ADVOCACY DOCUMENT

IMMEDIATE PRIORITIES FOR STABILIZATION, PEACEBUILDING AND RECONCILIATION IN THE CENTRAL AFRICAN REPUBLIC

PRESENTED AT THE HIGH-LEVEL SIDE EVENT ON CAR AT THE 70TH UN GENERAL ASSEMBLY, OCTOBER 1, 2015
At this crucial stage in the history of the Central African Republic (CAR), we are gathered here with you to keep the flame of hope alive after the organization of the consultations with the people of CAR, a historic moment for my country since the people of the 16 prefectures took part in these consultations. The Bangui National Forum that followed confirmed the commitment of the people to put CAR back on the road of stability, reconciliation and peace.

This Forum, for the political class, Central African civil society and armed groups, led to a historic consensus to turn the page on the various crises and usher in a new chapter of hope where security, reconciliation, justice, the fight against impunity, governance and economic development are now positioned as the major priorities for CAR. This, then, is the ideal we are pursuing.

Meanwhile, we must also overcome the last challenge of the transition, that of organizing and holding a range of elections, particularly the presidential and parliamentary polls. Holding free, credible, inclusive and transparent elections over the entire country before 30 December 2015, pursuant to the ECCAS decision of July 2015, will mark the return to constitutional order and the end of the transition period.

In this regard it is important, urgent even, to mobilize substantial financial resources not only for the implementation of all the operations to do with the organization of credible elections whose results are accepted by all, but also and especially for the many challenges after the transition.

It is in this new political context that the priority recommendations of the Bangui National Forum with regards to Disarmament, Demobilization and Reintegration (DDR), Security Sector Reform (SSR), implementation of the Special Criminal Court towards fighting impunity, establishment of the Human Rights Commission, restoration of the authority of the State and management of public finances at the local level, as well as economic recovery, will be addressed by the newly elected authorities during their first months of power.

On this occasion, we would like to reassure you of our willingness and determination to prepare in the best possible way the transfer of authority to the new authorities chosen in the elections, while counting on you, our international partners, through your support for work towards peace and stability for CAR to regain its reputation and implement the Sustainable Development Goals (SDGs).

Catherine Samba-Panza,
President of the Transitional Government of the Central African Republic
OVERVIEW

Since the latest crisis in the Central African Republic (CAR) erupted in 2012, the country has made great strides in emerging from a violent internal conflict, including the signing of a Cessation of Hostilities Agreement between armed groups on 23 July 2014, and the holding of local consultations throughout the country which culminated in the Bangui Forum on National Reconciliation held in May 2015.

The Bangui Forum marked an important milestone in fostering national cohesion around a series of objectives and outcomes to achieve stabilization in CAR. It brought together nearly 700 representatives from the Transitional Authority, armed groups, civil society, religious, youth and women’s groups to discuss the different elements of the country’s peace consolidation agenda and define a shared vision and aspirations for the future of their country. Significant outcomes of the Forum included the Republican Pact on reconciliation laying out priorities for the country as agreed by Central Africans, an agreement on the principles of the disarmament, demobilization, reintegration and repatriation process, and an agreement to end the recruitment and use of child soldiers.

The international community has pledged its full support to the Transitional Authority’s efforts to end the crisis in CAR and to bring the political transition to an end through democratic elections. Key international partners, already on the ground in CAR, including the African Union, the European Union, the United Nations, the World Bank, as well as bilateral and regional actors including the Mediator, are working in support of the CAR authorities and to maintain international attention on CAR. International partners have stepped forward to fund important objectives such as elections; however, other critical activities remain unfunded or partially funded.

While significant challenges remain to address humanitarian and longer-term development needs, momentum needs to be maintained on the most critical priorities articulated by Central Africans themselves during the Bangui Forum, which include: i) DDRR and SSR, ii) Justice and Reconciliation, and iii) Decentralized State Authority and Economic Development. The CAR authorities and their partners have identified these priorities, which include the elections, as the most urgent and achievable in the immediate post-election period (12-18 months) and the most transformative for the peace process in the long-term. This document outlines the rationale for the three critical priorities and includes a high-level overview of the main activities foreseen under each, as well as a table with funding requirements which is presented in annex I.

Important progress has been made in a number of areas, in particular since the Bangui Forum, including in electoral preparations, security and justice and reconciliation. The Government has set up a Monitoring Committee to follow up on the Bangui Forum and entrusted the members of this Committee to implement the Forum’s conclusions. In the same vein, a Strategic Committee working solely to advance the electoral process has been set up, involving the Government, the National Election Authority (ANE), the National Transitional Council, the Constitutional Court and the international community.

Significant progress has been made in the preparation of the referendum and elections. Voter registration operations, which began on 27 June 2015, are forging ahead and promulgation by the Transitional Head of State legislation providing exemptions regarding certain provisions of the electoral code, including the participation of refugees in elections, have contributed to defining the legal framework of the electoral process. This progress has helped finalize the tripartite agreement between CAR, the UN and neighboring countries. Despite considerable efforts to get the support of the international community and mobilize the necessary funds for the organization of elections, the necessary resources are still lacking.

However, the security situation is stabilizing, although petty crime and banditry are still rife. In the rest of the country, instability prevails in certain areas, displacing thousands of people as is the case in Bambari, Batangafo, Bria and Bouca.

Based on the conclusions of the Bangui Forum, an awareness campaign for pre-DDR activities was undertaken pending the necessary funding for the implementation of a proper DDRR programme. This was done to create favorable conditions for the implementation of the DDRR programme and the restoration of a climate of peace and security for the elections. Labor-intensive income generation activities were launched for at-risk youth among communities affected by the conflict. Another challenge is the possible integration of some former combatants from armed groups that are signatories to the DDRR agreement into national security forces. This will depend on the absorption capacity of the forces needing to be reformed, and will need to be done according to strict criteria of professionalism and ethical conduct, in line with the resolutions of the UN Security Council, and relevant decisions of the Peace and Security Council of the African Union, as well as conclusions from the meetings of the International Contact Group (ICG) in CAR.

The recommendations of the Bangui Forum, confirmed by the conclusions of the meeting of the ICG in July 2015 called on the transitional authorities to hold a policy discussion with all national actors to reach consensus and common understanding of national security priorities and necessary reforms in the security sector. This policy discussion is needed before the election and it should identify the principles underlying the future National Security Policy to be pursued by the elected government. Continuous efforts to reorganize and build the operational capacity of the national security forces are still ongoing and supported by the international community. However they should not be seen as a panacea for undertaking structural and organizational reforms.

The law that establishes the Special Criminal Court was adopted on 22 April 2015 and passed on 3 June 2015, following an eight-month process. It will be a hybrid judicial mechanism, composed of Central African and international judges established in the Central African judicial system for a period of 5 years renewable. The Special Criminal Court is to investigate the most serious crimes and prosecute the perpetrators of war crimes and crimes against humanity committed on the territory of the Central African Republic since 2003. It also provides for cooperation with the International Criminal Court, which opened a second investigation in the Central African Republic in September 2014. Local mediation mechanisms and a national reconciliation strategy have also been developed in accordance with the conclusions of the Bangui Forum.
PRIORITY 1 – Security, DDR and SSR

Disarmament, Demobilization, Reintegration (DDR), Repatriation (DDRR), and the implementation of Community Violence Reduction (CVR) programmes are critical steps for the early stabilization of the Central African Republic. The “Agreement on the principles of DDR and integration” signed at the Bangui Forum is one of the cornerstones of the peace process. In addition, the implementation of CVR programmes is a critical component for the success of the DDR programme, as some 60,000 individuals associated with the anti-Balaka and other armed groups will not be eligible for the national DDR programme, but continue to constitute a serious security threat to the civilian population. Signatories of the Agreement committed to disarm and follow the DDR process. Furthermore, Article 4 of the Agreement stipulated that regroupment and disarmament could take place prior to DDR. The disarmament of combatants is a priority and a condition for the establishment of any pre-DDR and DDR programmes.

As part of the agreement reached during the Bangui Forum on the principles of the disarmament process, the need was identified to establish DDR sites in 16 locations in high-risk areas across the country to disarm some 7,000 ex-Séléka and enroll them in labor-intensive programmes that discourage spoiler activity. However, in order to launch the DDR programme, funding needs to be secured to finance the important “reintegration” phase. Without employment opportunities and funding for benefits to be obtained by ex-combatants during this phase, a launch of the DDR programme is unrealistic. The World Bank has declared its commitment to support a new DDR programme in the country through a trust fund and financial contributions, but much more significant donor support is to be obtained.

In addition, a consensus on the issue of integration and recommissioning of the ex-Séléka into the Central African Armed Forces (FACA) and other uniformed corps is an urgent step for the success of the DDRR programme, as the ex-Séléka consider it a prerequisite to any further engagement in (pre-)DDRR activities.

The implementation of CVR programmes – a key mandated activity in Security Council resolution 2147 (2015) – is an activity that requires the assistance of the international community. Some 60,000 individuals associated with the anti-Balaka, other armed groups and local criminal networks, will not be eligible for DDR and they will continue to instigate community violence in the forms of banditry, racketeering and SGBV unless they can be placed in CVR programmes. CVR activities are designed to be a key complement to DDR efforts in view of improving security at the local level, as they target armed group elements and associated community members who are not eligible for a national DDR programme, but yet whose inclusion into an alternative track is critical.

A third intervention area identified in consultation with the CAR authorities includes the repatriation of 500 foreign ex-combatants, not suspected of serious crimes, to their respective countries of origin.

Long-term SSR, including the reform of the CAR armed forces (FACA), will require the development of an SSR strategy and plan following an inclusive political dialogue that yields a national vision on SSR, including a consensus on the national security architecture. Initial activities that are urgent to complete, even in the absence of a comprehensive SSR strategy, include the retirement of personnel of the FACA, police and gendarmerie who do not meet the service requirements.
During the Bangui Forum, the Transitional Government and armed groups agreed to integrate eligible former combatants into the national security forces based on clear professional and vetting criteria which was reflected in the DDPR agreement signed by the concerned parties. In order to enable an absorptive capacity for the integration of former combatants, a preliminary and urgent downsizing of the national security forces is needed with the retirement of some 1,200 uniformed personnel from defence and internal security forces. To this end, a pension scheme for facilitating a mandatory retirement age must be put in place. Enabling an absorptive capacity is also essential for reconstituting professional, representative and balanced security and defence forces.

In the short-term, immediate assistance from the international community is needed to help restore a minimum capability to CAR’s security and defence forces, the first line of defence for the protection of civilians. Key components are essential for strategic reform, such as the development of a nationally owned vetting process developed in line with international human rights and humanitarian law standards. The next stage would include the rehabilitation of police stations and gendarmerie brigades in priority regions, rehabilitation of barracks and training centers. These efforts will support the eventual redeployment of security and defence forces to protect CAR’s territorial integrity and its civilians. They will also support the restoration of the rule of law and public security.

The future of the national security forces in CAR remains highly political, and is at the heart of stabilization and reconciliation. Longer-term SSR initiatives are expected to derive from an inclusive national political dialogue.

**PRIORITY 2 — Justice and Reconciliation**

Impunity is widely regarded as one of the primary root causes of the protracted instability in CAR. In resolution 2217 (2015), the Security Council stressed the urgent and imperative need to end impunity in CAR and to bring to justice perpetrators of violations of international humanitarian and human rights law. To that end, on 3 June 2015 the CAR authorities promulgated a law establishing a Special Criminal Court (SCC). The SCC will have jurisdiction throughout CAR to investigate and try serious crimes, including genocide, crimes against humanity and war crimes. Despite the many challenges that will have to be addressed before the SCC can begin to operate, its establishment provides a unique opportunity for the international community, including the United Nations, to support peace and stabilization efforts in the country.

The SCC is a national criminal court situated within the Central African legal system. It will feature a mix of national and international judges and staff. While the CAR authorities will provide the SCC premises and national judges and staff, the support of the international community will be fundamental to the success of the court’s work.

To ensure the functioning of the SCC, sufficient funding for at least the first of the court’s two phases will be required. This first phase will comprise the preparatory work of an Advance Team (led by the Special Prosecutor and Registrar), investigations and prosecutions. Trial and appeal proceedings will follow in the second phase. The mobilization of funds in distinct rounds will guarantee that the SCC is able to conduct preliminary investigations and contribute to prosecutions. In addition to voluntary contributions, Member States will be able to support the SCC by seconding their magistrates and other expert staff to the court.

The SCC is expected to greatly assist peacebuilding in CAR. The court’s work will send a clear message that perpetrators of egregious crimes will be held to account, thus breaking the long cycle of impunity which has reigned in the country. The SCC, through its hybrid composition and judicial practices, also has the potential to be a driver for judicial reform (including increased transparency) across all rule of law institutions. It is further expected that the SCC will strengthen the capacity of national judges, investigators, prosecutors, defence lawyers and support staff, as well as the institutions they serve.

Support for the SCC should include support for the establishment of a comprehensive national programme for the protection of victims and witnesses that is beyond the SCC’s jurisdiction. In addition, international assistance is required on general justice issues, including the restoration of the penal chain throughout CAR.

Support is also needed to continue the important work already begun to advance CAR’s global strategy for reconciliation. More is required to assist the Transitional Authorities (and once elected, the new Government) and civil society groups to map out, set up and strengthen local conflict resolution mechanisms and concrete steps and actions taken at the national and local levels in line with international human rights norms and standards. This support will consist of technical assistance and consultative processes towards adopting legislation to establish a possible Truth, Justice, Reparations and Reconciliation Commission and a national Human Rights Commission, as called for in the Bangui Forum’s conclusions.

A Truth Commission is important to reach out to victims, to understand the extent and the patterns of past violations, as well as their causes and consequences. Ultimately, it is hoped that the work of the Commission will help society in CAR to understand and acknowledge a contested or denied history, and in doing so bring the voices and stories of victims, often hidden from public view, to the public at large. A Truth Commission also aims to prevent further abuses through specific recommendations for institutional and policy reforms.

A national Human Rights Commission that complies with the Paris Principles will play a crucial role in promoting and monitoring the effective implementation of international human rights standards at the national level. It would be important to have such a commission in CAR to address core protection issues, such as the prevention of torture and degrading treatment or punishment, summary executions, arbitrary detention and disappearances, or the protection of human rights defenders. A national Human Rights Commission should also play a role in advancing all aspects of the rule of law, including with regard to the judiciary, law enforcement agencies and the corrections system.

These mechanisms could contribute to reinforcing the national protection system especially the national judiciary system.
PRIORITY 3 — Decentralized State Authority and Economic Development

Marginalization of segments of the population and the absence of the State is a longstanding cause of conflict in CAR, particularly outside Bangui. During the Bangui Forum, broad consensus was reached on the importance of rebuilding the vertical social compact between the State and its citizens — including through enhanced participation and delivery of public services — and the horizontal compact between communities, including through stimulating local economic conditions. As such, a series of priorities to restore and extend State authority have been identified.

The international community has pledged to fully support efforts by the Transitional Authorities to organize democratic elections by the end of 2015. The presidential and legislative elections will be preceded by a constitutional referendum and will be an important step in the process bringing an end to the political transition as well as putting in place executive and legislative representatives of the people.

In the past, local authorities were appointed by central government and hence accountability was linked to the capital rather than to the population they were to serve. Local elections, planned for 2017, will mark a historic change by offering the population the opportunity to elect their local representatives directly. Combined with a progressive implementation of decentralization, these elections will create an environment in which communities participate to determine local development priorities and the State can be held accountable to deliver services to advance these priorities. As such, the decentralization of public administration, in an inclusive and balanced manner, will help restore minimum public services that meet the needs of populations. Beyond basic social services, the restoration of State authority will include the deployment of trained and vetted security and police forces and gendarmeries to the regions outside Bangui with a mandate to protect the population and restore and rebuild law and order.

The delivery of services to roughly 4.6 million people, scattered in a vast country with poor infrastructure, will require sustainable domestic financing and an emphasis on accountability. Given the current low revenue base of the Government, however, initial investments by the international community will be crucial to kick-start the process. Such investments are required to rehabilitate and equip State offices and buildings and residences outside Bangui and cover a bridging period of civil servants salary support. In the medium- to long-term, sustainable domestic banking and financing streams will need to be built to reduce aid dependency.

In support of this objective, the Government has foreseen concrete measures to enhance the management and accountability of public finances. In addition to broad public financial management reforms, systems- and capacity- building, particular focus will be given to the extractive sector as an important and underleveraged source of revenues. On 26 June 2015, members of the Kimberly Process decided to allow the CAR authorities to, once again, export diamonds. This will generate much needed tax revenues, but steps need to be taken to ensure that accountable systems are in place to manage the collection, planning and spending of public financial resources, including at the decentralized level.

Reducing poverty and inequalities can effectively prevent a return to violence and build the necessary foundation for inclusive economic growth and social development. The conclusions of the Bangui Forum call on the Government to introduce a comprehensive strategy for reconstruction and economic development. At the local level, there is a need to design, plan, implement and sustain local investments that take into consideration the differentiated and specific needs and priorities of poor women, youth and men, with a particular emphasis on unlocking barriers to women’s economic opportunities and empowerment. Examples of such local investments include supporting citizen’s participation to determine local economic opportunities, rebuilding of local economic infrastructure (e.g. markets, irrigation schemes, rural electrification), support to small and medium enterprises: vocational training, availability of innovative financing etc. At the national level, these efforts will need to be supported by a conducive legal- and regulatory-framework and institution building.
COSTS, IDENTIFIED FUNDING AND GAPS

The table on the right provides, under the ‘global costs’, an estimate of key priorities that emerged from the Bangui Forum. The timeframe to deliver particular priorities varies depending on priority. In some cases this is over a one-year timeframe, such as in the case of salary payments which are budgeted on a yearly basis, and in other cases this is over a longer, multi-year timeframe such as with DDR or the Special Criminal Court. The purpose is not to provide a precise and temporally comparable estimate in all cases but rather to give a sense of what is known about a priority and its cost at this time. Further notes on the timeframe for each priority are found below the table.

References to ‘18 months’ for the most part cover the period from January 2016 through June 2017.

The financing available in most cases represents funding that is available from January 2016 through June 2017. However in some cases there is not yet an accurate enough sense of what resources will be available in 2017. For example, the Government of CAR contribution must be read as for year 2016 only as this is the budget currently known and available. Further funding for 2017 will likely become available through the government budget but it is not possible to estimate this envelope today.

The financing gap represents the difference between what globally a priority is estimated to cost for 18 months minus the funding available for it from national and international sources. The total figure is the shortfall in terms of what it will take to deliver these priorities over the next 18 months.

Overall, the global cost of these priorities is estimated at $331.88 million, the 18-month cost at $202.83 million, the financing available at $117.85 million and the 18-month gap at $114.03 million. Accountable systems are in place to manage the collection, planning and spending of public financial resources, including at the decentralized level.

The delivery of services to roughly 4.6 million people, scattered in a vast country with poor infrastructure, will require sustainable domestic financing and an emphasis on accountability. Photo: MINUSCA

### Table: Priorities / Key actions

<table>
<thead>
<tr>
<th>Priorities / Key actions</th>
<th>Cost of actions (USD Million)</th>
<th>Funding Available for 18 months (USD Million)</th>
<th>Financing Gap (USD Million)</th>
</tr>
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<tbody>
<tr>
<td>Overall</td>
<td>18 Months</td>
<td>Government Partners</td>
<td>18 Months</td>
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<tr>
<td>Security, DDR and SSR</td>
<td>61.35</td>
<td>25.44</td>
<td>2.28</td>
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<td>1.1 – DDRR</td>
<td>55.10</td>
<td>21.04</td>
<td>1.84</td>
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<td>1.1.1 Development and implementation of the DDRR programme; 1.1.2 Community reintegration of children associated with armed groups</td>
<td>27.00</td>
<td>10.80</td>
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<td>1.1.3 Community Violence Reduction Programme (CVRP); 1.2 – Preparation of SSR strategic framework</td>
<td>8.10</td>
<td>3.24</td>
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<tr>
<td>1.2.1 Evaluation and formulation of SSR strategy; 1.2.2 Support for retirement of 1164 DDRR</td>
<td>20.00</td>
<td>7.00</td>
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<tr>
<td>1.2.2 Support for retirement of 1164 DDRR</td>
<td>20.00</td>
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<td>1.2 – Preparation of SSR strategic framework</td>
<td>6.25</td>
<td>4.40</td>
<td>0.43</td>
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<td>2.1 – Justice and the fight against impunity; 2.1.1 Operationalization of Special Criminal Court; 2.1.2 Establishment of National Human Rights Commission</td>
<td>7.57</td>
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<td>2.2 – Infrastructure for peace; 2.2.1 Establishment of National Truth, Justice, Reconciliation and Reconstruction Commission</td>
<td>75.80</td>
<td>15.33</td>
<td>2.12</td>
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<td>Priority 2 – Justice and national reconciliation</td>
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<td>14.35</td>
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<td>2.3 – National Elections</td>
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<td>3.1.1 Support for national elections (referendum, presidential election and parliamentary elections); 3.2 – Restoration and extension of the authority of the State</td>
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<td>109.45</td>
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<td>3.2.1 Redeployment of public administration including basic social services</td>
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<td>3.2.2 Support for the payment of salaries (budget support)</td>
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<td>3.2.3 Support for preparation of local elections</td>
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<td>3.3 – Mobilization of domestic revenue and improvement of financial management</td>
<td>4.50</td>
<td>2.25</td>
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<tr>
<td>3.3.1 Support for public finances and building capacity of tax and customs administrations</td>
<td>3.50</td>
<td>1.75</td>
<td>1.37</td>
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<td>3.3.2 Support for management of natural resources</td>
<td>1.00</td>
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<td>3.4 – Local economic recovery; 3.4.1 Support for creation of urgent jobs at local level; 3.4.2 Support for the improvement of community infrastructure</td>
<td>39.13</td>
<td>11.70</td>
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<td>3.4.1 Support for creation of urgent jobs at local level</td>
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<td>3.4.2 Support for the improvement of community infrastructure</td>
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<td>4.70</td>
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<td>TOTAL</td>
<td>331.88</td>
<td>202.83</td>
<td>69.84</td>
</tr>
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* Some figures have been rounded up or down hence the totals may be one point off occasionally.
FOOTNOTES

1. This programme is planned for a period of three years with 45% to be invested during the first 18 months. This estimate was already presented to the partners at the Brussels conference. These costs include repatriation activities.

2. Because of the target audience covered by the DDR program and the level of violence in former combatants’ host communities, it was envisaged to set up a CVR programme that would absorb the people ineligible for formal DDR. This programme will contribute to the stabilization of communities and facilitate the reintegration of armed groups. It targets a broader audience of about 70,000.

3. The cost of operationalization of the Special Criminal Court is still under discussion and requires fine-tuning of the amounts depending on the staffing strategy.

4. These figures include 2015 funds and refer to the PACECE basket fund. The current gap for holding various elections towards the end of the transition is calculated on the basis of signed commitments and those under discussion. The gap in the election budget would amount to $3.66 million if those commitments were realized.

5. The estimated payment of wages is based on the commitments of the government to allocate at least 50% of domestic State revenue, estimated at XAF 6 billion per month, towards paying salaries. This commitment relates only to the year 2016. The remaining revenue is to be allocated to other basic expenses (Debt service, pension, scholarships, minimum operating services).

6. These activities aim to strengthen security among the most conflict-affected communities (35% of sub-prefectures will be covered during the initial period of 18 months as a pilot to create emergency employment within communities.

7. These activities aim to address the lack of community infrastructure (education, health, economy) in 179 municipalities. 35% of municipalities will be covered during the period.