. In recent years, expenditure items are specified in details, for the development grants in education and health.

4. Opportunities and Challenges

This section focuses on the physical and social risks that Pakistan is exposed to.

4.1. Principle of Decentralization

Since local government is under the authority of the province, in the absence of elected local government, the relations between the administrations limit the interaction between the provincial local government units and the district administrations. In addition to this, at the federal level, the Ministry of Inter-Provincial Coordination regulates relations between provinces.

The Local Government Ordinance issued in 2011 envisages the establishment of a district ombudsman, but the revised monitoring systems also imply new provincial laws.

Barriers to power delegation to local governments are the inadequacy of resources that support effective implementation, political resistance to devolution, and a lack of common understanding of the different institutions’ positions in this regard. Some other shortcomings are as follows (UNDP):

- Concerns about the rule of law,
- Lack of sufficient sensitivity about local government’s system and scope as well as its understanding and operation,
- Failure to implement the responsibility mechanism as required by law,
- Lack of political demand to strengthen the solution of local problems at the public level,
- Political rivalry between local leaders and councilors on power-sharing and superiority,
- Inability to operate local government system due to lack of power of political parties in the continuity of the system,
- Temporary intervention in the functioning of local government institutions by political elites, bureaucracy, influential people and the press,
• Personnel policies not being based on performance,
• Lack of local taxes in the legal process,
• Financial constraints and waste of valuable resources,
• Failure to comply with municipal laws,
• Moral corruption,
• Low management capacity and coordination weakness of the unit managers of local government institutions.

Article 32 of the Policy Principles stipulates that the state encourages local government institutions composed of elected representatives of the relevant areas and the special representation of minorities, peasants, workers, and women in these institutions. Similarly, Article 37 (provision I) proposes the decentralization of government administration. Therefore, the Constitution categorically defines four political, administrative, financial and electoral parameters for the authority and responsibility of the elected Local Government:

1) Political Responsibility and Subsidiarity: It politically refers to regulatory and policy-related responsibilities and authorities to be transferred to local government/organizations. Within this framework, the party-based election system, direct selection of district authorities, seeking minimum level of education for the presidencies, increasing the representation of women and minorities, the possibility of accounting of district and tehsil presidents by council members, not exceeding 20,000 of the population in village councils, balance between the number of village council members and the number of village population, the president of the village council being a district councilor and the deputy chairman being a member of the council of tehsil, the duration of the local government system being 5 years, the authority given to local governments in areas such as health, education, sports, administrative, agricultural water management, resolution of social conflicts and some legal privileges are recommended.

2) Administrative Responsibility and Subsidiarity: It is concerned with the executive responsibilities and authorities in the day-to-day functioning of local governments. It is recommended to give all social services under the responsibility of the district, and the daily services such as public health and technical services under the responsibility of the tehsil council, to appoint officials for ensuring coordination at both levels, to establish the district ombudsman system, to provide vocational training, to respond to the local needs in education, to provide special education facilities, to establish mother-child health centers and disaster management units, to conduct land situation planning, to provide forest and environmental protection and infrastructure
investments and to ensure the authority of the police to remain independent from local governments.

3) Financial Responsibility and Delegation of Authority: Financially, it relates to the incomes and expenses of the local government(s). It is suggested that district councils should be responsible for preparing development plans for the transfer of income from the central government, establishment of income collection mechanism, financial transparency, use of zakat and bayt mal fund and building cooperation with neighborhood councils depending on factors such as poverty, infrastructure, income collection, population, disasters.

4) Responsibility to the Selected Representatives of Local Governments and Subsidiarity: This component makes it clear that the transfer of responsibilities and powers of all tasks of local government should be given to elected representatives. It recommends resource allocation based on equity, development of local media and publication, regulation of grievance mechanism, adherence to Pakistani constitution and establishment of civil conflict committees.

4.2. Environmental Challenges: Climate Change, Water and Wastewater Management

Due to geophysical conditions, climatic extremes and high degrees of exposure and vulnerability, Pakistan is a disaster-prone country. A range of hydro-meteorological, geophysical and biological hazards including earthquakes, floods, tsunamis, cyclones and storms, droughts, glacial lake outbursts, landslides, avalanches, pest attacks, and epidemics pose risks to Pakistani society. Some of these hazards (e.g. floods, landslides, etc.) are predominantly seasonal and occur on an annual basis, whereas other hazards such as earthquakes and tsunamis are rare events but potentially highly destructive. In addition to natural hazards, human-induced hazards threaten the Pakistani society, the economy and the environment (The National Disaster Management Authority).

Damages and losses incurred in the 2005 earthquake and the 2010 and 2011 floods were drastic. These demonstrated the vulnerability of Pakistani society and their economy in cases of disasters.

Pak-INDC laid out a roadmap on economic growth, social development and sustainable development in Pakistan’s Vision 2025. In this report, the country’s climate change, agriculture, energy, energy efficiency, water, and other relevant challenges are linked to the National Climate Change Policy.

The national risk assessment will identify highly vulnerable districts and will work at the local level to determine the risk factors, to explore concrete risk mitigation options and to prepare the development and/or disaster preparedness plans. Outputs of risk assessments at the local/regional level will include hazards and risk maps.
Pakistan is committed to reducing CO2 emissions to the level possible through international climate finance, technology transfer, and capacity building. The adaptation of climate change impacts presents an important opportunity in Pakistan due to sectoral diversity, large infrastructure needs, distinct climate areas, ecological system, and administrative arrangements.

Pakistan’s Vision 2025 includes the roadmap for economic growth, social inclusion, and sustainable development in Pakistan’s environmental indicators. The climate change issues, such as agriculture, energy, energy efficiency, water, and other sectors, are included in the National Climate Change Policy. However, Pakistan is committed to reducing its emissions once it has reached a certain level in international climate change financing procurement, technology transfer, and capacity building.

Detailed studies and analyses of the country’s future emission projections still continue to be carried out. The reduction potential exists in all sectors of the economy. Adaptation to impacts of climate change offers a vast area of untapped opportunities in Pakistan due to its multi-sectoral nature of the economy, huge infrastructure, different climatic zones, ecological systems, and administrative arrangements.

Investment costs for adaptation interventions will be determined in consultation with provinces and other stakeholders and announced over time. Pakistan is committed to the realization of the goals of UNFCCC (United Nations Framework Convention on Climate Change). Therefore, it is actively interacting with the international community. The best solution for everyone is the development of global climate governance. Pakistan, together with other parties, will promote and support low carbon and climate-resilient development. (Pakistan – Intended Nationally Determined Contributions - INDCs)

There are long-term power outages due to energy shortages in the country.

Solid waste management is one of the main causes of environmental degradation in Pakistan since improper handling of solid wastes causes harm to the inhabitants. The municipal waste collection service is quite irregular and limited to areas with high-rise buildings. There is a need in these areas to review the legal framework, in particular for detailed and clear regulations on solid waste (Aman Mahar et al.).

4.3. Urban Risks: Domestic and Irregular Migration

In Pakistan, people come mainly from rural areas to cities and the country is experiencing rapid changes in the industrial, service-based and urban economy. When people migrate or have to migrate within the country, they are often forced to live in vulnerable areas. The high population growth rate increases
this trend further and issues such as informality or overgrazing may intensify existing hazards.

With an annual population growth rate of 1.9%, the Pakistani population is growing by about 3 million people annually. Within the framework of the population planning policy determined in 2002, it is aimed to decrease the annual population growth rate to 1.3% by 2020. The high rate of population growth and the lack of sufficient employment opportunities in Pakistan have led the labor force to go to countries such as Saudi Arabia and the Arab and Gulf countries.

There are also close to a million Pakistanis in the UK. Pakistani authorities say that around seven million Pakistanis live abroad. There is also an intense flow of illegal migration from Pakistan to European countries due to unemployment and economic problems.

In addition, Pakistan is one of the most refugee-hosting countries in the world.

The number of Afghan refugees in Pakistan who came after the Soviet Union’s invasion of Afghanistan in 1979 and continued to stay due to the civil war after the Soviet withdrawal is around 2.5 million. Most Afghan refugees in Pakistan live in refugee camps. The Pakistani government wants to close some of the Afghan refugee camps in the country for security reasons (Mermer, 2010: 91).

According to the executives of Azad Kashmir in Pakistan, which continues to be a major problem in the region, the number of Muslims migrating from Kashmir controlled by India is more than two million (Mermer, C. T p.58, 66).

Pakistan is not a party to the 1951 Geneva Convention Relating to the Status of Refugees. Afghan refugees can obtain a Registration Document that recognizes them as “Afghan citizens temporarily resident in Pakistan”. This problem has been going on for 40 years. There is no timetable for when this problem will end. Pakistan wants more than 600,000 Afghan refugees to return to their countries.

International migration (000% share of the population): 3,629.0/1.9 including asylum seekers in mid-2015;

Number of UNHCR-related immigrants: 3,399,965 in mid-2015

The Disabled: 15-18% of the total population in the country (UNDP).

4.4. Metropolitan Cities

Metropolitan Corporation Lahore

The history of Lahore which is the capital of the state of Punjab goes back to the first century. The city has a population of 1.5 million.
The 86th amendment of the Punjab Local Government Act 2013 states that “The Metropolitan Corporation and a Municipal Corporation shall each be a body corporate having perpetual succession and a common seal, with power to acquire and hold property and enter into any contract and may sue and be sued in its name.”

The 87th amendment of the same act describes the responsibilities of the metropolitan corporations as the following:

(a) approve spatial plans, master plans, zoning, land use plans, including classification and reclassification of land, environment control, urban design, urban renewal and ecological balances;

(b) implement rules and bye-laws governing land use, housing, markets, zoning, environment, roads, traffic, tax, infrastructure and public utilities;

(c) approve proposals for public transport and mass transit systems, construction of express ways, fly-overs, bridges, roads, under passes, and inter-town streets;

(d) approve development schemes for beautification of urban areas;

(e) develop integrated system of water reservoirs, water sources, treatment plants, drainage, liquid and solid waste disposal, sanititation and other municipal services;

(f) execute and manage development plans;

(g) exercise control over land-use, land-subdivision, land development and zoning by public and private sectors for any purpose, including for agriculture, industry, commerce markets, shopping and other employment centers, residential, recreation, parks, entertainment, passenger and transport freight and transit stations;

(h) enforce all municipal laws, rules and bye-laws governing its functioning:
(i) prevent and remove encroachments;

(j) regulate affixing of sign-boards and advertisements except where this function is being performed by the Parks and Horticulture Authority;

(k) provide, manage, operate, maintain and improve the municipal infrastructure and services, including—(i) water supply and control and development of water sources;(ii) sewage and sewage treatment and disposal;(iii) storm water drainage;(iv) sanitation and solid waste collection and sanitary disposal of solid, liquid, industrial and hospital wastes, treatment and disposal including landfill site and recycling plants;(v) roads and streets;(vi) traffic planning, engineering and management including traffic signaling systems, signs on roads, street markings, parking places, transport stations, stops, stands and terminals;(vii) street lighting; (viii) firefighting;

(ix) parks, playgrounds, open spaces, graveyards and arboriculture; and

(x) slaughter houses;

(l) environmental control, including control of air, water and soil pollution in accordance with Federal and Provincial laws and standards;

(m) undertake urban design and urban renewal programmes;

(n) develop and maintain museums, art galleries, libraries, community and cultural centers;

(o) conserve historical and cultural assets;

(p) undertake landscape, monuments and municipal ornamentation;

(q) establish and maintain regional markets and commercial centers;

(r) prepare budget, revised budget and annual and long term municipal development programmes;

(s) maintain a comprehensive database and information system and provide public access to it on nominal charges;

(t) approve taxes and fees;

(u) regulate dangerous and offensive articles and trades mentioned in Second Schedule;

(v) collect approved taxes, fees, rates, rents, tolls, charges, fines and penalties;

(w) organize sports, cultural, recreational events, fairs and shows, cattle fairs and cattle markets, and regulate sale of animals;
(x) regulate markets and services and issue licenses, permits, grant permissions and impose penalties for violation thereof as and where applicable;

(y) manage properties, assets and funds vested in the local government;

(z) develop and manage schemes, including site development;

According to the law, the municipality or the metropolitan corporation can transfer responsibilities to a third party like an agency, company legal authority or person through a contract that defines the scope and conditions of the agreement.

Lahore Park is a solid waste management company that operates under the corporation.

Karachi

Karachi is the capital of the state of Sindh and the largest city of Pakistan. The city which covers an area of 3,530 km² with the inclusion of suburban zones is the second most populous city in the world. The city has a population of 16 million. As a big metropole and a port city it constitutes about a quarter of the country’s economy. Its contribution to the manufacturing sector is around 30% percent. The biggest multinational companies that operate in the country are located in Karachi.

The first municipality in Karachi has been established in 1852. With the 1933 Karachi Municipal Act the administration has been changed to include one mayor one vice-mayor and 57 municipal assembly members. In 1948, Federal Capital of Pakistan was formed. In 1961 it was merged with the state of Western Pakistan. Nevertheless, the municipal unity has continued to exist. 1976 became a metropolitan union, followed by the establishment of regional municipal committees, which lasted until 1994. Two years later, the metropolitan area was divided into five municipalities and each became a municipal union.

In 2001, the districts were merged to form the Karachi district. It was structured into two sub-tiers of 18 towns and 178 union assemblies and three tiers of federation; each level provides “vertical connection” with the federation. Each union council consists of thirteen members elected by voters; four men and two women directly selected by the general population; two men and two women selected by the villagers and workers; a member for minority communities; The two members are elected together as mayor of the union (nazim) and mayor of the auxiliary union (naib nazim). Each city council consists of all the mayors in the village, as well as elected representatives for women, peasants and workers and minorities. In 2011, the Karachi Government was divided into five original constituent districts: Karachi East, Karachi West, Karachi Center, Karachi South and District Malir. These five regions now form the Karachi Division. There are
also six military cantons governed by the Pakistani Army.

4.5. Local Government Unions

There is no official national unity of local government in Pakistan. However, in recent years, the Association for Local Government Development (ADLG) has been established.

Since local government is under the authority of the state, the concept of corporate local government developed in the states during the authorization period. The Punjab Association of the Local Councils of the Punjab (LCAP) was established in July 2006 with the aim of coordinating and establishing unity by local governments in the province. Other states followed; 2009 The Local Councils Association of Sindh, the Local Councils Association of Khyber Pakhtunkhwa and the Local Councils Association of Balochistan are established. However, there are no associations in the Gilgit-Baltistan, the Cantonments, the Federally Administered Tribal Areas or the Islamabad Capital Territory.
5. References


Özcan, Azmi. DİA (Encyclopedia of Turkish Religious Foundation) India article: C. 18, s.75-81; Pakistan article, C. 34, s.147-149.


United Nations Framework Convention on Climate Change. Pakistan – Intended Nationally Determined Contributions (INDCs) (2016) Intended Nationally Determined Contributions (INDCs)
PALESTINE
Maan Chibli

Country Profile

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>State of Palestine</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Democratic Parliamentary System</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Arabic</td>
</tr>
<tr>
<td>Currency</td>
<td>Shekel</td>
</tr>
<tr>
<td>Area</td>
<td>6,020 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>4,862,979</td>
</tr>
<tr>
<td>Urban Population Rate</td>
<td>76.2%</td>
</tr>
<tr>
<td>Capital City</td>
<td>East Jerusalem</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>275,100</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>119</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$3,198</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>28.6%</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>29.2% (2016)</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>1.5%</td>
</tr>
<tr>
<td>CO₂ Emission (metric tons per capita)</td>
<td>0.6</td>
</tr>
</tbody>
</table>

Source: UN Data, WB Databank & National Legislation
1. Structure of Local Governments

The establishment of the Palestinian Authority came with the Oslo Agreement signed between the Palestine Liberation Organization (PLO) and Israel. This agreement disassociates the spatial control of the land from the rule of the Palestinian people. Land control is a wide subject of controversy between the Israeli and the Palestinian. Among the actual Palestinian territories, this agreement only concerned the West Bank as Gaza, which was still under occupation at the time. The West Bank is divided into three areas of control where Israelis have the most advantageous control over lands and municipalities:

**Area A**, the zone of the Palestinian autonomy includes the main agglomerations. Representing only 18%\(^1\) of the West Bank (WB) territory, it is under the Palestinian Authority when it comes to civil affairs and security issues. However, pockets of area C exist within the limits of this area and in major cities.

**Area B** represents 22% of the WB territory including all the small cities and part of the rural area. It is a partially autonomous zone for the Palestinian insomuch as the Israelis have control over the flow of goods and people.

**Area C** is completely under the control of the Israelis for civil affairs and security matters. It represents 60% of the WB territory including the rural zones, the Palestinian agglomerations, and the settlement. All the roads around the Palestinian cities and villages in this area are reserved to vehicles with Israeli plates and military equipment.

1.1. Constitutional Law and Legal Regulations on Local Governments

First, it is worth mentioning that the urban legislations in Gaza and the West Bank were not reliable due to their historic and political relations with Egypt and Jordan respectively. The law of local government in force was promulgated in 1997 and the aim was to present one intrinsic legal framework, canceling different cumulated laws inherited from the Ottoman and the British periods and the Israeli occupation. The law specifies 27 fields of activity that municipalities can undertake within their jurisdictions, while giving the local authority the right to set rules. For example, issuing building permits, regulating commerce and industry, urban development and budget approvals are among the most important fields of activity.

The Law also distinguishes between two local government bodies at the bottom level: the municipality and the village council. The distinction is made on a demographic basis: having a population of below 1000 inhabitants, the village council manages the locality. Furthermore, the municipality is an elected and autonomous body while the village council is an administrative and appointed one. Moreover, the law categorizes municipalities and their prerogatives based

---

1 In 1995, it represented only 3% of the West Bank territory.
on the demographic size and the location of agglomeration according to Oslo territorial fragmentation (Figure 1).

Finally, certain gray zones exist in this law, complicating the relationship between different bodies of the local administration. For example, it excludes the 29 refugee camps in the West Bank and Gaza Strip from the jurisdiction of the MoLG, the governorates, and the municipalities. These camps fall under the authority of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which is in charge of managing Palestinian refugees. Furthermore, the law defines clearly the prerogative of the mayors without clarifying the relation with the central authorities or with the councilors. Also, it clarifies neither the prerogatives nor the powers of the head of the district, further complicating the vertical relationship in the local government system. Therefore, the governorate depends on the Jordanian Law for the governance. As a result, these legislative loopholes strengthened the grasp of the central authorities over the local government bodies.

1.2. Election Processes for Local Governments

The election law of 1996 allowed the voting of the municipal council members for a single member in one round. The number of inhabitants defines the number of seats in the municipal council and the law also indicates that each person residing in the municipal territory, as a permanent resident or a worker, is a citizen. An amendment was promulgated to establish a minimum quota for women in municipal councils, which insisted on the election of at least two women per council, whatever the size of the conscription. Moreover, a presidential decree also imposed a quota for some localities which have mostly Christian population such as Bethlehem (where 8 out of 15 councilors had to be Christian), Beit Jala, and Beit Sahour (7 councilors out of 13).

Until the death of Yasser Arafat, the head of the administration used to appoint all the councilors and mayors. This process took into consideration the balance of power between the main families and was used as a tool to limit any political protestation against the central government. After the election of Mahmoud Abbas, two municipal elections were conducted in 2005 and in 2012. However, the councilors, and especially the councilors of Hamas, were seen as targets by the Israeli army, which resulted in the imprisonment of most of them. With the important councilors imprisoned and the lack of position in the municipal councils, those who have remained continue to work together despite the political rivalry in order to ensure the public service.

1.3. Central, Regional And Local Governments: Interrelations And Responsibilities

The local government system is divided into three levels of power: the central, the regional and the municipal. At the central level, the Prime Minister retains the
main priorities and services of conflictive interests between the administrative bodies, whereas the Ministry of Local Government (MoLG) legally supervises all the local governance systems at all levels, with the exception of the refugee camps (21 in the West Bank and 8 in the Gaza Strip) which fall under the responsibility of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

This ministry closely follows the activities at the regional level through its spread offices in the main cities. Also it grants the final approval for the budget of the local authorities and the public service contracts signed with the private actors and fixes the local taxes.

On the other hand, at the governorate level, the president of the Palestinian Authority nominates governors, but the law is ambiguous regarding their prerogatives. The governor manages the security forces and monitors basic services such as education and healthcare; however, their role in civil affairs is not very clear and depends heavily on each governor’s personality and political stature. Sometimes in competition with the municipal teams and other times nearly absent from the local power struggles, the governorates still lack any consistency with the rest of the municipal system. These different legislative gaps are the source of many power struggles that allow the presidency (no matter who holds the office) to set itself up as a referee for local interests and priorities.

At the third level, three entities exist: the municipality, the village council, and the localities. However, there are certain exceptions. In Jerusalem governorate, the local government is represented neither by the municipalities nor by the village councils, but by the local councils. This is purely a political decision to remind the spatial and political consistency of the city, denouncing the 1967 occupation of East Jerusalem, and to facilitate a potential integration, in case of liberation, of these localities into East Jerusalem. Palestinian municipalities officially pre-existed the Palestinian state and the law came to grant them certain powers while specifying which fields remain under the ministry’s responsibility. The MoLG is responsible for financial activities such as harmonizing the audits and tenders, budget preparation and approval, pay scale, hiring methods as well as preparing the promotion criteria.

The ministry often surpasses these legal responsibilities defined by the law. Indeed, this law establishes prerogatives of the Palestinian mayors and the fields of action without clearly regulating their relationship with the central powers or the Governors (Muhaafiz) and the nature and character of the relationships between the mayors and the municipal council members.

---

1.4. Bodies of Local Governments

After the administrative reforms in 1999, the Palestinian Authority created two administrative bodies, namely Utilities and Joint Service Councils, to manage public services at the national level rather than at the municipal level. The main incentive was to minimize the cost of infrastructural investments. Utilities “are conceived as public services concessions involving the private sector into the accounts management and running of local services”.

They are directly under the control of national agencies (equivalent of ministries) and do not answer to the MoLG. Moreover, it is the presidential decree which sets their prerogatives, not the law. Utilities’ way of functioning facilitated, through international call for tender, the entry of international organizations in the investment and the World Bank carries out the development of public services. After the second reforms in 2005, conducted by Mahmoud Abbas, utilities concern only the large municipalities.

On the other hand, Joint Service Councils (JSCs) are managed by the MoLG and regulated by the local government Law. These councils, besides handling public services, encourage the coordination of intra-communities for a more sustainable development. Likewise, JSCs were affected by the 2005 reforms. They were transformed into a tool of planning: Joint Councils for Services, Planning and Development JCSPD which is present mainly in rural areas.

The composition of the municipal staff in the Palestinian cities reflects habitually two key risk factors. The first one is to ensure the representation of notable families and the second one is the creation or strengthening of patronage networks for the competing actors in a system where proximity to the political center guarantees financial income.

1.5. Councils of Local Governments

According to the 1997 law, four categories of municipalities exist depending on their demographic size. All agglomerations with over 15,000 inhabitants and the districts of the capital fall under the category A. The category B groups the agglomerations having between 10,000 and 15,000 inhabitants. The category C municipalities must have a population between 5,000 and 10,000 and the category D below 5,000. After the 2005 reforms, the number of municipalities was reduced.

The law distinguishes between the Municipality and the Village Council; the

---

5 Mayors opposed strongly these measures as they compromise their legitimacy
7 AFD /October 2010 / Local Government in Palestine, P30.
8 All the old municipalities fall under this category
first one is a local government with decision-making prerogatives and with municipal council members directly elected by the universal suffrage of the population, whereas the second one is an administrative structure overseen by the ministry and represents the central power in distant areas. The directors of both authorities are nominated.

1.6. Mandates of Mayors

Because of the legislative loopholes in defining the governor’s prerogatives, the latter’s role is not clear, giving more space to spontaneous and personal speculations and stimulating friction with the municipal body. As a result of this grayish situation, governors tend to be in some cases overly present in the local life, trying to control the mayor, or, on the contrary, being completely absent.

The governorates represent the regional level led by the directors who are nominated by the President of the Palestinian Authority, but they also operate under the supervision of the Ministry of the Interior. They are responsible for the police force within their administrative jurisdictions as well as for the coordination of some services (healthcare, education, transportation, etc.) at the regional level. In practice, governors are in charge of the conflicting interests or priorities of various regional services handled by the Prime Minister’s office.

2. Organizational Structure of Local Governments

The Palestinian governance system is structured on three levels: the central level, the regional level, and the municipal level. At the central level, the establishment of the Ministry of Local Government (MoLG) presents the need to provide a system for the local government and to make the local development a priority. At the regional level, the governorates are under the direct supervision of the Ministry of Interior and led by governors nominated by the President of the Palestinian Authority. There are 14 governorates (or Muhafazat) that were founded in 1995:

- 9 in the West Bank: Nablus, Qalqilya, Tulkarm, Jenin, Jericho, Ramallah, Bethlehem, Hebron, and Jerusalem;
- 5 in the Gaza Strip: North Gaza, Gaza City, Deir el-Balah, Khan Yunis, and Rafah.

They replaced the eight regions that was set up by the Israeli administration during the occupation. Two regions in the West Bank, Tubas and Salfit, have the status of separate “autonomous district.” These administrative divisions serve as electoral constituencies.

The third level is the local level and it consists of the municipalities and the village councils that are legally under the supervision of the MoLG. The Oslo agreement and the arrival of Yasser Arafat caused an increase in the number
of the municipalities (from 31 to 121) and the village councils (from 86 to 335)\(^9\). The actual municipalities have two types of labeling depending on their date of creation: the “old municipality” dated back to Ottoman, British and Jordanian administrations and the “new municipality” that was created at the time of the Oslo Agreement, knowing that there is no difference in their prerogatives as they fall in the same legal frame.

This substantial increase in the number of municipalities was concentrated only in the West Bank where the housing sector knew an important vague of sprawl. Most of the agglomerations of the municipalities in the West Bank account for no more than 10,000 inhabitants; whereas, in Gaza, the situation is much more different with very high figures of density especially in Hebron and Khan Yunis. The territorial division by the Oslo agreement does not necessarily match with the local division.

2.1. Strategic Planning and Performance Assessment

The Ministry of Local Governance is the main official entity responsible for planning. This central body constantly acts in collaboration with the international organizations, mainly the UNDP and the Assistance Program of the Palestinian People ASPP. As an outcome of this collaboration, the local committees, the Micro Regional Planning Committees (MRPP)\(^{10}\), are locally active in assessing needs, planning tools, and favoring the inter-community cooperation while executing projects. The UNDP proceeded, in order to implement this micro-regional intervention, with dividing the territory based on the socio-economic and geographic criteria into micro regions where the “cities of old municipalities” are at the center. The Palestinian Authority, prioritizing the zones close to the Green Line, added another criterion.

Table 1: Implemented projects between 1995 and 2001 by the MRPC.

<table>
<thead>
<tr>
<th>Sector of activity</th>
<th>Number of Projects</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educative Social Centers</td>
<td>32</td>
<td>15%</td>
</tr>
<tr>
<td>Construction of Schools</td>
<td>46</td>
<td>21%</td>
</tr>
<tr>
<td>Health (Construction of clinics)</td>
<td>9</td>
<td>4%</td>
</tr>
<tr>
<td>Roads Asphalting</td>
<td>64</td>
<td>28%</td>
</tr>
<tr>
<td>Dumping sites</td>
<td>4</td>
<td>2%</td>
</tr>
<tr>
<td>Water and sewer networks</td>
<td>19</td>
<td>9%</td>
</tr>
<tr>
<td>Provision of Electricity</td>
<td>43</td>
<td>20%</td>
</tr>
<tr>
<td>Economic Projects</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>220</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Source: Ministry of Local Governance in Mashni-Giroud (2005).

\(^{10}\) 39 committees were created between 1999 and 2001
This method turned out to be successful insomuch as it encouraged the participative planning where inhabitants and councilors were implicated in the project implementation. However, the major constraint was the lack of legal framework regulating the work of this committee and the prerogatives of the concerned actors, whether international or local. This was the main reason for transforming some of these committees to JSCs in 2001.

3. Duties and Responsibilities

Under the law on local government, the responsibility of the Palestinian municipalities covers 27 domains of activities. Delivering building permits, budget approval, and urban development are among the most important ones. The municipalities have the authorization to issue rules or decisions to govern services in these fields of activities.

3.1. Infrastructure

According to the Oslo Agreement, the Palestinian Authority has no right to end the commercial contracts with the Israeli companies which supply Palestinian agglomeration with electricity and water. Later, an Israeli – Qatari company started selling the PA electricity for West Bank. In Jerusalem, another private company operates, buying electricity from the Israelis and selling it to the population. The bills are paid to the Palestinian Authority and delivered to the Israelis.

The municipalities also provide other infrastructural services such as the solid waste management, the maintenance of the roads, and the monitoring of the main public spaces including parks, souks, animal slaughters, etc. However, due to the lack of resources, the municipalities do not have the possibility to develop new infrastructure projects or to maintain the existing ones. One example of this is the failing sewage system in Gaza strip which has led to the dump of raw sewage into the Mediterranean Sea. The Israeli siege or attacks damage the existing infrastructure and force the government to assign limited resources to manage the crises rather than develop long term responses and increase the capacity.

Solid Waste

The solid waste is also a weapon used by the Israeli occupation forces. On a daily basis, to avoid the strict environmental laws in Israel, tons of solid waste brought from Israel are dumped into the Palestinian territories. The Suqbah is a village of 5000 inhabitants near Ramallah, but also the main landfill site for the Israelis.

11 See Annex 01 for a detailed table about the municipal responsibilities
In turn, the Palestinian dump sites are usually blocked or closed by the Israeli military or naturally by the segregated road system which disadvantages the Palestinians. Furthermore, if a site is located near a settlement, the military forces shut it down. Recently, the largest dump site in Al Bireh near Ramallah has been closed and the garbage is now stacked in the residential areas, threatening the lives of 100,000 inhabitants. Nowadays, 85% of the West Bank households and 100% of Gaza receive solid waste service. The Table 2 indicates the number of localities with access to regular solid waste collection; however, the quality and the frequency of the service is questionable. This service falls under the responsibility of the local authorities (municipality, village council and or joint council). However, in some localities, private contractors or other entities are responsible for the collection process.

Table 2: Number of localities with access to regular Solid Waste Collection

<table>
<thead>
<tr>
<th></th>
<th>2005</th>
<th>2008</th>
<th>2010</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Bank</td>
<td>402</td>
<td>405</td>
<td>445</td>
<td>449</td>
</tr>
<tr>
<td>Gaza Strip</td>
<td>30</td>
<td>33</td>
<td>33</td>
<td>33</td>
</tr>
</tbody>
</table>


3.2. Housing

The municipalities are not concerned with housing in Palestine. It is in the responsibility of the prerogatives of the Palestinian Housing Council (PHC) to assure this task. However, the international donors who constitute the main financial income often put conditions on the role of public institutions in providing services. This was the case for PHC when the World Bank required the dissolution of PHC and completely privatized the housing sector delivery. Also, the Ministry of Public Works and Housing (MoPWH) contributes to the development of the regulations and the projects to provide housing to target groups from public and private sector employees and the cooperative sector. The new decision reduced the fees of the housing projects constructed by the housing cooperatives for it to serve as an incentive to encourage their formation, which should ultimately lead to lower housing costs for low-income residents.

Several issues hinder the production of a sufficient quantity of houses to respond to the increasing demand, including the financial deficit of the Palestinian authority, the absence of a housing finance mechanism, and the practices of some municipalities such as East Jerusalem which prevent the Palestinians from constructing shelters or developing lands. This situation leads to the proliferation of the informal areas with insufficient services.

13 The regulation has updated the licensing regulations, land registration and fees in the West Bank. However, due to the Israeli occupation, this law does not apply to Area C and East Jerusalem, and remains applicable in Areas A and B of the West Bank and Gaza only.
Adequate housing can be improved by the policy prepared jointly by UN-Habitat and the MoPWH in 2013 and set in the Palestinian Draft National Housing Policy. The articles of the policy are as follows:

- Enable adequate, healthy, and affordable housing for all citizens;
- Promote a new sustainable growth model for human settlements in Palestine;
- Improve the efficiency of the housing finance market and reform laws and policies as well as establishing a government-supported housing fund;
- Develop the local construction sector and introduce new building typologies.

Ultimately, the MoPWH seeks to improve the institutional capacity of the bodies of the Palestinian housing sector by improving the technical capacities of central and local governmental institutions and to support the establishment and the development of private sector agents and professional associations in the housing market.

3.3. Culture

Through the municipal cultural department, the local authorities participated in the Strategic Plan of the Culture Sector in Palestine, launched by the Ministry of Culture in coordination with the Ministry of Education, Sports, Youth and Women. The plan’s objectives were to expand cultural exchange between the Arab world and other foreign nations, coordinate with educational institutions and embassies to provide scholarships for students in the domain of art and heritage, and develop communication on the internet to help make Palestinian culture known to wider public.

3.4. Social Development

Since its establishment, the Palestinian Authority saw the local government as a way to enhance the social conditions and to mitigate the impacts of the occupation by normalizing the living conditions of the population. The concerned ministries regulate the health and education sector. Municipalities have a role neither in the planning nor in the monitoring within this sector. However, the municipality collects a local tax of education in order to finance new schools and equipment. The UNERWA facilities in terms of healthcare and education provide free services not only for the segment of the population that lives in camps but also for the rest of the population.

3.5. Economic Development

Economic development plans are only formulated at the national level; therefore, no plans appear at the regional or the local levels. The Palestinian economy is largely dependent on the international donations since the country is not self-sufficient for many reasons, the main reason being the restrictions imposed by the Israeli occupation on resource exploitation, trade, and development. The ease of these restrictions would increase investments especially from abroad, allowing the growth of major cities as well as reducing inflation caused by the scarcity of products. The World Bank estimated that development and resource exploitation in Area C alone in the West Bank would account for 84% of potential Palestinian GDP.\footnote{15 UN-Habitat, State of Palestine - National Report, (HABITAT III), 2014, p36.}

3.6. Financial Management

The financial resources of the Palestinian municipalities are set by law, but they are unstable, sporadically collected and at low rates. To increase these taxes or the fee scale of their services or even to suggest an additional tax, the municipalities should have a final approval from the central government. This situation makes the municipalities tremendously reliant on international aid, which has provided 90% of the investment budgets of the municipalities and the village councils after the Oslo Agreements. The World Bank and the European Union are the two main donors in urban areas and the funds are primarily assigned to construction projects and heavy infrastructure rehabilitation projects (water, electricity, roads, etc.). The municipalities rely also on technical aid from the United States, Japan, Germany, France, Italy, etc.\footnote{16 AFD /October 2010 / Local Government in Palestine, p25.}

The financial income of the Palestinian municipalities is little and can be divided into the direct taxes and the fees gained from selling goods and providing public services. In terms of the taxes, the most important collected tax is the tax on education. It is used to finance the construction and the operation of public schools. However, the principal income comes from the sale of electricity, mainly in the big cities and more specifically in the West Bank cities where 22 of over 96 municipalities depend on the electricity fees. Overall, electricity-related financial income accounts for more than 40% of revenues in the West Bank. The second largest source of income comes from building permits, but they are disorganized due to their link to the politico-economic situation of the country. The municipalities also collect a range of fees for household waste, sewers, parking, markets, and slaughterhouses and taxes on the commercial and industrial activities, business, property, fuel, and vehicles.

Finally, the Palestinian municipality could refer to the Municipal Development and Lending Fund (MDLF) that was created by the Ministry of Local Government to facilitate international donations to LGUs.
Table 3: The financial resources of the Palestinian municipalities

<table>
<thead>
<tr>
<th>Type of resource</th>
<th>Type of tax</th>
<th>Collection method and amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Direct resources</td>
<td>Taxes on energy consumption, building permits, business tax, maintenance fees, rental of municipal property</td>
<td>User-pays principle or initiation fee</td>
</tr>
<tr>
<td>2. Government fund transfers</td>
<td>a. Property tax (land and real estate)</td>
<td>a. Property tax: 7% of the estimated value of the land. 90% of the revenue collected by the Ministry of Finance must be turned over to the municipalities.</td>
</tr>
<tr>
<td></td>
<td>b. Taxes on automobile fuel, registration tags, and traffic violations</td>
<td>b. Tax revenues turned over to the municipalities based on the number of inhabitants.</td>
</tr>
<tr>
<td></td>
<td>c. Business tax (professional activities)</td>
<td>c. Depend on the type of professional activity.</td>
</tr>
<tr>
<td>3. International aid</td>
<td>a. Municipal infrastructure support programs (physical components)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. Programs to assist municipalities with internal reorganization (capacity building) and sectoral aid (water/electricity/waste/sewerage)</td>
<td></td>
</tr>
<tr>
<td>4. Other: “development” funds</td>
<td>a. Donations</td>
<td>a. The amounts vary greatly from one location to another; in village councils, they may be quite high in proportion to total resources; this is notably true of villages that have a large number of their citizens living abroad (The Gulf, the United States, and the Latin America).</td>
</tr>
<tr>
<td></td>
<td>b. Bank loans</td>
<td>b. From 1982 to 1993, Israel forbade the local political authorities from borrowing from Arab banks.</td>
</tr>
</tbody>
</table>

Source: Aude SIGNOLES, Local Government in Palestine, AFD, October 2010.


The environmental issues are perquisites for the physical context in which the Palestinian society can exist and flourish. Unfortunately, the natural landscape has been severely fragmented by the Israeli occupation which hinders the implementation of strategies and policies of the PNA. Land degradation, depletion of water resources, deterioration of water quality, and air pollution...
have accelerated since the Israeli occupation in 1967. Apart from that, the scarcity of resources and the poor management of the existing ones have transformed the environment and degraded the ecosystem.17

Climate Change

The PNA identified short-term and long-term strategies to address climate change through the development of the Palestinian Climate Change Adaptation Strategy 2010. In addition, the Environmental Quality Authority (EQA) set four strategic goals: the first one is reducing the environmental pollution; the second one is managing the natural environment and the cultural heritage in a sustainable way; the third one is implementing the requirements of the climate change adaptation; and the last one is governing the environmental sector in an integrative manner with respect to the international standards.

On the implementation side, it is below expectations both in Gaza and the West Bank due to several reasons. Identified weaknesses are as follows:

- The absence of environment and climate change in the national plans;
- The lack of an institutional framework to combat climate change;
- The lack of data or the dispersion of the data into different institutions, which makes them hard to reach;
- The lack of awareness with respect to the environment and the climate change;
- The lack of funding and financial support to tackle issues related to climate change;
- The Israeli appropriation of the natural resources and the lack of control of the Palestinian authorities over land, water, and mineral resources;
- The annexation wall that affected the environment and the landscape.

Water

The Israeli occupation government has been pumping for decades the groundwater of the Palestinian territory, leaving the Palestinians with an average of 60L per person per day while the minimum quantity set by the World Health Organization is between 50-100L. Meanwhile, the Israelis enjoy 280L per day per person. The void formed as a result of this excessive water pumping is compensated by water desalination or waste water treatment. In fact, after 1967, the Israelis took control of the main water resources in the West Bank, preventing the Palestinians from digging wells and forming settlements with

water infrastructure. Over the last decade, Palestine has continued to improve connectivity to water, electrical and sewage systems; in 2014, 96.4% of Palestinian households were connected to the public water network.

Issues related to access to water differ in Gaza and in the West Bank. In Gaza, almost all of the population has access to the water system; disregarding the quality of the potable water or the durability of the service in time of Israeli military attacks where Israeli forces target all electrical, water, and sewage systems.

In the West Bank, water provision is controlled by the Israeli army and nearby settlements, 90% of the water resources are exploited and assigned for the Israeli use including the use in the illegal Israeli settlements; therefore, only 10% of water is allocated to the Palestinians. As a result, there is a limited quantity of water to be used by Palestinians particularly during summer time.  

Wastewater

Untreated sewage is considered as a source of pollution harming the landscape, the living environment and the health of the Palestinian population. The present situation of the waste water sector in Palestine is restricted to waste water collection through the existing sewage networks, which are not supported by wastewater treatment facilities and the cesspits and then are discharged into the sea in the Gaza Strip or in open areas in the West Bank.

In the West Bank, only 6.33% of the wastewater is treated in wastewater treatment plants, the rest of it is discharged untreated into the environment. This is not the case for the wastewater produced by the Palestinians, only the wastewater produced by the Israeli settlements is intentionally dumped into Palestinian agricultural lands as yet another method of forced displacement. In the Gaza Strip, there is a group of centralized wastewater treatment plants located in Beit Lahiya, Gaza and Rafah, and Khan Younis that use a temporary basin to achieve partial treatment. Lastly, it is worth mentioning that the wastewater infrastructure, particularly in the Gaza Strip, has witnessed severe damage as a result of the Israeli attacks, which left them mostly inoperable. The main sewage plant in Gaza was completely damaged, especially after the 2009 Israeli assault. Actually, the waste water is collected in a lake in Northern Gaza with 1 km in length and 13m in depth and the repairing process seemed to be too difficult.

3.8. Urban Planning

The integration of urban planning into the national development process was thought by the Ministry of Planning together with other agencies. In 2010, the

ministry created the office of National Spatial Planning with the support of the UNDP and the UN-Habitat and the objective was to set the National Protection Plan to be completed in 2014 with the aim of:

- Creating a National Protection Plan;
- Conducting 5 studies, from a spatial perspective, on quarries, urban/regional integration, social services, transportation, and economic development, which would later be translated into a comprehensive National Spatial Plan.

In addition, the Ministry of Local Government (MoLG) also began a series of development planning programs with the Local Governing Units (LGUs); one of those programs was the creation of Strategic Development and Investment Plans (SDIP) for 135 individual municipalities, representing 78% of the total Palestinian population. The Key objectives of the SDIPs are:\(^{19}\):

- Promoting decentralization in Palestine;
- Improving decision-making processes at the local level to respond to emerging community needs;
- Promoting rational local socio-economic development; and
- Setting the basis of an integrated development approach that ensures integrated development among different governing levels.

- In addition, there are significant gaps that hinder the planning and the implementation of these programs. They can be summarized as follows:
  - The need for human resource development for planning and land assessment,
  - The need to integrate local planning with regional and national planning,
  - The need for sufficient funding which constitutes a major barrier for the long term planning.
  - The need for the training of local experts who will evaluate the implementation of the policies.

Ultimately, because of the Israeli occupation and the Oslo Agreement, municipalities could not envisage any implementation phase for those plans due to the restrictions imposed by the Israeli laws in numerous areas (namely Area C), but also due to the physical barriers to implementing plans such as the massive infrastructure projects and the Annexation Wall that fragments the Palestinian territory.

3.9. Transportation

Mobility restrictions became the prevailing reality of the Palestinian daily life. These restrictions affect the transportation sector and have made the transportation planning of Palestine extraordinarily difficult. Carrying out large-scale transportation projects between urban centers is almost impossible. The transportation system is completely privatized in Palestine, yet regulated by the Ministry of Transport. The local actors have no say or power in the system.

As the internal circulation networks within the Palestinian cities and the villages present a key challenge for urban development, the MoLG prepared a sectoral study that identified major transportation issues in Ramallah metropolitan area, which paved the way for the creation of the Joint Cooperation Unit (JCU) as a result of the strategic planning undergone under the City Development Strategies. A proposal for an integrated Traffic and Transportation Plan was developed, in conjunction with other integrated infrastructural plans, as a pilot project for metropolitan areas.\(^\text{20}\)

However, strategic planning of transport is difficult due to the limited share of land allocated for roads, which creates vehicular circulation problems and does not leave room for pedestrian movement. This is coupled with limited investments in road construction, heavy dependence on transportation by private cars and lack of efficient public transportation systems. Finally, there is a need for the development of a jointly run public-private transportation system which would play a significant role in reducing air pollution as well as increasing the number of governmental regulations for traffic pollution and congestion.\(^\text{21}\)

4. Challenges and Opportunities

4.1. Authority and Subsidiarity Principles

90% of the administrative structures of the municipalities were developed after 2005 and 49.5% of the municipalities approved the structure developed by the MoLG and 32% of them do not have job descriptions for their employees. The subsidiarity within the Palestinian local administration is not a result of a planned strategy, rather it is the result of the political reality. Despite the fact that the law enables municipalities to exercise high powers and to provide a wide range of services, the ministries assume these tasks. This \textit{ipso facto} subsidiarity is not the outcome of technical incapacities of the local authorities but rather the product of a very centralized administrative system with very high political stacks to take into consideration. Another form of subsidiarity exists, a forced one, between the Palestinian authority and the Israeli occupation forces, where the Israeli government holds federal prerogatives from the Palestinian authority.

whether at the central or local level.

The Ministry of Local Government (MoLG) supports the Local Governing Units (LGUs) in developing plans to meet the needs of the local communities. They varied widely in their capacity for development resulting from their size and history in particular, the large urban agglomerations with their developed systems of governance and planning. However, the MoLG continues to tackle the needs of all LGUs, with particular attention to the smaller ones to increase their capacity and modernize their managing and operational systems through a variety of programs.

4.2. Corporate Capacity and Urban Service Delivery

Within the framework of PPP collaboration, Palestinian municipalities are the weakest link. The private sector can utilize all the capabilities in PPP, conduct budget and feasibility studies, and manage partnerships while the municipalities, in addition to the lack of capabilities and dynamism, have to turn to the MoLG to take any decisions. 45% of the municipalities are engaged in small-scale PPP whereas 12.6% of them are engaged in medium-to-large scale PPP. In fact, major Palestinian municipalities have been practicing PPP for a long time now in order to deliver some public services, mostly managing facilities such as public parks, fish markets, vegetable markets, slaughter houses, central taxi and bus stations, and beach fronts. When there is a construction project of a public facility, the municipality lends the land and the private companies implement the project.

4.3. Resilience

The municipality became a tool of resisting the occupation since the establishment of the Palestinian Authority. The latter saw the local government as the representative of territorial inscription and political affirmation of the national identity. By mapping and giving even the smallest human agglomeration a legal status, whether in the WB or in the Gaza Strip, the municipalities helped claim the Palestinian territory, counteracting the continuous establishment of settlements.

4.3.1. Sustainable Urban Development

70% of the populations in the West Bank are now urban while 80% of the populations in the Gaza Strip live in cities. Urbanization as a leverage for the development has been systematically interrupted by the occupation. Therefore, it is difficult to talk about sustainable development in Palestine when over 60% of the Area C is under discriminatory, restrictive planning process and does not conform to the international humanitarian rights.

Currently, the efforts concerning the environmental issues are dispersed and not
integrated as a priority into the national agenda. The implications are obvious: resource allocation and exploitation, sustainable development in housing and other areas of infrastructural development, economic regulations and so on. Therefore, a step forward can be taken if the environmental authority is given a mandate by primarily including it in the cabinet of ministers. Also, there is a need for an environmental management system and a national climate change strategy regulated on the national level and later translated into a detailed action program on the local level.

In addition, there is a necessity to promote green actions and activities such as green buildings besides the protection of green spaces in the Palestinian cities for social reasons as well as for cultural and environmental protection. Ultimately, the condition of the environment in Palestine is largely dependent on the actions of the occupants. Without having control over the resources and the sources of pollution or degradation, Palestine is limited in its ability to effectively respond to the changes in the environment.

4.3.2. Urban Risks

Palestine, like other Mediterranean countries, is subject to many serious risks such as heavy rainfalls, mean temperature, extreme weather conditions, and sea level rise. The random urban expansion with the absence of regulations on land use and planning increases the urban vulnerability in case of a natural hazard or war. The urban Palestinian texture has been absorbing the refugee camps since 1948 up until now. These camps are overcrowded, with vulnerable housing units, lacking basic infrastructure. Moreover, these social concentrations of fragile and poor population increase the socio-economic challenges.

Mostly, relevant universities and other academic establishments have developed risk reduction analyses and response plans. They have primarily focused on the capacity building of the civil defense programs, including firefighting and emergency response, as well as responding to aggressions made by the Israeli occupation in practice. Likewise, the civil defense interventions in Gaza have been critical in saving lives during the Israeli assaults. In response, there is a constant need to develop the capacity and to establish strategic plans for the civil defense both in the West Bank and in Gaza.\(^\text{22}\)

4.3.3. Migration: External and Internal Migrations

Despite the fact that the Palestinians are attached to their land and community, migration is happening, mainly due to the Israeli occupation and aggressions. Over the last decade, practices such as building settlements or the separation wall as well as the annexation of lands resulted in the migration of the population. Restricted access to social and health facilities, which generally exist in bigger

centers, made life difficult for small rural communities. This led to migration of people, both in search of jobs and economic opportunities and of maintaining access to schools, healthcare, and other resources.

Three migration profiles exist in Palestine:

a) **Out-migration and circulation within the Palestinian territory:** After the second intifada and the construction of the separation wall, the Palestinian workers working in the Israeli zones were no more allowed to enter the zones and were replaced by the African and the Asiatic workers. This led to the increase of migration of people toward the Gulf countries looking for job opportunities. However, Palestinians are facing numerous difficulties leaving the West bank and the Gaza Strip. First of all, they are not allowed to use Ben Gourion airport in Tel Aviv. The Jordanians apply strict measures on Palestinians leaving through its territory and the Egyptians often close their borders with the Palestinian territory which is the only way out from the Gaza Strip. In turn, the checkpoints and the segregated road systems make it impossible for merely the Palestinians to move between the areas A, B, or C.

b) **The return of refugees who fled after 1948 and 1967:** In fact, the Israeli government has been holding the civil Palestinian registry since the occupation of Palestine, determining, in turn, who can and cannot enter the territory. After the Oslo Agreement, 10,000 people entered the territory and were mostly engaged in the police forces and the administration.

c) **The illegal settlement in the West Bank:** After the Oslo Agreement, the construction of settlements accelerated, reaching 488,471 settlers in 2008 who live mostly between the wall, the green line, and the East Jerusalem. The Israeli Defense Forces defend these settlers and the Ministry of Housing and Construction is responsible for planning and executing these colonial tools.
5. References


Building Palestine: Achievements and Challenges; Report of the Palestinian National Authority to the “Ad Hoc Liaison Committee” (AHLC), Madrid, April 2010.


Jamal Hilal, Abaher El-Sakka; A Reading on the Socio Urban Changes in Ramalah and Kufur Aqab, Center for Development Studies - Birzeit University, 2015.


Aude SIGNOLES, Local Government in Palestine, AFD, FOCALS 02, October 2010.
Country Profile

Maan Chibli

Official Name of the State | State of Qatar
---|---
Form of Government | Monarchy
Official Language(s) | Arabic
Currency | Qatari Rial
Area | 11,607 km²
Total Population | 2,781,682
Urban Population Rate | 99.1%
Capital City | Doha
Population of Capital City | 633,400
Human Development Index Ranking | 37
Gross Domestic Product (per capita) | $69,026
Unemployment Rate | 0.2%
Poverty Rate | n/a
Forest Area Rate | 0%
CO₂ Emission (metric tons per capita) | 49.7

Source: UN Data, WB Databank & National Legislation
1. Background

The state of Qatar is on a 10.360 m² peninsula that extends 170 kilometers long. The emirate’s population is 170,000 most of them (130,000) living in the capital Doha on the eastern coast. The peninsula is low lying and consists largely of sandy or stony desert. Qatar was under British protection until independence in 1971, based on treaties signed in 1869, 1913, and 1916.

1.1. Constitutional Laws and Legal Regulations on Local Governments

Qatar became the first of the Gulf States to promulgate a written constitution, the last one in 2003 specifies that the system of government is based on the separation of Powers: Executive, Legislative and Judiciary. Executive power rests with the Emir and the council of ministers. Legislative authority will belong to the Advisory Council, and judicial authority is exercised independently by the courts in the name of the Emir. Besides, the constitution provided for a council of ministers and an advisory council, and stipulated that the former be appointed by the ruler and the majority of the latter were to be elected by the general population.

The Cabinet of the Ministers is led by the Prime Minister who is appointed by the Emir, and is responsible for the laws to be submitted to the ruler for ratification and is also technically accountable for supervising the state bureaucracy and the financial affairs of the emirate. While, the Advisory Council consists of members also appointed by the ruler to represent major social and economic interest groups in Qatar; the Council has little more than recommendatory authority and, by itself, is not empowered to initiate legislation.¹

Locally, the Central Municipal Council conducts its functions in accordance with:

- the 1998 Decree No. 17 and the 1998 Law No. 12 that specify the terms that govern the elections of the members of the council and outline their duties and responsibilities; and
- decrees No. 23, No. 7, No. 4, and No. 10 on the four election sessions that were held from 1998 to 2011.

On the other hand, the municipal councils refer to the following laws and decree: the 1963 Decree No. 4 and the 1963 Municipal Law No. 11, which outlined the work of the first council and stipulated the terms for the appointment of its members (in individual administrative district). The key components of the package of local laws and decrees that concern firstly, the Central Municipal Council laws and decrees are:

• Decree No. 17, issued in the year 1998, and Law No. 12, issued in the year 1998 (and later amendments), which specify the terms that govern the elections of the members of the Central Municipal Council and outline their duties and responsibilities. It stipulates the following:

1) The council has a moral responsibility towards citizens and a budget that is in line with that of the central government;

• The council directly assumes the powers stipulated in article 8 (modified in Law No. 1, issued in the year 2011) aims at working with the available means on the progress of the state in the field of municipal affairs, in order to achieve its objectives, the council shall exercise particular powers and responsibilities. The council shall have a General Secretariat with sufficient staff to assist in its work.”

• Decree No. 23 of 1998, which set 8 March 1999 as the council’s first election day session;

• Decree No. 7 of 2003, which set 7 April 2003 as the council’s second election day session;

• Decree No. 4 of 2007, which set 1 April 2007 as the council’s third election day session;

• Decree No. 10 of 2011, which set 10 May 2011 as the council’s fourth Election Day session.

The articles of these four decrees include:

• “Article 1: Eligible citizens have the right to be nominated; citizens whose names are listed in the voter registration lists are called to vote.

• Article 2: All competent authorities, each within its own jurisdiction, shall implement this decree, effective from the date of publication in the Official Gazette.”

Secondly, the Municipal Council laws and decrees:

Decree No. 4, issued in the year 1963, and the Municipal Law No. 11, issued in the year 1963, which outlined the work of the first municipal council and stipulated the terms for the appointment of its members (in individual administrative district).

1.2. Election Processes for Local Governments

The Central Municipal Council is elected while the Municipal Council is appointed:

- **Elected Central Municipal Council**: All Qatari males and females who meet the below criteria have the right to cast their votes for the elected Central Municipal Council.

- **Appointed Municipal Council**: According to Law No. 11, issued in the year 1998, the appointment of the members of the municipal council is based on the nomination of the Minister of Municipal Affairs and Agriculture. The Council is formed of 29 members that represent constituencies from over 230 regions in Qatar. The council’s membership term is four years.

A candidate for the Central Municipal Council and a Municipal Council voter must meet the following criteria (that are common to the Gulf States):

- Is a Qatari national, or has been naturalized for a period of at least 15 years;
- Is 18 years of age or older;
- Does not have a criminal record, or otherwise, has been rehabilitated;
- Is a resident of the constituency in which she/he exercises the right to vote or run for elections;
- Is not be a member of the armed forces or police.\(^8\)

The first democratic municipal elections in Qatar’s history were held in March 1999 to elect the Central Municipal Council. The most recent municipal elections took place in April 2003. This council is comprised of 29 members elected from districts around the nation.

2. Structure of Local Governments

2.1. Central, Regional and Governments: Interrelations and Responsibilities

The central government includes four main administrative units/figures with a number of executive, legislative, and judicial authorities: The Amir as Head of State and Commander-in-Chief of the armed forces; the Council of Ministers that assists the Amir in his duties at drafting laws and proposing budgets and guidelines on the organizational structure of government departments; the prime minister who oversees the coordination between the various ministries (with executive authorities over their respective ministries) and presides over

---

the sessions of the Council of Ministers; and the Ministry of Municipality and Urban Planning / the Ministry of Regional Municipalities and Environment that has direct contact with the general public through the local municipalities. The municipalities, with the division of Qatar into eight administrative districts (or eight municipalities), operate as the decentralized authorities for these central government units but with limited autonomy.

Central Government

**The Amir:** As the Head of State and Commander-in-Chief of the armed forces, the Amir is assisted by the Defense Council (which follows his direct authority), and represents the State internally and externally in all matters concerning international relations and diplomatic and consular missions. The Amir appoints civil servants and all military personnel (and terminates their services when necessary), and establishes and organizes the functions of ministries and consultative bodies that assist him in drawing the general policies and laws of the state. He also convenes the Council of Ministers, and presides over meetings at any time deemed necessary for the public interest.

**Council of Ministers:** The Council of Ministers is appointed by an Amir order and assists him in his duties. The council’s responsibilities include:

- Drafting laws and decrees for submission to “Al Shura Council” for debates, and approving, implementing and supervising regulations, resolutions and decisions that are prepared by ministries and other government organizations before their implementation;
- Drafting proposed guidelines on the organizational structure of government departments, public authorities, and corporate bodies, and preserving international relations and the foreign interests of the state abroad;
- Drafting budgets and maintaining control over the finances of the state, approving economic projects and methods of implementation, and preparing a detailed report at the beginning of every fiscal year on the tasks accomplished internally and abroad.

**The Prime Minister:** The Amir appoints the Prime Minister and the ministers (upon nomination by the Prime Minister). The Prime Minister oversees the coordination between the various ministries, and presides over the sessions of the Council of Ministers, organizes its proceedings, and signs on its formal decisions, which are later submitted to the Amir for approval and issuance.

**Ministry of Municipality and Urban Planning / Ministry of Regional Municipalities and Environment:** As a service ministry that has direct contact with the general public through the local municipalities, a detailed account of tasks includes:

- Preparing urban plans at the state level, and supervising their
implementation in coordination with the concerned authorities and municipalities;

- Surveying land and its subdivisions;
- Preparing cadastral maps;
- Managing state properties;
- Allocating land to government authorities according to their needs;
- Reviewing the recommendations of the Central Municipal Council and taking relevant decisions;
- Carrying out land expropriation and temporary land acquisition for the public interest;
- Suggesting and implementing municipal projects (gardens, parks and landscaping plantations);
- Controlling and monitoring building construction;
- Preparing and implementing systems and programs for solid waste management;
- Supervising cemeteries, and organizing tributes to deceased public figures.

In the areas of environmental affairs, the ministry is tasked with the following duties related to environmental protection laws and mechanisms:

- Maintaining a natural balance between people and wildlife through holistic and sustainable development;
- Fostering environmental awareness, and training the Qatari citizens on ways to make environmental protection a reality;
- Coordinating shared efforts between government bodies and non-government organizations to protect the environment through the ratification of environmental conventions and protocols.\(^9\)

**Local Government**

**Municipalities:** Formal decentralization of the government exists with the division of Qatar into eight administrative districts or eight municipalities, but in practice, municipalities have limited autonomy. For statistical purposes, the municipalities are also subdivided into 87 zones (as of 2004), which are further subdivided into blocks.

The Central Municipal Council is responsible for “supervising implementation of laws and resolutions concerning the Ministry of Municipal Affairs and Agriculture (MMAA). Although exercising no formal authority over policy, the Council provides consultation and advice to the ministry. The minister of municipal affairs and agriculture can dissolve the council at his discretion.10

2.2. Bodies of Local Governments

The municipality organizational structure and work mechanism had remarkably developed over years.

Doha Municipality, the oldest municipality in the state, was established under Law No. 11, issued in the year 1963. According to articles 1 and 2 of the law, the municipality has a corporate role that entails facilitating and expediting municipal services through set plans, programs, and laws and legislation.11

There are several municipalities established 1972 under the Municipal Law No. 11, among other are: Al Rayyan Municipality, Umm Slal Municipality, Al Khor and Dhekra Municipality, Al Wakrah Municipality, Al Daayen Municipality, Al Shamal Municipality, and Al Sheehaniya Municipality. They are established as independent local administrations that fall under the authority of the Ministry of Municipality and Urban Planning as well as the Ministry of Municipality and Environment.12

2.3. Councils of Local Governments

The Municipal Council consists of 29 members (representing 29 constituencies). The four-year term commences on the date of the first meeting, which is held three months after the election date (announced in the formation decree). The council generally: reviews public complaints and proposals on parks and public facilities and monitors and expresses views on all municipal laws and affairs (including but not limited to: land planning, standards for road, transport systems, agriculture, commercial licenses, public advertisements, local landfills, the collection and disposal of solid waste from public streets, and revenue collection).

The Municipal Council assumes the following main duties and responsibilities related to municipal affairs:

10 Source: UNDP (Programme on Governance in the Arab Region - POGAR) - Qatar: Judiciary
1) Monitoring the implementation of laws that outline the duties of the Municipal Council, including land planning, setting standards for road, and commercial and industrial buildings;

2) Researching the planning, programmatic, economic, social, financial and administrative aspects of municipal and agricultural affairs, especially the following:

- Expressing views on municipal affairs that are proposed by the Ministry of Municipality and Urban Planning and other governmental bodies in the form of recommendations and resolutions;
- Reviewing proposals on municipal and agricultural affairs;
- Monitoring the implementation of regulations on municipal and agricultural affairs;
- Raising general awareness on municipal and agricultural affairs;
- Examining petitions and public complaints concerning these municipal and agricultural affairs, and requesting relevant follow-up data from different municipal departments;
- Monitoring the implementation of laws and regulations on specifications for food items;
- Proposing public parks and following up on their maintenance;
- Monitoring the implementation of laws and regulations on the collection and disposal of solid waste from public streets;
- Supervising/monitoring the efficiency of public transport systems;
- Monitoring the implementation of the laws on commercial licenses (for hotels, entertainment facilities, and street vendors);
- Monitoring the implementation of the laws on public advertisements;
- Monitoring the management of local landfills (including their locations);
- Suggesting names for neighborhoods, streets, squares, markets and parks;
- Monitoring municipal efforts to prevent fires, minimize begging, manage the homes of the elderly, and provide relief after a natural disaster;
- Monitoring market and commercial regulations;
- Proposing ways to improve the revenue collection system of the municipalities;
• Approving procurement requests, imposing local taxes, and drafting the internal budget of the council at the beginning and at the end of each fiscal year;
• Drafting agreements with regional/global public bodies, in coordination with the Ministry of Municipality and Urban Planning and in accordance with legal requirements on the preparation of legislative texts;
• Issuing local orders on matters that are of public interest but are not covered by existing legislation (subject to approval by the Ministry of Municipality and Urban Planning).\(^{13}\)

Units of the Central Municipal Council and their individual responsibilities that correspond to the above list:

3) **Legal Committee:** The Financial Affairs Committee was established by article 21 of the Rules of Procedure of the Council. Its main responsibilities include:

- Examining all legal aspects related to the work of the Municipal Council, and reviewing draft legislations on municipal affairs before recommending them for release;
- Studying the requests of the councils in general meetings and discussions.\(^{14}\)

4) **Coordination and Follow-up Committee:** The Committee was established by article 11 of Law No. 12, issued in the year 1998. The committee provides a common platform for coordination between various governmental bodies and the Central Municipal Council; its members include:

- Five members from the Central Municipal Council, including the Chairman and Vice-Chairman;
- Three representatives of the Ministry of Municipality and Urban Planning;
- A representative of the Ministry of Interior;
- A representative of the Ministry of Economy and Trade;
- A representative of the Ministry of Environment;
- A representative of the Supreme Council of Health;
- A representative of the Qatar General Electricity and Water Corporation;
- A representative of the Public Works Authority;

\(^{13}\) [http://www.cmc.org.qa/ar/node/5](http://www.cmc.org.qa/ar/node/5) [retrieved on 26 March 2017].

• The Secretary General of the Central Municipal Council who reports on
the proceedings of council meeting to the follow-up committee.\textsuperscript{15}

5) **Financial Affairs Committee:** The Financial Affairs Committee was
established by Decision No. 5/2/7 issued by the Central Municipal Council. Its
responsibilities include a review of:

• The finances of the council, i.e. the annual drafts of the budget and final
expenditures;

• Proposals for taxation and local fee systems;

• Ways to improve the ministry’s revenue collection system;

• Potential local orders that impose fees on certain services that are not
enforced by local legislation.\textsuperscript{16}

6) **Committee for Public Services and Utilities:** The committee was
established by the Council Resolution No. 5/2/5, issued in the year 2015. Its
main responsibilities include:

• Researching the planning of municipal affairs (programmatic, economic,
agricultural, and social aspects), and requesting data, studies and reports from
municipal departments for review;

• Proposing public parks and following up on their maintenance;

• Supervising the functions of public transport systems;

• Suggesting names for neighborhoods, squares, streets, markets, and public
parks;

• Devising ways to minimize begging, and providing relief after public fires
or natural disasters.

7) **Complaints and Petitions Committee:** The Complaints and Petitions
Committee was established by Article 19 of the Rules of Procedure of the
council. Its main tasks include:

• Reviewing complaints from citizens with concerns related to the
competence of the council;

• Responding to complaints and inquiries related to municipal and
agricultural affairs.\textsuperscript{17}

\textsuperscript{15} http://www.cmc.org.qa/ar/node/337 [retrieved on 26 March 2017].
\textsuperscript{16} http://www.cmc.org.qa/ar/node/173 [retrieved on 26 March 2017].
\textsuperscript{17} http://www.cmc.org.qa/ar/node/159 [retrieved on 26 March 2017].
2.4. Mandates of Mayors

The mayor is the highest-ranking official in the municipalities. His/her duties (assisted by the various municipal executive departments) include:

- Delegating a wide range of authorities to local, executive departments;
- Performing various tasks that involve government policies and operations;
- Approving the necessary decisions that implement the articles of the local laws, orders, and decrees;
- Reviewing complaints by citizens before they are forwarded to the Municipal Council;
- Reviewing proposals and objectives that are mentioned in the meeting minutes of the Municipal Council;
- Reviewing the annual draft and final budgets of the ministry that are prepared by the secretariat before they are forwarded to the Municipal Council for approval;
- Resolving any performance disputes that may arise between members of the Municipal Council.\(^{18}\)

2.5. Organizational Structure of Local Governments

Each municipality includes a Municipal Council and eight departments: the Directorate of the Municipality, the Customer Service Office, the Department of Technical Affairs, the Department of Public Services, the Department of Municipality Control, the Department of Public Affairs, the Department of Real Estate Lease Contracts, and the Department of Housing Units Registration (for non-Qataris). These departments have different sets of expertise and carry out activities that range from: the management of municipal finances, the organization of municipal services, service provision (including public amenities such as water closets and parking lots); approval of construction permits (including the inspection of new construction sites), to land and property surveying (including land transactions and real estate lease contracts). The organization structure of municipal affairs is as follow:

1) **Municipal Council**

2) **Directorate of the Municipality.** Its duties include:

- Organizing the documents of the Municipal Director that are later

---

\(^{18}\) [http://www.cmc.org.qa/ar/node/6](http://www.cmc.org.qa/ar/node/6) [28 March 2017].
distributed to the concerned authorities;
• Preparing memos and correspondences that are signed by the Municipal Director;
• Contacting concerned parties to obtain data that is required by the Municipal Director;
• Disseminating the instructions of the Municipal Director to the concerned authorities, and following up on their implementation (while reporting on the progress of the work to the director);
• Receiving the citizen complaints sent to the Municipal Director, and following up on any relevant steps that are aimed to address these concerns.\(^\text{19}\)

3) **Customer Service Office.** Its duties include:

• Providing various services to customers;
• Receiving and monitoring customer applications related to service delivery, and forwarding them to the concerned administrative units;
• Renewing permits in coordination with the concerned administrative units;
• Receiving complaints and suggestions from customers/citizens, and suggesting solutions in coordination with the relevant administrative units.\(^\text{20}\)

4) **Department of Technical Affairs.** Its duties include:

• Screening land and properties located within the municipal jurisdiction, and reporting the findings to the concerned administrative units of the ministry;
• Reviewing land development applications and transactions, and ensuring compliance with the approved planning regulations (in coordination with the concerned administrative units of the ministry);
• Inspecting the sites of new building permits located within the jurisdiction of the municipality; Issuing building permits, and coordinating the provision of necessary public utilities with the concerned administrative units and central authorities;
• Reviewing architectural and structural designs, while assessing the compliance with the approved building codes and regulations;

\(^{19}\) \[retrieved on 25 March 2017\].

\(^{20}\) \[retrieved on 25 March 2017\].
• Contributing to the preparation of design and building regulations;
• Issuing building excavation, maintenance, demolition, and completion certificates;
• Issuing permits for advertisements, in accordance with approved laws and regulations.\(^{21}\)

5) **Department of Public Services.** Its duties include:

• Organizing insect and rodent control campaigns in public streets, in accordance with set technical criteria;
• Maintaining cemeteries, and public parks and gardens for the general public;
• Proposing, maintaining and monitoring the condition of public water closets;
• Regulating and supervising vehicular public parking, and drafting proposals on the installation of parking meters (in coordination with the concerned administrative units of the ministry).\(^{22}\)

6) **Department of Municipality Control.** Its duties include:

• Monitoring building and excavation works to ensure compliance with the plans and specifications that are approved by the concerned administrative units and central authorities, and reporting/settling any violations;
• Monitoring the markets and commercial units located within the jurisdiction of the municipality;
• Conducting anti-begging campaigns;
• Monitoring state properties (within the municipal boundaries) and limiting any encroachments;
• Monitoring any violations in public parks (as per the relevant regulations), and issuing warrants if needed;
• Monitoring any violations in public hygiene (as per the relevant regulations), and issuing warrants if needed;
• Monitoring the use of advertisements and banners and ensuring


compliance with the relevant regulations, and issuing warrants if needed.\textsuperscript{23}

7) **Department of Public Affairs.** Its duties include:

- Collecting fees and municipality revenues in coordination with other administrative units;
- Monitoring the performance of employees in coordination with other administrative units;
- Implementing the provisions of the rent law;
- Preparing municipal budget estimates (as defined in the annual budget) while factoring in the costs of machinery, tools, equipment, supplies, and materials required for the implementation of plans;
- Managing depots of supplies, equipment and various municipal apparatus;
- Following up on and maintaining municipal vehicles.\textsuperscript{24}

8) **Department of Real Estate Lease Contracts.**

9) **Department of Housing Units Registration (for non-Qataris).**

2.6. **Strategic Planning and Performance Assessment**

On a local level, each municipality has a ‘Municipal Development Strategy’ that includes an area-specific vision within its boundary, and a set of strategic planning objectives to address development needs. On a national level, the State Audit Bureau scrutinizes the work of all government entities including municipalities and their affiliated units. The bureau functions under the provisions of its constituent law that defines its responsibilities and authorities, including: insuring that financial accounts (fund collection/spending) are drafted in an orderly manner and in conformity with the administrative regulations and the framework of the general rules of the budget. The bureau also audits projects, tenders and contracts before they are processed and signed (and highlights any detected discrepancies).\textsuperscript{25}

3. **Duties and Responsibilities**

The duties of the municipalities in regards to the following sectors: infrastructure, housing, social development, economy, finance, urban planning, and


\textsuperscript{24} http://www.mme.gov.qa/cui/view.dox?id=642&contentID=1045&siteID=2 [retrieved on 25 March 2017].

\textsuperscript{25} Qatar Business Law Handbook, pp. 45-46.
transportation. These duties directly overlap (in different ways) with the main functions of the central authorities including: The Ministry of Municipality and Urban Planning / the Ministry of Regional Municipalities and Environment, the Ministry of Transport and Communications, the Governmental Housing and Building Development Department, the Ministry of Economy and Commerce, and the Ministry of Finance.

3.1. Infrastructure

The Government in Qatar has been the source of investments in the domain of infrastructure such as the international airport and the roads that link the cities inside the country and to its neighbors. Part of the investments that concern infrastructure are directed towards an efficient adaption and mitigation measure for reducing climate change impacts. Several projects are serving the goal. Qatar introduced public transportation to reduce the demand on private vehicles and direct the nation towards the use of the public transportation and expressway programs that would enhance the traffic flow and divert it outside the cities. Hence, local roads and drainage program is expected to enhance the network of drinking water, wastewater and treated sewage effluent. In Qatar, Vehicles Inspection Services regulates the emissions of vehicles. Qatar continues to improve the emission standards for new motor vehicles, in accordance with regional and global emission standards.26

Waste Management

Cities in Qatar treats most of their wastes collected from household, commercial sites and industries, generating a significant amount of clean energy, from facilities capable of converting waste to energy. The government implemented bilateral actions, firstly, to reduce or recycle wastes in order to reduce emissions, secondly, to plan for awareness programs to raise the sense of responsibility towards the environment in close coordination with the municipalities at the local level. They can also organize periodic efforts for rodent control in public streets in accordance with technical standards set by the relevant central authorities.

3.2. Housing

Municipalities coordinate with the central government (i.e. the Governmental Housing and Building Development Department) which has recently announced plans to offer affordable housing to over 32,000 workers through fully-integrated developments across the country.

3.3. Culture

Due to the new developments in in communication and technology, Qatari society has been undergone unprecedented socioeconomic transformation that

26 UNFCCC, INDCs, the State of Qatar, 2015, p5.
has affected almost all aspects of everyday life. Those new forms of cultural production has embraced the Qatari cultural identity and brought the attention to the history and preservation practices. Qatar will enable the cultural growth to meet the obligations of QNV 203027 through the following outcomes in which the government will:

- Use culture as a platform for building national pride and encouraging intercultural understanding.
- Safeguard and develop Qatar’s cultural heritage to preserve its national identity and strengthen family cohesion.
- Use culture to enhance young people’s learning, build their self-esteem and help them realize their full potential.
- Attract and nurture high-quality talent to inspire and stimulate the growth of the culture sector.
- Encourage greater interest in culture by providing research and information on the growth and potential of the culture sector, as well as the benefits of being involved.
- Raise Qatar’s profile and standing as a lively cultural destination and a center for cultural exchange.28

At present, laws and regulations do not support effective cultural preservation. More than 200 Qatari historical sites, dated from the 17th century, have been listed and registered to guarantee their future preservation, but many of them are deteriorating and need of renovation or rehabilitation. That’s why, laws and regulations need to be reviewed and updated to better manage the country’s archaeological past which affect their preservation. The process includes, on the one hand, measures to regulate site safety, building permit and ownership of heritage buildings, and on the other hand, cultural programs and organizations as well as tourism.29

3.4. Social Development

The social capital of a city is composed of its institutions, relationships and values that govern interactions among people and contribute to socio-economic development. Nowadays, with the pace of development, social capital change can affect the vulnerable low income segment of the population. The National Development Strategy 2011–2016 has for objective to strengthen a social protection system for all citizens, particularly work-training programs for special needs persons, through social protection projects in which the government will:

27 Qatar National Vision 2030.
• Improve and strengthen the current social protection system.

• Create an enabling environment to integrate and mainstream the disadvantaged and vulnerable groups into the workforce and society.

• Broaden participation through smart partnerships, including the private sector, in support of the social protection system.

Although the social protection system is comprehensive, it needs to be constantly reviewed in line with the country’s development objectives. Mechanism should be proven to update the wide-ranging set of laws that govern Qatar’s social protection system. Revision of Social Security Law 38 of 1995, for example, will help ensure that benefits are aligned with changes in the economy. Corporate responsibilities require more involvement of the private sector in social protection domain, because businesses have positive and negative impacts on people’s welfare. So, Qatari government will broaden this participation by creating a responsibility framework that enable the private sector contribute further to the well-being of Qatari society.30

Education

Prior to the petrol era, Qatar was deprived from a developed education system. At present, the system witnessed a big leap in development to the point that all of the emirate’s primary school teachers are Qatars. Whereas in the past most of the local population was Bedouin or nomadic, the majority for some years now has been urban and settled. Qatar is emphasizing on education, the country is investing heavily in this sector to produce specialized graduates in services and green technologies as well as post-secondary education and training. The youth is encouraged to establish links with the private sector through business training and capacity building programs to reinforce their innovation and entrepreneurship to contribute to climate action efforts and sustainable development.31

3.5. Economic Development

Municipalities can promote and provide support for entrepreneurship and start-ups in various sectors, and organize events/conferences that connect consultancy offices/start-ups with possible funding sources. Launch, in coordination with the Ministry of Municipality and Environment, a one-stop shop multi-service support center to simplify market entry for new companies with eco-friendly business models.

3.6. Financial Management

Municipalities control the renting and monitor the activity of wholesale markets, where rent values depend on the types of food products that are sold; this is done in coordination with the Ministry of Municipality and Environment.


Municipalities in Qatar work on developing environmental initiatives that engage citizens, and monitor the implementation of environmental protection standards, in coordination with the private sector, that are set by the Ministry of Regional Municipalities and Environment. Moreover, they have the task to supervise and monitor pollution as well as to finance initiatives that promote a clean and safe environment for people in collaboration with the Doha Bank as an example.

Sustainable development could be achieved through public involvement and awareness programs. These programs are meant to adapt with climate change impacts, with less energy consumption and with energy efficient buildings. Besides, these kind of programs encourage the sense of shared responsibility towards the environment, along with the development of positive environmental attitudes and values.\(^{32}\)

Climate Change

It is one of the most pressing problems with potentially catastrophic consequences for human development. This is considered not only a cross sector field but a cross generation issue as well due to its long term problems and outcomes. The implementation may start today but the results may appear during the lifetime of the next generation. Hence, actions must be taken on the basis of the long-term interests to ensure the intergenerational justice.

Qatar with all its environmental challenges is vulnerable to climate change impacts. Over the last decades, the pollutants’ emission particularly CO2 have recorded an ample rise. Thus, without direct actions to stop the pollutants increase the country will have potential long-term negative consequences for human development; besides that the adaptation to climate change needs to be addressed at all levels. This shift could be actualized through the development of environmentally friendly and energy efficient technologies, emission-reduction approaches and green buildings as well as financing of low carbon activities.\(^{33}\)

\(^{32}\) UNFCCC, INDCs, the State of Qatar, 2015, p5.

Water

The main internal water sources in Qatar are formed by direct and indirect recharge of groundwater from rainwater. Besides, the non-conventional sources of water in Qatar are desalinated sea water and treated sewage effluent. The quantity of municipal wastewater produced in the country was 55 million m³ in 2005 and the quantity treated was 53 million m³. In the same year, total water withdrawal was estimated at 444 million m³, of which 39% for municipal purposes and 2% for industrial use.³⁴

In line with the National Vision 2030, Qatar placed resources management on a sustainable path for future generations. In addition, to reduce the demand on fresh water Qatar is undertaking key initiatives in relation to water management such as water conservation and desalination. The country established an integrated system of quality control and incentive for conservation through the “National Water Act”; and is investing in research and development of new technologies to move towards more efficient forms of desalination to reduce energy consumption and minimize the environmental impacts of power desalination plants.³⁵

The government in Qatar has issued water laws, carried out a number of programs and, established committees for the consolidation of integrated water resources management, the most important of which are the following:

- Increasing natural recharge;
- Development of water monitoring and irrigation scheduling;
- Artificial recharge of groundwater;
- Development of deep aquifers;
- Increasing treatment and reuse of wastewater;
- Irrigation research and studies.

Wastewater

Qatar aims to use upgraded wastewater treatment plants to improve the treated water quality and further support using it for agricultural purposes to reduce the demand on fresh water and accordingly decrease the fuel consumption in water desalination and associated gaseous emissions.

---
³⁴ UNFCCC, INDCs, the State of Qatar, 2015, p4.
³⁵ UNFCCC, INDCs, the State of Qatar, 2015, p4.
3.8. Urban Planning

During the last four decades, Qatar has radically grown from fishing and pearling based economy to a diverse economy, at the same time, the capital, Doha, has changed demographically and physically plus economically and culturally. The city has grown from a single core and expanded outwardly along major routes leaving Doha’s downtown heavily congested. It was very essential to redevelop the city of Doha to accommodate and revive the urban expansion in the heart of the city.

Urban planning in Qatar was considered as a manner to provide infrastructure for Doha city and the smaller towns within the peninsula, based on a hierarchical system. To plan for the future of Doha city and to accommodate the population growth as well as the change in urban life, the government appointed several planning consultants to produce a new master plan for Doha. The government was advised to buy back the traditional residential quarters in central Doha and clear them for higher density commercial and governmental land-uses. This was the reason behind the migration of large numbers of local Qatari residents from the heart of the city to its suburbs, resulting in the death of the old Doha center. The city center was then occupied by workers that accepted the overcrowded conditions of the city center transferring the old memorial Doha downtown into a native deserted city center.\(^{36}\)

At the local level, the municipalities in Qatar have the following tasks:

- Propose, implement and maintain local public parks and gardens;
- Limit/stop illegal encroachments on public/municipal property;
- Acquire private land through expropriation for public purposes;
- Issue construction permits for new infrastructures;
- Issue construction and occupancy permits for new buildings;

Evaluate, approve, and ensure the implementation of urban projects, local zoning regulations, and urban planning laws in coordination with the Ministry of Development Planning and Statistics.

3.9. Transportation

As the city developed, the distances and the number of people who travelled increased, therefore, the transportation system is a main element in the design and development of cities. So, it was essential to redevelop the transportation system in Doha city to accommodate the urban expansion. As the Doha city is

heavily congested, many projects had been proposed aiming at modernizing the Doha city’s public transportation system. Improvements on the system occurred in 2006 during the Asian Games where the public bus system became the official transportation mode for the major event.

The company “Mowasalat” introduced the main plan for a national bus system to serve the public as an attempt to reduce the number of private vehicles. It was decided that all bus lines would serve a minimum walking distance of 700 to 800 meters long from each serving location taking into consideration the area’s demand regarding bus stops allocations. Besides, the company used sophisticated software to provide live coverage of the bus movement, location, and schedule. Doha is the biggest and the only city that is served with a fleet of urban buses. Qatar is covered overall with a fleet of 220 busses for short distance. These buses serve around 60’000 passengers daily all over the country. On the other side, Mowasalat runs 200 VIP Taxis from Doha International Airport and hotels in the city. The company aims to complement effectively the public transport system and thus providing a comprehensive public transport service in the country. Furthermore in this direction, the company provided public service to people with special needs by providing big taxi cabs that are capable of accommodating them with their equipment and their families.37

Other types of public transportation is introduced in Lusail City for establishing a network of light trains connecting the various areas and districts of the city. The future strategic objective is to extend this network beyond Qatar and make a link to other Arab Gulf countries. The network is composed of four main tramlines extending over 30.5 kilometers underground and over ground and 36 passenger stations. It is accompanied by an extensive cycle route and pedestrian network are planned throughout the city, which connect different districts of the city and also link Lusail to the public transportation system including the light rail station, the railway interchange as well as public car parking areas.

Municipal role in this domain will cover the following:

- Propose, regulate and maintain all types of vehicular public parking, and install parking meters in coordination with the Ministry of Transport and Communications;
- Maintain and oversee the construction of railways and the operation of public transport in coordination with the Ministry of Transport and Communications;
- Set the rates for public transport and public parking fees in coordination with the Ministry of Transport and Communications and the Ministry of Finance.

4. Challenges and Opportunities

4.1. Authority and Subsidiarity Principles

The organizational structure of the municipalities is characterized by an overlaps and redundancy in functions related to the provision of services and development activities, making implementation and long-term control a relatively convoluted and litigious process.

4.2. Corporate Capacity and Urban Service Delivery

Municipalities in Qatar are opting to enhance their performance by creating more municipal centers where citizens can file reports on utilities such as water and electricity that may need fixing, also by introducing more efficient processes, better systems development, and structural changes (for example, contracting private companies that can handle more waste per day), and by increasing their area service coverage.

4.3. Resilience

4.3.1 Sustainable Urban Development

Qatar is undergoing an unprecedented spatial development, so, natural resource use and remarkably high population growth are posing major environmental challenges. Therefore, to ensure the stability of opportunities between the present and future generations, economic development and protection of the environment must be balanced. As long as the Qatar National Vision 2030 (QNV 2030) is built on the principles of sustainable development, so it should contribute to balance between development needs and the protection of the environment. For this, the use of renewable source of energy should be emphasized.

The QNV 2030 foresees the following environmental outcomes:

1) Preserving and protecting the environment, including air, land, water and biological diversity, through:

- An environmentally aware population that values the preservation of the natural heritage of Qatar and its neighboring states;
- An agile and comprehensive legal system that protects all elements of the environment, responding quickly to challenges as they arise; and
- Effective and sophisticated environmental institutions that build and strengthen public awareness about environmental protection, and encourage the use of environmentally sound technologies. These institutions will also conduct awareness-raising campaigns, employ environmental planning tools, and carry out environmental research.
2) A comprehensive urban development plan for Qatar that adopts a sustainable policy with regard to urban expansion and population distribution.

3) Encouragement of regional cooperation to put in place preventive measures to mitigate the negative environmental effects of pollution arising from development activities.

4) A proactive and significant regional role in assessing the impact of climate change and mitigating its negative impacts, especially on countries of the Gulf.

5) Support for international efforts to mitigate the effects of climate change.\textsuperscript{38}

4.3.2 Urban Risks

Like its other neighbors of the Gulf States, Qatar is facing the negative effects of climate change which results in increasing temperatures and a high frequency of droughts. Desertification also constitute one the major risks resulting in high temperature and water scarcity, the increase in temperature also induces a high frequency of droughts. Moreover, the consistency of the present forms of urban sprawl will cause an environmental degradation and will accelerate the environmental degradation in the country coupled with the scarcity of lands and a costly concentration of services’ networks, infrastructure, and housing in urban areas.

Consequently, urban risks could be reduced through the achievement of water security, the preservation and the protection of the marine environment, the reduction of long-term impacts of climate change (mitigation), and the adjustment of the expected consequences of climate change (adaptation). Qatar’s second Human Development Report (HDR) focuses on these sustainable development challenges. It identifies critical environmental parameters, and concludes with several policy and management recommendations for Advancing Sustainable Development.

4.3.3 Migration: External and Internal Migrations

There is also a large foreign population of Iranians, Pakistanis, Indians, and Palestinians. The Iranians comprise the majority of the small merchant class while many Indians and Pakistanis are employed as menial laborers, artisans, and clerical staff in local banks and businesses. The Palestinian population occupies the lower and middle levels of the bureaucracy and equivalent white-collar positions in the private sector.\textsuperscript{39}

International Migrant Stock (1990-2013) ⁴⁰

5. References


Richer RA. Sustainable development in Qatar: Challenges and opportunities, QScience Connect 2014:22 http://dx.doi.org/10.5339/connect.2014.22

Robert Wittkuhn and Danyel Reiche, “Sustainable Transportation and Mega Sporting Events in Arab Countries – the Case of Qatar”, in Climate change and Environment in the Arab World-Sustainable Transport Series, 2015.


https://www.academia.edu/8022436/How_the_City_Grows_Urban_Growth_and_Challenges_to_Sustainable_Development_in_Doha_Qatar
Country Profile

Official Name of the State | Kingdom of Saudi Arabia
Form of Government | Monarchy
Official Language(s) | Arabic
Currency | Saudi Riyal
Area | 2,206,714 km²
Total Population | 33,702,756
Urban Population Rate | 83.8%
Capital City | Riyadh
Population of Capital City | 6,906,600
Human Development Index Ranking | 39
Gross Domestic Product (per capita) | $23,219
Unemployment Rate | 5.6%
Poverty Rate | n/a
Forest Area Rate | 0.5%
CO₂ Emission (metric tons per capita) | 19.5

Source: UN Data, WB Databank & National Legislation
1. Background

The recent history of the country started with the unification of the Kingdom of Saudi Arabia by King Abdulaziz, when he entered Makkah in 1923 and ordered the formation of a local council. This council was composed of 12 elected members to help in managing city affairs and included all towns in Hejaz. Far ahead, the Law of Municipality of Makkah and other Municipalities were endorsed in 1954 to define the responsibilities of the councils and the relationship between municipalities and Municipal Councils. Therefore, the establishment and the development of municipalities have a long history, especially in Hejaz as it houses the two Holy Mosques of Makkah and Madina.

1.1. Constitutional Laws and Legal Regulations on Local Authorities

The government conducts its functions in accordance with its interpretation of the Shari’ah (Islamic) Law. In 1977, the Law of Municipalities and Villages (of local relevance) was issued to take the place of the old law of 1954, the new law established the municipal council, defined its composition and responsibilities, and organized the work structure where the council was given the power to decide and monitor while municipalities were empowered to implement. The Law of Municipalities and Villages also organized the relationship between the Municipal Council, the municipalities, and the then newly created Ministry of Municipal and Rural Affairs.¹

Later on, two laws of national and provincial significance followed: the 1991 Basic Law of Governance (of national relevance) that outlined the functions of the state, and the 1992 Law of Provinces (of provincial relevance) that aimed to improve the quality and efficiency of regional administrative and development work. The key components of the package of national, provincial, and local laws and the decrees will be highlighted. At first place, the Basic Law of Governance was issued in 1991 by the Royal Order No. A/91 and it outlined the responsibility of the state to guarantee protection, social unity, justice, and equality to all citizens. Moreover, it included among its articles the right to private ownership and access to health care, basic services and basic education, as well as promoted the notion of public consultation (Shura) as key to national, regional, and local governance. The law also defined the terms and the scope of the state’s legislative, executive, and judicial functions, the institutional structure of local authorities and their responsibilities, the requirements for establishing the National Consultative Council (Majlis Al-Shura) and the Regional Consultative Council that provide support on development and planning issues. Finally, the law delineated the role of a regional administration that can bridge between regional and central government authorities, a role that is simultaneously outlined in the 1992 Law

As for the second legislative level, the Law of Provinces was issued in 1992 by the Royal Order No. A/92 and it aimed to improve the quality and efficiency of regional administrative and development work. It divided the Kingdom of Saudi Arabia into thirteen provinces, each province is placed under the authority of a governor and the Minister of Interior and is subdivided into two sub-provincial areas (governorates and centers) according to their geographic location, population distribution, security requirements, environmental factors, and means of transportation.

1.2. Election Processes for Local Authorities

The Council of Ministers announced in 2004 the first election of the 178 municipal councils throughout the 13 regions of the Kingdom. On a regional/provincial scale, and according to the Law of Provinces No. A/92 of 1992, the members of the Regional/Provincial Consultative Council are appointed by the Prime Minister, reversing the earlier requirements to elect a certain proportion in every region/province of the Kingdom. These requirements were outlined in the articles 29-34 of the previous 1940 Law of Regional Governors and Administrative Councils.

On a local scale, and according to the Law of Municipalities and Villages No. 5 of 1977 in the article 9, only half of the members of the Municipal Council are elected while the other half of the counselors are appointed. The number of local councilors varies according to the size of the population (see Table 1). The law also identifies eligible voters as Saudi males only, women and military members are excluded, that must be 21 years of age or older and living in their districts for at least twelve months prior to the voting session. It also states that local elections are confidential and voters and candidates can challenge the election results within a period of three days after the official announcements are made. As for the candidates themselves, they ought to be at least 25 years old and registered officially on the voter list as well as in the candidate list, within five days after the publication of the voter lists. The first municipal election was held in 2005, the voting process was conducted under the scrutiny and monitoring of the United Nations Development Program, and was also monitored by national and civic organizations of Saudi origin.

---


4 The elections at all levels were monitored by seven civic institutions: The National Society for Human Rights, Saudi Management Association, Saudi Journalists’ Association, The Saudi Association for Media and Communication, the Geographical Society, and the Saudi Accounting Association.
Even though the law only allows for partial elections, the process itself demonstrates potential steps to be taken towards decentralization reforms. Such steps have, within a limited scale, provided formal tools for enhancing accountability and involving the people in decision-making processes on municipal services that can potentially meet their needs.\(^5\)

### 2. Structure of Local Governments

#### 2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

The Saudi administrative structure consists of three levels: national, regional, and local authorities. It was established in 1975 with several executive, legislative, and judicial authorities. At the central level, the Basic Law of Governance separates between three levels of national authorities: executive, legislative, and judicial, thus allowing for a certain degree of autonomy that is paralleled by the necessary cooperation and exchange. Both executive and legislative authorities are vested in the King and the Council of Ministers, in the Ministry of Planning that oversees national development planning, and in the Ministry of Municipal and Rural Affairs that oversees spatial planning at all levels and the provision of infrastructure services. Similarly, at the central level, the **Council of Senior Islamic Scholars** (with religious authorities) interprets sacred texts in coordination with the Grand Mufti and provides a religious framework for the state that can justify their policies/political actions.

The Council of Ministers has final authority over the executive and administrative affairs of all ministries, other government agencies along with their regional branches, provincial governments, and all municipalities and rural centers operating at the local level. Furthermore, ministries\(^6\) play a significant role in

---


\(^6\) The Ministry of Municipal and Rural Affairs, the Ministry of Planning, the Ministry of Finance, and the Ministry of Civil Service.
enhancing political and administrative development at the regional and the local levels by providing financial resources, technical assistance, consultation, and training.\(^7\)

At the regional level, the Kingdom is divided into thirteen provinces/regions, each one is headed by a Governor (Amir) who rules over the secondary governorates (i.e. sub-divisions of the provinces/regions) but does not have institutional powers to enforce control. Even though the reforms of 1992 (including the Basic Law of Governance and the Law of Provinces) extended the authority of the governor to supervise and monitor the performance of the central governments’ regional branches, the additional duties did not incorporate any core institutional functions. Thus, provinces/regions lack the necessary powers and authorities to initiate their own regional development plans and projects or to gather their own financial resources and set their budgets. These capacities remain in the hands of the central ministries.\(^8\)

At the city level, municipalities operate at the local level within the governance structure and are involved in the everyday management of urban services and development. They are divided into three main entities: regional municipalities, municipalities and towns, and rural centers. In order to promote a more integrated local administrative system, municipalities and rural centers report to regional municipalities (which have greater resources and can provide technical assistance) and operate under the direct control of the Ministry of Municipal and Rural Affairs. Regional municipalities, municipalities, and rural centers hold corporate status and have partial financial and administrative autonomy.\(^9\)

### 2.2. Bodies of Local Governments

According to the Law of Municipalities and Villages of 1977 (article 6), local authorities include two main institutional bodies: The Municipal Council as the monitoring body (see section 2.3) and an executive authority that is headed by a mayor and assisted by three levels of administration:

- Two deputies: the first supervises the status of municipal services while the second is directly responsible for overseeing the construction of urban projects;
- Sub-municipalities which include municipal branches that are directly responsible for the provision of public services located within the districts throughout the cities;

---


• Directorates that include units with specialized functions, for example: The Directorate of Municipal Services with expertise in public safety and hygiene, public and environment health, and the management of parks and landscaping; The Directorate of Construction and Projects with expertise in urban design and planning project management (from implementation, supervision and operation to maintenance).  

Based on the municipal mandates, the key functions of the Municipalities as stipulated by the law of 1977 article 5 include tasks in various domains and of multi-layered levels. They comprise the followings:

• Planning and monitoring the scheme of development in accordance with the overall context of national strategy for sustainable development;
• Preserving the city appearance by providing and maintaining projects of service nature (roads, parks, open spaces, slaughter-houses, cemeteries etc.);
• Protecting the environment and conducting public health inspections;
• Collect garbage and perform city cleaning services;
• Organizing transportation and setting the structure of transport fees and charges in cooperation with relevant governmental agencies;
• Licensing constructions and businesses, and other tasks of social, cultural and financial natures.

2.3. Councils of Local Governments

There are two levels of councils that operate at the regional and local levels. The first one is the regional/local councils that include the regional/provincial consultative councils. They provide consultation to local municipal officials as well as to central and regional government units on services and development projects in their regions. The establishment of both regional/provincial consultative and municipal councils contributes to the advancement of decentralization at the local level, as both councils introduce measures of transparency and accountability that are directly connected to the demands and the needs of the local inhabitants.

The second one is the Municipal Council which was established in 2003 and considered as the monitoring body, a decision that considerably increased the local power of the municipal sector and broadened the role of citizens in public decision-making. The municipal councils are given a greater role in handling urban planning matters, local development, and the provision of services, while proposing municipal investment budgets and overseeing the expenditures and

revenue collection. A more recent law issued in 2007 granted the municipal councils additional powers to manage the sales of municipal lands.\textsuperscript{11}

Thus, the Law of Municipalities and Villages of 1977 reaffirms the need to establish municipal councils that have the following functions:

- Monitor the performance of the municipality and improve its efficiency;
- Manage the financial resources and audit the municipal expenses as well as endorse final account of the municipality;
- Review the municipal structure and propose improvements;
- Review urban planning codes and regulations and propose urban projects;
- Set municipal standards on maintaining public health and building public facilities;
- Determine and propose municipal charges and penalties;
- Set the prices of full or partial services that are provided by the municipalities;
- Provide opinion about subjects or matters submitted to the council.

\textbf{2.4. Mandates of Mayors in Local Governments}

Mayors are considered the main local civil service officials and are appointed by and report to the Ministry of Municipal and Rural Affairs. The Law of Municipalities and Village of 1977 outlines the basic duties of the mayors as follows:

- Administer and coordinate the activities of the various internal departments at the municipality;
- Ensure the proper allocation of the municipal budget, i.e. manage the financial resources of the municipality and monitor all accounting transactions to ensure compliance with fiscal standards;
- Prepare the final accounts from previous budget allocations;
- Report findings on financial and fiscal activities to the Municipal Council;
- Implement the decisions taken by the Municipal Council;
- Manage and sign municipal contracts;

\textsuperscript{11} Almarshad, ‘The Impact of Good Governance’, 2011, p.100-103.
Monitor the progress of the public services that are carried out by private entities.\(^\text{12}\)

The nomination of the Mayor is normally for an undefined frame of time if this process is not originally related to an election.

### 2.5. Organizational Structure of Local Governments

The bodies of the local authorities are distributed in two main levels: Regions and Municipalities. First, at the regional level, the Kingdom of Saudi Arabia is divided into 13 provinces/regions: Riyadh, Makkah, Madina, Qassim, Eastern Region, Assir, Tabuk, Hail, Northern Borders, Jazan, Najran, Baha, and Jouf. Each province/region also includes 60 centers (Markaz) and 43 secondary governorates (Mohafadha) and is headed by a governor (Amir) who is appointed by the King and reports to the Ministry of Interior. The current structure of municipalities is subject to three main tiers:

1) Regional Municipalities (Amanat) that represent the capital,

2) Municipalities (Baladeyat) that operate in smaller cities and towns, and

3) Rural Centers (Markaz Garawi) in twenty-one village and hamlet clusters.

The first one includes 14 regional “Amanats”, representing the municipal authorities in the capital cities of 13 regions, in addition to Jeddah, the second largest city which is located in the region of Makkah. The second one includes 140 municipalities operating in cities and towns and the third one includes 21 village clusters (see Table 2). Beyond their function in their urban jurisdictions, “Amanats” serve as regional municipalities to which all municipalities and rural centers report according to their order in the hierarchy.

### 2.6. Strategic Planning and Performance Assessment

The five-year municipal strategy is part of the National Development Plan which sets an overall framework for infrastructure targets and national, regional, and fiscal spending, i.e. all financial and budget preparation plans of the municipalities are drawn in accordance with the guidelines of the National Development Plan. The key phases of the plan are as follows:

1) Each municipality discusses its long-term needs for financing and development infrastructure projects with the Ministry of Finance and other central and sectoral agencies according to their specialized functions;

2) Every five years, each municipality proposes its development plans to

---

12 Ibid., p. 108.
the Ministry of Planning;

3) Each municipality uses the approved five-year development plan as a guide when preparing its annual budget.

Each phase is subject to an auditing and monitoring session every three years by central public agencies to ensure compliance with national laws that regulate efficiency, performance, and quality. For example, the General Auditing Bureau, which is directly affiliated with the Council of Ministers, is responsible for conducting a post-audit of all municipal movable and immovable assets, revenues and expenditures. In addition, there are several independent agencies that support the work of the General Auditing Bureau/Council of Ministers and are legally authorized to investigate any malpractice by municipal employees and officials and to take the necessary disciplinary actions. These agencies include:

- The Grievance Board;
- The Investigation and Disciplinary Board;
- The Commission on Cases of Forgery;
- The Commission on Cases of Bribery;
- The Disciplinary Council for Civil Servants.\(^{13}\)

3. Duties and Responsibilities

The municipal duties regarding the provision of services directly overlap (in different ways) with the main functions of the central authorities. The service provided covers the following domains: infrastructure, housing, social development, economy, finance, urban planning, and transportation. The concerned ministries are: Municipal and Rural Affairs, Housing, Labor and Social Development, Economy and Planning, Finance, Environment, Transportation and others.

3.1. Infrastructure

Municipalities mitigate the dangers of rain and potential floods and oversee the implementation, the operation, and the maintenance of local infrastructure services in line with the guidelines of the National Strategy for Sustainable Development. These services include water and wastewater networks, urban streets, slaughterhouses, public squares, and parking facilities.\(^{14}\)

\(^{13}\) Ibid. pp. 122, 129-131.
The Hajj period represents an important yearly event that has a negative impact on the infrastructure network in cities, particularly in the two holy Cities: Makkah and Madina. During this short period, more than 2 million of pilgrims annually gather at the same time in specific places, which means 10 times the cities’ population yearly and more than Jeddah’s city population. Consequently, the two holy cities including Jeddah and Taif have the largest concentration of informal settlements in Saudi Arabia without adequate urban infrastructure and services including streets, sanitation, water supply, sewage and electricity. In addition, even the maintenance of the urban infrastructure remained in poor conditions while the persistent increase in population is continuously added to the existing population living in the informal settlements.\textsuperscript{15}

### 3.2. Housing

Housing sector is very important in the Saudi Arabian cities due to rapid urbanization and population growth; therefore, the Government strongly supports housing provisions by financing private housing construction. The Saudi housing stock is consists, in its majority, of small units: the units with 1 or 2 bedrooms represent 64.3% of the total, those with 3 bedrooms represent 19.1%, and larger units represent 16.6\textsuperscript{16}. The history of housing financing began in 1974. Real Estate Development Fund was established in 2007, with the aim of increasing the ownership and supply of housing demand as well as developing a comprehensive strategy and regulations. Yet, housing provisions provided by both private and public sectors could not catch up with the rising housing needs, and as a result the prices of houses increased. Therefore, in 2011, the Ministry of Housing was established to enhance the Government’s role on housing policy and provision.

Besides the two holy cities, other municipalities also suffer from the concentration of large number of people during the Hajj, the long-term result is a large concentration of informal settlements in the Kingdom of Saudi Arabia. Jeddah, for example, experiences this phenomenon as it is the host city for pilgrims. The population of informal settlement makes up of the third of the city’s total population while their occupied area accounts for 16% of Jeddah’s area\textsuperscript{17}. Several scenarios were developed to upgrade the informal settlements in Jeddah and those scenarios are based on two options: regeneration or upgrading with the participation of the private developers, Jeddah Development and Urban Regeneration Company and Jeddah City, and residents of informal settlements. From another perspective, municipalities manage a “Municipal Priority Housing Program” in collaboration with the Ministry of Housing that authorizes the

---
\textsuperscript{15} UN-Habitat, the National Report for the Kingdom of Saudi Arabia, 2016, p.54.
\textsuperscript{16} UN-Habitat, the National Report for the Kingdom of Saudi Arabia, 2016, p.58.
\textsuperscript{17} UN-Habitat, the National Report for the Kingdom of Saudi Arabia, 2016, p.58.
building of apartment blocks (mostly in Dammam and Jeddah)\textsuperscript{18}.

3.3. Culture

Saudi Arabia is a religious society where religion is reflected in different socio-cultural aspects of the daily life, manifesting itself in the streets and workplaces. The Kingdom established a long-term vision for the development of “Vision 2030”, which is a “National Transformation Program” that covers the cultural domain amongst myriad of sectors. The document defines strategic objectives and develops an environment that stimulates and supports cultural activities, preserves the Saudi, Arab, and Islamic cultural heritage and values, promotes the national identity and hands it down to future generations.\textsuperscript{19} Strategic objectives could be resumed as follows:

- Increase awareness regarding the Government’s decisions and achievements through enhancing the interaction between public authorities and citizens;
- Enhance the Kingdom’s image locally and internationally, especially among the visitors for serving the two Holy Sites;
- Strengthen the media industry to be more competitive in promoting cultural and recreational activities.

Key performance indicators measure the raise in the GDP, the number of jobs created, and their share percentage in the national economy concerning the media and the related sectors.\textsuperscript{20}

As for the local level, the cultural heritage is increasingly recognized as an asset for cities in the Arabian Peninsula. The Saudi cities will be considered as major coordinators and partners to realize the vision 2030. Cities can promote local cultural, sports, and social activities as well as ceremonies and can raise public awareness on civic matters.

3.4. Social Development

The Saudi government and the United Nations Country Team are committed to structure partnerships creating social cohesion for more inclusive development and empowering vulnerable groups including minorities, women and migrant workers, which enable them to take an important role in urban governance. Along with other Gulf countries, the Kingdom of Saudi Arabia played a constructive role in passage of the new UN Convention on Domestic Workers

\textsuperscript{19} National Transformation Program, Vision 2030, Kingdom of Saudi Arabia, p.44.
\textsuperscript{20} National Transformation Program, Vision 2030, Kingdom of Saudi Arabia, p.45.
in 2012. Citizens look for more transparency and participation in governance; therefore, civil society is an indispensable partner to convey the voice of the public and vulnerable groups.21

Nevertheless, there are few opportunities given at the local level for public participation despite the fact that the Neighborhood Community can play this role though public participation in urban governance, by which public participation would be secured officially. The Neighborhood Committee with the instances of the local administration can contribute to the enhancement of the security and safety in the districts where they live. Municipalities can foster interaction with their constituencies and allow people to voice their needs through formal mechanisms for citizen participation in local governance.22 They also work on promoting the local socio-cultural activities and ceremonies to improve dialogue among the population, cooperating with other agencies to stop or limit begging, and building special houses for the disabled.

3.5. Local Economic Development

Effective decentralized system requires that local authorities have enough power to mobilize local resources. Thus, cities in Saudi Arabia tend to manage their economic development in various ways to mobilize the required resources, enabling them to extend the scope of their responsibilities. Although major sources of financing came from the central government, recent reforms such as privatization policies and investment regulations tend to create a friendly environment for the private business sector’s involvement and participation in providing municipal services and facilities, such as waste collection, cleaning services, parks and gardens, and others. In addition to that, many municipalities have also contracted private agencies for revenue collection. Some municipalities such as Jeddah went further in seeking cooperation with the private business sector through the Public Private Partnership (PPP) to finance its urban regeneration projects. Clearly, municipalities vary in their financial capacities and their abilities to increase and generate their own resources23. They can build markets, provide/approve the needed licenses, monitor and inspect the import of daily consumer goods, and set quality standards in coordination with the concerned agencies (e.g. the Ministry of Health).24

Nonetheless, municipalities have become gradually vested regarding assuming development priorities within their own jurisdictions and having whole power in setting and managing their spending for local facilities and maintenance, which

21 UN-Habitat, the National Report for the Kingdom of Saudi Arabia, 2016, p.54.
22 Almarshad, Municipal Awareness and Citizen Satisfaction, p. 95.
depends on their financial capacity and their ability to raise local resources. However, municipal direct revenues have become key resources for municipal finance in recent years, growing substantially because of the expansion in leasing municipal properties and upgrading of the efficiency of collection (Ministry of Planning, 2006).

3.6. Financial Management

There are two main categories of resources for the municipalities in Saudi Arabia: external funds coming from the central government and donations, and internal funds as the municipal direct income. The municipal budget comprises four main lines:

- Chapter I: Reserves for salaries, allowances and wages;
- Chapter II: Management and internal operating expenses (e.g., overtime, per diem, office supplies, and miscellaneous costs);
- Chapter III: Reserves for operations and maintenance (e.g., maintenance and cleaning of buildings, maintenance of parks, gardens and plants, maintenance of street lighting);
- Chapter IV: Funds for basic infrastructure and local development projects.  

Direct revenues usually consist of income generated from sales, lease and rent or income generated from investment. Any shortage in funding the maintenance and operational items in Chapter III of the budget is covered by a national level budgetary allocation.

The process of planning and preparing municipal budget is part of the national planning scheme: the national five-year development plan. Each municipality discusses their long-term needs for budget financing and development infrastructure projects with the Ministry of Finance and other central and sectoral agencies. Budgets should be approved by the Ministry of Finance and monitored by the Ministry of Economy and Planning. Prior to that, municipal administrations, in the same way as other governmental organizations, are required to prepare and approve their own five-year development plans in accordance with the national five-year development plan. The Mayor and the municipal administration prepare an annual local budget with estimated revenues and expenditures that are linked with programs and suggest projects for the year to the municipal council for debate and approval. The Mayor also prepares a monthly financial report on the status of revenues and expenditures of the municipality and submits it to the Municipal Council for review and evaluation.

The municipal revenues in Saudi Arabia increased by 135% between 2000-2005 (respectively $267 million dollars and $416 million dollars), but they constituted only 16% of the municipal budget expenditure in 2006. Therefore, Saudi municipalities depend heavily on the central fund for their annual budgets and for financing their local services and development projects.

Later, direct revenues covered approximately 58% of the costs of infrastructure investments, operations, and maintenance. Recently, the public spending plans are affected by the decrease in oil prices, the municipal services spending decreased from 40 billion SR in 2015 to 21 billion SR in 2016, see table 2:

Table 2: Spending plans for key public sector areas, 2016 Budget Allocation (SR billion)

<table>
<thead>
<tr>
<th>Budget Allocation</th>
<th>2016</th>
<th>2015</th>
<th>Growth (% y/y)</th>
<th>Difference (SR)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expenditures</td>
<td>840</td>
<td>975</td>
<td>-13.8</td>
<td>-135</td>
</tr>
<tr>
<td>Education and Training</td>
<td>192</td>
<td>217</td>
<td>-11.7</td>
<td>-25.3</td>
</tr>
<tr>
<td>Health and Social Development</td>
<td>105</td>
<td>160</td>
<td>-34.5</td>
<td>-55.3</td>
</tr>
<tr>
<td>Municipality Services</td>
<td>21</td>
<td>40</td>
<td>-46.9</td>
<td>-18.7</td>
</tr>
<tr>
<td>Infrastructure and Transportation</td>
<td>24</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Economic Resources</td>
<td>78</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Public Administration</td>
<td>24</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Budget Support Provision</td>
<td>183</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>


Local Authorities in Saudi Arabia have different capacities to create sustainable and variable sources of revenue which enable them to develop their level and quality of the service provision, options are as follows:

- Link national policies to local budgets;
- Collect municipal revenues (mainly from leasing public properties and from charges on public signs and advertisement posts) and develop and apply a system of penalty charges and fines on violations;
- Contract loans or donations from government institutions and other national financing agencies;
- Increase the level of cooperation between the public and the private sector;
- Sell and lease municipal land to finance urban infrastructure in

26 Almarshad, ‘The Impact of Good Governance’.
coordination with the Ministry of Finance.27

3.7. Environmental Issues

Climate Change

The Kingdom of Saudi Arabia faces challenges caused by harsh desert climate conditions with extreme temperatures (from -11oC to +51oC) and water scarcity. In order to respond to water demand, Saudi Arabia and the Gulf countries rely on non-renewable groundwater supplies to augment their scarce water supply to respond to growing demand. Besides that, they have been relying on alternative sources such as wastewater reclamation and desalination since the 1960’s.28

Saudi Arabia is considered as one of the top energy-consuming countries in the world, for this reason the country joined the international protocols to reduce greenhouse gas emissions, such as the “UN Framework Convention on Climate Change” (UNFCCC) in 1994 and the “Kyoto Protocol” in 2005. In 2013, the Ministry of Municipal and Rural Affairs, together with other line ministries and government institutions, developed “Sustainable Planning Guidelines for Urban Growth in the Kingdom of Saudi Arabia” to reduce energy consumption and its adverse impacts on climate. These guidelines set new standards on district cooling system that contributes positively to the protection of the environment as it increases energy efficiency and, at the same time, reduces greenhouse gas emissions and air pollution.29

The Guideline introduces a new building code which sets standards for energy efficiency in buildings and a minimum level of energy consumption. This can reduce the needs for energy generation from the source and the needs for new infrastructure as well as reducing energy bills. Municipalities have an important role in enacting a key strategy for reducing energy consumption by means of a new Building Code to tackle climate change across the buildings sector since energy consumption is expected to rise in the residential sector by 2020.

Municipalities have also the role to monitor public health and to protect the environment, including clearing all swamps, establishing/maintaining green belts around cities, collecting garbage and contracting/liaising with private companies for street cleaning services.30

29 UN-Habitat, the National Report for the Kingdom of Saudi Arabia, 2016, p.40.
30 Almarshad, Municipal Awareness and Citizen Satisfaction, p. 95; Abdulaal, Municipal Councils in Saudi Arabia, p. 12.
Water
There are no rivers and lakes within the territory of Saudi Arabia and the amount of precipitations is too little throughout the year. On the other hand, the demand on water is in constant increase due to rapid urbanization triggered by the population growth in the country.

Saudi cities primarily depend on underground water as a major source of water supply and after that, on desalination (producing potable water from brackish seawater). The Kingdom is the world’s largest producer of desalinated water. The “Saline Water Conversion Corporation” operates 27 desalination stations and produces more than 3 million m$^3$ of potable water daily. 70% of the water used in cities as well as a sizeable portion of the water used in the industrial sector is produced by these desalination stations. These desalination stations are also a major source of electric power consumption in the country. In major cities such as Riyadh and Jeddah, a new source of water which is recently highlighted is the recycled water. Plants are constructed with the aim of recycling 40% of the household waste water for irrigation of the farm fields and the urban parks. Through these efforts, 1,660 cities and villages have been supplied with safe and clean water.$^{31}$

In 2013, the Ministry of Water and Electricity launched 32 projects with total budget of 824 million Saudi Riyal (equal to approximately 222.5 million US Dollars) throughout the country. The projects comprise the construction of water supply network and domestic wells and renovation of old water supply network.

Waste Water

The Ministry of Water and Electricity is the central authority responsible for policy and regulation on water and sanitation services, whereas the National Water Company has been responsible for water and sanitation.

Sanitation symbolizes a growing problem in major Saudi cities due to the flooding incidents which have recently occurred in some cities and heavily damaged the properties and infrastructure. The sanitation networks only cover approximately 42% of the areas in major cities and only 831,000 households are connected to the network. The coverage of sewage network is estimated to be 53% as of 2014 and is expected to reach 70% of urban areas. Sewage treatment plants receive wastewater at a rate that exceeds their maximum functioning capacity, thus the Ministry of Water and Electricity launched projects in 2013 which consist of development of water networks as well as the installment of sewage networks.$^{32}$

---

31 UN-Habitat, the National Report for the Kingdom of Saudi Arabia, 2016, p.74.
32 UN-Habitat, the National Report for the Kingdom of Saudi Arabia, 2016, p.75.
3.8. Urban Planning

The Government of Saudi Arabia developed its spatial plans in four different levels: national, regional, local and district levels. At the local level, there are two types of plans:

- The “Comprehensive Strategic Plan” (Figure 1) developed by urban development authorities in major cities identifies key spatial structures which are similar to the ones provided in the Regional Spatial Strategy;

- The “Local Plan” developed by the municipal authorities in medium and small cities focuses more on detailed land use plans, including plans for basic infrastructure network and land use control such as zoning.

At the district level, Action Plan is prepared to clarify detailed land use plans, including infrastructure, roads, and land subdivision in parcels. In major cities, the structural policy is more prioritized than the detailed land use zoning policy. In addition to Comprehensive Strategic Plans and/or Local Plans developed by the Urban Development Agencies and Municipalities, the Ministry of Municipal and Rural Affairs sets Urban Growth and Development Boundaries called “Nitaque Omrani” to control urban expansion and to prevent urban sprawl in outskirts of cities without adequate urban infrastructure installments.

Figure 1: Makkah City Comprehensive Strategic Plan (Land Use Plan)
Source: UN-Habitat, the National Report for the Kingdom of Saudi Arabia, 2016.

The Ministry of Municipal and Rural Affairs developed an operational manual
on the Urban Growth and Development Boundaries, which defines development standards, which are based on different strategic categories of national, regional, and local, to comply with development enterprises. The manual also insists on many general development principles and states that:

- Strategic development projects that are part of the spatial strategies, including major road and railway networks passing through private lands, should be more prioritized than any other development projects;
- Development projects outside of the Urban Growth and Development Boundaries are only permitted with the approval of the Ministry of Municipal and Rural Affairs; and
- Large-scale development projects should follow specified detailed standards.\(^{33}\)

At the operational level, municipalities have the responsibility to:

1) Maintain and manage tourist attractions;
2) Limit/stop illegal encroachments on the public domain;
3) Acquire pieces of land that are not owned by individuals, institutions (or land trusts), or public entities within their area of jurisdiction;
4) Issue construction permits for buildings and infrastructure;
5) Build and/or maintain public parks, public toilets, children playgrounds, and local cemeteries;

Monitor, evaluate, approve, and ensure the implementation of urban projects, local zoning regulations (including residential clusters), and urban planning laws for cities, villages, and hamlets. This is done in coordination with the central government agencies including the Ministry of Planning and in accordance with the guidelines of the National Strategy for Sustainable Development.\(^{34}\)

### 3.9. Transportation

The Ministry of Transport (MoT) is the central authority responsible for developing strategies, policies and plans. In 2011, the MoT developed the “National Transportation Strategy”, with the aim of providing sustainable transportation system at the national, regional and local levels. The Strategy will maintain a multi-modal transportation system and focus on public transportation services which will diminish the number of private vehicles (64% of the total road transport

---

33 UN-Habitat, the National Report for the Kingdom of Saudi Arabia, 2016, p.23-24.
in 2009) and consequently relieve traffic congestions and will reduce pollutants (like CO$_2$) and improve environmental conditions. Moreover, the Strategy endorses the founding of Master Plans at the municipal levels and recommends the development of integrated public transportation system in four major cities in the country, namely Riyadh, Makkah, Medina and Jeddah.

In Riyadh, the plan is the establishment of bus and metro networks. The first phase of the metro lines will consist of the construction of 2 axes of 42 km length which will include 36 railway stations. The “Park and Ride” system will be foreseen at the key stations located in suburban areas to encourage people to use public transport rather than their private cars. Parallel to that, a bus network is planned to complement the railway network covering the entire city of Riyadh with its services. According to the High Authority for the Development of Riyadh, the project is expected to cut down 2.2 million daily trips by cars, saving 800,000 hours spent on roads, and will also reduce the fuel consumption. The project is planned to be achieved by 2019.\textsuperscript{35}

At the local level, municipalities set the structure of transportation fees and charges in cooperation with the relevant governmental agencies as well as renting busses for public transport\textsuperscript{36}. They provide specialized access points/facilities for the disabled in the public domain and quality municipal roads and footpaths, including asphalting, paving, and street-lighting in coordination with the Ministry of Transport and the Ministry of Municipal and Rural Affairs besides conducting periodic maintenance of roads and bridges.

4. Challenges and Opportunities

4.1. Authority and Subsidiarity Principles

Decentralization: In the last ten years, many responsibilities have been transferred from the central level to the regional and local levels. This is evidenced by the expanded role of municipal authorities in development and service provision. This shift contributes to enhancing decentralized governance (although more reform initiatives are necessary to cover a wider range of sectors and to fully formalize the principles of decentralized governance).\textsuperscript{37}

Privatization: The decentralization of the governance system has been coupled by an increase in joint ventures with the private sector. Accordingly, and to reduce logistical pressures, municipalities delegate the contracts and responsibilities of delivering and managing certain urban services to private organizations and specialized businesses, which constitute an equal public-private partnership.\textsuperscript{38}

\textsuperscript{35} UN-Habitat, the National Report for the Kingdom of Saudi Arabia, 2016, p.76.
\textsuperscript{36} Almarshad, ‘The Impact of Good Governance’, pp. 118-119.
\textsuperscript{37} Ibid., p. 131.
\textsuperscript{38} Ibid., pp. 132, 305.
Overlap in Functions (common to local governance systems in the Gulf States): The organizational structure of the municipalities is characterized by an overlap/redundancy in functions related to the provision of services and development activities, making implementation and long-term control a relatively convoluted and litigious process.\(^{39}\)

### 4.2. Corporate Capacity and Urban Service Delivery

The spatial fairness of public services is a major aspect in offering a healthy and cheerful living environment in a city. These services include education, healthcare, security, and religious, commercial, and sports services. Often, there is no equitable service distribution throughout the city due to specific characteristics of the area and its development challenges, coupled by the lack of administrative and human resources and limited technical and managerial capacities. This presents a significant challenge for Saudi municipalities in terms of control and provision of an increasing demand for high-quality municipal services.\(^{40}\) The City of Makkah, for example, has applied the Geographic Information System (GIS) technology to investigate the spatial distribution of some selected public services over the municipal election areas and the results show that except for religious services, other services are not quantitatively proportional with the population variations in Makkah and thus, there is no equity in the distribution of services within the city. Consequently, local authorities along with the planners should take these results into consideration to attain rational and better distribution of public services in Makkah.\(^{41}\)

### 4.3. Resilience

#### 4.3.1. Sustainable Urban Development

The rapid urban growth in Saudi Arabia and the high levels of energy consumption (3 times higher than the global average) made the country in need of sustainable urban development strategy. As mentioned above before, in 2013, the Ministry of Municipal and Rural Affairs and other line ministries developed “Sustainable Urban Planning Guidelines for Urban Growth” to achieve sustainable urban planning and community design and to reduce energy consumption related to transport through dense and mixed-use developments, district cooling and energy efficiency. Table 3 (below) describes the various agencies that are associated with sustainable development in Saudi Arabia. These include the Ministry of Municipal and Rural Affairs and the municipalities that are responsible for providing various urban services and supervising the implementation of planning projects which

---

39 Garba, Managing Urban Growth, p. 605.
40 Ibid., p. 598.
ideally meet a certain set of environmental standards.42

Table 3: Institutions associated with sustainable development in Saudi Arabia

<table>
<thead>
<tr>
<th>Agency</th>
<th>Responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Presidency of Meteorology and Environment</td>
<td>Protect the environment at the national level: the presidency and other agencies that are associated with it are jointly responsible for implementing and monitoring sustainable development.</td>
</tr>
<tr>
<td>The National Commission for Wildlife Conservation and Development</td>
<td>Preserve the wildlife and maintain ecological balance and diversity, and manage the conservation of environmental and natural resources.</td>
</tr>
<tr>
<td>The Ministry of Agriculture</td>
<td>Maintain pasture, forestry, and animal resources and fisheries, and establish national parks.</td>
</tr>
<tr>
<td>The Ministry of Water and Electricity</td>
<td>Manage and sustain water resources, the sewage system, and the generation of power.</td>
</tr>
<tr>
<td>The Ministry of Petroleum and Mineral Resources</td>
<td>Manage and sustain mineral and oil industries.</td>
</tr>
<tr>
<td>The Ministry of Health</td>
<td>Manage and minimize/eliminate hazardous and medical waste.</td>
</tr>
<tr>
<td>The Ministry of Interior</td>
<td>Monitor and periodically inspect vehicles that comply with measures to minimize air pollution and exhaust fumes.</td>
</tr>
<tr>
<td>The Ministry of Culture and Information</td>
<td>Raise environmental awareness among citizens by conducting regular campaigns.</td>
</tr>
<tr>
<td>The Saudi Arabian Standards Organization</td>
<td>Set and apply standards and specifications on environment protection and elimination of pollution.</td>
</tr>
<tr>
<td>The Ministry of Municipal and Rural Affairs</td>
<td>Provide various urban services including landscaping, cleaning of streets, and waste management to preserve environmental health.</td>
</tr>
<tr>
<td>Municipalities</td>
<td>Implement environmental considerations at all levels of planning with an emphasis on incorporating an Environmental Impact Assessment in development activities.</td>
</tr>
</tbody>
</table>


4.3.2. Urban Risks

Urban risks are recently placed on the agenda of the Saudi Authorities when the frequency and severity of natural disasters over the past decade were gradually rising. During the period of 1980-2010, Saudi Arabia witnessed 14 natural disasters that affected more than 30,000 people with a total economic damage of 135 billion US$.43 Thus, risk reduction became one of the Government priorities, given the significant damages on both the people and the national economy such as the

43 UN-Habitat, the National Report for the Kingdom of Saudi Arabia, 2016, p. 41.
flood which is not a characteristic of the area, but represents the most frequent natural disaster in Saudi Arabia.

In September 2014 and in cooperation with the World Bank and the Global Facility for Disaster Reduction and Recovery (GFDRR), the Saudi Government started the elaboration of a long-term strategy on disaster risk reduction to manage and mitigate the impacts on natural disasters and to recognize the importance of integrating disaster risk management into urban planning. Therefore, the Ministry of Municipal and Rural Affairs has elaborated its “Sustainable Planning Guidelines” stating that any new development should not take place in areas prone to severe flooding, seismic activity or pollution of air, water or soil. Locally, major cities in Saudi Arabia, such as Jeddah, are implementing projects on risk reduction and impact mitigation of disasters. The city has a higher precipitation level than other regions in the Kingdom; thus, more vulnerable to flood. Therefore, it conducted a project to bypass rainfall water from the mountain areas to the Red Sea without affecting the city.

4.3.3. Migration: External and Internal Migrations

International Migrant Stock (1990-2013)

---

44 UN-Habitat, the National Report for the Kingdom of Saudi Arabia, 2016, p.42.
5. References


UN-Habitat, The National Report for the Third UN Conference on Housing and Sustainable Urban Development (HABITAT III) for the Kingdom of Saudi Arabia, 2016.

SYRIA
Maan Chibli

Country Profile

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>Syrian Arab Republic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Presidential Republic</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Arabic</td>
</tr>
<tr>
<td>Currency</td>
<td>Syrian Pound</td>
</tr>
<tr>
<td>Area</td>
<td>185,180 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>16,945,057</td>
</tr>
<tr>
<td>Urban Population Rate</td>
<td>54.2%</td>
</tr>
<tr>
<td>Capital City</td>
<td>Damascus</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>2,319,500</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>155</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$2,032</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>12.1%</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>35.2% (2007)</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>2.7%</td>
</tr>
<tr>
<td>CO₂ Emission (metric tons per capita)</td>
<td>1.7</td>
</tr>
</tbody>
</table>

Source: UN Data, WB Databank & National Legislation
1. Background

Since 2011, Syria has been witnessing a crucial chapter of its long history of existence. The crisis still continues and worsens each year. Nowadays, the country falls under different types of authorities with different types of local governance.

1.1. Constitutional Laws and Legal Regulations on Local Governments

In 2003, the Ministry of Local Administration launched a revision of the law no. 15 of 1971, with the intention of giving more power and delegation to the local authorities especially to the cities, despite keeping the same administrative divisions. The new law no. 107 of 2011, which replaced the previous law contained in Legislative Decree 15/1971, defined the particularities and the types of relationships between different layers of the Local Authorities at the Provincial and Municipal levels. This amendment accentuates also the decentralization process of the administration by giving more power and more financial autonomy to local administration over local activities. Accordingly, municipalities gained more autonomy in managing their human and financial resources, internal affairs, and projects.

Other laws also define the scope of responsibilities of the Local Administration in various domains such as the law issued by the legislative decree 19/2015 for forming private companies which regulates local administration finance as well as the new law 23/2015 which defines greater role for local councils in urban planning.

On the top of the structure, the law 107/2011 states that the Supreme Council for Local Administration is charged with overseeing the application of this law and its objectives. The law also defines that local councils are formed in provinces, cities, towns and municipalities. At the level of the province, the council is headed by a Governor, who is appointed by the President of the Republic. The Governor coordinates with the central government in Damascus and seeks to promote decentralization, enable local councils to execute development plans, increase financial revenues for local councils, improve society at the local level and facilitate services for citizens. At the city level, the Local Authorities are headed by an elected Mayor.

1.2. Election Processes for Local Governments

Local councils are elected in accordance with the Electoral Law 5/2014, which lays down conditions that candidates must fulfill and gives effect to the electoral process adopted in the current constitution.

Governors, appointed by a Presidential decree, head the Governorate and the Executive Governorate Councils, which are elected through direct suffrage for
four years. Mayors are elected on two stages: first, they should be elected as a member of the City Council by direct suffrage and then, the City Council by its turn directly elects the Mayor along with the Executive City Council. A presidential decree is issued with the name of the elected Mayor and a presidential decision issued with the names of the Executive City Councilors. The President has also the mandate to dissolve local councils. The Municipal Councils are also elected for four years, and the seats are distributed to candidates of the political parties belonging to public and private sectors and independent candidates. The city is divided into “Electoral Districts” that contain several neighborhoods; in each district, the candidates present themselves for the election following their birth records. The voters also follow the same rule; they can vote only in their districts in which they are registered.

2. Structure of Local Governments

2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

The Ministry of Local Administration (MoLA) oversees the work of the Governor and the governorate council as well as the Mayor and the municipal council from a strategic level. Those councils have also relations with other ministries according to the nature of task or project driven. The Ministry of Local Administration will assume the role of coordinator at the central level.

The Governorate supervises the work of the institutions and the regional directorates falling under its authority and coordinates between them from one side and the central government from the other side for the accomplishment of projects at the regional scale. In addition, for specific tasks or projects, the governorate coordinates with the municipality if a project or a task is to be implemented within the city administrative borders.

The Municipality organizes and manages the projects or the tasks to be achieved at the city level and coordinates with the governorate, if needed, for specific purposes or projects. The municipality also coordinates directly with the Ministry of Local Administration for questions related to budget or tendering.

2.2. Bodies of Local Governments

The executive body of the Municipality is constituted of several directorates, departments, sub-departments and districts that follow a certain division that is specific to each city. These entities ensure the good quality of the workflow and follow the day-to-day work under two types of tasks. The first type is the technical tasks followed by these directorates, such as heritage, infrastructure, gardens, street lighting, solid waste, health and so on. Their main task is to ensure good quality of project implementation and service delivery for the neighborhoods falling under the district responsibility and to administer day-to-day concerns of
the district as well as of the citizens. The second type is the organizational duties to be followed by the technical directorates and departments, such as permits, city properties, human resources, finance, and others. The main task of these directorates is to ensure a good workflow that realizes the city’s objectives while responding to the citizens’ needs in close cooperation with the neighborhood committees and the neighborhood chief “Mukhtar”.

2.3. Councils of Local Governments

The elected body of the Municipality is constituted of the city council members and the city council committees. The number of councilors is defined according to the size of the population; therefore, accordingly, the city council is constituted of 50 councilors in big agglomerations while it is constituted of 25 councilors in the smaller ones. The city council elects eight members from among its councilors to be the Executive city council members and each one of them is responsible over specific domains defined by the Local Administration Law and supervises the municipal executive body’s achievements according to those domains. The executive city council member should follow and ensure good implementation of these tasks in accordance with the city council plan and should submit a bi-monthly report to the city council’s meetings. The city council also elects the members of the permanent and temporary committees. The permanent Committees elect their own Chairman and Deputy Chairman. The Committees discuss the proposals submitted to the Council by the General Secretary in the plenary meeting of the Council and give their advice to the plenary Council. They follow up with the implementation of the Council decisions in their area of responsibilities which is also outlined by the Local Administration Law, such as planning, service delivery, economy and financial management.

2.4. Mandates of Mayors in Local Governments

The Mayor is the highest executive body at the city level and the legal representative of the Local Administration. He/she oversees both the executive and the elected bodies of the municipality and ensures, with the cooperation and assistance of the committees, the decent implementation of the programs in concordance with the city strategy and plans.

The Mayor represents the Local Administration in all official occasions and before the court and appoints the lawyers for that purpose as well as signing all outgoing correspondence and contracts. He/she also instructs the municipal police in situations that are prescribed by the law. In addition, he/she takes all necessary actions and assumes all necessary responsibilities in the field of defense and emergencies as per laws and regulations.

The Mayor may assign some of his/her responsibilities and tasks to the members of the Executive committee and must oversee the implementation of these tasks.
2.5. Organizational Structure of Local Governments

Three types of local authorities exist within this territorial division: Governorates, Cities, Towns and Townships. The governorate controls the provincial government offices as well as the local offices of the ministries and the state-owned enterprises. Syria is divided into 14 governorates (Muhafaza) as shown in (Figure 02), 107 cities, 455 Towns and Townships.

The City is the chief town/center city of the Governorate. There are only 13 of them in Syria because the governorate of Rural Damascus has no chief town. The cities prepare their organizational structure within the framework provided by the regulations at the ministerial level and this structure is issued by the decision of the Local Administration Unit. In each one of them, the post of Secretary General is present and the General Secretary is a category “1” officer or its equivalent who is appointed by the Mayor at the proposal of the Executive Committee. The General Secretary assists the Mayor and the Executive Committee in their work, attends the sessions (without the right to vote) and supervises all the employees to ensure that the decisions are put on record for adequate performance. The city is administratively divided into many neighborhoods and each one of them has a chief (Mukhtar) and a committee. The neighborhood committee is responsible for proposing the annual plan of the neighborhood to the City Council, following up with its implementation and informing the local administration about any deficiency in the execution of services. They also participate in the preparation of the city’s strategic plan and attend the meetings of the City’s Advisory Committees. On the other hand, for technical and budgetary planning purposes, the City elaborates the districts which each of the regroups several neighborhoods to ensure an adequate service provision.

2.6. Strategic Planning and Performance Assessment

The Law defines a period of six months for the Executive committee to prepare and submit a strategic plan to the council. The plan must be for 3 years and in conformity with the national and regional plans based on sustainability and balanced development. The strategic plan includes an area-specific vision within its boundary and a set of strategic planning objectives to address development needs. It also includes strategic goals and measurable objectives to be discussed and approved by the Council. The plan is updated each year showing the activities performed in line with the strategic plan and clear performance targets, the status of realization as against the established performance criteria, and the reasons of the deviations that have occurred. Strategic planning is obligatory for Governorates, Big Cities, and Common Administrations while it is voluntary for the other Local Units. In addition to the council’s strategic plan, the local council is now responsible for urban planning, development plans, and any other forms of service plans in their jurisdiction.
3. Duties and Responsibilities

The Local Administrative Units’ Councils shall carry out their tasks in accordance with the principles of sustainable and balanced development. Their main prerogative is to assure public services through its directorates and departments. The tasks include urban planning, public transportation, solid waste, civil defense, culture, environment and so on. The responsibilities are related to construction and maintenance of roads, establishment and maintenance of greens and public spaces, traffic planning and implementation, and public lightening. As per the law 107, the local councils will be responsible for all services at the end of the 5-year transition period into decentralization.

3.1. Infrastructure

As mentioned above, only road construction and public lightening fall under the authority of the Local Administration Units; other issues related to infrastructure such as sewage network are transferred to the provincial directorates linked to the central government.

Water

The Ministry of Water Resources is responsible for the water supply infrastructure and water quality through its local specialized directorates at the governorate, local, and district levels. Supervision of projects’ implementation follows accordingly depending on where the project is realized. The local authority plays the role of the coordinator with the other concerned regional directorates to ensure the synchronization of the location and timing between the planning and the implementation of the projects.

3.2. Housing

It is estimated that 62% of the land in Syria is state-owned lands\(^1\). The main task of the LA is to ensure the availability and the provision of lands for residential and other purposes within the limits of the Master Plan. According to the law no. 26 of 2001, the acquisition of lands is administered by the municipalities. After planning, the residential parcels are redistributed to the Public Sector (ministries and construction companies), the cooperative sector and the landlords. Source A. Khalaf (2014).

\(^1\) A. Khalaf: The Production of New Affordable Housing in the Syrian Cities: The Possible Role of Procurement Processes in Improving Construction Efficiency, Heriot Watt University, 2014, p38.
according to shares specified by the law itself.

Beside the lands, it is also within the municipalities’ prerogatives to coordinate and ensure that infrastructure is provided along with the land for residential use. From a different perspective, the municipalities could also develop their own public housing projects if they opted to. However, not all municipalities engaged in such an expensive endeavor. Aleppo, for instance, had an active municipal housing program for a while.

3.3. Culture

The Ministry of Culture organizes all the national debates and socio-cultural manifestations at the central level or in cities through their provincial directorates and the cultural centers located in the neighborhoods. Those cultural centers are run by the Ministry of Culture but financed by the Ministry of Local Administration with the budget of the Local Administrations that is allocated for this purpose. The LA has a budget line which goes to cultural activities, but it is limited to some awareness-raising campaigns for the citizens related to municipal issues. Furthermore, some of the big cities such as Aleppo established a “Cultural Strategy” for the City to complement and enhance the City’s cultural life as well as increase the quality of life for the citizens.

The involvement of the LA in this domain covers also managing the historic part of the City. All the renovation operations are coordinated mainly between the LA and the regional directorate of culture as well as other directorates following the project’s nature.

3.4. Social Development

The responsibility of managing the social affairs at the level of the governorates had been delegated by the ministers to the governors even before that the law 107 of 2011 entered in effect.

Health Care

The health sector is managed centrally by the Ministry of Health. The health system is provided by a hierarchical distribution of health care centers at three levels: The Governorate, the Cities, Towns and Townships. At the regional level, the Governorate participates in the preparation of plans in concordance with the governorate’s general plan and budget, supervises the implementation of the projects and the provision of equipment and materials. At the City level, there are directorates of health affairs which are responsible for public health through the quality control and licensing on alimentation (hotels, restaurants and cafes, and shops).
Education

The main decisions regarding the education system are managed at the central level by the Ministry of Education. The Governorate is responsible for financing and supervising the construction of schools through its Directorate of Technical Services, the role of LA is to make available the supply of land parcels for the school construction. Subsequently, the management as well as the implementation of the policies is assumed by the directorate of Education at the regional scale.

3.5. Local Economic Development

There is no obvious role for the Local Administrations in this regard since the economic affairs are handled at the central level. Despite that, there is an increasing demand that the Governorates and the Local Administrations should have their own long-term visions on how to have a vibrant economy which is able to compete, adapt and provide job opportunities for everyone including the women\(^4\). This vision includes preparing the infrastructure for the future local economic development of the city and focuses on strengthening some sectors over others, such as improving the service sector by promoting tourism and preparing the ground for its application in their future development and master plans. The local economic development should follow a cross-sector approach; therefore, the Local Administrations should play the role of a catalyst for change and development in this regard.

In a small economic scale, the municipalities do manage their own properties and run investment projects to generate municipal revenues. However, this has been seldom developed in a strategic manner.

3.6. Financial Management

The revenues of the Local Administrations (LA) are sorted into three types:

- The first one is the collection of direct resources that comes mainly from the local taxes and fees stipulated in the law, such as the sale, lease, investment, and utilization of properties, or could come from the Government grants allocated to the LA.
- The second one is the collection of indirect resources that comes from the percentage added to the State fees and taxes or is collected through other directorates at the city level, e.g. the Directorate of Electricity. These revenues are transferred to the Ministry of Local Administration which re-injects them into the local budgets of the cities according to the number of inhabitants in each LA Unit.

• The third one is the central government aid which is assigned specifically to implement large infrastructure projects when their budgets go beyond the financial capacity of the municipality. However, this aid is not provided on a regular basis, only according to the needs.

The size of each one of these components varies according to the size and the activities within the city. For example, for the city of Aleppo, the size of the first component (direct collected resources) in 2010 was around 61% while the resources transferred indirectly via the Ministry of Local Administration were around 23% of the total municipal budget and those transferred by the Ministry of Finance were around 16%, which makes the total indirect resources about 39%. On a different scale, in small municipalities, the local resources were minimal compared to centrally provided resources, which leaves the municipalities always dependent on the favoritism of the governors or the central government. Municipalities could also refer to the National Credit Fund that allowed them to borrow money for investment projects, but this money was often used by the Local Administrations just to cover their accumulative budget deficits.

As for the financial control process, it covers the allocating of appropriations, holding tenders, concluding contracts, receiving goods or services, carrying out works, issuing payment orders and other similar financial decisions to be taken by the authorizing officer. Internal and external auditing is undertaken with an objective to ensure the proper conduct of affairs and the regularity of the decision of the Local Authority. For the internal auditing, the Governor or the Mayor could appoint a qualified internal auditor while the external auditing is conducted by the Central Body for Financial Auditing.\(^5\)


The Ministry of Environmental Affairs is responsible for the quality control of all issues related to environment. The control is carried out by the regional Directorates of Environment, but in coordination with the Governorate because it normally covers different sectors of polluting activities. A committee, at the Governorate level, constituted of different concerned directorates is formed to accomplish this duty and conducts audits to scrutinize the performance level of different sectors of economic activities in terms of air pollution, water pollution, waste water quality etc. within the City and the Governorate administrative borders.

Solid Waste

The LA is responsible for the solid waste management inside its administrative borders, the duties in this regard encompass the collection, transportation and

---

5 Local Administration Law for Syrian Local Authorities, Legislative Decree no. 107 of 2011.
discharge of the waste into the landfill/s. A solid waste management plan should be elaborated by the concerned LA taking into consideration the municipal dispositive in this respect: human resources, vehicle for the collection and transportation of the waste, equipment, maintenance capacity and so forth. The control of the landfill is ensured simultaneously by the Municipality and the provincial Directorate of Environment.

3.8. Urban Planning

The Ministry of Local Administration is the central authority responsible for urban planning in Syria. Whereas the Master and Urban Design plans are prepared by the Governorates and LA respectively within their administrative borders, they are all subject to ministerial approval before the implementation phase. The preparation of the plans follows “Guidelines” prepared centrally by the Ministry of Local Administration.

The Law no. 26/2000 governs the preparation of the urban plans (Master and urban design plans) of the lands prepared for future expansion while the Law no. 41/2002 governs the procedures to be followed for the approval of the master and detailed plans. Prior to the ministerial approval, the City plans are subject also to the approval of the government through a special committee that includes members from different directorates including the LA. The big cities have the capacity to prepare their own urban design plans; however, those of smaller ones are prepared, at the governorate level, by the Directorate of Technical Affairs. The stakeholders’ involvement in the procedures is limited to the possibility of raising objections after the adoption by the local council and before the approval by the governorate or the minister. Though, after the law 107, they should all be treated the same, once the national plan for decentralization is achieved.

3.9. Transportation

The Ministry of Transport is the main authority of transport in the country. The subnational levels of responsibility at the governorates and local administrations exercise power in the matter handling local public transportation from a planning aspect such as lines and network of buses and mini-buses, taxi tariffs and stations. Apart from that, the Municipalities elaborate traffic plans for the whole or a part of the City and coordinate the implementation of these plans with the traffic police and other concerned directorates. The public transportation is shared between the public and the private sectors. While buses are shared between them, mini-buses, taxis, and taxi-services are completely owned by the private sector, yet managed by the local authorities.

6 A new law is in application now, law no. 23 of 2015.
4. Challenges and Opportunities

4.1. Authority and Subsidiarity Principles

Local Governments and Administrations are responsible for a complex system involving the people, the economies, the culture and the environment in a process of providing services and balancing individual and public interests. The key requirements for effective local government are a clear policy framework, the capacity to guide complex processes in urban management, and structures to facilitate negotiation, mediation and coordination that are the bases of good planning and effective and efficient urban management that engages all stakeholders.\(^7\)

The general aim of the principle of subsidiarity is to guarantee a degree of independence for a lower authority in relation to a higher body or for a local authority in relation to central government. It, therefore, involves the sharing of powers between several levels of authority.\(^8\)

In the Syrian context, it often happens to be rather a delegation of decision-making authority (de-concentration) than a devolution of power (decentralization) for supposedly centrally-made decisions. However, the law 107 of 2011 was set to ensure that it is a true devolution of power. Furthermore, it is generally not accompanied by allocation of resources to the local authorities. In addition, at the local level, the transparency of the roles between the governorate and the municipalities need to be clarified. The governorate councils have the extensive power over the lower local councils (depending on the size and the capacity of the LA) within the same governorate. The governor, the members of the executive council and the governorate council can interfere in the management of the lower levels or in any decisions made by the lower regional authorities.

This interference in the responsibilities related to the provision of services and development activities turns the implementation and the long-term control into a relatively complex and litigious process and hinders the advancement of some important technical or financial aspects of the municipal work. The local authorities appear to have more of an administrative nature without a real involvement in the political process of decision making.

Therefore, in order to regulate the framework that guides municipalities in their duties, the law must define clear responsibilities between the center, the governorates and the local administrations (cities), and create correlation between the different layers of the governance system. Without power and competencies, the LA cannot convince the citizens to pay real taxes and fees.

\(^7\) Memorandum on Sustainable Urban Development in Syria, Ministry of Local Administration, GTZ-UDP, 2009.

We should distinguish between the functions and the characteristics of urban governance, the management of urban development and the administration of urban service delivery.

4.2. Corporate Capacity and Urban Service Delivery

According to the Law 107/2011, Syrian local authorities are responsible for the provision of services such as constructing and maintaining streets, public places, and gardens, cleanliness, solid waste collection, traffic management, healthcare services for the employees working in food processing enterprises, and issuing permits and declarations as per laws and regulations. In addition, the LAs will move from these tasks to managing all local services within 5 years after the implementation of the national decentralization plan.

The division between the responsibility of local authorities for the maintenance of streets and gardens and the responsibility of the central government agencies for providing electrical supply, water supply, telephone network and such other services creates considerable coordination problems. Sometimes, these agencies dig up a street, for maintenance purposes, that has just been repaired by the local authority. Generally, the LAs lack qualified human resources as well as the necessary financial resources to respond appropriately to the demands for the implementation or the maintenance of services that fall under their authorities. The unstable allocation of means over the years constitutes additional layers of complication to this situation.

Moreover, in specific cases, the long procedural regulations of contract approval lead to delays in the implementation of some projects, which engender a negative reaction of the population. Simplifying these procedures and delegating authority and responsibility to the LAs will contribute positively with regards to urban services. Also, the use of geographic information system as basis for planning, management, and documentation will facilitate the operations of control and maintenance and better coordinate them among different stakeholders. This system needs to be managed by a qualified technical staff at the city level.

4.3. Resilience

Sustainable Urban Development

Sustainable urban development is considered as one of the most critical recent issues in urban planning. A measured policy approach to urban development can have a significant impact on the development of Syrian cities. This does not only apply to urban matters in the preparation of the master plans up to the beginning of the 21st century; it also involves socio-economic, cultural and environmental concerns that need to be addressed to make the best use of the potential of the Syrian cities as well as find solutions for the problem of the urban poor.
On the one hand, the Planning Standards in Syria were modernized and harmonized with the sustainable development needs and regional planning. They strengthened the feedback mechanisms between the different planning levels and the cooperation between the different planning actors. On the other side, the Local Agenda 21 (LA21), which was recognized through the “Strategy and National Environmental Action Plan,” presents an additional tool for LA to affect good sustainability management. Two cities in Syria had their action plan: Aleppo and Homs. The plan gives a quite complete and qualified overview of the planning needs and the options of the Municipality, addresses all basic issues related to local sustainable development, and offers very precise and helpful technical inputs for a further LA21 process and its implementation. In this regard, people will only be aware if the community is informed about the issues. Only then one of the major goals is achieved.

The chart below details the main steps implemented in Aleppo between December 2006 and July 2008 by the MAM project. The same methodological approach has also been undertaken in the city of Homs.

<table>
<thead>
<tr>
<th>LA21 ALEPPO FLOW CHART</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preparatory meetings:</td>
</tr>
<tr>
<td>-Departments and Districts</td>
</tr>
<tr>
<td>-City Council and Executive B.</td>
</tr>
<tr>
<td>LA21 UNIT establishment in MAM office</td>
</tr>
</tbody>
</table>

First meeting FORUM for ALEPPO LA21

1. Aleppo Eco-maps
2. LA21 Working Groups proposal

<table>
<thead>
<tr>
<th>7 WORKING GROUPS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Economic Development</td>
</tr>
<tr>
<td>2. Informal Settlements</td>
</tr>
<tr>
<td>3. Air pollution</td>
</tr>
<tr>
<td>4. Heritage</td>
</tr>
<tr>
<td>5. Social Development</td>
</tr>
<tr>
<td>6. Waste management</td>
</tr>
<tr>
<td>7. River and water management.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ACTION PLAN FOR ALEPPO 2015 – LOCAL AGENDA 21</th>
</tr>
</thead>
<tbody>
<tr>
<td>-Visions/Goals</td>
</tr>
<tr>
<td>-Targets</td>
</tr>
<tr>
<td>-Actions</td>
</tr>
<tr>
<td>-Indicators</td>
</tr>
</tbody>
</table>

1. Action Plan for Aleppo 2015 – discussion and approval


Furthermore, a long-term development vision combined with the new approaches of sustainability was developed in the City of Aleppo which initiated the “Aleppo City Development Strategy” (CDS). The project, which is locally named “Madinatuna,” traces a long-term vision about Aleppo in several fields such as urban development, local economy, environment, and financial management.
Urban Risks

Rapid “unplanned” urbanization and increased climate variability impose additional challenges to the effective urban management and the delivery of key services. With disaster becoming a recurring feature, the Local Authorities and concerned Institutions should have adequate organizational capacities as well as plans in place to address the consequences of disasters.

In Syria, the number of affected people by disasters between 1991-2015 is reported to be 1,629,000 by draught and 352 by flood. Subsequently, the LA has to provide appropriate response and recovery efforts in risk management through the proximity of risk-reducing infrastructure and services, such as provision of sanitation, drainage, waste collection, health care, and emergency services.

Migration: External And Internal Migrations

10 http://www.saarc-sadkn.org/theme_env_urban.aspx
Even before the war, about 10% of the registered Syrians were working and living abroad, and a considerable number of Syrians were living and working in areas other than their native registered birthplaces.

After the conflict in 2011, 5.6 million Syrians were registered as refugees outside Syria, including 4.3 million in the neighboring countries, whereas internally, 7 million Syrians have been displaced so far. At the beginning of the war, all these neighboring countries opened their borders to Syrians. However, starting in 2012 in Turkey, in 2013 Jordan, and in 2014 Lebanon, the borders gradually started to be closed in the face of the refugees, thus reducing the number of entries to minimum. The restrictions were enforced on the unaccompanied men, the Palestinian refugees or the visitors, preventing them from re-entering to the refuge country. These complicated measures taken against the Syrian people in the adjacent countries forced the refugees, especially after 2015, to go to Europe, launching what is now known as the “migrant crisis”.

11 Migrant Policy Center, 2016.
12 Migrant Policy Center, 2016.
5. References


Local Administration Law for Syrian Local Authorities, Legislative Decree no. 107 of 2011.


Memorandum on Sustainable Urban Development in Syria, Ministry of Local Administration, GTZ-UDP, 2009.


Country Profile

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>Republic of Turkey</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Presidential Republic</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Turkish</td>
</tr>
<tr>
<td>Currency</td>
<td>Turkish lira</td>
</tr>
<tr>
<td>Area</td>
<td>783,562 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>82,340,088</td>
</tr>
<tr>
<td>Urban Population Rate</td>
<td>75.1%</td>
</tr>
<tr>
<td>Capital City</td>
<td>Ankara</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>4,919,100</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>64</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$9,311</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>11.1%</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>13.5% (2017)</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>15.2%</td>
</tr>
<tr>
<td>CO₂ Emission (metric tons per capita)</td>
<td>4.5</td>
</tr>
</tbody>
</table>

Source: UN Data, WB Databank & National Legislation

1. Legal Status

1.1. Historical Background

In the classical Ottoman period, local services were generally provided by foundations and sometimes by local people. During this period, the highest ruler of the Ottoman city was kadi (judge). In addition to his duty as judge, the
kadis also performed administrative, financial and municipal functions. There were many civil servants assisting the kadi. Being one of them, muhtasib was authorized to apply sanctions. In addition to written and unwritten sources, the city administration relied in large part on customs and norms. As a result of the changing external and internal conditions taking place in the 19th century, the first municipal organizations were established in accordance with the Provincial Regulation of 1864. In 1877, the Provincial Municipal Law was adopted. In 1910, the Dersaadet Municipal Law and in 1913, the Tentative Provincial Law were issued.

After the proclamation of the Republic, the Village Law No.442 was adopted in 1924 to regulate the local governments in the rural areas, and in 1930, the Municipality Law No.1580 was enacted to regulate the local governments in cities. Special provincial administrations, which have local administration (at the provincial level) throughout the province, were established according to a law issued in 1914. Municipalities started to gain political importance with the direct election of the mayors by the public since 1963. In 1985, the municipalities were given the authority to develop land. Laws on local governments were revised in 2004 and 2005. Thus, the reforms implemented in the country, where the centralized administration was strong due to the historical circumstances, aimed at strengthening the administrative autonomy of the municipalities and increasing their financial resources and authorities. These regulations are the most radical reforms carried out in the history of local governments in Turkey.

1.2. Constitutional Regulation of Local Governments

Local governments were included in the constitution of 1876 during the era of the Ottoman Empire and in the constitutions of 1921, 1924, 1961 and 1982 during the Republican period. The article 123 of the last Constitution, in which the integrity of the administration and the public legal personality are regulated under the heading of fundamentals of the administration, was formulated as follows: “The administration is a whole with its formation and functions, and shall be regulated by law. The organization and functions of the administration are based on the principles of centralization and decentralization. Public corporate bodies shall be established only by law, or by the presidential decree. “Thus, the administration was divided into central and local administrations.

The Constitution categorizes local governments into three types: special provincial administrations, municipalities and villages.

- Decision making bodies of local governments are directly elected by the electors,
- They have public legal personality,
- Responsibilities and rights are determined by law in accordance with the
principle of local governance,

- Elections are conducted every five years,
- The central administration has tutelage over the local governments for the purpose of creating unison with other public services,
- Local government have sources of income relative to their responsibilities,

Turkey is a founding member of the Council of Europe that was established in 1949 and operates in accordance with the principles of democracy, human rights and the rule of law. Turkey is an active member of the Congress of Local and Regional Authorities of the Council of Europe. Despite the debates going on over the years, Turkey adopted a large part of the European Charter of Local Self-Government in 1991 and brought its national legislation into conformity with the Charter (Esen, 2011). For, international agreements duly put into effect have the force of law (Article 90 of the Constitution).

1.3. Legislative Regulation of Local Governments

There were important steps taken in 2004 and 2005. The Municipal Law No. 5393, the Law on Metropolitan Municipality No. 5216, the Special Provincial Administration Law No. 5302 and the Law on Local Government Unions No. 5355 were revised. However, although the Law on the Fundamental Principals and the Restructuring of Public Administration which envisaged a radical reform in public administration was passed by the parliament, it did not become law after its refusal on the basis of the following statement of the then president: “The purpose of the Law seems to be the redistribution of duties and authorities between the central and the local governments for the benefit of the latter and giving general authority to the government in the matter of ensuring that public services are delivered by the private sector.”

1.3.1. Villages

The Village Law of 1924 regulated the local governments in rural areas. However, economic and social conditions led to significant migration from villages to cities. This brought about a decrease in the incomes of the villages, and they became unable to fulfill their functions.

1.3.2. Special Provincial Administrations

According to the Special Provincial Administration Law No. 5302 of 2005, the local governments provide services in rural areas. The Special Provincial Administration is a public legal personality having administrative and financial autonomy which is established to meet the common local needs of the people in the province and whose decision-making body is elected by the electorate.
They are established with the legislation that establishes the province and are dissolved if the province is dissolved.

1.3.3. Municipalities

Municipality is a public legal personality having administrative and financial autonomy which is established to meet common local needs of a town’s inhabitants and whose decision-making body is elected by the electorate. The Municipal Law No. 5393 of 2005 lays down the establishment, the organs, administration, duties, powers, responsibilities as well as working procedures and principles of the municipalities. A municipality can be established in settlements with a population of 5,000 or more. It is mandatory to establish a municipality at a provincial or district center. Municipalities cannot be established in basins of potable water or utility water, in protected areas or other conservation areas, or in settlements located less than 5,000 meters away from the boundaries of a municipality with an established residential area. Provincial, district and town municipalities are subject to this law. Moreover, being a general law, it also applies to the metropolitan cities for issues that are not yet regulated.

The number of municipalities which was 421 in 1923, the year when the Republic was founded, reached 3,225 in 2002. The minimum population required for the designation of a municipality was envisaged to be 2,000 in Law No.1580 of 1930 and 5,000 in Law No. 5393 of 2004. However, 70% of the 2,950 municipalities in Turkey had a population of less than 5,000. In fact, approximately one third of the municipalities had less than 2,000 inhabitants. For this reason, the incomes of many of them depended on the shares coming from the government and they could not even afford to pay the salaries of their staff. Since small municipalities never had enough financial resources and skilled staff, municipal services remained weak in these areas. As a result, in 2008, with the enactment of the Law No. 5747, 862 town municipalities were closed. The new regulation envisaged the formation of powerful municipalities. The municipal scale grew considerably with the municipal merger and the reorganization of local governments. Still, 709 municipalities have less than 10,000 inhabitants. There are 21 municipalities with a population of over one million.

Table 1: Municipalities by population

| Population of 10,000 and below: | 709 municipalities |
| Population of 10,001-50,000: | 351 municipalities |
| Population of 50,001-100,000: | 106 municipalities |
| Population of 100,001-250,000: | 120 municipalities |
| Population of 250,001-1,000,000: | 91 municipalities |
| Population of above 1,000,000: | 20 municipalities |
Note: Three more municipalities have been designated through a court order bringing the total number to 1399.

There are two cities with a population of over 5 million. Of these two cities, Istanbul has a population around 16 million and Ankara has a population of around 5.5 million.

1.3.4. Metropolitan Municipalities

As per the Constitution, “Special administrative arrangements may be introduced by law for larger urban centers;” hence, this paved the way for the establishment of the Metropolitan Municipalities. The first regulation on Metropolitan Municipality in Turkey was the Law No. 3030 issued in 1984. Thereby, the new legislation defined metropolitan municipalities as “cities having multiple districts within the boundaries of the municipality, including the central district.” This created a dual local government structure with, on the one hand, metropolitan municipality established in large settlements and on the other hand, district and first-tier municipalities established in districts having district governorships. This structure remained unchanged in the Municipality Law No.5216 that was issued later. With the Law No. 6360 enacted in 2012, new metropolitan municipalities were established in settlements with a population of 750,000 and above. Thus, in 14 provinces, metropolitan municipalities were established within the provincial administrative boundaries, and the provincial municipalities of these provinces were transformed into metropolitan municipalities. The boundaries of the municipalities, which were previously metropolitan municipalities, were redefined as provincial administrative boundaries. The public legal personalities of the village and town municipalities within the boundaries of the districts attached to these provinces were abolished.
and villages as neighborhoods and municipalities constituting one neighborhood named town merged into the district municipality they are attached to.

According to the latest regulation, the number of metropolitan municipalities in Turkey is 30, the number of district municipalities is 919 (of which 519 are metropolitan districts), the number of provincial municipalities is 51, the number of special provincial administrations is 51 and the number of town municipalities is 397. Thus, there is a total of 1,396 municipalities in Turkey. 94% of the country’s population lives within the boundaries of municipalities. The total number of villages is 18,247, and 6.7% of the country’s population lives in villages.

1.4. Local Government Elections

According to the Constitution, the elections for local government are held every five years under the direction and supervision of the judiciary in accordance with the principles of free, equal, secret, direct, universal suffrage and public counting of the votes, as stated in the Article 67 of the Constitution.

In Turkey, local officials (mayor, municipal council members, general provincial council members and mukhtars) are directly elected by the electorate. The elections are held under the direction and supervision of the judiciary in accordance with the principles of free, equal, secret, direct, universal suffrage and public counting of the votes. Each district is an electoral zone for the election of the members of the municipal council and the general provincial council. In the municipal and provincial council elections, the proportional representation is applied, while in the mayoral elections, the majority voting system is used. In addition, there is a quota application for the election of the municipal council members. The law on local election, the law on political parties and the laws on the financing of the elections implemented in Turkey restricts independent candidates to a great extent.

The latest election was held on 31 March 2019. The turnout in the local elections was quite high. In recent years, the turnout rate has steadily increased: the turnout rate of 76% recorded in 2014 reached 85% in 2019.

2. Structure of Local Governments

2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

The central government is organized as provinces and districts. Provinces are governed by provincial governors, whereas districts are governed by district governors. Both governors are appointed by the central government. There are 81 provinces and 919 districts in the country. The rural units of the ministries which have central organizations are organized as provincial and district directorates.
Since 1984, the practice of metropolitan municipality has existed in big cities. Accordingly, there emerged a dual municipal structure that consisted of district municipalities, mainly responsible for micro services, and metropolitan municipalities which are responsible for macro services.

The special provincial administrations oversee preparing the physical infrastructure in the areas of education, health and sports at a provincial level as well as the infrastructure of settlements and agricultural production in rural areas. Special provincial administrations carry out part of their duties in the entire province and the other part only in non-municipal areas, i.e. in villages.

In terms of functioning as the local governments of rural areas, villages are older than the municipalities. The financial resources and the budget of the village administrations are limited; nevertheless, they are democratically important. Since the villages located within the boundaries of the metropolitan municipality were merged with the municipalities, the number of villages in the country fell from 35,000 to 18,247. The population living in these villages makes up 6.7% of the total population. The average village population is 284.

The neighborhood included in the Municipal Law is, in a sense, a local government. However, it is not considered as a proper local government since it does not have a decision-making body, budget or public legal personality. Towns are composed of a few or many neighborhoods depending on their size. There are currently 31,680 neighborhoods in 1,396 towns. There is no area or population limit related to the size of a neighborhood. The smallest neighborhood has a population of 11 inhabitants whereas the largest one has a population of 85,757. The average neighborhood population is 2,289. The neighborhood administration consists of the mukhtars and the council of alderman (executive board). Mukhtars and members of the council of alderman are directly elected by the voters residing in the neighborhood. Public services are often based on the neighborhood. For example, electoral registers are formed based on the neighborhood. The mukhtar of the neighborhood acts as the liaison between the residents and the public institutions, especially the municipality. Neighborhood mukhtars play important roles in determining the poor in the neighborhood and the aid to be allocated to them, renewing the electoral registers, and informing the related institutions about the problems in education, health, security and cleaning services. Monthly payments are made by the state to neighborhood mukhtars as in the case of the village mukhtars.

2.2. Local Government Bodies

2.2.1. Special Provincial Administrations

The bodies of the special provincial administration consist of the general provincial council, the provincial committee and the governor. In addition, on
behalf of the governor, the secretary general carries out the works of the special provincial administration. The secretary general is appointed by the Minister of Interior upon the proposal of the governor.

2.2.2. General Provincial Council

The general provincial council is the decision-making body of the special provincial administration. The duties and powers of the general provincial council are the same as the duties and powers of the municipal council. As is the case with the municipal council, the general provincial council is also directly elected by the electorate. The members are elected to represent the districts. Based on the population of the districts, the number of members of the general provincial council is as follows:

Table 2: Number of the general provincial council members

<table>
<thead>
<tr>
<th>Population</th>
<th>Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>up to 25,000</td>
<td>2</td>
</tr>
<tr>
<td>25,001-50,000</td>
<td>3</td>
</tr>
<tr>
<td>50,001-75,000</td>
<td>4</td>
</tr>
<tr>
<td>75,001-100,000</td>
<td>5</td>
</tr>
</tbody>
</table>

The provincial committee is an executive board and consists of a mixed structure as in the case of the municipal committee. Three members are elected by the general provincial council and the rest of the three members are appointed by the governor from among the managers of the special provincial administration. The governor is the chairman of the committee.

Governor represents the state on the provincial level and is the executive and representative branch of the special provincial administration.

2.2.3. Villages

Village administration branches: Village foundation, Council of Alderman and Village Mukhtar.

The village foundation is the sum of men and women eligible to elect the mukhtar and the council of alderman.

The council of alderman is elected for a five-year term and is a decision-making body where related administrative decisions are taken.

The village mukhtar is the head of the village administration and the council of alderman.

The village mukhtar and the council of alderman (executive board) are directly elected by the electorate. As a public legal personality, the village has full administrative and financial autonomy. The village administration consists of the mukhtar, the council of alderman and the village society. The village
mukhtar also represents the state in the village. Including the mukhtar, 8 to 12 members are elected to the council of alderman (executive board) based on the population of the village. The council of alderman assists the mukhtar in the management of the village and is the decision-making body of the village.

2.2.4. Municipalities

The administrative organs of municipalities are, municipal assemblies, municipal councils and mayors.

The governing bodies of the municipalities (including the metropolitan municipalities) are the council, the mayor and the committee.

2.3. Councils of Local Governments

2.3.1. Municipal Council

The municipal council is the decision-making body of the municipality and is directly elected by the people for a period of five years. Except for the metropolitan municipalities, the municipal council consists of a minimum of 9 members and of a maximum of 55 members based on the population of the city. The mayor is also included in these figures as mayors are the natural members and chairmen of the municipal council.

Table 3: Number of municipal council members

| Population of up to 10,000:       | 9 members |
| Population of 10,001-20,000:      | 11 members |
| Population of 20,001-50,000:      | 15 members |
| Population of 50,001-100,000:     | 25 members |
| Population of 100,001-250,000:    | 31 members |
| Population of 250,001-500,000:    | 37 members |
| Population of 500,001-1,000,000:  | 45 members |
| Population of above 1,000,000:    | 55 members |

There is no separate election conducted for the metropolitan council membership. The members with the highest number of votes among the members of a district municipal council within the metropolitan boundaries are also members of the metropolitan council. The mayor of the metropolitan municipality is also the mayor of the metropolitan council. The number of the metropolitan council members varies depending on the number and size of the districts. For example, the council of Istanbul Metropolitan Municipality consists of 310 members and the mayor. Those over 18 years of age can vote in parliamentary and local elections and can be elected mayor or municipal councilor.

Municipal councilors are paid out of the municipal budget for the meetings they participate. Mayors receive remuneration set in the law based on population size
of the city. Councilors are reimbursed for expenses whenever they are assigned outside the city.

Main Duties of the Municipal Council are;

- To approve the strategic plan, budget, work program and investment program of the municipality,
- To approve revenues, expenditures and the annual activity report of the municipality for the previous year,
- To approve land development plans,
- To grant concessions and allow for the establishment and sale of enterprises and companies,
- To allow the municipality to borrow, purchase and sell real estate,
- To determine the fee rate for the services provided by the municipality,
- To establish the organizational structure of the municipality.

2.3.2. Council Inspection

The municipal council is both the decision-making body and the supervisory body of the municipality. The council can use this authority when granting the above-mentioned approvals and permits as well as by posing questions to or tabling a motion of censure against the mayor. A majority of at least three-fourths of the full membership of the council is required to reject the annual report or declare the mayor incompetent. The resolution on incompetence of the mayor goes into legal effect only after it is approved by the State Council.

Dissolution of the Municipal Council

A municipal council is dissolved by a decision of the State Council upon the request of the Ministry of Interior in the event that the municipal council in question neglects to timely perform its statutory duties and such failure impedes or delays the municipality’s work, or it passes resolutions on political issues unrelated to the duties conferred upon the municipality. If the mayor votes affirmatively in the council resolutions that lead to the dissolution the council, s/he will be removed from office by the State Council as well.

Municipal Council Meetings

Municipal councils convene during the first week of each month. In metropolises, district municipalities hold their meeting in the first week and metropolitan municipalities convene in the second week. Municipal council meetings are open to everyone. The citizens and the press can freely monitor the meetings of the
municipal council. Representatives of relevant professional organizations, non-governmental organizations and other organizations may attend the meetings of the municipal council commissions. Commission reports and council decisions are open to all. Council decisions and commission reports are open to public and are given in return for payment of a fee not to be more than its cost.

2.4. Mayors

Mayors have been directly elected by the public since 1963. The mayor and the municipal council members are elected simultaneously for a period of 5 years. There is no limitation regarding the re-election. The election is held in one round, and the candidate with the highest number of votes is elected.

Turkey adopted the strong-mayor system: The mayor is politically strong since s/he is directly elected, and the political party s/he represents generally has the majority in the council. The mayor is also strong in administrative terms as the s/he manages the municipal budget and the staff. In metropolises, the secretary general of the municipality and the general managers of the affiliated entities are appointed by the Minister of Interior upon the proposal of the mayor. The mayor has the authority to appoint staff and managers as well. Being the president of both the municipal council and the municipal committee, the mayor has the authority to determine and manage the entire agenda and decisions of the municipality. A member of the parliament or a public officer who has been elected as mayor relinquishes his/her seat in the parliament and resigns from his/her position. The mayor may not take part in the management of the political parties during his/her term of office and cannot act as a member of the parliament or any other public officer.

Main Duties of the Mayor

- Presiding over the municipal council and the municipal committee,
- Implementing the decisions of the council and the committee,
- Managing the municipality in accordance with the strategic plan, the work schedule and the council decisions,
- Following up on the revenues and receivables of the municipality,
- Protecting the interests of the municipality,
- Representing the municipality and concluding contracts on behalf of the municipality,
- Appointing municipal staff and managers,
- Managing the municipal organizations and enterprises,
• Manage the immovable of the municipality.

General Provincial Council

The chairman of the general provincial council is elected from among the members. Until 2005, the governors appointed by the central government served as the chairman of the council. From 2005 until now, the chairman is elected from among the members. The governors serve as the chairman of the provincial committees.

Villages

The village association, which consists of all the voters in the village, is an example of direct democracy. It decides on the affairs of the village as well as individual contributions (salma) to the village budget and joint work (imece). The village association has power of disposal on village property.

2.5. Committees (Executive Boards)

The provincial committee is an executive board and consists of a mixed structure as in the case of the municipal committee. Three members are elected by the general provincial council and the rest of the three members are appointed by the governor from among the managers of the special provincial administration. The governor is the chairman of the committee. The executive authority in the special provincial administration is shared between the governor and the provincial committee. The provincial committee implements the decisions of the general provincial council. At the same time, the special provincial administration acts as a decision-making body in matters such as the sale and leasing of immovable properties and other technical issues. The governor representing the state in the province is also the representative and executive body of the special provincial administration.

Municipality

The municipal committee is an executive board which is composed of 5-7 members based on the size of the population. The members are elected from among the committee by secret ballot and appointed by the mayor from the financial unit and other units of the municipality. The mayor is also the chairman of the committee. The duties and working principles of the committee are specified in the Municipal Law. Likewise, the metropolitan municipalities have their committees composed of 5 members who are elected and appointed in the same way specified above. In the meetings held in the absence of mayor, the secretary general in the metropolitan municipalities and the vice-chairman in other municipalities preside over the committee.
2.6. Organizational Structure of Municipalities and Personnel

The organizational structure of municipalities is also defined in the laws on local government. Accordingly, it is formed by the general secretariat, departments and directorates in accordance with the principles of norm position. The formation, dissolution or incorporation of these divisions is subject to the decision of the metropolitan council. There is no deputy mayor in the metropolitan municipality. For the effective and efficient execution of the services, a deputy secretary general may be appointed in accordance with the norm position to assist the general secretary. The services in the metropolitan municipality are executed by the secretary general and his/her assistants on behalf of the mayor under his directive and responsibility as well as in accordance with the provisions of the legislation, the purpose and policies of the municipality, the strategic plan and the annual programs.

The municipal organization is formed, according to the norm positions, by the clerical department, the financial department, the civil works department and the public security department. Other divisions, such as health department, fire department, development department, human resources department and law department, can be formed according to the principles and standards of the norm positions and in consideration of the county’s population, its physical, geographical, economic, social and cultural characteristics and its development potential. The formation, dissolution or incorporation of these divisions is subject to the decision of the municipal council.

In municipalities, three types of personnel are employed: civil servants, contracted personnel and workers. Civil servants are employed in the administrative and compulsory services of the municipality according to the norm position. The number and qualifications of personnel to be employed by the municipality are determined by the norm position issued by the Ministry of Interior. In case of a lack of personnel such as architects, engineers and lawyers, the municipality can employ personnel by contract for a period of one year. Workers are employed under a labor contract for noncompulsory services. The number of workers employed in municipalities under the service of a private company has exceeded the number of the permanent personnel in most of the municipalities. There is no separate legal regulation for civil servants and workers working in municipalities. The civil servants in the municipality are subject to the Civil Servant Law which is binding for public officers, and workers are subject to the Labor Law. The rules related to the recruitment and personal rights of municipal managers, technical personnel and employees are regulated by the Civil Servant Law. The number of people employed through the service procurement method has increased rapidly in recent years. In this model, the main employer is the contractor companies.
Except for the elected administrators (the mayor and the municipal councilors), permanent personnel of the municipalities are organized in line with the organizational structure set forth in the Municipal Law. In metropolitan municipalities, the secretary-general is the top professional administrator of the municipal organization while the director-general is the highest professional administrator of the water and sewer administration or the transport administration. Units under the secretary-general or the director-general are restructured under departments. In non-metropolitan municipalities, there is not a general secretariat and each unit is organized under a directorate. These directorates directly report to the mayor. For non-metropolitan municipalities, the mayor may appoint a certain number of deputy mayors from among the councilors or municipal administrators. The central government lays down the general principles concerning which units may be established in municipalities and its affiliated entities, job positions and personnel. In addition to the mandatory units established in accordance with these principles, the municipality can form other necessary units by the decision of the municipal council. The municipal organizational structure consists of the units for clerical, financial and technical services as well as the municipal police. Based on the needs, it is possible to establish units in the fields of health, firefighting, land development, human resources, legal affairs and other fields. The Municipal Law imposes a limitation on personnel expenditures. According to this limitation, personnel expenditures cannot exceed 30% of the municipal budget. If this rate is exceeded, the municipality cannot recruit any additional personnel. The personnel expenditures of municipalities stand at an average of 15.15% of their budget. With the social security contributions included, this rate rises to 17.59%. According to 2014 data, the share of municipal personnel in the overall public personnel is around 8%.

Municipalities benefit from the services of the municipal police, an unarmed special law enforcement force, for the preservation of the public order.

3. Duties and Authorities

Local governments have been established to meet “local common needs”. The powers and obligations of municipalities are specified in the law. Thus, the duties and powers of municipality are restricted within the municipal boundaries.

The tasks of municipalities can be divided into mandatory and optional tasks. Providing services in the fields of land development, public transportation, water and sewerage systems, waste management, maintenance of cemeteries and firefighting is mandatory for municipalities since there is no other establishment except for the municipality to offer such services. If the municipality neglects these services, the life in the city becomes paralyzed.
There are also optional duties of municipalities. The municipality is only authorized to, not responsible for, carrying out these duties. For example, the Ministry of National Education is primarily responsible for the construction and maintenance of state-owned schools. Similarly, there are ministries or central government agencies responsible for social services, social assistance and poverty alleviation. However, the municipality can complement the central government in the delivery of these services.

**Metropolitan Municipalities**

Main duties of the metropolitan municipalities are:

- Preparing the high-scale (1/5,000 to 1/25,000) land development plans,
- Approving the implementation plans (1/1,000 scale) prepared by districts,
- Supervising the compliance of land development implementations of district municipalities with the plans,
- Producing land lots and housing to ensure orderly urbanization,
- Building infrastructure as required for industry and trade,
- Drawing up the metropolitan transport master plan and plan and implement the public transportation,
- Building squares, boulevards, avenues and main roads,
- Maintaining and develop the environment, agricultural land and water basins of the city,
- Recycling and storing solid waste,
- Delivering water and sewer services,
- Building open and closed parking spaces,
- Building regional parks, zoos, museums, sporting, leisure and recreational facilities,
- Building cemeteries, wholesale food markets and slaughterhouses,
- Providing firefighting and emergency services.

**Metropolitan District Municipalities**

The district municipalities have an important function in terms of the civil participation in governance, since their councils are directly elected by the people, and they are the first step.

In cities where metropolitan model is applied, small-scale services are entrusted
to district municipalities. These services include preparing land development plans, collecting solid waste, building roads and infrastructure below a certain scale and conducting social and cultural activities.

Main duties of district municipalities are:

- Maintaining and cleaning the streets,
- Collecting household wastes,
- Preparing land development implementation plans (1 / 1,000 scale),
- Issuing building permits,
- Proving social municipal services (reducing poverty, providing social aid and skill courses for the unemployed),
- Developing amateur sports,
- Providing education, sports and cultural services.

Metropolitan Municipality-District Municipality Relationship

In order to coordinate the services provided by different district municipalities operating within the same area such as urban transportation, infrastructure, water and sewerage, environmental and land development services, metropolitan and district municipalities need to work in close cooperation. It is significant that all the services are planned and delivered by a central authority both in terms of the technical issues and the scale economy. An administration that is strong both administratively and financially is required for the effective and economic planning and execution of these services. For this reason, coordination activities between metropolitan and district municipalities are important since they are complementary in nature. Otherwise, some setbacks or overlaps may occur in municipal services. There may even occur conflicts of duties or powers between the municipalities. Therefore, the metropolitan municipality is responsible for ensuring coordination between municipalities and settle the disputes. In order to avoid such drawbacks, the metropolitan council is constituted of district mayors and highest voted district councilors. In this way, a relation of tutelage between metropolitan and district municipalities was established by law, and a hierarchy was formed to ensure the integrity of land development administration. High-scale plans were entrusted to the metropolitan municipality while the implementation plans are under the authority of district municipalities.

- The implementation plans of the district municipalities are subject to the approval of the metropolitan council,
- Budgets of district municipalities are subject to the approval of the
metropolitan council,

- In case of disputes between a district municipality and the metropolitan municipality or between district municipalities, the metropolitan council has the authority to pass directive and regulative resolution.

Some of the metropolitan municipal duties may be delegated to district municipalities by the decision of the metropolitan council upon the consent of district municipalities. These services include:

- Passenger and freight terminals,
- Open and closed parking spaces,
- Cemetery and burial services,
- Wholesale food markets and slaughterhouses,
- Special permits for food markets and slaughterhouses,
- Address assignment and building numbering.

In the same way, some duties of district municipalities can be performed by the metropolitan municipality or jointly by the metropolitan and district municipalities with costs covered by the district municipalities.

**Provincial Municipalities**

Provincial municipalities (in 51 provinces) have no relation of hierarchy or tutelage with other district and town municipalities within its boundaries. However, these municipalities may voluntarily form municipal associations to jointly provide services such as waste management and supply of potable water. 51 non-metropolitan provincial municipalities make up 9% of the total population residing within municipal boundaries.

**District Municipalities**

There is a total of 400 districts in non-metropolitan provinces. There is no difference between the duties and organizational structure of the provincial municipalities and the district municipalities except for the scale. Resolutions of the district municipal councils may not enter into force without being sent to the district governor who is the representative of the central government. The district governor does not have the authority to refer a resolution back to the council. District municipalities make up 7% of the total population within municipal boundaries.
Town Municipalities

Towns usually have only the municipalities as public institutions. The number of town municipalities is 397. A total of 1,218,925 people lives within the boundaries of town municipalities. Its share in the total population within municipal boundaries is 2%. As in other municipalities, towns also have a municipal council, a municipal committee and a mayor. Towns generally have rural characteristics, and agriculture and animal husbandry are the main livelihoods of the population living there. The duties and responsibilities of provincial, district and town municipalities are determined by the same law. No distinction has been made between municipalities in terms of duties and responsibilities. The organizational structures, duties and powers of the non-metropolitan municipalities are the same.

Duties of the special provincial administration at provincial level are:

- Building, maintaining and repairing primary and secondary schools and cultural centers,
- Improving the physical infrastructure of preventive health services, social services, industry, trade and amateur sports,
- Developing agriculture,
- Executing the central government investments for which the appropriations are transferred.

Some tasks performed by the special provincial administration are complementary to those of the central administration. For example, the Ministry of Food, Agriculture and Livestock establishes agricultural policies in the country and supports the producer. The special provincial administration implements projects that support agricultural infrastructure on the condition of not going against the above-mentioned policies.

The village law imposes important duties and responsibilities on the mukhtar as well as very important powers. The mukhtar ensures the security of the village and the provision of all other public services and facilitates the work of central administration organizations. For the public services s/he performs, the state pays every village mukhtar a salary almost equal to the minimum wage.

Duties fulfilled by the special provincial administration only in the villages are:

- Preparing land development plans;
- Supervising the housing and licensing.
• Issuing business licenses,
• Constructing, maintaining and repairing village roads,
• Collecting, storing and rehabilitating waste,
• Protecting and improving the environment and soil,
• Fighting poverty.

3.1. Infrastructure

Construction, maintenance and repair of urban roads, sidewalks, town squares and parks are the main duties of the municipality. In metropolitan areas, roads of 12 meters and wider and big parks are under the responsibility of the metropolitan municipality while the remaining roads and parks are under the responsibility of the district municipality. Infrastructure Coordination Center (AYKOME) was established to coordinate infrastructure works such as the infrastructure of roads, parks and gardens, water and sewerage systems, electricity and natural gas systems in metropolitan municipalities.

3.2. Zoning and Housing

In Turkey, municipalities are the authoritative bodies to prepare and implement the development plans. However, for the large investments of the central government, the approval of the Ministry of Environment and Urbanization is needed. Similarly, for tourism regions, the Ministry of Culture and Tourism, and for urban transformation, the Housing Development Administration and organized industrial zones have the limited authority to prepare and amend the land development plans. The land development plans prepared by the municipalities should be in line with the regional plans and the upper scale environmental plans, if any, drawn up by the central government. The Bylaw on Preparation and Amendment of Land Development Plans was amended in 2013, and the Ministry of Environment and Urbanization has since then been monitoring land development plans and amendments. The land development plans are prepared in two stages. In the first stage, master plans of 1/25,000 or 1/5,000 scales are prepared. These plans outline the land use and building conditions. The second stage involves the preparation of implementation plans of 1/1,000 scale which are subject to the approval of the metropolitan council. The metropolitan municipalities are authorized to oversee the land development plans of district municipalities and, at the same time, to control their implementation processes. It is under the authority of the district municipalities to grant building licenses in accordance with the land development plans. They are also authorized to inspect buildings and impose sanctions on buildings that are in violation of land development plans and projects. An urban transformation initiative was launched in many cities for the transformation of buildings constructed in...
the 1970s when land development planning and its supervision were not yet effective, and there was an intensive migration flow from rural areas to cities. These buildings which are not earthquake-resistant and have poor infrastructure are now being demolished and replaced by modern buildings.

Building conditions based on land lots are determined by the implementation plan. The city’s social facilities, urban roads, housing units, workplaces, social and cultural facilities are shown in the implementation plan. In metropolitan cities, the metropolitan municipality first draws up the high-scale master plans, and then, the district municipalities prepare the implementation plans in accordance with the above-mentioned master plans. Municipalities are authorized to produce land and housing to solve the housing problem. In addition to that, housing can be provided through cooperatives as well. In recent years, housing production is mostly carried out by the Housing Development Administration (TOKİ) of the Prime Ministry.

3.3. Transportation

Urban public transport is under the authority of municipalities. In metropolitan cities, this duty is given to metropolitan municipalities. Municipalities first make the transportation master plans. After that, residential areas, business and logistics centers and main transportation lines of the city are planned accordingly. Public transport considerations are laid out in the transport master plan as well. As per the Law No.5216, “A Transport Coordination Center (UKOME) shall be established to coordinate all land, maritime, waterway, lake and rail transport services in the metropolitan area which shall be chaired by the metropolitan mayor or his designee, and include representatives of public entities and private organizations designated by the regulation and the representative of the related chamber to be appointed by the Drivers and Motoring Federation of Turkey” (Article 9). Urban public transport services are delivered by the metropolitan municipalities and usually subsidized. Municipalities can outsource the building of public transportation structures which cannot be realized by their own means, such as metro and rail systems, through the build-operate-transfer model. So far, metro and rail systems have been built only in few big cities. Since some municipalities were not able to finalize the metro lines they initiated, the Ministry of Transportation and Communications took over the implementation of these projects. In case that municipalities fail to provide all the necessary public transportation services, transportation lines are leased to private companies or individuals. These companies and individuals operate under the supervision of the municipality. Taxis, their fare rates, taxi stands, and their working conditions are also supervised by the municipality.

3.4. Cultural and Social Development

According to the Municipal Law, everyone is a fellow citizen of the town where
s/he lives. Citizens have the right to participate in municipal decisions and services, to be informed about municipal activities and to benefit from the aids of the municipal administration. Aids must be provided in conditions that do not tarnish human dignity. The municipality performs necessary works for the development of social and cultural relations between fellow citizens and the preservation of cultural values. It takes measures to enable participation of the universities, professional organizations in the status of public institutions, trade unions, non-governmental organizations and experts in these works (Article 13). In the next article of the law, it is stated that municipalities may also provide services in the fields of culture and arts, tourism and publicity, youth and sports as well as establishing dormitories for students of secondary or higher education provided that they are of a local common nature. In this context, municipalities in Turkey distribute publications and organize activities such as festivals to promote local culture and values.

Services that are not mandatory for municipalities, but which are generally rendered by municipalities include poverty reduction, education, cultural and sports services, social aid, skill and vocational courses, home care services for patients in need, and construction and maintenance of public schools. Municipalities can fight poverty and open food banks for this purpose. Also, municipalities can cooperate with the non-governmental organizations.

### 3.5. Economic Development

Municipalities deliver on their own account or outsource services related to the development of economy and trade for the economic development of their towns (Municipal Law, Article 14). Furthermore, in areas where villages and towns are attached to metropolitan cities, metropolitan municipalities also focus on agricultural development.

### 3.6. Financial Management

According to the Constitution, local administrations are allocated financial resources in proportion to their functions. (Article 127). The share of local administrations in public expenditures in Turkey for the year 2013 was 12.87%. The share of municipalities and their affiliates was 10.51%.

0.5% of the state tax revenues are distributed to the special provincial administrations. Ministries generally execute the investments to be made in the provinces through special provincial administrations by transferring them the appropriations. The revenues of the special provincial administrations are very low and are mainly composed of shares transferred from the central budget and appropriations of the ministries. Special provincial administrations are not authorized to collect taxes and charges.
Since the Public Financial Management and Control Law of 2003 also encompasses the municipalities, the processes of financial management set forth in this law are applied in relation to the preparation and implementation of the municipal budget. This law ensured that the budgets of local administrations and social security institutions are consolidated with the central administration budget, presented to the parliament and monitored. By this law, it was possible to monitor all public expenditures, including those of the local administrations, in accordance with international standards. The law introduced radical changes in the finances of local administrations. The power of disbursement was conferred to units, and the top municipal management was given the responsibility of supervising the expenditures. It is possible to access financial and non-financial information on municipalities through the Local Administrations Activity Report published annually by the Ministry of Interior.

Municipal revenues are composed of the own revenues collected by the municipalities themselves and the shares allocated from the state tax revenues. Local administrations are not authorized to collect taxes on revenues and expenditures. These taxes are collected only by the state with a share distributed to local governments.

Shares from State Tax Revenues (Transfers)

A certain part of the tax revenues collected by the state are allocated to local administrations. These shares were increased slightly in 2008, then again in 2012 to redistribute the tax revenue shares to local administrations in proportion to their functions and responsibilities. Approximately 12% of state tax revenues are allocated to municipalities. 51.2% of municipal revenues on average are made up of the shares transferred from the state budget.

Distribution of Shares

State tax revenues are allocated to municipalities in three categories: metropolitan municipalities, district municipalities within metropolitan municipalities and other municipalities. The metropolitan municipalities (30 in total) are first allocated with 6% of the tax revenues collected by the state within their borders. 4.5% of the state tax revenues is allocated to metropolitan district municipalities (519 in total). 1.5% of tax revenues are allocated to non-metropolitan municipalities (848 in total). The population of the town is the primary criterion in the distribution of these shares. Other additional criteria are also applied for financial equalization in favor of municipalities with low own income.

Financial Equalization

The metropolitan municipalities are allocated with 6% of the state tax revenues within their borders, however, a metropolitan municipality directly receives 60%
of this share. The remaining 40% is pooled in a special account from which 70% is redistributed to metropolitan municipalities based on population and 30% based on surface area. In this way, equalization is applied among metropolitan municipalities through the allocation of more resources to municipalities with lower local incomes. The Ministry of Finance oversees the distribution of the shares allocated to metropolitan municipalities. 90% of the share allocated to district municipalities is distributed based on population, and 10% based on surface area. Due to the use of geographical size as criterion, equalization is applied in favor of the municipality with low population density. However, district municipality receives only 60% of the revenues allocated to itself; 30% of the share goes to the metropolitan municipality to which it is attached and 10% to the water and sewerage administration. This is the case because metropolitan municipalities deliver basic infrastructure services in the districts within their borders, such as building main roads and providing water and sewerage services. In this way, metropolitan municipalities receive two items of share from the state tax revenues.

Of the 1.5% share allocated to other municipalities, 80% is distributed by population and 20% by the index of social and economic development. Financial equalization is applied among these municipalities through the distribution of more shares to less developed settlements. The financial equalization applied fails to close the revenue deficits of the municipalities with low own income and population. Therefore, another 0.1% of the general budget revenues is allocated to municipalities with a population below 10,000. 708 municipalities benefit from this practice. 65% of this share is distributed equally among the municipalities and 35% according to their population. Thus, a second financial equalization is implemented for smaller municipalities. Apart from the metropolitan municipalities, the share allocated from the state tax revenues is transferred to the Bank of Provinces which distributes it to the municipalities.

Own Revenues: Municipal own revenues consist of taxes, charges, contribution to investment expenditures, fees and enterprise revenues and account for 48.8% of the overall municipal budget in the country. Taxes: Taxes collected by municipalities include property tax, sanitation tax, announcement and advertisement tax, electricity and coal gas consumption tax, communication tax and entertainment tax. Tax revenues constitute 22.36% of municipal own revenues.

Property tax: Property tax is the most important of all municipal taxes. The tax rate is 0.1% of the property value for residences and 0.2% for other buildings (in metropolises, these rates are doubled). The tax for buildings is determined based on the values of the land and the structure built upon it. The property value is appraised and renewed every four years by a commission formed by the representatives from the respective municipality, chamber of commerce and
Sanitation tax: A sanitation tax is levied on households and workplaces in return for municipal services delivered for the collection and disposal of solid wastes. In households, the sanitation tax is collected with the water charges. The sanitation tax at the rate of 0.12 Turkish Liras (0.15 Turkish Liras in metropolitan cities) is charged for each cubic meter of water consumed. The sanitation tax imposed on workplaces is determined by the number of employees working in the workplace or the accommodation capacity. In metropolitan cities, these figures increase by 25%.

Announcement and advertisement tax: For all kinds of announcement and advertisement made within the boundaries of the municipality, an announcement and advertisement tax are collected at an annual fixed rate per square meter. In the case that the announcement or the advertisement is illuminated, these figures increase by 50%. The lower and upper limits of the tax rate are regulated by law. The Council of Ministers categorizes the municipalities and sets the specific tax rate for each municipality group.

Electricity and coal gas consumption tax: For electricity and coal gas consumption within the municipal boundaries, 5% of the total consumption is charged as tax.

Entertainment tax: The activities of entertainment facilities within the municipal boundaries are subject to entertainment tax. Entertainment tax is applied at a rate of 20% for domestic movies, 50% for foreign films, 20% for other entertainment facilities admitting by tickets and 5% for betting games.

Communication tax: 1% of communication tax is imposed on telephone and other communication fees collected within the municipal borders.

Charges: Municipalities collect charges in return for some of the services they deliver. Among the main charges are building construction charge, business license charge, various development charges, occupation charge and spring water charges. Charges constitute one of the most important revenue items of municipalities. Charges generally account for 9.16% of municipal own revenues. The lower and upper limits of the charge rate are regulated by law. Within these limits, municipalities are classified by the Council of Ministers according to their levels of economic development. In consideration this classification, the municipal council decides on how much charge will be imposed on each neighborhood.

Contribution to investment expenditures: Due to the building of infrastructure such as roads, water and sewerage systems by the municipalities, a portion of the investment costs is collected from the property owner who benefits from these investments, on the condition that it does not exceed 0.2% of the property value.

Fees: Fees are charged for services that are not subject to taxes, charges and
contributions to investment expenditures and delivered by the municipality upon the request of the buyer. The fee rate is set by the municipal council. Main service fees collected by the municipalities are potable water and public transportation fees. In addition, municipalities charge fees for services including disinfection of residences and workplaces, water tank cleaning, chimney cleaning and parking.

Other revenues: Revenues other than the above-mentioned taxes, charges, contributions and fees, enterprise and property revenues are more important than tax revenues. Revenues generated from this item constitute 14.8% of the total revenues for 2013.

Borrowing

Municipalities apply to borrowing, which is a financing method, in case that the shares allocated from the state budget and their own revenues are insufficient. In general, subway networks, treatment plants and other large infrastructure investments are financed by borrowing. Municipalities may issue bonds for the financing of projects in the investment program. A municipality cannot borrow more than the previous year’s revenues (for municipalities, however, this applies as one and a half times their revenues). However, borrowing for the execution of the infrastructure projects that require advanced technology and large financial resources is not subject to this restriction on condition that the project is approved by the Council of Ministers. A municipal borrowing exceeding their revenues for the previous year is only possible if it is used to finance infrastructure investments with the approval of the Council of Ministers. Similarly, borrowing from foreign sources is possible only in case of the infrastructure investments with the approval of the Council of Ministers. For foreign borrowing, the opinion of Treasury is also sought. Borrowing in contravention of the stated limits and procedures brings about a financial liability for officials.

Privileges

As per the Municipal Law, services such as:

- Providing potable, domestic and industrial water and draining wastewater and rain,
- Providing public transportation within the city,
- Collecting, separating and storing solid wastes

are under the responsibility of municipalities as privileges. Municipalities may transfer their privileges for a period not exceeding 49 years by granting franchise. As the privilege transfer is an important issue, the draft contract should be first approved by the State Council (Supreme Administrative Court) and approved by the Ministry of Interior. The privilege contract should protect the rights of the
administration and the consumers and provide the sustainability and auditability of the delivered services. Municipalities may also transfer public transportation services by granting licenses to third parties or renting out transportation lines if this does not constitute a privileged right or monopoly.

In practice, many municipalities deliver mixed transport services. While they carry out the transportation services themselves for some lines, they lease other lines to private companies or individuals to operate. Domestic solid waste collection services are usually outsourced to the private sector. Some municipalities transfer the solid waste storage services and energy recovery from waste services to the private sector for certain periods of time. Despite allowed in the law, the transfer of water and sewerage services to private companies is not a common practice.

**Build-Operate-Transfer Model**

Municipalities may get other parties to carry out the investments that require high financing and advanced technology, especially the privileged services that they can transfer such as water-sewerage investments, public transportation and waste management investments through the build-operate-transfer model. In order to implement this model, the transfer contract must be approved by the relevant ministry.

As a result of the liberalization in the economy, many of the municipal services can now be outsourced. Infrastructure projects such as road, water, sewerage, pavement and bridge construction projects are generally outsourced to the private sector through tender procedures. Municipalities also outsource some functions of the municipality to the private sector, such as information processing, cartography, planning, maintenance of parks, street cleaning, waste collection, office cleaning and so on. There are various reasons for municipalities to outsource many of the services to private companies to perform rather than delivering them by using their own personnel. First reason is that resources are utilized more efficiently in this method. It is believed that it is more effective to have many services delivered by the private sector which operate in a market with competitive conditions. The second reason is the limits put on personnel expenses. Personnel expenses of municipalities cannot exceed 30% of their total expenses. For municipalities with a population below 10,000, this rate is 40%. If this rate is exceeded, municipalities cannot recruit new personnel. However, payments made for the labor force provided by the private companies are considered as service procurement instead of personnel expense. The third reason is that personnel recruitment is subject to examinations conducted by the central government. Municipalities do not want to deal with central examinations and interview procedures. Lastly, the municipalities are subject to the personnel law which civil servants are also subject to. This law grants civil servants the right to work until they reach the age of 65, irrespective of their efficiency. Such
restrictions prevent municipalities from recruiting personnel, directing them to the private sector.

4. Opportunities and Challenges

4.1. Institutional Capacity

Powers and functions of the local governments are determined by the laws set in the Constitution. As Turkey, member of the European Council, is one of the signatories of the European Charter of Self-Government, it is required to take into consideration the recommendations and criticisms of the monitoring committee of the Charter. The concept of local government refers to the right and opportunity of local authorities to regulate and manage a significant portion of public affairs, within the limits set by law, under their own responsibility and for the interests of the local population.

To strengthen institutional capacity of municipalities, Municipality Law No.5393 makes it mandatory for municipalities with a population more than 50,000 to lay out a strategic plan. Within six months as of the local general elections, the mayor must prepare a development plan and program, a strategic plan in compliance with the regional plan, if there is any, and an annual performance plan before the beginning of the relevant year, later to be submitted to the municipal council. The strategic plan is prepared by taking the opinions of universities, chambers, and non-governmental organizations (if any) and comes into effect upon the approval of the municipal council. The strategic plan and performance program constitute the basis for the preparation of the budget and are discussed and accepted in the municipal council before the budget.

In addition, the mayor’s duties include “managing the municipality according to the strategic plan, developing corporate strategies of the municipal administration, preparing the budget, determining the performance criteria for municipal activities and personnel, implementing, monitoring and assessing the activities mentioned above and submitting report to the Municipal Council related to these activities.” (Article 38-b)

Municipalities perform significant works in the areas of brand cities and smart cities.

4.2. Strategic Planning and Performance Assessment

Municipal budgets are set in accordance with the strategic plan and performance program. Performance criteria are considered in the inspections. The strategic plan is prepared by the mayor. The municipal council discusses and adopts the strategic plan, the investment and work programs and the performance criteria for municipal activities and personnel. It is the duty of the mayor to manage the municipality accordingly. In metropolitan municipalities, the duties of the
mayor include managing the municipality in accordance with the strategic plan, establishing the institutional strategies of the municipal administration, preparing and implementing the budget in accordance with these strategies, determining, monitoring and evaluating the performance criteria for municipal activities and personnel and submitting the relevant reports to the council.

4.3. Environmental Challenges: Climate Change and Wastewater Management

Water and Sewerage

The general water policy of the country is determined by the Ministry of Agriculture and Forestry. Potable and domestic water of large cities is provided by the General Directorate of State Hydraulic Works. However, it is the duty of municipalities to distribute and operate water within the city and to treat wastewater. Water and sewerage services are provided by the Water and Sewerage Administration of the municipality. Law No.2560 was enacted for this purpose. Water and sewerage administrations receive a certain share from the state tax revenues in proportion to the population of the city they operate in. However, the major revenue sources of these administrations are the fees.

Generally, water users in the city are charged with a wastewater treatment fee that is half of the water fee. Wastewater treatment plants have been established in many cities. The used water of 70% of the municipal population in Turkey is treated.

Solid Waste Management

Municipalities are responsible for the collection, source separation, recycling and storage of solid wastes. As a requirement of this responsibility, metropolitan municipalities must first lay out a solid waste management plan. In 30 metropolitan cities where two-tier municipal system is practiced, the district municipalities are responsible for the collection of household wastes whereas the metropolitan municipalities undertake services such as the establishment of intermediate stations for waste and landfill sites and carrying out or transferring their operation. Some municipalities started to successfully implement waste management. These municipalities carried out recycling, waste-to-energy and waste composting projects.

4.4. City Councils

City councils consist of the representatives of professional organizations, non-governmental organizations, universities, other public institutions and trade unions. The opinions of the city council are sent to the municipal council. The municipal council evaluates these opinions at their first meeting. City council plays an important role in protecting the rights of the city, realizing the principle of local government, providing sustainable development and making city residents and municipal government aware of the issues related to the preservation of the environment. Committees of the city council such as women’s committee, youth committee, environment committee, and disabled committee contribute to the local
governments with policies and reports they produce in their respective fields.

4.5. Resilience

4.5.1. Sustainable Urban Development

Municipalities can perform their services with their own personnel as well as purchasing them as goods and services. Therefore, both the services provided by the municipalities through subcontractors and the number of recruited personnel is increasing. Municipalities that set tenders pursuant to the provisions of the Public Tender Law perform some of their large-scale investments based on the public-private cooperation.

Borrowing of municipalities is subject to certain conditions. The establishment of companies and businesses by municipalities is also regulated by law. In addition, land and housing production, urban transformation and development area arrangements are also regulated by this law.

the Ministry of Interior conducted a nationwide project called Municipal Performance Measurement Project to compare municipal services. However, it has become difficult to compare the performances of municipalities as the continuity of this project cannot be ensured.

4.5.2. Urban Risks

Turkey is exposed to environmental risks such as earthquakes, floods, avalanches, landslides and fire, due to its tectonic, seismic, topographical and climatic characteristics. It ranks third in the world in terms of death tolls linked to earthquakes and eighth in terms of the total number of people affected. It is possible for local governments to take proactive measures against these risks. Municipal law calls for local actions in case of emergencies. Disaster and Emergency Management Authority (AFAD) under the Ministry of Interior, which is connected to the central government, introduced the Integrated Disaster Management System.

Firefighting and emergency rescue works

Fire-departments of the municipalities renders fire protection, firefighting and rescue services. In recent years, particularly in large cities, fire departments have been reinforced by personnel, vehicles and equipment. Fire departments do not have separate legal personality or budget. In metropolitan municipalities, fire departments are formed at department level, which is a higher and stronger structure, while in other municipalities, they are established as directorates. Fire departments assist the Disaster and Emergency Management Authority (AFAD), a central government authority, in the case of traffic accidents and post-disaster rescue services.

Increasing number of terrorism incidents taking place in recent years also pose
a serious security risk, especially for big cities. Excessive borrowing of the municipalities and increasing expenditures amplify the financial risks. Furthermore, ethical problems such as nepotism, bribery and favoritism are witnessed in local governments.

4.6. Migration

Internal Migrations

After the dissolution of the Ottoman Empire, Turkey witnessed a significant number of population movements coming from the Balkans and the Caucasus. With the transition to a multi-party system in 1950, migration from rural areas to cities accelerated. Urban population, which made up approximately one fourth of the total population in the first year of the Republic, exceeded three quarters of the total population. Particularly with the overpopulation of Istanbul and other metropolitan cities, slums became widespread.

External Migrations

In recent years, there has been a great deal of international external migration due to civil wars taking place in neighboring countries. Along with a significant number of immigrants coming from Iran, Iraq and Afghanistan, there are about 3.5 million foreign migrants or guests in the country together with those coming from Syria. More than 90% of the Syrian temporary refugees in Turkey have settled in cities. Therefore, the problems arising from their temporary and permanent residences are of concern to local governments, municipalities (metropolitan and district municipalities) and special provincial administrations. With the irregular mass migration, the need for new planning arises in the city. These migrations lead to a substantial mobile population, and, therefore, the investments made by the municipalities based on the population projections soon require new additions. Problems arise in services such as provision of water and wastewater, natural gas and electricity networks, solid waste collection and disposal, transportation and particularly housing. Infrastructure services gain more and more importance with irregular mass migration. Therefore, new investments become a necessity. However, some problems occur due to the lack of adequate funding to carry out these new investments. In the first days of migrations, the primary needs of the migrants are social aids and health-related payments, and these are followed by the need for education and housing. In this regard, municipalities need to increase their institutional capacity and find the necessary funding to provide these services. The problem of social housing can pose a serious threat to agricultural and protected areas. Since immigration substantially increases the rents in cities, this situation brings about negative economic consequences not only for the asylum seekers but also for the low-income groups in society. The provision of services to asylum seekers may also raise the problem of depriving the citizens of certain services. (Esen, 2016)
4.7. Local Government Audits

Audit of Local Governments

Internal and external audit in municipalities is carried out in accordance with the provisions of Public Financial Management and Control Law No.5018.

Internal Audit

The internal audit of a municipality is performed by the municipal council, the mayor and the internal auditors. The municipal council is both the decision-making body and the supervisory body of the municipality. The council supervises the expenditures and activities of the municipality while discussing the budget, annual report, strategic plan, development plans, work program and investment program. A general negotiation may be opened by at least one third of the council members on matters related to the operations of the municipality, or a motion of incompetence may be directed to the mayor. The municipal council can find the activities that the mayor performed in the previous year to be incompetent. If the resolution on incompetence is passed by a three-fourths of the entire number of council members and found appropriate by the State Council, the mayor may be dismissed from office. The mayor, as the head of the municipal administration, is always obliged to supervise each action of the municipality. The mayor is responsible for operating the internal control and internal audit processes of the municipality. Another means of internal audit in municipalities is the audit committee. Each year, municipalities (except for town municipalities with a population less than 10,000) form an audit committee consisting of three to five members elected from among their council members. The audit committee reviews the revenues, expenditures and related accounts and transactions of the municipality belonging to the previous year and submits its report to the municipal council by the end of March.

Tutelage Audit

Municipal council decisions are not subject to the approval of any authority with some exceptions. Municipalities are under the tutelage of the central administration for reasons such as the protection of the public interest and the proper delivery of public services. Various ministries and central administration institutions have tutelage powers over the decisions and actions of the municipalities in the form of supervision, approval, permission, deciding on behalf, deferment and so on. The main areas of tutelage auditing are as follows:

- The job position standards that shape the institutional structure of the municipalities are determined by the Ministry of Interior and the State Personnel Department.
- The secretaries-general of the metropolitan municipalities and the directories-general of their affiliates are appointed by the Minister of the Interior.
upon the proposal of the mayor.

- The content of the strategic plan is determined by the Ministry of Development, and the format and content of the annual report are determined by the Ministry of Finance.

- Regulations on preparing land development plans are made by the Ministry of Environment and Urbanization. Land development plans and amendments are monitored and supervised by the above-mentioned ministry.

- The Ministry of Environment and Urbanization determines the environmental responsibilities of municipalities and controls the public resources that municipalities may deploy to develop the environment.

- Since the remunerative rights of the civil servants working in municipalities and in the public sector in general are linked to those of the state civil servants, the Ministry of Finance has a decisive role on matters related to them.

- Resolutions of municipal councils may not enter into force without being communicated to the provincial governor or the district governor. Some resolutions of the municipal councils are subject to the approval of the Ministry of Interior.

- The Ministry of Interior has the authority to inspect the operations of the municipalities through its own inspectors. This inspection relates to the conformity of the decisions and actions of the municipality with the legal regulations.

- Launching an investigation on municipal officials due to the decisions and actions constituting a criminal offense is subject to the permission of the Minister of the Interior.

- Mayors and municipal council members on whom an investigation or a prosecution has been launched may be suspended by the Minister of Interior until the end of the investigation or prosecution.

- In the case that the municipal services fail in a way that has a vital impact on the health and well-being of the public, the Minister of Interior may have the governor undertake these services.

- The Ministry of Interior may request the State Council to dissolve a municipal council which fails to perform its functions or passes resolutions on political matters not relevant to the municipality. The council meetings may be suspended until the State Council returns a decision.

Audit by Court of Accounts

Since municipalities utilize the public funds, they are subject to auditing by the Court of Accounts which acts on behalf of the Turkish Grand National Assembly (the parliament). Turkey has no separate court of accounts for local governments.
The Court of Accounts regularly inspects whether the revenues and expenditures of the municipalities follow the law and whether the municipal assets are protected. If it is found out during an audit that the public resources incurred a loss, a recovery decision is made. The recovery decision of the Court of Accounts has the effect of a court order and not subject to appeal.

4.8. Local Government Unions

With the enactment of the Law on Unions of Local Governments in 2005, it was regulated that “the unions having a legal personality shall be established by more than one local government with the aim of jointly performing certain services for which they are responsible.” This law also covers associations such as Unions of Village Services, Irrigation Unions and Tourism Infrastructure Service Unions.

Union of Municipalities of Turkey is a national association which each municipality is obliged to be a member of. The duties of the union include protecting the interests of the municipalities, lobbying, expressing opinions on the preparations of laws concerning the municipalities, guiding the municipalities, helping municipalities develop, conducting training programs for the municipal personnel, and facilitating cooperation and exchange of knowledge and experience among municipalities.

0.2% of the share that member municipalities receive from the state budget is transferred to the Union as membership fee. Besides performing its duties assigned by the law, the Union supports member municipalities in various aspects. The Union provides the municipalities with software programs used in municipal services free of charge, supports member municipalities financially or in terms of equipment provision in case of emergency and renders consultancy services on legal issues.

Municipalities can form associations among themselves for environmental protection and waste disposal services as well as other infrastructure services. There are 341 of such municipal associations in Turkey. 99 of these are associations of environment and infrastructure while 92 of them are associations of potable water. In addition to service associations, there are also regional municipal associations established to develop cooperation between the municipalities. All associations established by municipalities have been granted legal personality, and their establishment, functioning, duties and powers are regulated by a special law.
5. References

Council of Europe, the Congress of Local and Regional Authorities. Retrieved from http://www.coe.int/t/congress/activities/monitoring/documents_en.asp


Country Profile

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>Turkish Republic of Northern Cyprus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Parliamentary Republic</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Turkish</td>
</tr>
<tr>
<td>Currency</td>
<td>Turkish lira</td>
</tr>
<tr>
<td>Area</td>
<td>3,241 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>326,000</td>
</tr>
<tr>
<td>Urban Population Rate (%)</td>
<td>77.8%</td>
</tr>
<tr>
<td>Capital City</td>
<td>Nicosia</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>61,378</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>n/a</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$15,109</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>7.4%</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>22.2%</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>19.69%</td>
</tr>
<tr>
<td>CO₂ Emission (metric tons per capita)</td>
<td>n/a</td>
</tr>
</tbody>
</table>

Source: UN Data, WB Databank & National Legislation
1. Legal Status

1.1. Historical Background

The island of Cyprus is located in the northeast of the Mediterranean Sea. The countries surrounding the island are Turkey, 65 km to the north; Syria 112 km, Israel 267 km, and Lebanon 162 km to the east, Egypt 418 km to the south, and Greece 274 km to the northwest.

Cyprus, the third largest island in the Mediterranean, occupies an area of 9,251 km², of which 3,355 km² are under the administration of the Turkish Republic of Northern Cyprus. The population of the Greek Cypriot Administration is 803,147 (2010) while the population of the TRNC is 286,257.

Table 1: Areas and Proportions of Countries in Cyprus

<table>
<thead>
<tr>
<th>Regions</th>
<th>Area km²</th>
<th>Ratio (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>TRNC</td>
<td>3242</td>
<td>35.04</td>
</tr>
<tr>
<td>Cyprus</td>
<td>5509</td>
<td>59.56</td>
</tr>
<tr>
<td>British Bases</td>
<td>256</td>
<td>2.76</td>
</tr>
<tr>
<td>Buffer Zone</td>
<td>244</td>
<td>2.64</td>
</tr>
<tr>
<td>Total</td>
<td>9251</td>
<td>100.00</td>
</tr>
</tbody>
</table>

After its conquest by the Ottomans in 1571, the island of Cyprus remained under the Ottoman rule until 1878. During this period, the dominant system was the “millet system.” After the First World War, England annexed the island, and with the Lausanne Peace Treaty signed in 1923, the island was officially out of the hands of Turkey. The Republic of Cyprus was established by the Treaties of Zurich (1958), London (1959) and Nicosia (1960).

According to the 1960 Cyprus Constitution governing the Turkish and Hellen (Greek) communities, the Communal Chambers shall have competence to exercise legislative power “in matters where subsidiary legislation in the form of regulations or byelaws within the framework of the laws relating to municipalities will be necessary to enable a Communal Chamber to promote the aims pursued by municipalities composed solely of members of its respective Community” (Article 87-1-g). The same Constitution envisages the establishment of Turkish municipalities in five major cities of the island (Nicosia, Famagusta, Larnaca, Limassol and Paphos) and determines their working styles (Articles 173-174). However, Greek Cypriots prevented the establishment of these municipalities. In response to this, in 1962, the Turkish Communal Chambers enacted the Law on Turkish Municipalities for the establishment of separate municipalities in the five major cities including Lefke where the majority of the population is Turkish (Çağatay; Elma; Arslan. 2013. 180).

The Republic of Cyprus, which was established by the Turkish and Greek
Cypriot communities in 1960, was able to survive until 1974. After the Cyprus Peace Operation conducted by Turkey on 20 July 1974 in response to the unfair practices against the Turkish society, Turkish Federated State of Cyprus was first established in 1975 and following that, the TRNC (Turkish Republic of Northern Cyprus) was established in 1983. As a requirement of today’s borders and the geography created by the 1974 Peace Operation, the Turkish Cypriots who remained in Southern Cyprus emigrated to Northern Cyprus in accordance with the “Population Exchange Treaty signed on 2 August 1975 and thus, an important step was taken for a two-state formation.

The initiatives of UN Secretary General Kofi Annan to bring together two communities were unsuccessful because of the dissentive votes of the Greek Cypriots in the referendum (25.04.2004). Southern Cyprus became a member of the European Union in 2004.

The island public is represented in the Council of Europe Congress of Local and Regional Authorities by 3 representatives in the chamber of Local authorities and by another 3 in the chamber of Regional authorities. There are also two national and local unions, which are not entitled to vote but have the authority to express their views in the Congress. These are all represented by the Greek Cypriots side. There is no representative of the Turkish side in the Congress. Even the representative of the town Lapithos which is located within the borders of TRNC in Lapithos is a Greek Cypriot from the Southern Cyprus. However, in its Resolution No.1376 (2004), the Parliamentary Assembly of the Council of Europe agreed to the representation of the Turkish side here and in its committees. The Congress also confirmed this in its Recommendation No. 178 (2005).

Recommendation No. 96 (2001) on Local Democracy in Cyprus and No. 178 (2005) prepared by the Congress deals with local administrations in the Greek part of Cyprus, but also includes provisions on the municipalities in the TRNC representing the Turkish part.

1.2 Constitutional Regulation of Local Governments

A parliamentary system based on representative democracy was adopted in the TRNC. The executive body consists of the president, the prime minister and the council of ministers. According to the 1985 Constitution, the president is the head of the state and is elected for a five-year term. (Articles 99-105)

The Council of Ministers consists of the Prime Minister and the ministers. Prime Minister is appointed from among the members of the parliament by the President (Article 106).

The Assembly of the Republic consists of fifty members and elections are held every five years (Article 79). The Assembly fulfills the general functions of democratic parliaments such as legislation, supervising ministers and government, and approving the budget.
In the third section of the TRNC Constitution, administrative rules are regulated. Accordingly, “The State Administration is a whole with its structure and duties and shall be regulated by law. The structure and duties of the State administration shall be based upon the principles of central and local government. A public corporate body can only be established by law or on the authority expressly given by law.” (Article 113)

Following the liberation of the Turkish Cypriot community, the TRNC Constitution, which was adopted in the referendum on May 5, 1985, regulated the local administrations as follows: “Local authorities are public legal bodies established for meeting the local common requirements of the people of a district, municipality, village or quarter, the principles governing the establishment of which are specified by law and the decision-making organs of which are constituted by elections. The establishment, duties and powers of local authorities shall be regulated by law in accordance with the principle of local administration. Elections for the organs of local authorities shall be held once in every four years in accordance with the provisions of Article 68.” (Article 119)

In terms of the central government organization, TRNC is divided into sections determined by law according to the geographical situation, economic conditions and public services the requirements. The country is divided into five regions: Nicosia, Gazi Magusa, Kyrenia, Güzelyurt and İskele. District governors (kaymakam) govern these regions. In fact, district governors were also the top executives during the Ottoman period. There are 187 villages alongside the regions (also called cities). The village administrations consist of headmen (mukhtars) and village councils that are elected under the district governors for four years. These are autonomous structures like municipalities. Mukhtars and board of aldermen are elected by free, equal and secret ballot system.

The administrative structure of the TRNC consists of five district governorates, 28 municipalities and 187 villages, and a central district governorate that coordinates the Ministry of Interior and district governorates. With the amendment made in 2008, all villages were included in the municipal borders. Thus, the aim is to provide equal service to the whole country.

1.3. Legislative Regulation of Local Governments

The Turkish Federated State of Cyprus was established in 1975. With the first local elections held on 23 May 1976, democratic local administrations were formed. Law No. 15/1980 on Municipalities was enacted in 1980. With this law, 16 development committees were transformed into municipalities regardless of their population, and 28 municipalities were established. (Safakli, O.; Guryay, E., 2004, p.52)

This law was repealed on the grounds that it could not meet the expectations of
the people and the new Law on Municipalities No. 51/1995 was enacted on 23
August 1995. In this law, duties, powers, rights and privileges of municipalities,
municipal bodies and their powers, municipal police, financial rules, budget,
treasury, crimes and penalties are regulated. The other law on municipalities
is the Municipal Personnel Law No. 65/2007. This law includes the conditions
of service, qualifications, appointment and training of the municipal staff, their
progress and promotion, their duties, rights and obligations, disciplinary pro-
cedures and other personal affairs. The third law on municipalities, The Turkish
Cypriot Municipalities Law No. 39/2003, envisages that a Union should be es-
tablished, of which all municipalities are natural members, with a public legal
personality for relations, cooperation and coordination between municipalities.
In the TRNC, local governments are mainly organized as municipalities and
villages. According to Municipalities Law, establishment of municipalities is
mandatory in areas where the population is above 5,001.

Municipalities are divided into city municipalities and rural municipalities. The
city municipalities are Nicosia, Famagusta, Kyrenia, Güzelyurt, Lefke and Gönye-
li. The number of remaining municipalities are 22. Following the subjecting of
villages to the jurisdiction of municipalities after 2008, the population rate living
in the district centers increased from 48.7% to 56.5%. Population distribution
was rearranged in 2006 as a result of subjecting of villages under the authority
of District Governorships to the municipalities in accordance with the Law No.
14/2008 on Municipalities. Pile, Karaman and Kantara are not included in any
municipality. According to General Population Census in 2011, 56.8% of the total
population, 285,702 people, resides in district municipalities while 43.2% of them
resides in other municipalities. The population of Girne, Gönyeli, Alsan- cak,
Çatalköy, Dikmen and Tatlısu municipalities increased by more than 20% from
2006 to 2011. 21.5% of the total population lives within the borders of Nic- osia
Turkish Municipality, 14.1% within the borders of Famagusta Municipality and
11.1% in Kyrenia.

According to the Law on Board of Aldermen of Village and Neighborhood
(Number: 43/2009), “village” is the smallest settlement unit that includes com-
munal venues like school, mosque and pasture, and formed by people residing
collectively or in a scattered way together with their vineyards, gardens and
agricultural fields. According to the same law, “neighborhood” means any of
the legally determined administrative areas of a city or a village.

In TRNC, there is a plain administrative structure that is compatible with the
population and geographical size.

1.4. Local Government Elections
In TRNC, establishment of a municipality is mandatory in areas where the pop-
ulation is above 5,001. In order to establish a municipality in a settlement consisting of one or several villages, the population should be above 2,000 and the new district center should be at least 5 km away from other district centers. There may be a referendum to establish a municipality. Elections are held in accordance with the Law on Election and Voting (Article 8). The Municipal Assembly shall be composed of members elected by the public for a period of 4 years in accordance with the principles stipulated by the Law on Election and Voting.

The administrative and/or administrative management of each village or neighborhood is carried out by a mukhtar and four Board of Aldermen members, provided that they adhere to laws, who are elected by the village or neighborhood residents having the right to vote as per the Law on Election and Voting. The term of office is four years.

2. Structure of Local Governments

2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

The supervision of the village and neighborhood mukhtars and the appointment of a temporary mukhtar in case of vacancy is under the authority of the district governor. According to the law (Article 12), if the Board of Aldermen fails to fulfill any of the duties that are imposed by this Law or if it fails to implement any of the rules in the framework of this Law, the Minister shall have the authority to order the execution of the duty or the implementation of the provision or to appoint other authorities for this purpose and to compel faulty Board of Aldermen to bear the expenses incurred.

2.2. Organs of Local Governments

Municipal Organs consist of:

1) Municipal Assembly

2) Mayor

2.3. Councils of Local Governments

Municipal council is the decision-making body of the municipality. (Article 37-1-A). The Municipal council is composed of members elected by the public through elections that are held in every four years, in accordance with the principles stipulated in the Law on Election and Voting. The number of municipal councilors varies by population: the council consists of 6 councilors in districts with a population below 2,000 and 16 councilors in districts with a population between 20,000 and 25,000. If the population of a district is above 25,000, for each extra 5,000 residents, two councilors are added to council.
A person who resides in a municipal area cannot be both municipal personnel and a member of municipal council of this certain municipality. However, this rule does not preclude the right of municipal personnel to run for local elections.

The municipal council is the most authorized council in which local issues concerning the residents are decided within the framework of the duties and powers assigned to the municipality by this law.

The municipal council meets at least once a month.

The meetings of the municipal council are open to the public. The municipal council may hold a closed meeting upon the decision taken in the council.

2.4. Mayors

The Mayor is the executive body of the municipality and the representative of the legal personality of the municipality. The mayor is the president of the municipal council. In case of the equality of votes, he has a right to vote a second time. The Mayor is elected through elections that are held in every four years, in accordance with the rules of the Law on Election and Voting in force. (Articles 52-53)

The deputy chairman and the substitute chairman are elected in the council as proxy. In cases when the mayor is not present in the district or s/he is temporarily absent due to annual leave or sick leave, the mayor’s duties are carried out by the deputy mayor. (Article 65)

Municipal police under the President is “an ad hoc police force that is obliged to protect the order of the town and the health and well-being of the town people; to ensure the implementation of the decisions and measures to be taken by the relevant bodies for this purpose; to take preventive measures against the crimes relating to municipality, and to follow up on these crimes committed” (Article 69).

In villages and neighborhoods, the mukhtar calls the Board of Alderman to a meeting, chairs the meetings and exercises the powers given to him by this Law and other laws. According to the law, the mukhtar is obliged to assist the bailiff in any village or neighborhood and to take the necessary measures.

According to the Village and Neighborhood Law (Article 8), every mukhtar maintains peace and tranquility in the village or neighborhood where he is elected, and is obliged to inform the nearest police station at the earliest time and to assist the police forces in case of any crime or any incident or accident within the boundaries of his/her village or neighborhood. S/he is obliged to assist officers for the collection of public revenues and other public duties. S/he promulgate papers, announcements and other official documents to be sent by the district governor in village and neighborhood, assists the bailiff and, on the
condition that s/he receives a document from the Director of the Department of Land Registry and Cadaster Affairs regarding his/her competence for being auction officer and provides financial assurance, s/he is able to make sales concerning the execution of immovable properties. Furthermore, mukhtar is the census-taker of the village or the neighborhood. It performs the duties imposed by the Law on Registration of Births and Deaths, in cooperation with the Registry and Population Clerk. In addition, the law states the job definition of a mukhtar in detail, and mukhtar is considered as an officer of central government in the neighborhood. It is even stated that duties and responsibilities in other laws and customs that are not mentioned in the law should be fulfilled by mukhtar.

2.5. Councils of Local Government (Executive Boards)

There is no structure in the form of executive board in municipalities. The Elected Board of Aldermen assumes the duty of the executive board. According to the law, each member of the Board of Aldermen is obliged to fulfill all duties given to him/her by this law, other relevant laws and customs. (Article 10)

2.6. Employees of Local Government

A special law has been enacted for the municipal staff in the TRNC. According to the Municipal Personnel Law No. 65/2007, municipal services are carried out by permanent personnel, contracted personnel and workers (Article 6). Municipal services are divided into three main categories (Article 46):

A) Management Services

B) Professional and Technical Services

C) General Services

It is envisaged that the recruitment shall be carried out according to the merit. (Article 5)

In addition to the general provisions of the law, the cadre schemes based on the population of the municipalities and the qualifications, duties, authority and responsibilities that officers need to have are detailed in the form of tables.

In 2011, the total number of personnel working in municipalities increased by 40% compared to 2006 and reached 3,331. Since the number of population within the municipal areas is 285,702, the number of population per municipal personnel was 86 in 2011.

The share of personnel expenditures in the budget reached its highest level, especially in 2007 with a share of 45.67%. The reason lying behind this increase is that while the total number of permanent staff was 1,001 in 2007, it reached 1,254 in 2008. In the following years, the share of personnel expenditures declined continuously until 2012, down to 38.78%, but in 2014 it increased to 42.97%.
3. Duties and Authorities

According to the Village and Neighborhood Act, each village or neighborhood mukhtar is obliged to create and sustain population registers for both local people and foreigners, in order to register the inhabitants of the village or neighborhood according to the procedure that the Ministry of Interior and relevant ministries deem suitable. Mukhtars act as an officer of the state.

Article 15 of Municipal Law No. 51/1995 regulates general rules on the duties of the municipality as follows: “Municipalities have duties to develop the district and meet the shared local needs through a modern understanding and democratic attitude, in addition to its powers that are stated in this law.” In the following articles, duties of municipalities are categorized.

Municipalities carry out the tasks assigned to them in accordance with their capacity and priority. (Article 23-1).

3.1. Land Development, Infrastructure and Housing

After the Turkish Cypriots declared the establishment of Turkish Republic of Northern Cyprus (TRNC) in the north of the island in 1983, one of the most important problems faced by the TRNC was the problem of unplanned construction and development due to rapid population growth (İşçioğlu, D. 2009, p. 151).

Article 17 of the Law on Land Development states that “In order to prevent unhealthy urbanization and to organize and direct the land development activities more effectively, the duties related to public works and development that municipalities have to carry out and their powers are stated in nine paragraphs.”

The Town Planning Department (TPD) is the central government authority which is responsible for planning.

On 1 May 2004, the island of Cyprus in its divided form became a member of the European Union. In particular, with the preparation of the Annan Plan in 2004 and the referendum following it, investments in housing and land increased in the TRNC. Since the property problem which is the essence of the Annan Plan could not be solved, the tendency to invest in the Greek immovable properties in Northern Cyprus increased. Investors do not only include Turkish Cypriots. Among them are many foreign companies and especially Jewish investors. The investments were made to a large extent in the tourism regions of Kyrenia and Famagusta. Investments led to an increase in structural imbalances in the TRNC economy. With the economic imbalances, especially urban planning was ignored. To date, it cannot be said that the TRNC gives due consideration to
urban planning and environmental protection (Yorucu and Keleş, 2007).

“Given the fact that the TRNC will be inevitably a party to the European Charter of Local Self-Government in the event that it joins the European Union or becomes a member of the Council of Europe alone, it will be obliged to adopt the principle of subsidiarity which refers to the inclusion of all local public services within the mandate of local governments and to act accordingly. Under these circumstances, it is not difficult to predict that it will be difficult for the Town Planning Department to maintain the monopoly of planning throughout the country.” (Keleş, 2000a).

The turmoil that may arise as a result of the unification of the island, differences between the two regions and the risk that the Northern Cyprus faces in relation to losing its natural values due to lack of international control mechanisms may be added to the existing problems. The TRNC planning system has its own peculiarities. Planning theories are applicable, to a large extent, to countries that exist under normal circumstances. However, it seems problematic for the Northern Cyprus’ planning system, which is significantly affected by local, national and international factors, to included in the framework of any urban planning theory.

The TRNC planning system does not work effectively. Studies for the harmonization of the TRNC legislation with the EU legislation are still continuing, but no definite results have been achieved yet. There are many factors that negatively affect the TRNC planning system. If the division of the island continues, the problems will remain as they are. However, the recognition of the TRNC and the harmonization of the TRNC legislation with the EU legislation may be for the benefit of the planning system and therefore the Turkish Cypriot community.

There is a centralized planning system in the TRNC and the planning authority is given to the “planning office.” By examining the planning tools, it is found that only the city of Nicosia has a land development plan, some regions are tried to be controlled by decrees, and some regions are not under any supervision. As a result of a detailed examination of the TRNC planning system, it is found that TRNC does not have an efficient planning system. Rather than a holistic approach to the planning, a limited and fragmented approach drives the planning policies. It is also revealed that the planning process does not work in an orderly manner, there is not an efficient organizational structure to enhance the planning system. Also, there are not an adequate number of city planners. In a sense, planning in TRNC lacks stability.

3.2. Transportation

Public transportation services and traffic control are under the responsibility of
the central government.

Instances of duties considering public works and land development, and powers (Article 17) in order to organize land development activities more efficiently for a better urbanization: to carry out the duties given by the Law on Land Development and the Regulation on Roads and Buildings, to make arrangements in town squares, streets, playgrounds, parks and gardens, to conduct infrastructure works, to maintain piers and docks under the municipal authority, to build or provide social housing and, if necessary, to confiscate lands for this purpose.

The duties and powers of the municipality regarding transportation are as follows (Article 22): To build garages, parking lots and traffic-related facilities for vehicles, to determine the parking areas and stopping places, and to determine stopping times and fees in such areas in cooperation with the General Directorate of Police and by following a regulation to be prepared by the municipal council, to intervene in all kinds of pedestrian and vehicle traffic and to place the necessary traffic signs for the flow and order of traffic.

3.3 Social and Cultural Development

Duties of municipality considering education, culture and tourism (Article 20): to serve the preservation and development of national and historical culture and art, to contribute and support related works, to establish all kinds of tourism facilities within the boundaries of the municipality, to organize festivals and commemoration days, to establish tourism advisory offices in the developing towns, and to train the municipal staff about tourism.

Duties of municipalities regarding health and social assistance (Article 16): To provide healthy drinking and utility water along with industrial water and to establish related facilities, to grant licenses to food production enterprises and to inspect them, to conduct food inspection, to cooperate with the central administration for this purpose, to grant license to entertainment places, to collect solid wastes, to carry out works on environment for public health, to take necessary measures to prevent epidemics and infectious diseases, to provide funeral and cemetery services, to give social assistance services to the children in need, the disabled and poor families in the town, to undertake medical and technical examinations, chemical and bacteriological analyzes of human beings, animals, goods and properties, and reporting on them.

Duties of the municipalities regarding tranquility and security are as follows (Article 19): To take measures against fire, to take measures against flooding within municipal boundaries, to take anticipatory measures to prevent the harmful effects of the machines, engines, boilers, furnaces and chimneys used in all kinds of industrial facilities, factories and workshops on the safety of health,
life and property, to ensure the operation of elevators, and to regulate them for this purpose.

### 3.4. Economic Development

Some duties of municipalities relating to the economy and working life (Article 18): to supervise the maximum wholesale or retail selling prices of goods or the profit percentage and prices of other services, to determine and control the classification and fee tariffs of the places where town people have fun, rest, eat, drink, stay and wash, to buy, stock and sell necessity goods and, if necessary, distribute them to those in need and to take other regulatory measures to protect the consumer, to establish market places, to make flour mills, bread factories or ovens if necessary, to establish infrastructures of industrial sites and selling or renting them to related parties, to undertake economic initiatives to sustain economic efficiency and to use unutilized capacity, or to encourage economic development through build-operate-transfer model.

Some of the duties of municipalities regarding agriculture are as follows (Article 21): To make slaughterhouses that meet the sanitary standards, to take the necessary precautions for stray animals or wild animals, to take necessary measures to prevent animal-related epidemic and infectious diseases, to incinerate, bury or otherwise dispose of animal carcass, and to establish and maintain municipal gardens, nurseries and groves.

Municipalities have the right to establish and operate wholesaler and retailer marketplaces and to grant license to establish marketplaces for fresh fruit and vegetables trade.

Municipalities have the right to establish and operate public transportation systems within the municipal boundaries.

Municipalities have the right to collect wastes and to establish and operate the related facilities.

Municipalities have the right to possess movable and immovable property within and outside the municipality boundaries, to make internal and external borrowing, to purchase and sell stocks, to accept donations, to file a suit, and to settle disputes in accordance with the law.

### 3.5. Financial Management

In the Turkish Cypriot side, municipalities did not have the right to impose tax and tariff starting from 21 December 1963 until the establishment of the Provisional Turkish Cypriot Administration on 29 December 1967, and they did not receive any financial assistance from the central government. During this period, municipalities no service other than market supervision, toilet maintenance,
garbage collection and simple maintenance and repair. Following the foundation of Provisional Turkish Cypriot Administration, Turkish side gained some financial opportunities with the import and export of goods.

Article 77 of Law on Municipalities No. 51/1995 regulates the general rules regarding the revenues of municipalities. By this law, the share of the state budget allocated to municipalities increased from 5% to 6%. This 1% increase is required to be spent on infrastructure investments.

According to the Immovable Property Tax Law No. 50/1995, “Taxes of immovable property locating within the municipal boundaries belong to the municipality, and the municipality is responsible for imposition, assessment, and collection of taxes instead of the Revenue and Tax Office.” (Article 4) “15% of the revenue obtained from immovable property tax is used exclusively for the completion, maintenance and repair of public primary and secondary education institutions. (Articles 25-1-A; 4)

“Municipalities that are not able to carry out the imposition, assessment, and collection of immovable property tax are obliged to notify the Ministry in charge of financial affairs within at least 6 (six) months before the taxation period, and to request the execution of such transactions by the Revenue and Tax Office. 15% of the tax that is collected is seized as remuneration for service, and the rest is given to the municipality.” (Article 25-3)

Almost two thirds of the expenditures of municipalities in TRNC go to personnel expenditures, and municipal budgets cannot afford it. In other words, personnel expenditures cannot be covered without borrowing. For this reason, enough resources cannot be found for investments. Municipalities have difficulties in borrowing due to collateral and insufficient infrastructure. (Safakli, O; Guryay. p.54)

It can be observed that the tax revenues of the municipalities between the years 2006 and 2014 continuously increased. In 2007, while the share of tax revenues in the budget was 21.67%, the share in 2014 was 18.57%. The lowest share of tax revenues in the budget was witnessed in 2006 with 17.92%. It is observed that non-tax revenues of the municipalities between 2006 and 2014 increased continuously except for 2012. When the share of non-tax revenues in the budget is analyzed, it is seen that there has been a decrease. Its share, which was 25.59% in 2006, was the lowest in 2010 with 19.21%. Between 2011 and 2014, it is stable at an average of 20.71%.

Article 109 of Law on Municipalities No. 51/1995 regulates the municipal expenditures. When the share of personnel expenditures in the budget is considered, it reached its highest level with a share of 45.67% in 2007. The reason is that according to data from the Municipal Association, while the total number of permanent municipal workers in 2007 was 1,001, it reached 1,254 in 2008. In the
following years, the share of personnel expenses declined continuously until 2012 and reached 38.78% in 2014. In 2014, it increased to 42.97%.

The main creditors of the municipalities are Electricity Administration, Revenue and Tax Office, the Provident Fund Office and the Social Security Department.

According to the Village Law, the Ministry makes financial contributions to the mukhtars at the rate of 50% of the monthly minimum wage in addition to the fees specified in Article 14 of this Law in order to ensure the fulfillment of the duties mentioned in the paragraphs above.

The Ministerial Cabinet, with a decree that is published in the Official Gazette upon the proposal of the Ministry, can order the Board of Aldermen of the village or neighborhood to perform the duties below concerning the villages and neighborhoods that are specified in the decree:

(A) The management of the movable or immovable property described in the decree;

(B) The establishment and maintenance of market places, slaughterhouses and other buildings and outbuildings defined in the decree and determination of the rent with the approval of the district-governor;

(C) Exercising other powers determined in the decree.

Board of Aldermen has the powers specified in the decree and exercises such powers in accordance with the decree.

4. Opportunities and Challenges

4.1. Institutional Capacity

Municipalities do not have sufficient financial autonomy. While the transfer payments of the central government were 5% in 1992, this rate remained at the level of 4% due to the principle of “sharing based on realized revenue.” In addition, sharing is based only on the population. On the other hand, the level of development, income sources, touristic regions and spending categories are not taken into consideration.

The number of municipal technical personnel is limited and not adequate. This situation is related to the budget as well as the lack of in-service training.

In order to support the municipalities financially, there is a need for a “municipal bank”.

To solve environmental problems, physical and sectoral plans should be made, and coordination among institutions should be ensured.

Notably in terms of infrastructure and road services, the central government
should support the local governments.

Some services, such as providing schools, healthcare, fire department and traffic regulation, are under the authority of the central government. Pricing rates for water which are determined by the municipalities could not come into force without the approval of Ministerial Cabinet. Likewise, the central administration has the authority to inspect the food sector as well as the municipalities. Coordination problem is observed in many spheres. Although consumer protection is the duty of the municipalities (Article 18 of the Law on Municipalities), there is also incoordination in this issue.

4.2. Principle of Decentralization

In the Law on Municipalities, decentralization is referred in the article concerning the duties and rights of townspeople. According to this article, “Inhabitants have the right to vote in the municipal affairs, to elect and to be elected, to participate in the municipal administration and to benefit from the services of the municipality. Every person who resides within the boundaries of the municipality is required to perform the duties assigned to them by this law” (Article 5).

4.3. Strategic Planning and Performance Measurement

According to Article 111 of the Municipal Law,

- Municipalities undertake their activities according to the plan and the program.
- Municipal plan is made in line with the government planning.
- Programs are prepared before the budget as annual parts of the plan and form the basis of the budget.
- In the process of making and approving plans and programs, it is also taken into consideration whether they are compatible with the plans and programs of other local governments.
- Plans, programs and investment projects are carried out in accordance with the Law of the State Planning Organization.

4.4. Environmental Problems: Climate Change, Water and Wastewater Management

Both the northern and southern parts of Cyprus are short of surface water and groundwater and the problems that have been triggered by this insufficiency will increase in the coming years. Therefore, there should be a planning in water supply and demand along with agricultural products. Through the water supply project of Turkey, which involves transferring water for drinking and irrigation
purposes from the south of Turkey to Northern Cyprus, a substantial number of agricultural fields are irrigated. This project also greatly contributed to the service sector, especially tourism and education sectors. (Ağıralioğlu, N. 2016; pp.156, 330, 360)

Turkey-Cyprus Water Supply Project: Water supply project which involves transferring water to TRNC from Turkey via pipeline under 250 m of Mediterranean Sea is a first in the world and was completed in four years. Turkey has so far spent 555 million US dollars for the project. To solve the water issue of TRNC, Turkey built Alaköprü Dam on Anamur Dragon Creek, and the stored water is transferred to Geçitköy Dam in TRNC via 106 km pipeline. Thanks to the project, 75 million m³ of water is delivered to TRNC annually. 37.76 million m³ (50.3%) of this water is allocated to be used as drinking water and industrial water, and the remaining 37.24 m³ (49.7%) is allocated to irrigation. With this project, water demand of TRNC will have been met until 2045, and high increases in income will be achieved through irrigated farming. Hot and long summers, short and temperate winters, and fertile lands will lead to more abundant harvests. The facilities in TRNC for this project are: Güzelyalı pumping station, Nicosia, Kyrenia, Nicosia-İskele-Famagusta and İskele- Dipkarpaz Transmission Line distribution network.

In the TRNC, agricultural and other enterprises are built by public- private cooperation. Collection will be made by the company that have won the tender, and the company will give a share to the municipalities and TRNC government. The companies will make infrastructure investments in TRNC that cost 600 million liras. It is planned that the water will be sold to Greeks as well in case of the reunification of the island.

4.5. Urban Risks

Following the year 1974, the division of Cyprus physically, politically, socio-culturally, economically and administratively directly affected the planning system of the country. When the housing statistics and population censuses in the TRNC are analyzed together, it is seen that the number of houses increased faster than the population growth. Naturally, all these elements make the land development and planning works challenging in the TRNC.

The master plan of Nicosia, which is the capital of both Turkish and Greek Cyprus, was prepared by the experts of the two sides with the technical support of UN-HABITAT and using the funds of UNDP. However, the wastewater system could not be renewed. This situation, which can be defined as two halves of an apple, reveals the need in cooperation of the two sides on local issues. (Varnava, A. C. Yakinthou, 2011, p. 472)

4.6. Local Government Unions
According to the Article 159 of the Law on Municipalities No. 15/1980, 28 Turkish Municipalities were established the Union of Turkish Municipalities of Cyprus in 1983. The objective of the Union is “to seek solutions to urban and municipal problems, to strengthen local governments, to provide cooperation and solidarity among municipalities, to make joint investments, to carry out educational activities and to work for promoting a modern municipal understanding.”

Union of Cyprus Communities and the Union of Cyprus Municipalities are the unions that represent the Greek Cyprus in the Council of Europe.
5. References


Atun, Resmiye Alpar & Atun, Hakki. (2007). Sustainability and the Role of Urban Governance within the Changing Political and Spatial Context of the Northern Cyprus, 6th International Congress on Cyprus Studies, October 24-26, The Center for Cyprus Studies, East Mediterranean University, Northern Cyprus.


The Congress of Local and Regional Authorities. Retrieved from wcd.coe.int/ViewDoc.jsp?p= &id=929193&Site=COE&BackColorInternet=C3C3C3&BackColorIntranet=CACC9A&BackColorLogged=EFEA9C&direct=true


Parliamentary Assembly (1376 (2004)). Retrieved from assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-
Country Profile

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>United Arab Emirates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Federation of Monarchies</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Arabic</td>
</tr>
<tr>
<td>Currency</td>
<td>UAE Dirham</td>
</tr>
<tr>
<td>Area</td>
<td>83,600 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>9,630,959</td>
</tr>
<tr>
<td>Urban Population Rate</td>
<td>86.5%</td>
</tr>
<tr>
<td>Capital City</td>
<td>Abu Dhabi</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>1,419,700</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>34</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$43,004</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>1.8%</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>n/a</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>3.9%</td>
</tr>
<tr>
<td>CO₂ Emission (metric tons per capita)</td>
<td>23.2</td>
</tr>
</tbody>
</table>

Source: UN Data, WB Databank & National Legislation
1. Background

In 1820, to protect the maritime trading routes, Great Britain devised the littoral known as the Pirate Coast to form the Trucial Coast and the seven small principalities that dotted its shores as the Trucial States. In 1971, Great Britain terminated its special treaty relationships with Bahrain, Qatar, and the Trucial States and tried to create a federation that would have included all seven of the Trucial States as well as Qatar and Bahrain. After the withdrawal of Bahrain and Qatar on December 1 in 1971, Abu Dhabi, Dubai, Sharjah, Ajman, Umm Al Quwain, and Fujairah decided to unite and form a federation of the new UAE. Ras Al Khaimah joined them later in early 1972.\(^1\)

The UAE is a federal monarchy of seven emirates stretching along the southern coast of the Arabian/Persian Gulf. Six of the emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm Al Quwain, and Ras Al Khaimah) have territory on the Gulf, with Sharjah having additional and non-contiguous territory along the coast of the Gulf of Oman. Only Fujairah is located completely in the latter portion of the federation. The country had a population of nearly 9,577,000 in 2015; 1,084,764 of them are nationals and compose 11.32% of the total 74 nationalities that live and cohabit together in the UAE.\(^2\)

1.1. Constitutional Laws and Legal Regulations on Local Governments

After the creation of the United Arab Emirates (UAE) in 1971, a series of federal and local laws were developed with the purpose of regulating internal matters and external relations between the individual emirates and ensuring the implementation of transactions. According to the articles 120 and 121 of the UAE Constitution, the Federal Authorities are responsible for foreign affairs, security and defense, nationality and immigration issues, education, public health, currency and so forth. They are also responsible for areas that cover specific sectors such as labor relations, banking, delimitation of territorial waters, and extradition of criminals.\(^3\)

According to the Articles 116, 117, and 118 of the UAE constitution, each of the seven emirates (Dubai, Sharjah, Ras Al-Khaimah, Fujairah, Ajman, Umm AL Quwain, and Abu Dhabi) is allowed to exercise individual powers that are not assigned by the federal laws. The emirates that are members of the union (a) work to unify all or part of their public services by establishing a joint administrative unit and (b) coordinating their legislations in various fields as much as possible.\(^4\)

\(^1\) http://www.nyulawglobal.org/globalex/United_Arab_Emirates.html#legalsystem [retrieved on 29 March 2017].

\(^2\) http://www.bq-magazine.com/economy/socioeconomics/2015/04/uae-population-by-nationality#

\(^3\) UAE Government: political system, UAE interact. www.uaeinteract.com/government/political_system.asp

\(^4\) http://www.nyulawglobal.org/globalex/United_Arab_Emirates.html#legalsystem [retrieved on 29 March 2017].
Moreover, the seven emirates have the right to adopt the federal judicial system as it is, maintain its own laws and decrees which cover a variety of topics\textsuperscript{5}, or refer to both. For example, the regulations on the municipal taxes, the fees for municipal services, contracting consultancy offices, or construction works vary from one emirate to another. This way, the courts in each emirate can maintain a certain degree of higher-level exchange while simultaneously considering local legal matters that are not necessarily assigned in the federal judicial system.\textsuperscript{6}

1.2. Election Processes for Local Governments

There is no election for the local councils at the municipal level; members, including the Mayor or the General Director of the Municipality, are appointed. However, there was a change in the political image of the country at the federal level with the election of half of the 40 members of the Federal National Council (FNC) in 2006 by an electoral college. This change is important for the country to develop and modernize its political process, understanding that the world is evolving. The latest election of the FNC was held in 2015, but the electorate was expanded to 225,000 voters, about twice as the number in 2011. There were 330 candidates (lower than in 2011), including 74 women (almost as many as in 2011), but only one woman was elected. The remaining 20 seats were appointed and 8 of these appointees were women. The next FNC elections are to be held in 2019. UAE officials assert that there are plans to make all 40 seats elected, but it is not clear that this would apply to the 2019 vote.

2. Structure of Local Governments

2.1. Central, Regional, and Local Governments: Interrelations and Responsibilities

Federalism in the UAE is a unique governance style according to which the relationships between various national and local stakeholders from each emirate are formed. The central federal government includes five units with a number of executive, legislative, and judicial authorities. Currently, the UAE’s federal system of government is composed of:

1) the Federal Supreme Council,
2) the President and his Deputy,
3) the Council of Ministers (Cabinet),

\textsuperscript{5} Among others, engineering, planning and construction, public works, environmental protection, financial management.

\textsuperscript{6} http://www.nyulawglobal.org/globalex/United_Arab_Emirates.html\#legalsystem [retrieved on 29 March 2017].
4) the Federal National Council (FNC), the parliamentary body,

5) the Federal Supreme Court, the independent judiciary.

The highest authority is the Federal Supreme Council that consists of the seven rulers of the seven emirates and each Emirate has one single vote in the council resolutions and deliberations. The Council has both legislative and executive power and its general duties include sanctioning decrees, ratifying treaties and international agreements, setting the annual budget, and formulating and endorsing general policies and federal laws on all matters that are considered of common interest to the member emirates. The Council also approves the appointment or resignation of the prime minister of the federation as well as the president and judges of the Supreme Federal Court.

The president of the union, representing the union internally and internationally, presides over the meetings of the Supreme Council and directs its discussions. He has a prerogative to sign union laws, decrees, decisions (that the Supreme Council have sanctioned), and all the correspondences with foreign states and organizations. Furthermore, he can appoint and accept the resignation of the prime minister and ministers, the diplomatic corps, and other civil and military senior union officials (apart from the president and judges of the Federal Supreme Court).

The third layer of federal governance is the Cabinet which is consisted of the prime minister, his deputy, and the ministers. The main duties include the implementation of domestic policy as well as foreign policies of the union and the international treaties and agreements. The cabinet draws up the annual budget of the union and the final accounts and drafts decrees/decisions, issuing regulations on the provision of public services (including the work of the local police) as well as drafting and supervising the implementation of federal laws that are raised to the president of the union for submission to the Supreme Council (along with regulations on the implementation of these laws). Lastly, the council of ministers appoints and dismisses union employees and controls the conduct of work in departments and public services.

The fourth level of federal governance is the Federal National Council (FNC) of the union which is composed of 40 members who must meet certain criteria. A member must be a citizen of 20 years of age or older at the time of election and a permanent resident of one of the emirates he/she represents in the assembly and must act on behalf of all the people in the union (not only the emirate which he/she represents). The member also must not have a criminal record or been rehabilitated in accordance with the law and must have the adequate reading and writing skills.

The last federal level is the Federal Supreme Court of the union, which is accorded
independence under the Constitution. The Federal Supreme Court is comprised of five judges appointed by the Supreme Council. The judges decide on the constitutionality of federal laws and arbitrate on the inter-emirate disputes and the disputes between the Federal Government and the emirates. The UAE civil law does not dictate the political system in each emirate but sets the overall regulations that govern the practice of federalism in the UAE.7

Finally, with regards to the Local Government, the emirates have full authority over their territories, i.e., maintaining law and order, provision of public services, development of social and economic standards within the emirate, enforcement of local ordinances and so on. The local government includes an Executive Council, a National Consultative Council, and many municipalities, each having its own Mayor or Director, Municipal Council, and Executive departments which have their own managers and sets of expertise8.

This administrative structure differs from one emirate to another according to the size, the needs, and the priorities of its local inhabitants. Each of the seven emirates (Dubai, Sharjah, Ras Al-Khaimah, Fujairah, Ajman, Umm AL Quwain, and Abu Dhabi) has its own local governance system that functions in coordination with the central federal government. These systems diverge in size and complexity depending on a variety of factors such as population density, area size, and degree of development patterns. The general structure of public administration has been intact since its formulation in 1971. No drastic changes have been introduced in the past or are expected in the near future.

2.2. Bodies of Local Governments

Municipalities in the UAE, directly serving the people living within their boundaries, handle important local-level responsibilities and are primarily managed based on cultural norms and kinship, except for Abu Dhabi where a number of decision-makers are appointed according to their family ties or regional affiliations. Each municipality includes a Municipal Council and a directorate with several departments. Dubai Municipality has 34 departments, for example. They are divided according to their different sets of expertise and activities; these range from legal affairs, strategic planning, financial and technical audit of municipal assets, corporate performance and public relations, information technology (including geographic information systems), land and property survey, urban planning and construction to transportation, vehicle and equipment maintenance, preservation of architectural heritage/landmarks and antiquities, environmental management/horticulture and sustainable and


renewable energy, food safety and quality control, drainage, irrigation, and sewage water treatment.

For example, the largest and most populous emirate, Abu Dhabi, has its own governing body with local departments that carry out various administrative functions. They administer services in the main governorates and function under the authority of a Municipal Council. A similar system of municipalities and departments exists in the other emirates. However, despite increasing efforts aimed at increasing decentralization, the municipal system of administration in the UAE is still strongly dependent on the resources of the central government.\(^9\)

### 2.3. Councils of Local Governments

The municipal councils are the main decision-making authorities of the municipalities and are headed by the Municipality Chairman. The emirate of Abu Dhabi has its own National Consultative Council that functions in a manner that is like the Federal National Council and an Executive Council that is chaired by the Crown Prince. In the UAE, the Municipal Councils also carry out overlapping responsibilities on the federal and the local levels in their respective emirates. The main duties of the Municipal Council include:

- Maintaining an optimal use of the available public resources (including the monetary resources) to achieve the municipality’s strategic objectives;
- Promoting institutional responsibility to achieve the municipality’s strategic objectives;
- Building a culture of participation in policy formulation, service provision, decision-making and evaluation, and monitoring compliance with the laws;
- Responding to the requirements and needs of customers with quality and speed;
- Promoting a culture of accountability and transparency;
- Documenting procedures and regulations and determining the responsibilities as well as the rights of the citizens.

### 2.4. Mandates of Mayors in Local Governments

The mayor is the highest-ranking official in the municipalities. His/her duties (assisted by the various municipal executive departments) include:

- Delegating a wide range of authorities to local executive departments;

\(^9\) [http://www.nyulawglobal.org/globalex/United_Arab_Emirates.html#provincialandlocalgov](http://www.nyulawglobal.org/globalex/United_Arab_Emirates.html#provincialandlocalgov) [retrieved on 27 March 2017].
• Performing various tasks that involve government policies and operations;
• Approving the necessary decisions that implement the articles of the local laws, orders, and decrees;
• Serving on the Board of Directors of several associations;
• Contributing to the activities of non-governmental organizations.

In small or remote rural settlements, the mayor may choose to appoint a local representative, an Emir or a Wali (whose authority also emanates from general community consensus) to act on his/her behalf and manage the concerns of the local inhabitants.⁠¹⁰⁠⁠⁠⁠

2.5. Organizational Structure of Local Governments

The key focus of this UAE government strategy was to create synergy between the federal and the local governments. Other principles include revitalizing the regulatory and policy-making roles of the ministries and improving their decision-making mechanisms, increasing the efficiency of governmental bodies and upgrading their services in accordance with the needs of the people as well as reviewing and upgrading the existing legislation. There are seven local governments corresponding to the seven emirates, which vary in size and the scope of responsibilities due to their evolvement along with the country’s growth. They have also different mechanisms depending on the size of the population, the area of the emirate, and its degree of development.

As mentioned before, Abu Dhabi (as the largest and most populous emirate) has its own governing structures, chaired by the Crown Prince H.H. Sheikh Mohammed bin Zayed Al Nahyan, under which there are many separate departments that are equivalent to ministries. There are also a number of autonomous agencies with assigned powers such as Abu Dhabi Environmental Agency, Abu Dhabi Tourism and Culture Authority, Abu Dhabi Authority for Culture and Heritage, and Abu Dhabi Health Authority. Regarding the regional structure, Abu Dhabi is divided into two regions: Al Gharbia (previously known as the Western Region) and the Eastern Region, headed by the Ruler’s Representatives. As for the municipalities, there are two municipalities in the main cities of Abu Dhabi and Al Ain, each one having a nominated City Council.⁠¹¹

The emirate of Dubai has also its own Executive Council which was established in 2003 and is headed by Crown Prince Sheikh Hamdan bin Mohammed bin

Rashid Al Maktoum. On the other hand, Sharjah and Ajman also have Executive Councils; in addition to that, Sharjah has developed its own Consultative Council. Furthermore, Sharjah, having three territories on the east coast of the country, has adopted the practice of devolving some authority to the local level, with branches of the Sharjah Emiri Diwan (Court), headed by deputy chairmen, in both Kalba and Khor Fakkan. A similar pattern of municipalities, departments, and autonomous agencies can be found in each of the other emirates\footnote{Ibid.}.

In smaller settlements, the ruler of each emirate may choose a representative, an Emir or a Wali, to act as an intermediary who carries the concerns of the inhabitants directly to the government. In most cases, these are leading local figures, who have both the consensus of their community and the confidence of the ruler. Another traditional type of direct democratic tribal practice is the “Open Majlis”. This emphasizes a strong principal that the people should have a direct access to their rulers so that they can express their opinions. In many emirates, this tradition is still maintained by the ruler and several other senior family members. In “Majlis,” the audience may discuss a wide range of topics, both of personal or public interests. This “parallel” system of governance enriches the political participation; also, in a cultural context, it helps to maintain the identity of the country against the rapid economic and social changes.\footnote{UAE Government: political system, UAE interact. www.uaeinteract.com/government/political_system.asp}

\section*{2.6. Strategic Planning and Performance Assessment}

In 2007, Abu Dhabi launched its vision for 2030 to manage the development in an effective way. The Vision 2030 is designed to establish a planning culture and to actively respond to the future development needs as well as to introduce strong guidelines for sustainable development. In its 2013-17 development plan, Abu Dhabi was to invest nearly Dh30 billion, which would encourage the economic growth and job creation (5000 jobs) besides expanding the non-hydrocarbon sector. Housing and infrastructure would compose a large portion of these investments such as Abu Dhabi International Airport and the Etihad Rail network, which would provide services (initially in freight) from the border of Saudi Arabia in the south west to Ras al-Khaimah and the east coast. The vision also aims to create a sustainable city by means of concentrating growth, introducing transport choice, creating mixed-use and pedestrian-friendly streets, implementing a more sustainable and cost-effective infrastructure, and protecting and enhancing the natural environment. The development schedule will include the city of Al Ain and Gharbia (the Western Region).\footnote{United Arab Emirates yearbook 2013, p.103.}

Dubai also launched its plan in 2007. It recognizes that urban planning is a
primordial channel to meet the needs of sustainable development while preserving natural resources. Therefore, to implement this vision, Dubai Urban Planning Committee brought together key stakeholders such as the Municipality, the Road and Transport Authority, the Electricity and Water Authority, the Dubai Land Department as well as the developers such as the Dubai Holdings, Emaar, and Nakheel. There is an ongoing work to update the vision in line with the revised assumptions that were formed during the financial crisis and to boost the UAE economy to prepare it for a new era.\(^{15}\)

Other smaller municipalities such as Ajman do not have their vision plans ready; however, they took some steps for further development of their cities. The Director General of Ajman Municipality announced that the city would be divided into sectors and residential areas with roads, green belts, and residential parks that would separate them from other functions such as the industrial areas. The idea behind this would be to facilitate rapid development in the emirate, attract investors, and boost tourism.

With regard to the performance assessment, the State Audit Institution conducts reviews of all municipalities and government departments that are partially or fully publicly-owned in respect to the law no. 7 of 1976, the law no. 9 of 1975, the law no. 22 of 1995, and the decree no. 49 of 1997. It reports any administrative or financial misconduct to a specialized disciplinary council and to the concerned administrative unit. The same laws also prohibit the withholding of the required information and the obstruction of the auditors’ access to the financial books. All auditors are registered at the Ministry of Economy and Commerce.\(^{16}\)

3. Duties and Responsibilities

The role of the municipal councils in the UAE does not differ from other countries. For instance, the councils are responsible for improving services for residents of their districts, such as public works and infrastructure. In addition, the municipal councils can be powerful tools to promote civic awareness and participation among the nation’s citizens to involve them in the affairs of their communities and to enable them to be more than just spectators in the development of their country.\(^{17}\)

3.1. Infrastructure

The UAE has granted substantial budget allocations to infrastructure projects in recent years. The municipalities of Abu Dhabi, Dubai, and Sharjah, for

---

15 United Arab Emirates yearbook 2013, p.104.  
16 United Arab Emirates Business Law Handbook Volume 1 Strategic Information and Basic Laws, 2009, p. 44.  
example, developed infrastructure projects such as the new roads and bridges and installed or extended the public transport systems. This includes the projects that are under way and in the planning stage. Abu Dhabi Vision 2030 was named in a list of the top 100 infrastructure projects worldwide; World Cities Edition featured the profiles of Vision 2030, Masdar City, Paris-Sorbonne University on Reem Island, and the Yas Island Waste Management which is an automated vacuum waste-management system that is consisted of 43 inlet points and 5.3km of pipes and which can suck 40 tons of waste every day collected from the sites around the island. Al Gharbia region has its share of the infrastructure projects. The region will host “Barakah” which will be the first nuclear power plant in the Middle East (currently under construction) as well as the biggest solar power plant in the world (Shams 1). The largest petrochemicals facility in the world, the largest oilfields, and refineries in the UAE are located in the same region.\textsuperscript{18}

### 3.2. Housing

Housing in the UAE is a central concern; therefore, to provide housing for the Emirati citizens, the municipalities combine their efforts with the federal government (i.e. the Ministry of Public Works and Housing) which reviews applications for housing, takes decisions on these applications, provides recommendations, and offers housing loans, housing grants as well as services for people with special needs. On the other side, private companies had and still have an active involvement in the development of the housing sector in the UAE, particularly in Dubai. Most of the recent developments were planned, financed, and implemented by the private companies, and the local authorities played the role of the facilitator and sometimes the partner.

There are three types of housing assistance programs at the National Level overseen by the Federal Government:

- The first one provides home loans and grants to citizens who own a piece of land;
- The second one offers interest-free and long-term loans for citizens who can repay them;
- The third one provides free housing for low-income citizens.

The Sheikh Zayed Housing Program established in 1999 funds housing projects for citizens with low incomes by providing interest-free loans that are repayable over a 25-year period. Grants and non-reimbursable assistance are dispensed to the poorest segments of the society. Furthermore, each emirate has its own housing program that provides support for the Emirati citizens such as the Sheikh Khalifa housing program in Abu Dhabi which includes building new

\textsuperscript{18} United Arab Emirates yearbook 2013, p.110.
homes and refurbishing the existing ones, the Mohammed bin Rashid Housing Foundation in Dubai that ensures access to decent housing by providing housing loans or buying turnkey homes, and the Sheikh Saud Housing Program that aims to meet the housing needs of citizens in Ras Al Khaimah.\textsuperscript{19}

### 3.3. Culture

Culture is a key that reflects the UAE’s important traditions and the country’s national identity. Cultural events that were hosted in the country and attracted international interest from the global media reveal the cosmopolitan image of the cities in the UAE as well as illustrating their success in bridging East and West. The cultural life in the UAE is very rich, especially in Abu Dhabi and Dubai. They host high-end cultural activities which attract celebrities from all over the world (such as Cate Blanchett, Richard Gere, and Madonna). There is a myriad of yearly festivities held such as Abu Dhabi Film Festival, AD Music Festival, AD Art Hub, and Abu Dhabi International Book Fair. In Dubai, there is a vast variety of cultural activities organized such as Dubai International Film Festival, Art Dubai, Dubai Youth Theatre, and Dubai Opera which has recently been opened (in 2017) and started to host high-end events.

Moreover, Abu Dhabi’s 2030 Economic Vision is to promote the heritage, the culture, and the traditions of the Emirate of Abu Dhabi worldwide through the concerned authorities such as Abu Dhabi Authority for Culture and Heritage (ADACH), Abu Dhabi’s Saadiyat Island Cultural District as well as the planned Louvre Abu Dhabi, Zayed National Museum, and Guggenheim Abu Dhabi. Sharjah hosts many events as well such as Sharjah International Book Fair and Sharjah Biennale.

The pearl of the crown is the “Expo 2020” which will be hosted by Dubai. The lucrative event spanning six months is expected to attract more than 25 million visitors to the UAE under the theme “Connecting Minds, Creating the Future”. The proposed site for the World “Expo 2020” Dubai was chosen as a 438-hectare site on the south-western edge of the city, known as the Dubai Trade Centre – Jebel Ali, adjacent to Dubai World Central airport.\textsuperscript{20}

### 3.4. Social Development

The Ministry of Labor and Social Affairs (MLSA) is responsible for carrying all aspects of social affairs, including the recommendation, the implementation, and the evaluation of policies and plans on social developments. In addition, the MLSA supports and supervises the activities of the NGOs. The government is heavily investing in the field of social development whether through community development or community organization programs. So far, the outcome of these

\textsuperscript{19} United Arab Emirates yearbook 2013, p.165.
\textsuperscript{20} United Arab Emirates yearbook 2013, p.200.
policies is to a great extent satisfactory.

Education

As per the UAE’s constitution, the education falls under the prerogative of the federal government represented by the Ministry of Education (MoE). In 2016, the government allocated almost 21% of its federal budget to the education sector to improve the system by hiring accredited teachers and developing smart learning environments. Likewise, the MoE established “Education 2020,” an ambitious five-year plan designed to improve the quality of the students’ learning process and the way in which the teachers deliver curriculum. The UAE’s educational system is divided into public schools, private schools and higher education. The public schools follow the Arabic curriculum whereas the private schools follow 15 different curricula.

Abu Dhabi Education Council (ADEC) is the regulatory body that provides licensing and accreditation to private schools in Abu Dhabi, Al Ain, and the Western Region and sets the minimum standards for educational outcomes besides working closely with the MoE in formulating the emirate’s education plan. Knowledge and Human Development (KHDA) is responsible for inspecting all private schools in Dubai to ensure proper quality of education, from early learning to higher and continuing education. As for the rest of the emirates (Sharjah, Ajman, Ras Al Khaimah, Fujairah, and Umm Al Quwain), the MoE monitors the education system at public schools focusing on the standard and the level of education.21

Concerning the higher education, the U.A.E. has become an international hub with internationally recognized universities, mainly from the U.S. and Europe, including New York University (NYU), Paris-Sorbonne University, American University of Dubai (AUD), American University of Sharjah (AUS), New York Institute of Technology (NYIT), Rochester Institute of Technology (RIT Dubai), British University, Canadian University, Waterloo University, and Wollongong University among many others. Dubai’s knowledge village gathered international universities, training centers, e-learning, research, and development companies in one location.

Healthcare

The UAE’s health sector has evolved rapidly in the past decade as public and private investments boast a highly-developed healthcare infrastructure. Healthcare is provided to all UAE citizens for free in the government hospitals and clinics and is regulated at both the federal and emirate levels. The UAE Ministry of Health was established in 1972 to, among other things, license companies and individuals that provide healthcare services, build and manage

---

21 https://www.export.gov/article?id=United-Arab-Emirates-Education
health facilities, and regulate various areas of healthcare. Besides, the Ministry oversees the healthcare system in Sharjah, Ras Al Khaimah, Ajman, Umm Al Quwain, and Fujairah and makes an effort to improve the level of healthcare services in these emirates. Recently, Sharjah has established the Sharjah Health Authority. The Health Authority of Abu Dhabi (HAAD) and the Dubai Health Authority (DHA) were established to regulate healthcare services and improve their quality, to develop medical education and research, to plan and promote healthcare investment, and to operate government’s healthcare facilities. DHA is authorized to regulate all healthcare services in Dubai, including those located in the free zones: Dubai Healthcare City and Dubai Biotechnology and Research Park.\textsuperscript{22}

The Federal Law No. 13 of 2009 established the Emirates Health Authority (EHA), which has regulatory functions and initiatives to encourage cooperation between the federal and local health authorities as well as between such authorities and the private sector. The EHA is based in Sharjah and works closely with the HAAD in Abu Dhabi and the DHA in Dubai.

3.5. Local Economic Development

The outlook of the UAE economy is positive despite the drop in the oil prices at the end of 2014. The economy will continue to grow since economic diversification efforts have led to a decline in the contribution of oil exports as the pillar of the economy. The country has set itself a goal of less than a 5% contribution of oil to the economy by 2021. The UAE remains the second-largest Arab economy after Saudi Arabia.\textsuperscript{23}

The future visions and policies of the Cities and Municipalities are to encourage investment in non-oil activities for various reasons in order to expand the panoply of local sources of income and to be less dependent on federal assistance. This effort is matched by the central government policies that stimulate the private sector and increase its involvement in the provision of municipal services. The city of Abu Dhabi has a strong economy due to its dependence on petroleum, but the city’s vision for 2030 will encourage the diversification of resources, generating activities that are less dependent on energy. The city has stimulated the activities and projects in the domains of cultural tourism, media, healthcare, financial services, and renewable energies. Dubai, being less reliant on petroleum, is developing other sources of income to boost its economy and has positioned itself as a regional hub for trade, transport, banking, and especially for luxury tourism. Sharjah, the third biggest emirate, has built up a solid manufacturing sector and is now focusing on developing green business and sustainable tourism driven by “Shurooq,” the emirate’s investment body.

\textsuperscript{22} United Arab Emirates yearbook 2013, p.182.
\textsuperscript{23} Bertelsmann Stiftung, BTI, United Arab Emirates Country Report, 2016.
The smaller emirates/cities are also evolving their economies and fiscal policies through distinguishing themselves in specific domains. Ras Al Khaimah has supported the expansion of the industrial activities, being the leader in ceramic and porcelain industries as well as in the financial and aviation services. While the city of Fujairah, due to its strategic coastline location on the Gulf of Oman outside the Straits of Hormuz, has emerged as a major oil and chemical storage and products trading hub, it is ranked as the second largest bunkering port in the world. Ajman, the smallest emirate in size, has invested in high educational infrastructure and industry. The emirate/city also encouraged the inflow of international investors by giving them 100% ownership of real estate. The emirate/city of Umm Al Quwain, traditionally reliant on industries such as cement, pharmaceuticals and glass, has elaborated plans to develop a sophisticated ecotourism industry around its natural beauty and historical sites.

3.6. Financial Management

The cities/municipalities in the UAE have different capabilities to create flexible but sustainable sources of revenue which permit them to improve the quality of the services to be provided to their citizens. For example, the Budget and Financial Planning Sector of the Municipality of Dubai links the city goals to the available financial resources and prepares the Financial Plan for the medium and long term. Moreover, it cooperates and communicates with the government agencies in the Emirate to find optimal ways to achieve financial sustainability and to meet the necessary financial support to government entities in the Emirate of Dubai. The city’s division works to raise the financial efficiency of the government and makes recommendations on important financial issues to contribute to the Emirate’s strategic economic goals.

Table 1: Revenues and expenditures of the public sector in the UAE

<table>
<thead>
<tr>
<th>Statement</th>
<th>2014</th>
<th>2015</th>
<th>Change Ratio 2014/2015 %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total public revenues</td>
<td>423.0</td>
<td>295.0</td>
<td>-30.3%</td>
</tr>
<tr>
<td>Total public expenditures</td>
<td>492.2</td>
<td>401.0</td>
<td>-18.5%</td>
</tr>
<tr>
<td>Deficit / final surplus</td>
<td>69.2-</td>
<td>105.9-</td>
<td>53.0%</td>
</tr>
</tbody>
</table>

Source: UAE, Federal Competitiveness and Statistics Authority, primary numbers, June 2016

Likewise, Ras Al Khaimah’s Finance Department provides financial, accounting, and advisory services according to the latest financial systems and global accounting practices as well as applying the most accomplished accounting standards in the government sector, while Fujairah Municipality plays an important catalyst role in raising its financial capacities through the backing of
economic and commercial activities by applying uncomplicated regulations that contribute to their prosperity. The public sector’s expenditures generally enjoy a deficit; the Table (1) below shows the ratios of public revenues and expenditures.


The Federal Environmental Agency (FEA) is responsible for the protection and enhancement of the environment in UAE through formulating and implementing the required policies and plans, supervising the plans and activities of different institutions, facilitating the necessary coordination, and preventing any negative activities that may harm the environment.

Climate Change

The UAE’s Vision 2021 document lists the quality of air and water resources among the top priorities in the country’s strategy. The UAE still takes the 3rd place in terms of its ecological footprint\(^24\) per capita as listed in the World Wildlife Fund’s 2014 Living Planet Report while Qatar and Kuwait are in the second and the first place respectively. Population growth and air pollution are the major contributors to this situation and put additional pressure on infrastructure as well as water and sewage treatment plants. As a result, the UAE is subject to frequent sand and dust storms, which can severely reduce visibility. Desalinization plants compensate for the lack of freshwater resources, but desertification (land degradation caused by aridity) and beach pollution from oil spills are serious problems.

It is recommended to form a national entity to oversee the problems of climate change. This unit could set policies and plans as well as adopting a cross-sectoral coordination for tangible results in this regard. Local government needs to demonstrate control in 3 main areas:

- Making an effort to push the reforms at the higher levels of government to include the question of climate change in the government’s plans and strategy;
- Setting a clear target for carbon reduction to monitor performance;
- Moving beyond mitigation to include a focus on adaptation and integrating it into a wide range of governmental entities.\(^25\)

---

24 This footprint measures the amount of land and water needed to produce the resources a population consumes and to absorb its CO2 emissions.
Water

Climate change stresses the management of water resources in the UAE. The long-term variations in temperature and precipitation are expected to have adverse effects on the already fragile natural resources. With the U.A.E.’s water demand growing annually, the country’s water infrastructure is under significant pressure. With one of the highest per-capita consumption rates in the world and dropping groundwater reserves, groundwater use exceeds the regenerating capacity by a factor of 15, and, at the same time, the demand for water is expected to grow 30 per cent by 2030. Accordingly, water demand in Abu Dhabi is estimated to grow by 5-6% per year. In Dubai, the DEWA recorded an increase in the desalinated water production capacity by 17 per cent in 2012. The same trend is observed in Sharjah and other smaller emirates where the water capacity is often barely sufficient to cater for the needs of growing industries and rising populations.

The Environment Agency in Abu Dhabi estimates that the country’s groundwater supply will run out within 55 years if its use is not restricted and the mitigation measures are not taken. The country continues to use groundwater at a rate that is 20 times higher than its ability to replenish it.

As the main source of drinking water, the UAE is heavily reliant on desalination plants for water production; more than 90% of its potable water is produced via desalination and is expected to increase to 96.5% of all water produced by 2019. Therefore, the Ministry of Environment and Water and the local environment agencies in the emirates are actively promoting water conservation and rain water harvest, principally in parks and farms representing the highest consumption rate of the water supply with 70%, as well as finding alternative energy-efficient ways to produce drinking water in order to address the high cost of production.

Wastewater

In the wastewater sector, the UAE has adopted the approach of reusing treated wastewater in landscaping, such as irrigation of gardens, green spaces, and reforestation trees, aiming to relieve pressure on other water resources. The key project undertaken by Abu Dhabi’s Sewerage and Services Company (ADSSC) is the Strategic Tunnel Enhancement Program (STEP) to collect and treat wastewater discharged from residential, commercial, and industrial buildings. Wastewater is only re-used at about 45% while the remaining 55% is being discharged into the environment. Sharjah Municipality opened an underground sewage treatment

26 500 liters per person per day, the UAE uses three times as much per person as the European Union.

28 United Arab Emirates Yearbook 2013, p.131.
29 https://www.export.gov/apex/article2?id=United-Arab-Emirates-Water
plant in the emirate in April 2012, catering for the residential areas of Al Majaz, Al Taawun, Al Nahda, and Industrial Area 1.  

Dubai is in the process of developing a significant tunnel project. In an interview with “The National” in October 27, 2016, the Director General of the Dubai Municipality mentioned that the tunnel project comprises the construction of two deep tunnels underneath the city with a combined length of 75km, supported by 140km of sewers and pumping stations (from Bur Dubai to Jebel Ali and from Deira to Al Warsan treatment plant). The tunnel depths ranges from five meters to 90m, and the tunnels may be up to 10m wide. This allows for a train system to be installed that can be used in the prolonged dry periods to transport cargo under the city. Moreover, all future projects can be plugged into this drainage network, which would remove the requirement for the 140 existing pumping stations.

3.8. Urban Planning

Urban and land use planning are the framework that could manage growth, decrease pressure on future demands for lands, and ensure sustainability. Due to the phenomenal development in many sectors of its urban life, the UAE has experienced major changes in land uses, and most of them took place in the coastal areas. Municipalities are the authorities that are responsible for urban planning in the UAE, except for Abu Dhabi where the Abu Dhabi Urban Planning Council (AD-UPC) is the agency responsible for the future of the emirate’s urban environments and the expert authority behind Abu Dhabi 2030 Urban Structure Framework Plan. The Urban Planning Council defines the shape of the emirates and ensures factors such as sustainability, infrastructure capacity, community planning, and quality of life by overseeing development across the city and the whole emirate. The UPC ensures best planning practices for both new extensions and existing urban areas and manages the sustainable urban growth of the emirate by creating urban strategies, master plans, policies, and regulations. It develops correspondingly the necessary procedures for development approval by working closely with the stakeholders of the public and private sectors. The Urban Structure Framework Plan provides conceptual solutions to shape the growth of Abu Dhabi over the next quarter of a century. These solutions first address the major issues that shape the urban form—the environment, land use, transportation, and the capital city image. The plan’s key directions include sustainability, environmental uniqueness, evolving culture, identity, and opportunity, excellence and livability, and connectivity.

The emirate of Dubai has become an international hub and has experienced

30 United Arab Emirates Yearbook 2013, p.133.
tremendous urban growth over the past two decades. It has pursued an aggressive economic diversification agenda, at the core of which was an immense, heavily-funded program of urban development, and internationalized real estate markets. The array of mega-projects underway in recent years has brought construction and real estate to the forefront as two of the most important non-oil sectors in the city’s economy. Unlike Abu Dhabi, Dubai has not updated the Urban Master Plan (see Figure 1) (the Dubai 2020) that envisioned to make Dubai as a modern Arab city and a vibrant regional gateway to promote social, economic, and environmental sustainability to address transportation, housing affordability, cultural integration. Nevertheless, the city’s urban development plan will need to be revised considering the impact of the new oil prices and the international economic trends as well as the Expo 2020.

Figure (1): Committed land before 2008 for mega projects (left), ongoing projects (Right)

The Departments of Planning in smaller cities are also active in and are responsible for the areas such as planning and modernization as well as the future residential developments for the growing populations and other land use such as administrative and industrial. Ras Al Khaimah went for a more comprehensive approach by elaborating the city’s Structure Plan.

3.9. Transportation

The UAE maintains a strong focus on the expansion and maintenance of an efficient transportation system. The system is composed of ports, airports, efficient road and public transportation networks. They have supported a strategic plan aimed at developing the UAE into a major transport hub. Despite the existence of 3 airports in Abu Dhabi, Dubai, and Sharjah, the Dubai International Airport is one of the fastest growing air transport hubs in the world, serving more than 15 million passengers yearly. As for maritime transport, Dubai, with Jebel Ali, Port Rashid, Hamriya Port, and Dubai Creek, serves more than 13,000 vessels
each year and handles a significant share of the world’s shipping cargo\textsuperscript{32}. Abu Dhabi and Sharjah have major ports as well as ports for the export of crude oil, refined products, and petrochemicals.

Moreover, the public transportation witnessed a significant development only in the last decade due to the fact that the local people use only their private vehicles for commuting. The city of Dubai was the most advanced in terms of its Surface Transportation Master Plan whose focus is on providing the city with alternative forms of public transportation. Specific plans include a grid of boulevards instead of large freeways to dissipate traffic flow, fully automated tram and metro networks, increase in the bus network, and the enrichment of pedestrian movement in the city with the momentous “City Walk” project. Once complete, the transport system will be an integrated network of highways/metro/tram services with a parallel system of facilities of buses/taxis/bicycles, which will be the first comprehensive urban transportation network in the Arabian Peninsula.

4. Challenges and Opportunities

4.1. Authority and Subsidiarity Principles

The powers of the various federal institutions and their relationship with the separate local institutions have changed since the establishment of the state. Under the terms of the Constitution, the rulers may relinquish certain areas of authority, on a strategic level, to the Federal Government. The relationship between the federal and the local systems of the government continues to evolve. As the smaller emirates have benefitted from education, for example, they have also been able to recruit personnel to local government services that were once handled on their behalf by the federal institutions. These new systems of government have not, however, replaced the traditional forms that coexist alongside. The key driver behind such developments remains the performance and efficiency in the delivery of services to citizens and the expatriate population residing in the UAE. The key focus of this strategy of the UAE government was to create synergy between the federal and the local governments. Other principles include revitalizing the regulatory and policy-making roles of the ministries and improving their decision-making mechanisms, increasing the efficiency of governmental bodies and upgrading their services in accordance with the needs of the people as well as reviewing and upgrading the existing legislation.\textsuperscript{33}

The UAE government strategy for 2011-2013 clearly identifies and integrates

\textsuperscript{32} BTI 2016, United Arab Emirates Country Report, 2016, p.12.
federal and local efforts and creates synergy between the federal and the local governments. It also meets the goals of the Vision 2021 and strives to ensure that all government work is conducted according to a set of guiding principles that puts citizens first and promotes an accountable, innovative, and forward-looking government. Some of the seven principles that steer government work are:

- Improving the role of the federal entities in formulating effective regulations and integrated policies by successful planning and enforcement;
- Boosting effective coordination and cooperation among the federal entities and with the local governments;
- Focusing on delivering high-quality, customer-centric, and integrated government services;
- Enhancing transparency and accountable governance mechanisms throughout the federal entities.\(^\text{34}\)

4.2. Corporate Capacity and Urban Service Delivery

The central government is currently evaluating the level of efficiency and effectiveness of the municipalities in the UAE. While the municipalities are locally-active, a privatization trend is gaining momentum to meet the expanding needs of rapid development; public-private corporations are established on a gradual basis to provide high quality municipal services.\(^\text{35}\)

Generally, the level and quality of the city’s service provision is never adequate due to various reasons such as the physical characteristics of the area, its development deficiencies, technical and managerial capacities of the municipality, financial resources, and resource management. The decrease of the municipal financial resources due the drop in the oil prices presents a momentous challenge for the municipalities in the UAE to keep the same quality of the municipal services provided to the citizens and expatriates as well as face the ever-increasing demand of these services.

Not all the cities and municipalities in the UAE have the same managerial and financial capacities as those of Abu Dhabi, Dubai, and, to a certain extent, Sharjah. The other less developed cities face multiple development challenges with limited tools to increase their resources and capacities to have access to technologies, which causes them to lose credibility vis-à-vis their populations when compared to Dubai, for example. Recently, even rich cities such as Abu Dhabi are on the research of new revenues to raise their income. The municipality introduces


3% municipal charge on the households, based on the value of rental contracts added to customers’ electricity and water bills. The new fees are payable only by expatriate tenants. This is due to the continued cost-cutting and downsizing in the oil and government sectors.\textsuperscript{36}

Therefore, there is a need for knowledge transfer through development assistance, smart investments in the infrastructure of information communications technology (ICT) as well as flexible and effective use of e-government to bring about substantial returns on investment while supporting the sustainable development agenda. Under the right conditions, such efforts will in turn deliver multiple benefits such as better access to essential services and can create savings by streamlining and simplifying government processes as well as enhancing accountability and transparency.

4.3. Resilience

4.3.1. Sustainable Urban Development

The UAE has been a leader in the Middle East to initiate and implement sustainable strategies whose main objective is to provide residents with the highest quality of life, paired with the lowest environmental footprint. Among the sustainable strategies is the UAE Vision 2021, and it aims to make the country one of the best worldwide through six federal priorities:\textsuperscript{37}

- A cohesive society and preserved identity;
- A safe, public, and fair judiciary;
- A competitive knowledge economy;
- A first-rate education system;
- World-class healthcare;
- Sustainable environment and infrastructure.

These are supported by the UAE National Agenda which includes a set of national indicators to measure performance outcomes in each of the priority areas such as education, healthcare, economy, police and security, housing, infrastructure, and government services. The focus is to shift the UAE towards a knowledge economy with a happy and healthy population, where innovation, research, science, and technology will form the basis of a knowledge-based, highly productive, and competitive economic model.

\textsuperscript{36} The Nationals, Abu Dhabi introduces 3\% of municipal charge on households, January 3, 2016.

\textsuperscript{37} A Sustainable Dubai, The Dubai Municipality Report, 2016, p.11.
In response to the national initiatives, Dubai is always the pioneer city to transform its economic model and to take action on sustainable development. With its “Dubai Plan 2021”, it considers the people and society as the bedrock of the city who shape the future of the Emirate. The plan also addresses the built and the natural environment and considers the living experience of the locals and visitors to be the result of the interaction of the economic and social services with the environment. In the same context, the ambitious “Dubai Clean Energy Strategy 2050” aims to change the rules of the energy game in the Middle East and to increase the share of clean energy to 25% by 2030 and 75% by 2050.\textsuperscript{38}

To this end, the UAE Vision 2021, the National Agenda, the Green Growth Strategy, the Green Economy for Sustainable Development Initiative, The Abu Dhabi Vision 2030, and the Dubai Clean Energy Strategy 2050 all consider sustainability as fundamental to propel the UAE’s economy and to spur it onwards.

The Environmental Health and Safety Control Sector within the local municipalities, in coordination with other administrative units, interprets the practice of sustainable urban development as follows:\textsuperscript{39}

| Infrastructure       | • Providing and improving public infrastructures and assets;  
|                      | • Contributing to the security of the infrastructure assets. |
| Sustainable Economic Development | • Empowering the private sector to play a role in the delivery of municipal services. |
| Social Sustainability | • Fostering a transparent regulatory environment;  
|                      | • Utilizing strong and diverse international relationships to provide improved municipal services;  
|                      | • Supporting the local workforce;  
|                      | • Contributing to the maintenance of local heritage and culture. |
| Environmental Sustainability | • Ensuring local resource optimization. |

4.3.2. Urban Risks

Urban risks create vulnerabilities and it stems from the complex relationships between the urban development process (social, economic, environmental) and the decision-making processes and outcomes. Climate change induces increases in temperature and leads to a high frequency of droughts and water scarcity associated with rapid urban sprawl, environmental degradation, and concentration of services and infrastructure in urban areas. However, the biggest challenge for the cities in the UAE is the water scarcity and the rise of the sea level. The Emirates desalinate the equivalent of four billion bottles of water a day which, on the one hand, produce emissions of carbon dioxide that have helped give the UAE one of the world’s largest carbon footprints and, on the other hand, generate enormous amounts of heated sludge that is pumped back into the sea. Today, the Gulf’s salinity levels have risen to 47,000 parts per million from 32,000 about 30 years ago, which is enough to threaten local fauna and marine life.

Another major risk that encounters the cities in the UAE is the rise of the sea level. Based on IPCC’s sea level rise projections for 2050, Dubai’s metropolitan area is at a high risk of flooding which may result in population displacement and damage to the city’s economy. In response, the Dubai municipality should incorporate an adaptation strategy for the sea level rise into Dubai’s urban development plan and create a flood hazard map (see Figure 2) to pinpoint the scale and scope of potential risks coupled with urban development along the coast. The map will allow urban planners to identify high risk locations and adapt their land use policies accordingly. It will also stress the already developed areas to be protected against flooding and erosion due to sea level rise.

Figure (2): Map of potential flood hazards showing high risk locations in Dubai

40 Tolba, M. K., & Saab, N. W., Arab environment: Climate change. In Beirut, Arab Forum for Environment and Development, 2009

The combination of limited freshwater supply and usage habits, as well as the hazard of sea level rise to the desalination facilities, it is endorsed, for risk mitigation, to develop comprehensive urban development plans for the Emirati cities as part of the national plan, incorporating climate change adaptation, urban spatial plans, and decision making processes as well as considering the varying capacities of the UAE’s cities, building capacities to manage and implement the urban risk reduction process, and identifying innovative partnerships for crisis prevention and response with the private sector at the national and the local levels.

4.3.3. Migration: External and Internal Migrations

The UAE has been a country that attracted migration even before the oil discoveries in the 50s and the 60s of the last century. Abu Dhabi and Dubai have attracted flows of migrants from India and seasonal workers and traders from neighboring Persia, who are mostly settled in Dubai, since the 19\textsuperscript{th} century. In 1962, the expatriates were estimated to be half of the Abu Dhabi’s population.

Recently, the migrants have made up 88.5\% of the country’s total population and most of them are believed to have come from Asia, especially from India. In the employed population, foreigners were reported to be the largest share of the Dubai’s employed population in 2011, where 99.5\% of them are employed by the private sector. In the public sector, non-Emiratis comprised 40\% of the UAE’s public sector’s workforce in 2013. Since 2010, the UAE significantly reformed its migration policies, first, with the emergence of nationals’ unemployment: 9.2\% in the total population which called for improving the monitoring of labor migration to the UAE, and second, for security reasons that led to tightened control over migrants. Irregular migrants were also targeted by rounding up operations and amnesty campaigns, the last one was in 2016.\textsuperscript{42}

\textsuperscript{42} Françoise De Bel-Air, Demography, Migration, and the Labor Market in the UAE, 2015.
5. References


De Bel-Air, F. Demography, Migration, and the Labour Market in the UAE, Gulf Labour Markets and Migration, (2015), GLMM - EN - No. 7/2015, European University Institute (EUI) and Gulf Research Center (GRC).


Zainab AlRustamani AlRustamani., (2014)., Impact of Climate Change on Urban Development in the UAE: The case of Dubai, United Arab Emirates University, p 12.
# Country Profile

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>Turkmenistan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Presidential Republic</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Turkmen</td>
</tr>
<tr>
<td>Currency</td>
<td>Turkmen Manat</td>
</tr>
<tr>
<td>Area</td>
<td>488,100 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>5,850,901</td>
</tr>
<tr>
<td>Urban Population Rate</td>
<td>51.6%</td>
</tr>
<tr>
<td>Capital City</td>
<td>Ashgabat</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>810,200</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>108</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$6,966</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>3.3%</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>n/a</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>8.8%</td>
</tr>
<tr>
<td>CO2 Emission (metric tons per capita)</td>
<td>12.9</td>
</tr>
</tbody>
</table>

Source: UN Data, WB Databank & National Legislation
1. Legal Status

1.1. Historical Background

The lands where Turkmenistan is located have been dominated by communities such as Persian Empire, Hive Khanate, Bukhara Emirate and Afghan Principalities. After being occupied by Russia in 1879, in 1924, under the Soviet Union, Turkmenistan became the Turkmenistan Soviet Socialist Republic. During this period, 86% of the country’s population lived in villages. There were 3,407 villages on a large and small scale. (Gollanma)

The Soviet Union had 16 united states, 141 provinces (20 autonomous republics, 6 regions, 10 national areas), 3,274 districts, 1,868 urban municipalities, 40,174 rural municipalities and 3,325 villages. Each of these administrative units operated according to the principle of self-management with the same organization, structure and authority regardless of scale. The legal basis of local governments in the Soviet Union is the national constitution, the constitutions of the states, the laws of the federated states, the decisions of the Councils of Ministers of the federation and the states and the Communist Party Congress. (Humes, Samuel. 628)

By the approval of the Land Decree on October 26, 1917 in the Soviet Union, the private property was abolished and the land was divided among landless or poor peasants. In the Soviet Union, a product was produced through central planning, while other operations related to its processing and evaluation were carried out in another country. In addition, technology could not be renewed in this period. Urbanization was shaped accordingly. During the Soviet Union, local governments consisted of rayons (districts), kolkhozes and oba soviets. The heads of the kolkhoz responsible for production in the kolkhoz and the oba soviet responsible for the health, education and cultural activities of the village people were responsible for achieving the planned targets of the central government. Kolkhoz and oba soviets were under the control of the Communist Party. Rayon’s representative rayspolkom represented the party and the state. More than a thousand “new cities” were established in the Soviet Union starting from the October Revolution of 1917 until the 1960s.

In 1986, liberalization in the economy was adopted by Perestroika (restructuring) and Glastnost (openness) policies. Later, like other republics, Turkmenistan gained its independence on 27 October 1991. The Constitution of Turkmenistan was adopted on 18 May 1992, and amendments and additions were made on 27 December 1995 and 26 September 2008. The country, which has a unitary state

\[\text{The new cities were planned and built by a central institution with at least 15,000 inhabitants in accordance with structural and continuity and comprehensive planning. New cities are settlements with all technical and social infrastructure, with or without industrial establishments in a large urban area or adjacent to an existing settlement unit. Some small towns or villages are re-planned and expanded by such a structuring.}\]
structure, implements the presidential regime. The principles of democratic, legal, secular, unitary and social state have been adopted as the characteristics of the state. It has adopted the principle of “continuous neutrality” in foreign policy. In Turkmenistan (2012), the urban population is 50.9% and the rural population is 49.1%. 85% of the population is Turkmen, 5% is Uzbek and 4% is Russian. 89% of the population is Muslim and the rest is Orthodox.

1.2. Constitutional Regulation of Local Governments

The highest representation of public sovereignty in the 1992 Constitution was provided by the Turkmenistan National Council. (İlmyradow, Myrat, 2004, 72) According to this Constitution, the legislature was carried out by two organs. The first of these is the People’s Council which has the highest legislative power. The other body is the National Assembly. The members of the People’s Council consisted of 2507 members: President, members of the Assembly, deputies elected by the people in the districts and cities in the status of districts, the President of the Supreme Court, the Chief Public Prosecutor, members of the Council of Ministers, the provincial governors and the governor of the city of Ashgabat, the governors of the cities and districts, and the administrative center of the cities and districts, the mayors (archyn) of the towns, party leaders, the President of the Youth Union, the heads of trade unions, the heads of women’s unions who are members of the ‘Shalkınısh’ general public movement, the heads of non-governmental organizations in the country, the representatives of Turkmenistan elders. With the new Constitution of 2008, Turkmenistan terminated the function of the People’s Council as a legislative body and its powers and duties were shared between the President of the Turkmenistan, the Assembly, the Council of Ministers and the Supreme Court. The main duties and powers of the People’s Council are transferred to the Assembly. The Assembly of Turkmenistan, i.e. the Parliament, is the legislative body of the country. It consists of 125 deputies elected by the public for five years in general through equal and direct elections. (Rozyyev, Nuryagdy, 2009, 70)

According to the regulations in the section III:

Article 49: Local sovereignty is used in provinces, cities with provincial status, in etraps (districts) and cities with district status by local representatives and local government bodies; in districts, sheherches (small cities) and obas (gengeshliks), the local government organs are the gengeshliks (local councils).

In the fifth section of the Constitution, local administrations are regulated:

Article 77: Local administrations shall be composed of representatives and local government bodies acting within their jurisdiction.

Article 78: In provinces, cities with provincial status, districts and cities with district status, the representative bodies, i.e. the People’s Councils, are established by member selected by the citizens of administrative-territorial units for a period
of four years in the manner prescribed by law.

Article 79: The People’s Councils participate in the solution of problems related to economic, social and cultural development within their powers. The duties and powers of the People’s Councils, their members, the conduct of their activities and their relations with other local and administrative bodies shall be determined by law.

Article 80: Local sovereignty is exercised by provincial governors in provinces, city governors in cities, district governors in districts (et traps).

Article 81: Governors are the local representatives of the President of Turkmenistan, appointed and dismissed by the President of Turkmenistan, and accountable to him.

Article 82: The governors manage the local administrative bodies and ensure the implementation of the Turkmenistan Constitution, laws, Acts of the President of Turkmenistan and the Council of Ministers and the decisions of the Assembly. Judges may take binding decisions within their jurisdictions.

Article 83: The duties and powers of governors, their activities and relations with other authoritative and administrative bodies of the State shall be determined by law.

In the fourth part, local governments are organized:

Article 84: The local government system shall consist of Local Councils and representative local government bodies. Local Councils are representative bodies of popular sovereignty in towns, small towns and obas. Local councils are directly elected by citizens for a period of three years.

Article 85: Local councils are independent in their activities. The mutual relations of the sovereign and governing bodies shall be carried out in accordance with the laws of Turkmenistan.

Article 86: Local councils:

1) Determine the basic principles of economic, social and cultural development of their regions;

2) Create and approve the report on local budget and its implementation;

3) Determine local taxes and the way they are collected;

4) Take measures for the efficient use of natural resources and protection of the environment;

5) Solve other issues assigned to them by the Law.
Local councils, within their jurisdiction, take decisions that have binding power in their region.

Article 87: Local Council elects its head (archyn) from among its members. Archyn supervises the work of the Local Council and is accountable to it. Archynen forces the decisions of the Local Councils and the acts of the state and governing bodies and decides on other matters of local importance.

Article 88: The operation of local councils and other local government bodies shall be determined by law.

1.3. Legislative Regulation of Local Governments

After the independence of Turkmenistan in 1991, the law on urbanization was published in 1993.

The five provinces that make up Turkmenistan are Ahal, Mari, Lebap, Daşoğuz and Balkan provinces. The capital Ashgabat is also a province.

The ten main provinces are Ashgabat (Ahal province), Terkmenenat (Lehlap province), Dashoguz (Dashoguz province), Mari (Mari province), Balkanabat (Balkan), Bayramali (Mari), Turkmenbashi (Balkan), Tecen (Ahal) and Yolöten (Mari).

The governors (judges) at the head of the provinces and Ashgabat, districts and cities with district status are appointed by the President. According to the Governors Act of 24 November 1995, judges carry out public services in the administrative districts as well as the decisions of the central government. There are no municipalities in places with provincial status (Ashgabat) and district status. Municipal services are carried out by the governors. There is a hierarchy among governors: district governors are accountable to provincial judges.

Governors have duties in many areas, from infrastructure services to food, health and security. With the Law on Judges of 24 November 1995, the Ashgabat Judge was also assigned duties related to local governments. Governors manage and supervise the work of mayors. They may act together with mayors and submit proposals to the municipal council on their election or dismissal. (Turkmenistan Law on Governors, 1995; art. 14-15)

Municipalities are established in the gengeshes, towns and districts. The mayor of these municipalities is also called ‘archyn’. The mayors are also representatives of the central government. The mayors are responsible to the district judge as the provincial governor of the provincial organization against the district governor. (Özkulluk, Kasım.; Jorayev, Gılıç. 2013)

Civil provinces consist of cities with the status of provinces, districts, cities with the status of districts, towns and gengeshes. Public services are carried
out by the governorships according to the principle of breadth of authority. Municipalities are established in cities, towns and gengeshes in the district. (Özkulluk, K; Jorayev, G. 2013, 82) According to Article 49 of the Constitution, “Local sovereignty is exercised in provinces, cities with provincial status, in districts and in cities with district status by local representatives and local government bodies; in sheherches and gengeshelyks, local government bodies are gengeshes.”

The urban settlements of the population in Turkmenistan are towns and cities. Rural settlements are villages. Cities are three types: provincial status, district status, cities in districts.

Cities with economic, cultural and administrative centers and having a population of more than 30,000 inhabitants have district status. If cities and towns have industrial, socio-cultural, administrative, economic and social development tendencies as well as a growing population, district status can be granted even if their population is less than 30,000. Economically and culturally developed towns with a population of over 8,000 are the cities in the district. Such places can be turned into cities in the district even if their population is less than 8,000 on condition that there is the possibility of economic development and increase in population. Settlements that have a population of more than 2,000 with industrial, construction and transportation facilities, railways, hydro-technical facilities and health institutions as well as having a certain level of environmental arrangement (public works) are called towns. Although the population is less than 2,000, places with socio-economic development potential can be turned into towns. Settlements that are close to each other and have not less than 50 inhabitants are called villages.

The administrative center of each province is a city with a district status or the city in the district. Ahal is the only province with an administrative center in the district. The administrative center of Ahal is the town of Anev. The administrative centers of other provinces are cities with district status. There are also other county-based cities with provincial centers. There are districts of provinces. The districts in the province can be only districts or cities with district status. There are cities, towns and gengeshes in the cities connected to the districts. The administrative center of the city, which has district status, is the city itself. The administrative center of the district is the city or town in the district. Gengeshes are rural settlements consisting of one or several villages.

Establishment and abolition of provinces, districts and districts in the city, raising the status of settlements to city and changing their names are carried out by the People’s Council of Turkmenistan upon the proposal of the Council of Ministers. Due to the termination of the existence of the People’s Council, the authority of the People’s Council passed to the Assembly of Turkmenistan. (Rozyyev, Nuryagdy. 2009, 83)
Several villages are formed by the merger of gengeshes. The bodies in which the city councils, the towns and the local councils representing the local administrations are represented are gengeshes.

As a rule, the population of each village in Turkmenistan is 50-2,000; the population of the town is 2,000-8,000; the population of gengesh is between 8,000-30,000. Since local services are managed by governors in places with a population of more than 30,000, municipalities have not been established there.

Table 1: Administrative-Regional Units in Turkmenistan

<table>
<thead>
<tr>
<th>Provinces</th>
<th>City of Ashgabat</th>
<th>Ahal Province</th>
<th>Mari Province</th>
<th>Lebap Province</th>
<th>Dasoguz Province</th>
<th>Balkan Province</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Districts</td>
<td>-</td>
<td>9</td>
<td>12</td>
<td>14</td>
<td>9</td>
<td>6</td>
<td>50</td>
</tr>
<tr>
<td>Districts in cities</td>
<td>5</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td>7</td>
</tr>
<tr>
<td>Cities with county status</td>
<td>-</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td>6</td>
<td>15</td>
</tr>
<tr>
<td>Cities in districts</td>
<td>-</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td>-</td>
<td>1</td>
<td>9</td>
</tr>
<tr>
<td>Towns</td>
<td>1</td>
<td>12</td>
<td>14</td>
<td>26</td>
<td>8</td>
<td>16</td>
<td>77</td>
</tr>
<tr>
<td>Gengeshes</td>
<td>-</td>
<td>104</td>
<td>157</td>
<td>124</td>
<td>140</td>
<td>40</td>
<td>565</td>
</tr>
<tr>
<td></td>
<td>-</td>
<td>292</td>
<td>371</td>
<td>485</td>
<td>653</td>
<td>136</td>
<td>1937</td>
</tr>
</tbody>
</table>


1.4. Local Government Elections

According to the Constitution, the elections of the President of Turkmenistan, the members of the Assembly, the People’s Council and the members of the People’s Party are general and equal elections. Every Turkmen citizen who has reached the age of 18 has the right to vote and each voter has one vote (Article 89). Elections are direct elections. The elected are elected directly by citizens (Article 91).

A referendum is also regulated in the Constitution. According to this, general and local referendums can be held to resolve important issues related to state and community life. The decisions adopted by the referendum can be canceled and amended again through the referendum (Article 94). The right to conduct local referendum belongs to Local Council (Gengesh) on its own account or at the proposal of no less than one quarter of voters residing in that territory.

2 Website of the Turkmenistan State Statistics Committee http://www.stat.gov.tm
The referenda shall be held on the basis of general, equal, direct and secret balloting. Citizens of Turkmenistan who have the right to vote can participate in the referendums. (Article 97)

According to the constitution, “local government system is composed of Gengeshes and representative local government bodies. Gengeshes are representative bodies of public sovereignty in cities, in the districts and sheherches. Local Councils are elected by the citizens directly for three years”. (Article 84) The members elect the mayor from among themselves.

Elections of local authorities and district representatives in the Council were held on 16 August 2015. Participation rate in local elections was determined as 77.36%. The Democratic Party of Turkmenistan is dominant in the country. There are also the Party of Industrialists and Entrepreneurs and the Agricultural Party.

2. Structure of Local Governments

2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

According to the Constitution, local councils are independent in their own activities. The mutual relations of the sovereign and governing bodies shall be carried out in accordance with the laws of Turkmenistan. (Article 85)

Governors carry out their relations with local government bodies in their jurisdiction on the basis of limiting the rights and obligations specified in the Constitution and laws. Therefore, they cannot interfere with the activities of the governors in matters falling within the exclusive jurisdiction of the municipality. The relations of the governors with the mayor as the local administrative supervisor of the provincial organization of the central administration are more specific. The governors act in cooperation with the archyns. The governor manages and supervises the activities of the archyns in their administrative districts under the authority of the central administration’s provincial authority as the local administrative authority. Archyns are responsible to the governor regarding the Constitution of Turkmenistan, the laws, the decrees of the President of Turkmenistan, the decrees of the Council of Ministers and the governors of provinces, districts and cities with district status. The governor has the authority to submit proposals to the municipal council on the appointment or dismissal of the archyn. It is forbidden to intervene in the exclusive activities of the governor as the head of the municipality, which is the local governing body of the archyn (Rozyyev, Nuryagdy. 2009, 94).

Establishment and abolition of provinces, districts, establishment and removal of districts in the city, changing the status of settlements into city status and changing the names are under the authority of Turkmenistan Assembly upon the proposal of the Council of Ministers. The approving authority is the head
2.2 Organs of Local Governments

Local governments are regulated in the fifth part of the Constitution. Accordingly, the manner in which local councils and other local government bodies operate is determined by law.

2.3 Council of Local Governments

“Local councils:

1) Determine the basic principles of economic, social and cultural development of their regions;

2) Create and approve the report on local budget and its implementation;

3) Determine the local taxes and the way they are collected;

4) Take measures for the efficient use of natural resources and protection of the environment;

5) Solve other matters assigned to them by law. Local councils, within their jurisdiction, take decisions that have binding power in their respective regions “(Article 86).

The election of municipal councilors is made according to the electoral regions with one or more candidates. One member is elected in each constituency. Councilors are directly elected by the public for three years through a general, equal and secret ballot system. Elections are held at the same time in all municipalities. The permission of the municipal council is required to prosecute the members of the municipal council. Members receive no fees for their services; costs incurred are borne by the local budget.

The mayor calls the council to a meeting. Meetings take place at least twice a year. Until the mayor is elected, the local election board presides over the council. The meeting is held within two weeks of the elections. Council meetings are open to the public. However, a closed session may be held by a decision of the Council. The quorum of decision is two-thirds of the total number of members. Council meetings are recorded in minutes. The mayor and the secretary of the municipality sign this report. The Council takes decisions with the absolute majority of the total number of members.

Decisions of the Council are taken by open ballot. Meetings and decisions are announced to the public. Council activities must comply with the law. The councils are accountable to the Local People’s Council. Parliaments can take a two-thirds majority decision to hold a local referendum, change the status of the town in the district and the administrative-regional organization. The
Turkmenistan Assembly may decide to renew elections if the municipal council fails to fulfill its duties or violates them.

### 2.4 Mayors

Governors are subject to the Law on Governors of 1995. They run central government affairs.

Archyn is the head of the district, city, town and gengeshes, and he is also the representative of the central government. The mayors are elected by secret ballot from among the councilors. They can also be proposed by governors. Mayors may be dismissed by an absolute majority of the council. The governor may also propose the dismissal.

“Local Council elects its head (archyn) from among its members. Archyn supervises the work of the Local Council and is accountable to it. Archyn enforces the decisions of the Local Councils and the acts of the state and governing bodies and decides on other matters of local importance.” (Article 87).

The duties of mayors in the Law on Mayors are as listed as below (Article 3):

- Providing economic, social and cultural development of the town,

- Auditing the facilities and enterprises in the town,

- Building infrastructure facilities for water, natural gas and electricity services,

- Carrying out environmental and afforestation activities,

Their powers are also listed in the same law (Article 8-15). Some of them are as follows: to appoint municipal employees, to prepare the budget, to carry out the land development works, to determine the types of taxes, to organize all activities of the municipality and to allocate duties to the members of the municipal council, to carry out social aid activities, to organize educational activities and to carry out infrastructure works.

### 2.5 Commissions of Local Governments (Executive Boards)

The structure of the council is determined by the Council of Ministers. The chairman of the Council is Archyn and a secretary is elected among the members of the Council. The Court of the Council deals with issues such as organizing meetings, protecting the documents of the Council, keeping records of the marital status of the citizens and acting as a notary. (Law on Gengesh; 2008: Article 16)
3. Duties and Authorities

Turkmenistan provinces: Ahal, Mari, Lebap, Dashoguz and Balkan provinces. In addition, the capital Ashgabat has the status of a province.

Cities are divided into three, namely cities with provincial status, cities with district status and cities in districts. Cities with district status are places with a population over thirty thousand, but district status can be granted to important cities even though the population is small. Türkmenbaşı and Abadan are examples of cities like this. The cities in the districts have more than eight thousand inhabitants and are the administrative centers. Again, this status can be given to some places due to their importance, even if the population is small. Towns are settlements with a population of more than 2,000. The settlements with a population more than 50 are called villages.

The capital Ashgabat has five districts. There are 5 provinces, 50 districts, 25 cities, 78 towns, 560 gengeshes and 1,927 villages throughout Turkmenistan.

According to the Turkmenistan Law on Gengesh (2000, Article 11), its duties are as follows:

- Identifying the main objectives of economic, social and cultural development,
- Making and implementing the local budget,
- Determining local taxes and duties and their collection procedures,
- Taking measures regarding the effective use of natural resources and environmental protection.

3.1 Planning

In the country, a Soviet-style Social and Economic Transformation Strategy was envisaged for the period 2000-2010, and a long-term development plan covering the period until 2020 was made. In this strategy, high targets were adopted for the import-substitution sectors.

The two main objectives of the National Development Plan are to reach high standards of living and to rise to the level of developed countries. In this regard, it was decided to offer the entire public a certain amount of water, electricity, natural gas and salt free of charge by 2020. In addition, targets related to housing, health, education, infrastructure, travel and energy use were listed. Individual housing needs were targeted to be 35 m² per person. In addition, investments in social facilities, infrastructure, health and education, which will improve the quality of life of the community in district centers and villages, were envisaged. Between 2008 and 2020, a total of 72.5 billion manats (approximately $5 billion) is envisaged to be spent. (Hanov, 2014, 92)
Since the country adopts statist policies, investments are mostly made by the public.

In the country where cotton was produced during the Soviet Union, cotton was collected and sent to other countries. Turkmenistan has the richest energy resources in the world and is the second largest gas producer in the Soviet Union after Russia. It is estimated to have 2.86 trillion m³ of natural gas \(^3\) and 12.1 billion tons of oil reserves. It is aimed to export 80% of the natural gas produced. The most important buyers are Russia and China. Furthermore, international companies are seen in the carbon sector. In addition, construction sector has a significant weight in the country.

As a result of the unequal distribution of capital and opportunities in Turkmenistan, there is a great difference between Ashgabat and the rest of the country. There are large differences between urban and rural areas, some of which do not have access to gas, electricity, water and other basic services. In 2015, the government committed to investing in infrastructure and improving life in rural areas. Water supply is among the most urgent problems in the country.

### 3.2 Financial Management

The municipal council determines taxes, fees and other financial resources. It may accept or correct the mayor’s proposal. In addition, revenues from municipal activities and donations are among the sources of income. (Law on Genes, 2008: Articles 19-22)

### 4. Opportunities and Challenges

#### 4.1 Environmental Challenges: Climate Change, Water and Wastewater Management

In Turkmenistan, there are drought, heat waves, strong hot and dry winds, high dust, dust storms, heavy rains and floods, low winter temperatures, long-term frost and other disaster risks. Climate change has a negative impact on sectors such as agriculture and water. (UN Climate Change Secretariat)

Although the government considers works to be conducted in the fields of health, soil and soil resources, ecosystems (flora and fauna) and forestry as the primary priorities for the development of the Turkmenistan economy, it also actively participates in international works on environment and climate change. It is committed to reducing greenhouse gas emissions. While designing a low carbon development policy, it considers the level of economic and technological development and the social consequences of emission reductions. The country is committed to contributing to global efforts to reduce climate change for “zero

---

risky” development which will lead to economic growth and improvement of living standards of the country. It takes important measures against climate change: the national doctrine of transition to low-carbon development in the context of the implementation of the National Strategy for socio-economic development by 2030 accelerated the formation of an economy of change, resource-saving, environmentally friendly and innovation-oriented economy and is carried out in connection with the National Climate Strategy.

The three main rivers of the country are: Ceyhun (Amudarya, 2,620 km), Murgap (978 km) and Tecen (1,150 km). Garagum Canal is 1,100 km long and is very important for agriculture. 90% of irrigation is done through this canal. The water of Ashgabat is supplied from here. 950,000 hectares of land are irrigated from the canal, but salinity is increasing in the region. This is an important risk. Half of the population lives around this canal. The country has a subtropical desert climate and is surrounded by mountains on its borders with Afghanistan and Uzbekistan. 80% of the country consists of desert.

The major part of the Ahal region, including the capital Ashgabat, is the sinking zone to the north of the Köpet Mountains. The region is on the fault line. The period of 1929-1948 is a period of poor construction. After the 1948 Ashgabat earthquake of 7.3 magnitudes, according to US resources, 110,000 of 198,000 people living in the capital lost their lives (This figure reaches 176,000 according to some other records). Also, many production facilities collapsed. Forty years later, almost 18,000 people now live in the poor buildings that were temporarily built in the city. (Hanov, 2014, 77)

Turkmenistan’s Environmental Law entered into force in 1991 and was amended several times in the following years. As in most former Soviet countries, environmental law based on Soviet environmental legislation is relatively strict, but it is applied irregularly. However, Turkmenistan has continued to manage protected areas with its former Soviet neighbors, and at least there are laws to protect the environment, even though being only on paper. In addition to the Environmental Law, the Hydrocarbon Resources Law was revised in August 2008. Besides, special provisions concerning the “special ecological conditions of the Caspian Sea ecosystem” are included in the law.

A water treatment plant is under construction in Lebap region (welayat).

### 4.2 Migration: Internal Migration and International Migration

Internal migration in Turkmenistan is mostly directed towards major cities, especially Ashgabat. Socio-economic factors play a significant role in this.

#### 4.3 Ashgabat

The capital, as a province, is the administrative center of the city. The city
has six districts: Bagtyyarlyk district, Berkararlyk district, Kopetdag district, Archabil district, Abadan district and Rukhabat district. The capital has the largest population. Its population exceeds 1 million. The Municipality performs Ashgabat judgeship. The judgeship supervises over services such as cleaning of roads, infrastructure, park and garden services, lighting, road construction, etc. Uninterrupted natural gas, water and electricity services are provided to the residents of the city center. Private water enterprises have emerged to meet the need for drinking water. Electricity distribution belongs to a private foreign company.

Saparmurat Niyazov, the first president of Turkmenistan, attached great importance to the development of Ashgabat, and this policy continued under the subsequent president Berdimuhammedov. Major projects such as the Olympic city (established for the 2017 V. Asian Games), the city of economy and culture, the Avaza national tourist area, and the international airport were completed. In Ashgabat, public houses with 8-12 floors are preferred instead of single-floor houses and garden houses. The obligation to use white marble in the buildings still continues. Therefore, the capital is trying to become a “brand” city.

The highest investment share in the National Development Plan is reserved for Ashgabat. The transformation of the city center, the rehabilitation of the old streets and avenues, the construction of mass housing and the industrial facilities outside the city are included within this scope. As a result of these investments, there is serious population mobility in Ashgabat. 34% of the investments throughout the country; 90% of higher education institutions and most of the public hospitals are located in Ashgabat. More than half of the country’s commercial activities also occur in the capital.

Permission from the Ashgabat Judiciary is required for official residence permit in the capital. Therefore, it has to be documented that the concerning person has been living in the city for five years.
5. References

City of Ashgabat, Retrieved from http://www.ashgabat.gov.tm/de/

Crude Accountability. (January 2009), Turkmenistan’s Crude Awakening Oil, Gas and Environment in the South Caspian


Rozyyev, Nuryagdy (2009) Local Governments within the Governing Structure of Turkmenistan and the Comparison with Turkey [Türkmenistan’ın Yönetim Yapısı İçerisinde Yerel Yönetimler Ve Türkiye İle Karşılaştırılması.] Konya, Unpublished Master’s Thesis: Selcuk University, Institute of Social Sciences, Department of Public Administration.


UN Climate Change Secretariat, (April, 2016), Intended Nationally Determined Contributions (INDCs)
## YEMEN
*Maan Chibli*

### Country Profile

<table>
<thead>
<tr>
<th>Official Name of the State</th>
<th>Republic of Yemen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Government</td>
<td>Interim Government</td>
</tr>
<tr>
<td>Official Language(s)</td>
<td>Arabic</td>
</tr>
<tr>
<td>Currency</td>
<td>Yemeni Rial</td>
</tr>
<tr>
<td>Area</td>
<td>527,968 km²</td>
</tr>
<tr>
<td>Total Population</td>
<td>28,498,683</td>
</tr>
<tr>
<td>Urban Population Rate</td>
<td>36.6%</td>
</tr>
<tr>
<td>Capital City</td>
<td>Sana‘a</td>
</tr>
<tr>
<td>Population of Capital City</td>
<td>2,779,300</td>
</tr>
<tr>
<td>Human Development Index Ranking</td>
<td>178</td>
</tr>
<tr>
<td>Gross Domestic Product (per capita)</td>
<td>$944.4</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>16.1%</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>48.6% (2014)</td>
</tr>
<tr>
<td>Forest Area Rate</td>
<td>1%</td>
</tr>
<tr>
<td>CO₂ Emission (metric tons per capita)</td>
<td>0.9</td>
</tr>
</tbody>
</table>

Source: UN Data, WB Databank & National Legislation
1. Background

Yemen, located at the southern end of the Arabian Peninsula, is one of the poorest countries in the Arab region facing complex and interrelated challenges: water and energy shortages, high birth and poverty rate, lack of employment opportunities, internal armed conflict, and political instability. These challenges have been among the key triggers for the social and political unrest that erupted in 2011. Recently, the situation has deteriorated due to the conflict between various troupes, tribes, and government forces, in addition to the Saudi intervention in 2015 that has destroyed the economy and the basic services across the different sectors throughout much of the country.

The power in Yemen is contested between the nation-state on the one hand and the region-tribe on the other. The decentralization of power in Yemen was a social and cultural reality before it became a political one due to the complexity of ruling such a fragmented social system on the ground. Decentralization process in a sense was undertaken to facilitate the introduction of development efforts into different regions, where the central government failed to make inroads through its national institutions. It was mandated as a door for national authorities to enter into the different quasi autonomous tribal areas of the country following a careful balancing of local and central political prerogatives.¹

1.1. Constitutional Laws and Legal Regulations on Local Governments

The administrative system in Yemen is central with appointed administrative units and elected councils (Law number 12/1985)². The Yemeni constitution that was ratified immediately after unification clearly highlighted decentralization as the administrative framework for local governance. In its introductory clauses, the constitution clearly specifies the governorate and district level councils as the embodiment of local governance for development, management of local affairs, and oversight of government functions at the local level. The local governance units were classified as part of the executive branch of government. The Local Authorities Law (No. 4 of 2000) allowed for the initiation of a comprehensive reform of the Yemeni Governance system through the establishment of three levels of Government: central, governorate and district. It provides a clear and comprehensive legislative framework for decentralization based three principles: popular participation in decision making through elected councils; financial decentralization; and administrative and services delivery decentralization. However, such theoretical principles failed to enable the local authority to bear the burden of running local affairs on the ground in a way that ensures the satisfaction of local needs and to fulfills citizen’s aspirations as well as the international standards.

¹ A. Hallaj, in Harb, Atallah; Local Governments and Public Goods (LCPS), 2015, p93.
² Romeo, & El-Mensi. ‘The Difficult Road to Local Autonomy in Yemen.’ 2008.
In 2011, the entire reform process was halted due to protests against the extreme centralization of power. In 2014, the National Dialogue Conference (NDC) discussions focused on the details of how the future political system of governance will be; the presidential versus parliamentary systems, centralized versus decentralized systems, and the structure of local government institutions which are the key aspects address by the NDC state-building working group.\(^3\)

1.2. Election Processes for Local Governments

Prior to the decentralization legal framework, Yemen had embarked on a plan to reform political parties and election laws. Local elections were for the most part left free, with minor manipulations by local elites, but never to the extent where the opposition was incapable of dominating major parts of the local councils. Indeed, out of the two local elections that were carried out since the issuance of the decentralization law, the Congress Party never had less than 61% of the local council seats. Local elections saw a reversal of opposition wins in previous regions with various claims of irregularities.

Each governorate has an elected council through universal suffrage based on a simple majority in each district, every district is allowed to have one representative at the governorate council. The number of respective council members would depend on the number of inhabitants, which varies from 18 to 30 members for councils larger than one hundred fifty thousand inhabitants. To achieve that kind of agglomeration, several villages and small towns would be demarcated under one district. In the Yemeni tribal context, it was important that local councils were not dominated by the largest urban area in the district. To that extent, members are elected according to electoral sub-districts, thus assuring in the law that the representation of the smaller and more remote parts of the district is on par with the more populous settlements.\(^4\)

2. Structure of Local Governments

2.1. Central, Regional and Local Governments: Interrelations and Responsibilities

With the passage of the Local Authorities Law in early 2000, Yemen made a major step towards political, fiscal, and administrative decentralization at the local level. In fact, the law transferred decision-making from the central level to elected local councils at the governorate and municipal levels, which were given the responsibilities of formulating development strategies and programs, budgeting capital investment plans, supervising the implementation of the different strategies and programs, and monitoring the activities of the executive

---


\(^4\) A. Hallaj in M. Harb & S. Atallah; Local Governments and Public Goods, 2015, p100.
local authorities. The different line ministries’ local branches (e.g. public works, education, health, etc.) were transformed into local executive authorities operating under local councils’ guidance and whose mandate includes the implementation of the strategies and programs proposed under the annual developmental plan and budget and the delivery and management of the different services.

The local governance law number 4/2000 signaled the arrival of a new era for Yemen codifying large local powers with elected councils. The law maintained a long tradition of regional governance through the governorate system but revolutionized the powers available at the local district level. The law established a comprehensive framework for effective local governance, but did not reverse the previous situation where central line ministries were imbued with local jurisdictions. The progressive transfer of jurisdictions from the center to the localities was not given the power of law. Foreign donors suggested the development of a formal national decentralization strategy after 2003 when Yemen embarked on the decentralization process without a legally mandated plan, and little legislative imperatives went into defining the question of forcing line ministries to relinquish part of their authorities to the local councils.5

The governorate councils generally approve plans submitted by the executive committee and related budgets. Special committees are often formed in the council to supervise and recommend actions to the executive committee; their members are drawn from the council at large. However, true powers rest with the executive committees. Though for the most part they have little decision-making powers outside the mandates given to them by the councils. The introduction of sub-national governance bodies was very rigorously established through a process of gradual handing over of authority from the center to the local administrative units as capacities were developing on the local level to handle the new mandate. However, the two-tier decentralization model (of governorates and districts) was not flexible enough to accommodate the various governance needs to manage the different levels of planning and implementation of development initiatives.6

The model was tested at two levels: the district level and particular sectors such as education, health, social services, culture and tourism to pilot the transition from the line ministries to the local government. Moreover, the process also envisioned a two-step movement toward trusting the local districts with national transfers, resources were delivered to the governorate level at first and the governors created local incentives for the local districts to meet certain performance standards before they could get their allocated resources. Besides, the central government moved through different programs to provide auxiliary funds from different sources to the local councils to encourage and

---

enhance their capability to manage new initiatives and resources. Local councils were often given some dividends from the oil rents provided by the Ministry of Oil and Minerals, particularly in the oil rich governorates to ensure that a higher percentage of oil revenue goes back to support development projects in the regions where oil is extracted. Also, line ministries were encouraged to engage with local councils in deciding on priorities for new investments in their districts. In each case, the local council was provided with training on how to define priorities, plan projects, and monitor their implementation. Eventually qualified councils were allowed their own investment budgets to decide on new developments and priorities across sectors.7

2.2. Bodies of Local Governments

The present system of local governance in Yemen is comprised of an appointed executive unit at the governorate level, and appointed executive units that are comprised of ministries’ representatives as well as an elected local council in each district. As for the districts’ directors, they are appointed by the governor with the approval of the ministry, each director is, by mandate, accountable to the governor and is responsible for oversight of the elected local council and the appointed executive unit in his assigned district. Districts are allowed to have staff that are often delegated from the different line ministries local offices to assist in day-to-day management.

On the administrative level, each governorate council is supported by an administrative unit (diwan) composed mainly of non-elected bureaucrats that supports the work of the governor. On the district level, local councils have an administrative committee, staffed mainly by elected representatives, which follow the day-to-day needs of managing district affairs. The district director is the only non-elected member, the other members are the secretary-general of the council and the heads of the standing committees of the council. The division of powers between the district directors and the councils is not unlike the one at the governorate level, with the district directors having a greater share of power in actuality than what is mandated by law. Each district also has an administrative bureau (diwan) made up of hired bureaucrats that assist the district director and the administrative committee with secretarial, planning, accounting, and general logistics.8

2.3. Councils of Local Governments

The law defined the responsibilities of government bodies accountable to the Ministry of Local Authorities (MOLA). In brief, those bodies include actors at two levels of government, or what the law refers to generically as the ‘administrative units’ of ‘governorates’ and ‘districts.’ The law describes the government actors

within those units as being:

- An indirectly elected head of the administrative unit, (called the ‘Governor’ at the governorate level and the ‘General Director’ at the district level) and;
- A directly elected council for the administrative unit.

At the local and governorate levels, the administrative units enjoy a nominal personality and shall have council which must be freely and fairly elected, and shall exercise functions within the borders of the administrative area. They shall propose programs, plans and investment budgets as well as supervise, monitor and audit the agencies of the local authority according to law. All the administrative units and the local council are an inseparable part of the power of the state. The elected councils had broad decision-making powers, but day-to-day executive decisions remained with the appointed governors and local district directors. The government closely monitored the process and only relinquished powers once it was sure of outcomes.9

A comprehensive description of the role of local councilors can be found in the Local Authority Law of 2000, local councilors are responsible for the following:

1) Proposing economic and social development plans for their district;
2) Monitoring the work of the appointed executive unit in their district;
3) Proposing annual plans and budgets;
4) Examining information to determine development priorities for their district;
5) Reviewing the source, amount and type of district revenues collected and distributed;
6) Reviewing security conditions in their district;
7) Promoting investment in their district; and
8) Reviewing the supply of basic commodities and services in their district and proposing solutions to shortages.10

Local councilors are directly elected by their communities and are unpaid volunteers. The governor, who is indirectly elected by the local councils in each governorate, reports to the Ministry of Local Administration. Each local council elects a chairman for the council and chairmen for each of three committees:

planning and financial development, social affairs, and services. The local council chairman reports to the appointed director in the district. The local council committee chairmen report to the local council chairman.11

Local councils have an executive committee comprising a governor, the secretary-general of the local council (elected by the members of the council), the chief administrative deputy or wakil (bureaucrat), and the heads of the executive branches in the governorate (bureaucrats). As major appointments are approved by the council at large, the winning party can by law consolidate all executive powers of the council in its hands. However, in reality, most councils prefer to include one or two of the minority parties or independents in the executive committee in a gesture to ensure inclusiveness and future reciprocity. In practice, the executive committees are responsible for following most supervisory functions over the various technical departments of the line ministries.

2.4. Mandates of Mayors

They are the formal heads of the legal entity of the governorate council; they hold the power of signature with third parties and the responsibility to represent the council before any court of law. But more importantly they are the designated signatory over the independent governorate budget. In the promulgation of the process of decentralization the central government pushed major national resources to the governorate level as a first step in the process. The governors grew even more powerful as a result.

Moreover, Governors on the other hand have the police and security powers as well as the commandment of the National Guard in their governorates. Though the police and army are kept strictly under national centralized command, the governors exercised command in national security situations as representatives of the central government rather than local officials. This fine line of separating the governors’ various powers would only very slowly be defined throughout the decentralization process.12

2.5. Organizational Structure of Local Governments

Yemen is divided administratively into 22 governorates, each comprised numerous local districts, all in all there are 333 districts originally created for the parliamentary elections. Governorates were drawn on the basis of traditional demarcation lines, the only exception being Raima, a governorate forged in between three traditional neighboring governorates. Attempts were also made to subdivide the very large and resourceful Hadramout governorate into two. However, opposition to that move was great and the government abandoned

the idea, though in that case, the only sub-governorate level of governance was envisioned to manage the northern districts of Wadi Hadramout and the desert.

Figure 1: The distribution of governorates and local districts across Yemen

![Map of Yemen showing governorates and local districts](image)


The local districts were envisioned as a realistic solution to deal with Yemen’s mainly dispersed rural communities. Each district is set to be about 35000 inhabitants, though some local districts, especially in urban areas were much larger; while in the more remote areas they were much smaller. All the territory of Yemen is covered by local councils, though in remote regions local districts followed the nearest settlement area. So, under the new law, many previously independent towns found themselves responding to a local council in a different city. This provoked many local councils to resolve to non-formal solutions like community organizations or non-governmental organizations (NGO’s) financed and supported by the Ministry of Social Affairs to fill in the gap.13

### 2.6. Strategic Planning and Performance Assessment

In order to enable accountability and audits, the Central Organization for Control and Audit (COCA) was internally transformed to allow for local auditing procedures. In addition, some bylaws were issued to change the process of initiating investigations and making them more responsive to local ownership, in addition to laws on the freedom of press and public accountability to act as a watchful eye over the local councils. When it comes to local politics, the press had for the most part a free range to act without fear of political reprisal.

As for strategic planning, a long term vision: City Development Strategies were

---

initiated by the World Bank in Yemeni cities to promote local development. The strategies introduced a participatory approach to urban planning and actively engaged civil society and private sector stakeholders for the first time in strategy formulation and updating of the city master plans and are now being implemented by the newly established Local Economic Development Departments at the government level staffed by civil servants and supported by private consultants. Moreover, absent from the decentralization strategy was the ability to engage in cross-district work on regional planning or the regional initiation of development programs. Complex urban management functions, especially for larger municipalities could not be covered by simple plans and implementation structures on the local district level.\textsuperscript{14}

Another strategic planning document is the “Yemen Strategic Vision 2025” that summarizes the Government future approach in dealing with the country’s current urban challenges. This includes among others: limited natural resources, topped-off by the small cultivable area, the scarcity of water in the populous habitats, with the continuing increase of the population, especially in the Central Highlands. As such, to overcome these problems, the GoY vision makes the most of the development of cities and regions extending along the Yemeni coastline of approximately 2,000 km, from the Town of Meidi in the North to the Town of Hawf (Al–Mahra) in the East. By developing those cities and regions, the Government expects to achieve a more balanced population and geographical distribution that would alleviate the present urban concentration and migration to urban areas that had put burdens on the available services and facilities.

3. Duties and Responsibilities

3.1. Infrastructure

Solid Waste

Solid waste is a problem for urban areas in developing countries due to rapid urban growth and increases in consumption; the harmful health and environmental effects, typically felt the most by the poorest in a city, make it an urgent issue to tackle. Solid waste collection for instance was decentralized legally as early as 1999 and was transferred completely to the local governance’s direct management along with special dedicated funds to ensure that local councils have the necessary resources to manage the process.\textsuperscript{15}

The on-going crisis has severely affected the SWM sector in Yemen. Local authorities have seen their capacities drastically. Human and transportation resources to collect waste from all dump sites have also been seriously affected. Fuel shortages led to waste accumulation in the streets, reduction in waste

collection frequency and the use of improvised alternative disposal sites. This was particularly exacerbated in main cities like Taiz where street fighting erupted and constrained access.\textsuperscript{16}

Disparities in service provision is also significant when addressing the solid waste sector.

While it is estimated that less than 40% of the nation’s solid waste is officially collected and disposed of, this percentage varies from over 90% in the two main cities of Sana’a and Aden, to less than 20% in nine of the 22 governorates of the country. Records show that there are 21 controlled or semi-controlled disposal sites and 27 open dumps. The actual number of open dumps is much higher since many towns and cities each have more than one area where wastes are dumped. A National Strategy for Solid Waste Management (2009-2013) that defines priorities and targets, as well as the responsibilities of the different government agencies; it also coordinates donor support in the waste management sector.

3.2. Housing

The housing sector in Yemen is not adequately performing, over decades, it has suffered from housing supply shortages and the inability to meet the households’ housing demands. Since the unification of Northern and Southern territories of Yemen in the 1990s, the issue of housing affordability has become a major concern in the growing urban sectors of the Yemeni cities. In most urban areas (Sana’a, Taiz, Al-Hodeidah and Dhamar), uncontrolled urban expansion is far ahead of plans and planning process and expected to accommodate the urban growth of those cities until 2025. The absence of a national housing policy has resulted in the sprawl of slums and poverty pockets, more than half of all land converted to urban use in the last 20 years is the result of uncontrolled and un-regulated informal land subdivision. During the last 15 years, the Local Urban Observatories (in Sana’a, Aden, Taiz and Mukalla), succeeded in collecting and analyzing various urban indicators, being a tool for policy making, in assessing the housing needs, as well as drawing relevant strategies and programs. The analysis of the housing indicators allowed to draw a number of conclusions, mainly, the need to provide 1, 78,202 housing units, but Yemen annual projected housing need is 36,000 housing units distributed among all governorates.\textsuperscript{17}

In fact, it estimated that around 95% of the total housing construction is carried out by the private sector, consequently, housing finance is a critical issue for the households to access to ownership. Housing finance schemes for deprived and low-income groups are not properly addressed. One of the main consequences of the affordability issue is the mushrooming of squatter settlements and unserviced peripheral neighborhoods. This measure of exclusion from formal

\textsuperscript{16} UN-Habitat, Republic of Yemen National Report (Habitat III), 2016, pp. 49-50.
\textsuperscript{17} UN-Habitat, Republic of Yemen National Report (Habitat III), 2016, pp. 46-47.
housing services appears to be a growing concern in Yemen, as there are strong signals that informal settlement ratios are increasing, particularly in the Capital Sana’a.

The design of the program came as a result of intensive data collection and analysis that were carried out by the National Urban Observatory-NUO, the program aimed at addressing the need for adequate housing for a rapidly growing population and inhabitants of overcrowded housing as well as of slums and squatters. A five-pillar strategy was developed and included:

- Addressing the housing needs of deprived population;
- Addressing the housing needs of low income families;
- Ensuring adequate lands;
- Housing investment; and
- Supporting housing associations in housing provision.¹⁸

3.3. Culture

The cultural domain suffers from myriad of problems; at the local level, local competencies remain very limited added to the very limited resources at the central level as well as to their disbursement procedures. The concerned ministries saw their roles mainly in national terms not local, their resources were barely sufficient to carry their main promotional duties and they were not willing to let go either of resources or authority. The minister of tourism intervened many times to personally halt local councils from instituting policies that fell under their mandate such as setting the price of entry fees for touristic locations under the pretext that this would allow for local abuse that could reflect negatively on tourism in Yemen in general. Likewise, museums, antiquities, and historic cities were securely guarded by their respective agencies because they were independent agencies. Therefore, line ministries had very little jurisdiction over them to begin with. The primacy of these institutions was also preserved for fear that local councils would, without pre-qualification and training, not understand the technical complexities of heritage conservation and succumb to local pressure to lift ordinances and reduce the level of protection to heritage assets.¹⁹

Finally, it was set on that these agencies must coordinate with local authorities in order to have the support of local police. At the local level, local districts are playing the local culture card that have interest to the local community in alliance

with civil society to establish local libraries, cultural festivals, and events. Due to their rich cultural tradition, local districts were eager to engage their council representatives in supporting heritage development; decentralization often led to better support for the dominant cultural expression at the local level, greatly curbing the effectiveness of limited national resources to protect and support the cultural rights of non-dominant groups.\(^{20}\)

3.4. Social Development

Yemen is considered as one of the poorest countries worldwide, poverty indicators have been worsened since the 2011 crisis but mainly in urban areas more than rural areas. Urban poverty, rose to 42.4% in 2011 and to 54.5% in 2012, showed that urban households were more affected than rural households which, may reflect the fact that much of the uprisings took place in urban areas while many rural areas may have been affected only indirectly. One of the main causes of poverty is the economic and social exclusion, which prevents access to the basic social and humanitarian needs. Prior to the crisis the Government of Yemen with the support of a number of international partners have initiated three main protection programs, summarized as follows:

- The Social Welfare Fund (SWF);
- The Social Fund for Development (SFD);
- The Public Works Project (PWP);

Additionally, the Government elaborated a number of national policies, plans and strategies notably:

- **Yemen’s Strategic Vision 2025**: is aimed at “placing Yemen by 2025, among the countries of inclusion moderate, human development with economic diversification and social, scientific, cultural and political development”.

- **Poverty Reduction Strategy 2003-2005**: is the cornerstone of clear and specific interventions to combat poverty and consists of five axes; 1) achieving economic growth, 2) increasing employment opportunities, 3) developing infrastructure, providing a better level of basic social services, 4) establishing an effective social safety net for the poor and, 5) drafting a mechanism for encouraging participation and cooperation.

- **The 3rd Economic and Social Development Plans for Poverty Reduction (2006-2010)**: started to link development plans to poverty reduction strategies. The fifth-year plans adopted a set of policies and programs to achieve the following:

---

\(^{20}\) Observations in this regard are the result of personal engagement of the author in one of the largest programs related to development of community cultural assets. The program for the development of historic cities in Yemen worked with local authorities in several governorates as well as several national authorities. (Hallaj 2007).
1) Expanding the social safety net and developing its targeting mechanisms,

2) Empowering economically the poor by promoting small projects and micro finance programs and

3) Giving priorities to labor-intensive investments in all sectors, particularly agriculture with a focus on rural areas.

Education and Healthcare

Even though education and health were among the first sectors to follow the decentralization process, the resources were still meager on the national level and even on the local level where local councils received transfers for salaries but little else. The education budget consume a big part of local councils in Yemen; approximately 90% goes to recurring expenditures. New investments are covered by the local council’s budget and consists of 12.5% of their budgets. Teachers’ salaries are normally approximately over 60% of the local council budgets, while the local health staff comprises approximately 6.5%.  

21

The process of decentralization has moved down to the district level with only communal functions left at the governorate level. Local districts have complete oversight over health and education departments in most governorates across Yemen. It indicated that the process was well on its way but difficulties remained in building the capacities on the local level to manage budgets and carry the accounting. Nevertheless, the long-term impacts on the quality of education are issues that are still to be verified, indications point to a persistent level of corruption in terms of ghost students and ghost teachers as well as persistent influence by local elites to direct new investments to their constituencies in a bid to use newly available local resources to consolidate their patronage networks rather than assuring the fair and equitable distribution of resources. The two sectors have benefited significantly from the support of the Social Fund for Development (SFD) which, was designed to offset the effects of economic reforms on the structural conditions of the poorest of the poor. The Fund worked closely with local councils to ensure the equal distribution of the new investments’ resources also to contribute prominently to the quality of education through training programs. Although, SFD funds are not managed by the local authorities but they cooperate closely with them on allocating projects and funds while local districts often have to supply the land and/or a nominal contribution of about 10% for projects.  

22

Currently, only 27 percent of Yemeni women use any family planning methods. A high fertility rate of 4.27 children per woman is a constraint to Yemen’s future

development and a serious obstacle in the fight against poverty. Public resources are limited and increasingly inadequate for the provision of quality health and education services for the growing population. Government policy and plans aim to reduce the population growth rate. Program elements include expansion of coverage and quality of family planning and reproductive health services; efforts to change attitudes towards use of family planning methods; provision of improved quality obstetric care; contributing to the debate on a draft law setting a minimum age for marriage; and raising the enrollment rate in primary education, in particular for girls, and reducing the illiteracy rate among women.\textsuperscript{23}

Social Services

This domain has also followed the decentralization process to the local councils’ level except licensing of local NGOs, which were left at the governorate level. The reason is that local councils had some meager but important resources to give to NGOs, it was felt that licensing NGO’s by the local councils would create a situation where fictitious NGOs would be created to siphon off such funds. Besides, the law gave the local councils the right to collect their local “Zakat” or religious tax that to be disbursed to needy households and persons. Local districts play a major role in defining who is needy and creating a large network of patronage through such support. In principle, Zakat has many sources but one of them coming from “Qat” consumption. Qat, a mild mood enhancer, identified in many countries as an illicit drug, is widely popular in Yemen and is one of the main causes of poverty as it drains over 30% of the average income of the poorest families. Ironically, revenues from Qat consumption constitute over 50% of Zakat revenues for local districts, and local councils have very little incentive to restrict its spread.\textsuperscript{24}

3.5. Economic Development

With the devolution of responsibilities to municipalities, local governments have been considered strategic partners for promoting local economic development. Not only have they received financial resources to carry out a number of initiatives but also have undergone a number of training and capacity building activities to enable them to plan and implement local economic development programs. As stated in the draft Yemen Economic Vision 2030 to the national dialogue, prevailing economic development disparities between the South and the North and the centralization of economic decisions have recently lead to a proposal for creating a federal state and to adopt a decentralized economy that includes six economic regions. Promoting local economic development that have primarily focused on cities were initiated by the World Bank through the City Development Strategies and Port Cities Development Program. The CDS

\textsuperscript{24} A. Hallaj in M. Harb & S. Atallah; Local Governments and Public Goods, 2015, p.111.
programs have been implemented in Yemen’s four largest urban areas: Sana’a, Aden, Al-Hodeidah, and Mukalla. The exercise in the four cities came up with investment plans with priority interventions for local economic development; Projects focus on key infrastructure projects in the four cities, on core economic assets and clusters in Aden, Al-Hodeidah, and Mukalla, and transportation-related projects, urban and environmental projects, and tourism promotion projects in Sanaa.

The strategies introduced a participatory approach to urban planning. These strategies actively engaged civil society and private sector stakeholders for the first time in strategy formulation and updating of the city master plans and are now being implemented by the newly established Local Economic Development Departments at the government level staffed by civil servants and supported by private consultants.

The Port Cities Development Program (PCDP) was also one of the main tools to promote local economic development. The aim of this Program is to develop the potential of strategic port cities in Yemen as engines for economic growth by creating an environment conducive to private sector-led growth and to the creation of employment opportunities in the three participating cities. The Program worked on the transformation of the seafront fish market in Aden. The physical development of this area was seen strategic for various purposes, mainly:

1) Linking it with an adjoining tourist attraction— an ancient Portuguese castle on Sira Island,

2) Improving the working conditions and attractiveness of the market for Aden residents and visitors.

Promising results also include a major upgrading of a small-scale industrial area, inner city road and mobility improvements, and restoration of two facilities that now serve as a city visitor center and investor services office. Involvement of the local community and tangible improvements to the city have inspired local businessmen to contribute funds to the newly established Private-Public Partnership Fund, including over US$350,000 to build a training center and initiate training programs in Aden.

Yemen cities exhibit significant cultural heritage and landmarks that include numerous cities and monuments of historical and cultural significance, three of which (Sana’a, Shibam and Zabid) feature on the UNESCO World Heritage List. The country’s heritage represents great socio-cultural and economic potential. Initiated in 2007 under a bilateral agreement between the Yemeni and German governments, the MEDINA Project was implemented in the historical cities of Shibam and Zabid. The project has utilized heritage preservation as a strategic
entry point to address the needs of a living community and develop wider urban renewal processes, improvements in housing conditions and local economic development. Notwithstanding the various constraints, the project succeeded in:

- Revitalizing and creating economic and social structures that restored urban vitality;
- Encouraging the active participation of residents in managing the renewal of their city; and
- Generating employment to 571 skilled laborers and 1,389 unskilled laborers.25

3.6. Financial Management

The Local Authority Law of 2000 seeks to fiscally decentralize the Yemeni government by increasing local budgetary autonomy though enables governorates and districts to generate revenue and receive central financial support for capital investments and recurrent operating expenses. The law gave the local councils broad powers to define priorities for investments and development, and supervise the work of line ministries and technical departments in their jurisdictions. Local budgets were augmented progressively by transfers from the central government to the local councils to cover local expenses. Resources were to be collected on the local level by local authorities, who would keep a certain percentage for their use and the rest would be sent to the governorate level. From there, revenues would be distributed to regional development projects to support less developed local districts in the governorate. Excess funds would then be transferred to the national level. The Law has specified four main sources of revenues to local authorities:26

- District Local Revenues.
- Joint Revenues at the Governorate level.
- Joint Public Resources.
- Central Financial Support.

On another level, resources were delivered to the governorate level at first and the governors created local incentives for the local districts to meet certain performance standards before they could get their allocated resources. Moreover, the central government moved through different programs to provide auxiliary funds from different sources to the local councils to encourage and enhance their capability to manage new initiatives and resources. Local councils

were often given some dividends from the oil rents provided by the Ministry of Oil and Minerals, particularly in the oil, rich governorates to ensure that a higher percentage of oil revenue goes back to support development projects in the regions where oil is extracted. Also, line ministries were encouraged to engage with local councils in deciding on priorities for new investments in their districts. In each case, the local council was provided with training on how to define priorities, plan projects, and monitor their implementation. Eventually qualified councils were allowed their own investment budgets to decide on new developments and priorities across sectors.\(^\text{27}\)

A wide range of local taxes to be collected by the local districts totaling 27 types of taxes and fees. In reality, only two of those were actually a tax of sorts, mainly the religious alms (Zakat) which the local district is allowed to keep 50% of, and the fixed tax for limited-income independent employment trades. The other 25 vessels are all fees on services. The law also created a provision for local districts to accept grants from external international donors, but in reality, it remains ineffective without central government interventions, as all international funds have to be first scrutinized through the Ministry of Planning.

On the governorate level, the law stipulated twenty-eight revenue vessels, of which several are actually tax-based (the remainder of the 50% Zakat taxes, income taxes on certain categories of free trade goods, real estate taxes, taxes on the sale of Qat), while the others involve central subsidies, different rents, as well as fees for local services. These funds are then divided according to the following formula:

- 25% is kept with the district where they were collected,
- 25% goes to the governorate expenses, and
- 50% are then distributed on a per capita basis to the districts in the governorate.

There was some flexibility in the law to consider the developmental needs of poorer districts in the distribution of this latter 50%. As the actual budgets were limited to begin with, governorates often opted not to distribute the funds equally among districts every year but to rotate the budgets among the poorer ones to provide sufficient capital to launch sizable projects in the districts.

The process was described in the law as a bottom-up process whereby the local districts would collect their own revenues, keep a substantial share, and send the rest to the governorate level. However, in reality, the process began at the governorate level. Accounts were opened for the local districts to manage their resources. Gradually, most local councils were able to bring their collection rates

to acceptable levels and the governors had to recognize their rights to use their funds. Additionally, the governorates had a small pool of revenues mainly in the form of a 30% share of certain national funds to use for governorate-wide projects. Still the net returns from the real estate development on the local level comprises no more than 2.5% of the total revenue base on the local level. Land resources were prematurely put in the hands of local councils without concrete guidelines on their use. Through a mixture of limited capacities and lack of transparency, major land resources were dissipated.

The expenditures of the local authorities in Yemen include three categories:

1) The administration costs of local councils. These costs are covered by a central appropriation (recurrent fiscal transfers).

2) Administration and operating costs of de-concentrated executive organs. Those are also funded by a central appropriation (recurrent transfers). The governor or the district general director is the authorizing officer for these expenditures.

3) Local investment expenditures that are appropriated by the local council in the framework of the annual planning-budgeting process. This is the only part of the local budget that is formulated under the full control of the local council.

Consequently, the local councils in Yemen lack a real ‘fiscal decentralization’ at the local level. They have no authority to set the amount of taxes, and at the district level at least, must share whatever is collected with the governorate in a proportional system. Also, despite budget approval, local councils have no freedom of choice to move money between budget lines. And finally, dependence on the central government that allow them to cover all recurrent costs for local services delivery and infrastructure maintenance.


Urban growth is putting pressure on the environment, the main problems are related to water supply, sanitation, and air pollution, liquid and solid waste management. The National Environment Summary prepared by UNEP and the GoY mentions that less than 40% of the nation’s solid waste is officially collected and disposed of. This percentage varies from over 90% in the two main cities of Sana’a and Aden, to less than 20% in nine governorates of the country. The report also stated that there are 21 controlled or semi controlled disposal sites and 27 open dumps, the actual number of open dumps is much higher since many towns and cities each have more than one

---

area where wastes are dumped.\textsuperscript{29}

**Climate Change**

In Yemen, symptoms of climate change have already started appearing: temperature raise, frequent draughts, and destruction of infrastructure, desertification, higher sea temperatures and the rise of sea level. Yemen ratified the UN Convention on Biological Diversity (CBD) for which it elaborated a Biological Diversity National Strategy and Plan of Action in 2005, the Convention to Combat Desertification (CCD) for which it did not elaborate a National Plan of Action, the Framework Convention on Climate Change (UNFCCC), and the Kyoto Protocol.

In October 2008, Hadramout and Al-Maharah governorates suffered substantial damage as a result of tropical storm that is attributed to climate change. The storm caused heavy rainfall and devastating floods in several locations (16 districts) in both governorates, making them the two most heavily affected areas. The flash floods and surging water resulted in one of the largest natural disasters to hit Yemen in the last decade. Following the storm, the two governorates were declared disaster areas to enable emergency aid and subsequent reconstruction assistance.

With the support of a number of bilateral and multilateral organizations, Yemen implemented a number of projects related to climate change:

- Adaptation to Climate Change through Integrated Water Harvesting Technologies in Yemen. A UNDP project that aims to reintroduce traditional and innovative water harvesting techniques to improve water availability to rain fed farms and pastoralists who are highly vulnerable to climate change;
- A number of climate relevant projects implemented by GIZ, including: 1) Conservation and Sustainable Use of Biodiversity (2011-2016), supporting the preparation, testing and further development of co-management approaches of natural resources at local level; and 2) Institutional development of the water sector (2006-2017), aiming at improving the implementation and steering capacity of relevant water institutions.\textsuperscript{30}

**Water**

The availability of water in Yemen is among the lowest worldwide with about 125 m\textsuperscript{3} per capita annually. This extreme water shortage is caused by the cultivation of Qat which consumes 90\% of the available water resources. Meanwhile, the population’s drinking water supply is threatened due to dramatic depletion of groundwater levels, especially in Sana’a. Unfortunately, water use will continue

\textsuperscript{29} UN-Habitat, Republic of Yemen National Report (Habitat III), 2016, p.26.
\textsuperscript{30} UN-Habitat, Republic of Yemen National Report (Habitat III), 2016, pp.21-23.
to increase with the current trends of population growth\textsuperscript{31}. By contrast, urban water was decentralized through local water and wastewater corporations. The national ministry supervised different functions including urban water services, wastewater treatment, and water for irrigation as well as flood controls and water resources. Each of these systems has its own technical constraints, catchment areas, and local conditions for developing tariffs in a sustainable manner. The move was to establish these local entities in the form of independent local corporations that have as part of their mandate to develop local strategies, plan and assess projects, implement them, and assure the collection of fees and tariffs to cover not only the running costs of the system but also its depreciation. Local corporations were given a wide mandate to hire consultants, independently finance projects, and hire local staff.\textsuperscript{32}.

A special law for water management was also developed. Subsequently, different types of local water organisms were mandated depending on the type of function they would have to carry out: urban water and sanitation, rural water and irrigation, and water resource administration. The urban water corporations were most directly related to the work of local authorities. In all, fifteen corporations were formed across Yemen covering one or more governorates each. Their corporate status allows them to have an independent administrative system, hire local and international consultants, and even borrow money.\textsuperscript{33}

The tendency for most local districts was to push for underground water exploitation, while the central government and the Social Fund for Development were keen on pushing more sustainable models of water management, like water harvesting, drip irrigation, etc. Local districts often complained that the deconcentration of water governance bypassed them altogether. Most local water corporations manage catchment areas that extend well beyond the confines of one governorate. Eventually, though not directly mandated by law, the local government and local water corporations learned to develop working relations and even collaboration once the direct benefits of the system became more evident to the local authorities.\textsuperscript{34}

Extraction of groundwater has exceeded the level of replenishment capacity, causing water depletion. Since Yemen over extracts an estimated 0.9 billion cubic meter of water each year from its deep aquifers, groundwater aquifers are declining one to seven meters each year. The overexploitation of groundwater resources and the rising sea level due to climate change will result in increased salt-water intrusion, especially in coastal aquifers. According to recent research, 30\% of the water systems in Yemen are non-functional, and Sana’a is in danger of

\textsuperscript{31} Sahar Al-Qubati, and al, “Guaranteeing the Yemeni population a basic drinking-water supply and sanitation service provision”, 2014.


\textsuperscript{33} A. Hallaj in M. Harb & S. Atallah; Local Governments and Public Goods, 2015, p.113.

\textsuperscript{34} A. Hallaj in M. Harb & S. Atallah; Local Governments and Public Goods, 2015, p.114.
becoming the first capital city in the world to run out of water. The water table continues to fall across the country, and around 40% of the available water is consumed by Qat production.\textsuperscript{35}

The situation has been aggravated with the escalation of conflicts in Yemen. The 2016 Humanitarian Needs Overview published by UNOCHA estimates that a total of 19.3 million people in Yemen now require humanitarian assistance to ensure access to safe drinking water and sanitation, of whom 9.8 million are in need as a direct result of the conflict. In urban areas, more than 6 million people have seen their water supply disrupted or cut due to conflict, and rural water supply schemes have stopped serving 2 million people. Acknowledging the magnitude of this problem, the GoY has implemented a number of water sector policy reform measures, mainly:

- Devising the Water Law in 2002;
- The establishment of the Ministry of Water and Environment (MWE);
- Developing a National Water Sector Strategy and Investment Program (NWSSIP) 2005-2009 (updated until 2015) that proposes a set of institutional, financial and other measures, which are aimed at addressing discrepancies in the following five sub-sectors: Water Resources Management, Urban Water Supply and Sanitation, Rural Water Supply and Sanitation, Irrigation and Watershed Management and Environment.\textsuperscript{36}

Wastewater

The sanitation sector was also reshaped by the reforms carried out by the GoY resulting in significant progress. These reforms primarily addressed the governance structure of the water and sanitation sector resulting in a decentralized form of service provision. However, the GoY has fallen short in providing adequate sanitation and drainage services to an increasing number of population. According to a recent National Social Protection Monitoring Survey published by UNICEF (2012-2013), 52.5% of household members in Yemen use an improved source of sanitation. However, disparities in accessing basic sanitation and drainage are widely present. The proportions vary remarkable between the urban and the rural settings. While the majority of the urban population has a proper sanitation system, less than 40% of the population in rural areas have access to this kind service. Additionally, the disparities in accessing this service

\textsuperscript{35} Danish Refugee Council (DRC), Annual Report: Horn of Africa & Yemen, 2012.
\textsuperscript{36} UN-Habitat, Republic of Yemen National Report (Habitat III), 2016, pp.47-48.
vary according to the income of people. The survey reported that the use of improved sanitation facilities is nearly universal among the richest population (96.34%), while only 5.1% of the poorest are using an improved sanitary means of excreta disposal. For example, in Taiz, the Urban Poverty Analysis in 2006 showed that only 25-30% of the city’s population is connected to the sewerage and wastewater network.

The National Water Sector Strategy and Investment Program emphasized the challenging need of providing sanitation services to the great majority of urban and rural populations who still lack such services. Wastewater treatment plants have been installed Sana’a, Taiz, Ibb, Hajaa, Aden, Amran, Al Hodaida, Dammar, Yarem, and Radaa. The largest wastewater treatment plant in the country, located in Sana’a, was completed in 2000, but it had to be upgraded between 2003 and 2005 due to deficiencies in its operation.

3.8. Urban Planning

The higher council for urban planning is the authority responsible for urban and regional planning. The planning system was never decentralized although the law mandates local councils to initiate and approve urban planning procedures, and gave them more space to provide legal opinions regarding urban plans and object to planning ordinances that they see as harmful to their communities. The process of planning cannot happen without the local councils’ participation but it is also not managed by them. As the majority of urban planning work in Yemen is perceived to be contributing to private development of land, it is seen as a major area for abuse of power by local authorities. To that extent, most local authorities have learned to manipulate the system and avoid bottlenecks by engaging in high-level patronage on the national level.37

This is one area where decentralization was again heavily used to establish entry points for the national elites into the regional and local contexts that were hitherto closed to them. Decentralization was primarily co-opted for the personal interests of power networks close to the power centers in Sana’a. It is one of the main contentious points about decentralization, particularly in the south of Yemen. Deconcentration of some of the essential utilities was mandated by technical needs, economies of scale, and the fear that putting such vital utilities under the total jurisdiction of the local authorities could be abused for political patronage purposes (especially as trust in the decentralization process was not

37 Local Authorities often work in collaboration with local tribal leaders to access native sons of the region in high political places in the government or parliament. Political patronage is often sought among the elders of tribal federations or heads of the largest business leaders who have direct access to the ministers. When direct interventions do not work effectively, higher patronage is sought among the top military figures and the president’s closer entourage and advisors.
Lands in urban areas in Yemen are classified according to the ownership (public, private, communal) and the term of use. The State Lands and Real Estate Authority (SLREA) estimates that State-owned lands roughly represent 90% of all lands in Yemen. Physical and land use planning in Yemen is conducted at three levels: Master, Regional and Detail Planning and their final outcome is subdivision plans. However, in the absence of a universal land inventory or registration system, the planning framework remains undeveloped and uncoordinated. Local authorities are responsible for discussing and approving the projects of public urban construction and environmental plans before submitting them to the related central government agencies for approval and monitoring their implementation according to the Urban Planning Law. Due to capacity constraints, most of the work is still done by the General Authority for Lands, Survey and Urban Planning (GALSUP), with limited cross sectoral coordination, with each sector preparing their own master plans for investment without reference to one another, or as importantly, to resource availability and the economic consequences of their physical plans. In some cities, such as Aden for example, there are three unrelated master plans for various parts of the city including the new port and industrial zone which fail to integrate the infrastructure needs of the new economic projects with those of the rest of the city. In Sana’a, growth has occurred outside the areas designated by the existing master plan, in locations with access to infrastructure. The designated “growth” areas remain undeveloped due to lack of resources, and, yet, the physical planning response has been to further expand boundaries and build additional roads, to maintain normative notions of appropriate densities and land use patterns which are divorced from existing realities.

With support from various donors, such as World Bank, Cities Alliance, GIZ, etc., the GoY has started implementing new planning frameworks using varied methodologies and approaches. As such, during the past ten years, City Development Strategies (CDS) have been initiated in four of Yemen’s largest urban areas - Sana’a, Aden, Hodeidah, and Mukalla. With support from the Cities Alliance and the World Bank, the CDS process in each of these cities has brought together public and private sector leadership to assess the strengths and weaknesses of the city, think strategically about opportunities for equitable economic growth, develop a long-term vision, and draft a prioritized action plan. In all four cases, the CDS process has been coupled with revisions to the cities’ master plans to ensure a strong link between economic development plans and infrastructure.

39 UN-Habitat, Republic of Yemen National Report (Habitat III), 2016, p.16.
40 UN-Habitat, Republic of Yemen National Report (Habitat III), 2016, pp.15-16.
3.9. Transportation

With urban and economic growth, car ownership had been accelerated in Yemen. The ever increasing use of private vehicles has negative effects on traffic congestion, accidents, inadequate parking space and air pollution. In the city of Sana’a, the majority of trips are made by public transportation, with an approximate share of 60% of trips made by informal microbuses and taxis. On average, informal collective transport modes represent 40% of vehicles in Sana’a, including microbuses (6%), minibuses (12%), standard and tourist buses (2%) and taxis (19%), while private cars and trucks represent 33% and 25% of vehicles in traffic, respectively. As for road safety, it is believed that 40% of all traffic accidents in Yemen occur in the Sana’a region\textsuperscript{41}, causes of accidents could be resumed in the lack of proper signage system and road safety devices, inadequate transport and traffic planning and a prevailing aggressive behavior of drivers, combined with a poor respect of driving rules and regulations, due to weak awareness and enforcement. Concerning the pedestrians, they are poorly addressed and affect particularly women, children and persons with reduced mobility, there is no continuity of pedestrian routes, insufficient sidewalks, poor lighting, and a general lack of secure street crossings.\textsuperscript{42}

From an institutional perspective, the urban transport sector in Sana’a city suffers from overlapping of responsibilities between three governmental entities, namely, Municipality of Sana’a, the Ministry of Transport, and the Ministry of Interior, and coordination mechanisms between these three institutions is absent. The absence of specialized units in charge of urban transport planning and traffic management is another hindering factor obstructing the sound implementation of urban transport and traffic management functions. Recently, under the umbrella of the Ministry of Transport, a Land Transport Agency was established. However, the weak resources and limited capacities of this Agency hinder its sound operation.

Cities in Yemen implemented a number of planning measures that have positive effects on the reduction of traffic congestion. For instance, authorities of Taiz Governorate made plans to ease traffic congestion in the main streets through limiting the number of motorcyclists and street vendors as well as move popular markets “suqs” to the outskirts of the city. The number of motorcycles in Taiz is estimated at about 5400, all of which are used as public transport. Other cities, such as Sana’a, Aden, Mukalla and Hodeidah, have reflected the issue of traffic congestion within their City Development Strategies (CDS). The city of Sana’a with support from the World Bank, has conducted a Comprehensive Traffic Management Study (CTMS) to address the city problems in the transportation and traffic sector. Expanding over a period of seven years (2010-2017), the strategic transportation projects listed in Sana’a capital investment projects include the
\begin{itemize}
\item The annual average of reported vehicles accidents was 8,463 for the period 2011-2013, causing a 12,174 of human casualties and about 3,350 deaths. A total of 4,889 car accidents occurred in Sana’a in 2010 causing the death of 478 people while 2,466 people were seriously injured.
\item UN-Habitat, Republic of Yemen National Report (Habitat III), 2016, p.52.
\end{itemize}
following:

- Implementation of five multi-grade road intersections to improve traffic circulation, which will be added to already build or under construction 9 multi-grade intersections funded by the Arab Fund (2012-2016).
- Creating an integrated traffic control system that would include connected traffic signal installations, a CCTV traffic surveillance system, a communication system, and a Traffic Management Center (TMC) for all of Sana’a (2010-2012).
- Introducing a modern, cost-effective, and high-volume rapid public bus services with a dedicated right-of-way along Sana’a’s north-south central spine for a distance of 30 km (2012-2016).
- Constructing a 1.5 km tunnel under Barash Mountain and 11.6 km of a four-lane ring road to link to existing roads (Sawan to the North and Kholan to the South). \(^{43}\)

4. Challenges and Opportunities

4.1. Authority and Subsidiarity Principles

The events in Yemen were a driving force in redefining the scope of local governance in the country. The challenge comes on three levels:

- With the southern governorates clearly disenchanted with the culture of dominance of the North, a strong secessionist trend is dominating the political language of the South. The issue of the unified Yemen will remains questionable and the south will probably accept no less than confederacy as a model for the emerging Yemen.
- For the democratic forces of the revolution in the North, the tendency is to move toward a parliamentary system with proportional representation. The youth want to create a political system that would allow them to break the monopoly of tribal elders and establish national alliances to counterbalance the local hegemony of the tribal system.
- The traditional tribal elite, on the other hand, are happy with a decentralized system where they can consolidate their local dominance and use it as a stepping stone to control the central government. For them both previous positions are threatening. They may, however, very well accept to concede to the southerners’ larger independence in return for avoiding a proportional representation parliamentary system. \(^{44}\)

On another level, the governors shall be responsible before the President of the Republic and the Council of Ministers, whose decisions are obligatory to the districts and councils which must execute them in all cases. The law defines

\(^{43}\) UN-Habitat, Republic of Yemen National Report (Habitat III), 2016, pp.24-25.

\(^{44}\) A. Hallaj in M. Harb & S. Atallah; Local Governments and Public Goods, 2015, p.96.
the methods of control over the actions of the local councils\textsuperscript{45}. For example, subsidiarity process envisioned a two-steps approach of resources allocation which pass from the center to the governorate to the local districts level. Eventually qualified councils were allowed their own investment budgets to decide on new developments and priorities across sectors.

From a different perspective, some ministries may intervene to halt local councils from instituting policies that fell under their mandate under the pretext that this would allow for local abuse that could reflect negative situations. The example of heritage is indicative, historic cities were securely guarded by their respective agencies that are independent or have little jurisdiction from line ministries, also from fear that the unqualified local councils would not understand the technical complexities of heritage conservation and reduce the level of protection to heritage assets.

4.2. Corporate Capacity and Urban Service Delivery

Services can be divided into two types. On the one hand, there were those services that were mandated by law to be transferred to local authorities, and whose budgets were transferred to local councils with full power of supervision. On the other hand, there were services that were deconcentrated in their own institutions but left purposefully outside of the direct supervision of local councils because of their technical nature and because it was important not to allow local authorities to use them as chips for political patronage.

Yemen’s local councils are responsible for the day-to-day provision of basic public services to 26 million Yemenis and are amongst the most crucial institutions of governance in the country. The local governance law, following the constitution, mandated that all line ministries charged with executing services relegate their local operations to the direct supervision of the local councils. Line ministries were reduced to setting standards, technical audits, strategy development, and training and capacity building.

However, the outbreak of civil war in 2014 and the subsequent military intervention in Yemen in 2015 has devastated local councils’ ability to provide these services: financial resources have evaporated, armed militias challenge their authority, and extremist groups have assassinated council members. Despite these challenges, local councils have been generally resilient and continue to operate in some form in most parts of the country, though they have been rendered ill-equipped to handle the largest humanitarian crisis in the country’s history.\textsuperscript{46}

\textsuperscript{46} A. Baron, \& al, “The Essential Role of Local Governance in Yemen”, September 2016 p.3
4.3. Resilience

4.3.1 Sustainable Urban Development

Yemen issued its first environmental protection law in 1995, signed the U.N. Framework Convention on Climate Change (UNFCCC) in 1996 and ratified the Kyoto protocol in 2004. The National Adaptation Program of Action (NAPA) was issued in 2009. Several governmental institutions are concerned with environmental issues. In late 2012, the government renewed its efforts to at least provide the framework for environmental protections: Laws 21 and 22 ratified the International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC) and the OPRC-Hazardous and Noxious Substances (HNS) Protocol. Yemen has an environmental protection strategy as well as an Environmental Protection Agency.

Nevertheless, as in many other cases, there is a significant gap between official commitment and practice, and amending the environment protection law will not close that gap. In general, environmentally supportable growth receives only occasional consideration. Public awareness of environmental issues is low. Despite increasing urbanization, many Yemenis have not yet adjusted their attitudes toward their new environment and cities grow faster than the state can provide services.47

4.3.2 Urban Risks

Yemen experiences the impacts of extensive and intensive disaster risks and faces different sort of natural risks such as earthquakes and flash floods. Floods are the most important and recurring disaster that affected belong to vulnerable segments of the society, including women and children. Yemen also experiences intensive damage from liquefaction and earthquakes with significant impacts on the education and health sector, water, sewer, power, critical infrastructure and services.

In 2005, the Ministry of Interior has developed a National Plan for Disaster Management, but there was only scattered and uncoordinated advances in implementation of this plan. A number of isolated initiatives have been undertaken on a project basis by different line ministries but with little sustainable improvement, partly due to a lack of clear indication of authority and responsibility for the different aspects of risk management. Some projects, like early warning systems, have been established with funding by international organizations, but they have not been maintained when funding has ended.48

Specifically, at risk is the city of Taiz. With 540,000 inhabitants, the city is

yearly subject to severe seasonal flash flooding causing significant human and physical losses. Particularly vulnerable are the poorest urban dwellers who live near the flood zone in precarious dwellings made of wood, aluminum, and other scavenged materials. Funded by the World Bank, the Taiz Municipal Development and Flood Protection Project aimed to build flood protection structures that would channel floodwater to a catch basin south of the city, thereby protecting city residents and businesses. Flood-protection infrastructure transformed major parts of Taiz city and has had an immediate and substantial impact on the lives of city residents in the affected areas.

4.3.3 Migration: External and Internal Migrations

Since the new escalation of the conflict in Yemen occurred in 2015, the scale of the humanitarian crisis became enormous. In June 2016 the United Nations reported that “more than 13 million Yemenis are in urgent situation of life-saving assistance”, with almost 3 million people becoming internally displaced. This situation has by far exceeded the local capacities to address the catastrophe, added to a lack a electricity and fuel shortage that render difficult the pumping and the transportation of water resulting in crop droughts, a drastic decrease in public waste control and sanitation, and an increase in public health disorders.

The UN offices are leading the wider international humanitarian response and at other times via local councils. They help 8 governorates⁴⁹ to regain access to a reliable source of water after fuel was supplied to the local water companies, also UNICEF has supported the implementation of a sewage treatment facility in the capital, and ensured the provision of healthcare services through the delivery of fuel for power generators in several major public hospitals. The successful delivery of that aid has depended on a minimal degree of coordination with the local councils. UNHCR has assumed a lead role in developing (i) a comprehensive strategic framework to ensure the centrality of protection in all humanitarian action, and (ii) an IDP strategy ensuring a joined-up approach to cluster interventions for IDPs, based on protection and advocacy principles.⁵⁰

Furthermore, UNHCR is part of the joint effort with other UN agencies to re-establish and expand presence in Yemen in five strategic operational hubs in Aden, Hodeidah, Saada, Sana’a, and Ibb/Taizz in order to maintain and expand protection and basic assistance mechanisms, including mobile team protection monitoring, and provision of psychosocial assistance. For that, the Office will maintain its cooperation with both the de facto authorities in the capital Sana’a and the Government of Yemen currently operating from Aden in the South to safeguard the protection space and improve access to basic services for people

⁴⁹ Sana’a, Al-Hadida, Omran, Hajja Saada, Abyan, Lahij and Ma’rib.
⁵⁰ Baron, Cummings, Salmon, Al-Madhaji, “The Essential Role of Local Governance in Yemen”, 2016, pp.11-12.
of concern across the country. Cooperation on the ground is challenged by the ongoing conflict, which prevents access to target populations and endangers humanitarian workers.\footnote{UNCHR, “Yemen Situation Emergency Response, 2016, p.29.}

Locally, about half of the Internally Displaced Persons are concentrated in Aden, Taiz, Hajjah and Al Dhale’e governorates, with additional significant populations in Abyan, Al Bayda, Ibb, Sa’ada and Amran. The displaced populations are living either in shelters or in public building, as well as renting or sharing with families in host communities, so, the longer the crisis would last the higher are the threats of confrontations between host communities and the IDPs. Tensions are likely to occur as a result of low availability of resources and food, the differences in customs and traditions and the occupation of schools by IDPs.\footnote{UN-Habitat, Republic of Yemen National Report (Habitat III), 2016, p.31.}

If security returns in limited parts of the country, and refugees relocated by the conflict decide to return to previous refugee-hosting areas, services such as documentation, education, health care, livelihoods and support for people with specific needs affected by the conflict will be resumed and expanded. Psychosocial support will be prioritized for children and women directly affected by the conflict.
5. References


Harry Jones, Ben Clench and Dan Harris, “The governance of urban service delivery in developing countries”, ODI, March 2014.


USAID, “The constitutional and legislative framework for local development in Yemen”, Supported Responsive Governance Program (RGP) in Sana’a, Yemen, January 2012.

LOCAL GOVERNMENTS IN THE MIDDLE EAST AND WEST ASIA
LOCAL GOVERNMENTS IN THE MIDDLE EAST AND WEST ASIA

www.uclg-mewa.org
UCLGMEWAorg
“Local Governments in the Middle East and West Asia” is an important reference book providing general information on the legislation, structure, duties and authorities of local governments in the MEWA region as well as the challenges and opportunities that exist. Considering the current state of affairs in the region, covering the issues of resilience and migration in this work will enable us to see the situation of the region vis-a-vis the expected outcomes in the global agendas. With this publication, we also hope to introduce the MEWA region to a wider circle of people and provide a basis for cooperation with various partners with a view to ensuring sustainable development.

United Cities and Local Government Middle East and West Asia (UCLG-MEWA) is an organization that seeks to be the international voice and advocate of local governments in the MEWA region, transcending the national borders, promoting the values, goals and interests of local governments, and establishing multi-tier partnerships.