

CONTACT GROUP
ON PIRACY OFF THE COAST OF SOMALIA

مجموعة الاتصال الخاصة بالقرصنة قبالة السواحل الصومالية • Groupe de contact sur la piraterie au large de la Somalie
Grupo de Contacto sobre la Piratería frente a costas de Somalia • 打击索马里海域海盗联络组
Контактная группа по борьбе с пиратством у берегов Сомали



Annual Narrative Progress Report

Trust Fund to Support the Initiatives of States Countering Piracy off the Coast of Somalia

Report for the Period 1 January to 31 December 2012

**Report prepared by
The Fund Secretariat, Department of Political Affairs**

Recipient UN Entities



International Maritime Organisation (IMO)



United Nations Development Programme (UNDP)



United Nations Office on Drugs and Crime (UNODC)



United Nations Political Office for Somalia (UNPOS)

Contributing Donors



Belgium



Cyprus



Denmark



France



Germany



Greece



Italy



Japan



Kuwait



The Netherlands



Norway



The Philippines



Qatar



Republic of Korea



Spain



Sweden



Turkey



United Arab Emirates



United Kingdom



United States of America



DP World (Private Sector)

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Abbreviations and Acronyms

ASG	Assistant Secretary-General
CGPCS	Contact Group on Piracy off the Coast of Somalia
CMF	Combined Monitoring Forces
CTF	Combined Task Force
EU	European Union
EUNAVFOR	European Union Naval Forces (Operation “Atlanta”)
EUROPOL	European Police Office
FAO	Food and Agriculture Organization of the United Nations
FGS	Federal Government of Somalia
IMO	International Maritime Organization
INTERPOL	International Criminal Police Organization
ILO	International Labour Organization
IOM	International Organization for Migration
M&E	Monitoring and Evaluation
MPTF Office	Multi-Partner Trust Fund Office
MOU	Memorandum of Understanding
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organization
OLA	Office of Legal Affairs
TFG	Transitional Federal Government
TOR	Terms of Reference
UN	United Nations
UNCT	United Nations Country Team
UNDP	United Nations Development Programme
UNDPA	United Nations Department of Political Affairs
UNHCR	United Nations High Commissioner for Refugees
UNODC	United Nations Office on Drugs and Crime
UNOPS	United Nations Office for Project Services
UNPOS	United Nations Political Office for Somalia
USD	United States Dollars
WFP	World Food Programme

Definitions

Approved Project/Programme: a Proposal (a project/programme document, etc.) that is approved by the Board for fund allocation purposes.

Direct Costs: costs that can be traced to, or identified as part of, the cost of a project or programme in an economical and feasible way.

Donor Contribution: a donor contribution as per signed Standard Administrative Arrangement (SAA) with UNODC or the Multi-Partner Trust Fund Office as Trust Fund Administrator.

Donor Deposit: cash deposit received by the Fund Manager for the Trust Fund.

Implementing Partner: organizations that collaborate with UN Systems Organizations (see below) to implement projects, but do not access funds directly from Trust Fund

Participating UN Organizations: UN Systems Organizations eligible to apply for funding, and have access to funds directly from the Trust Fund

Project Expenditure: amount of project disbursement including un-liquidated obligations related to payments due for the year.

Project Financial Closure: a project or programme is considered financially closed when all the financial obligations of an operationally completed project or programme have been settled and no further financial charges can be incurred.

Project Operational Closure: a project or programme is considered operationally closed when all activities a Recipient Organization is responsible for (as per the approved programmatic document) have been completed.

Project/Programme/Joint Programme Document: an annual work plan or a programme/project document, etc. that is approved by the relevant decision-making body for fund allocation purposes.

Project Start Date: The date of first disbursement of the funds from the Trust Fund

Programme Support Costs (Indirect Cost¹): general cost that is not directly related to a particular programme or activity of the organization. Indirect costs are calculated as 7% of programme costs and are recovered in accordance with each Recipient organization's financial regulations and rules.

Project Start Date: date of transfer of first instalment from the Trust Fund Office to the Recipient Organization.

Recipient Organizations: UN System organizations that have received funding from the Trust Fund.

Total Approved Project Budget: amount approved by the Board of the Trust Fund

¹ UN Financial Rules and Regulations

INTRODUCTION

1. The Trust Fund to Support the Initiatives of States Countering Piracy off the Coast of Somalia (hereinafter “the Trust Fund”) was established in January 2010 by the United Nations Secretary-General at the request of the Contact Group on Piracy off the Coast of Somalia (hereinafter “CGPCS” or “Contact Group”). The 2012 Annual Narrative and Financial Progress² Report on Activities Implemented under the Trust Fund is compiled by the United Nations Department of Political Affairs (DPA) in its capacity as Trust Fund Secretariat. In accordance with the Terms of Reference (TOR) of the Trust Fund, the report will be submitted to the Trust Fund Board, as well as to all donors and stakeholders that contributed to the Trust Fund by 31 May 2013.

2. The present report outlines the activities of the Trust Fund in 2012 and consolidates all the projects approved by the Board of the Trust Fund. The narrative and financial information contained in the report is derived from the reports submitted by the United Nations organizations and implementing partners for activities funded by the Trust Fund. The report covers 1 January to 31 December 2012 and provides narrative, results-based, and financial findings on progress of activities made during this period. It focuses mainly on ongoing projects as well as those projects that were operationally closed in 2012. The report also provides an overview of all completed projects in order to present a complete perspective of the achievement of the Trust Fund to date.

Report Structure

3. The report is divided into four chapters. Chapter One provides an overview of the strategic approach taken by the Contact Group to address the problem of maritime piracy. This chapter provides background information on the activities of the Contact Group with a focus on the Trust Fund. Chapter Two provides updates on ongoing projects approved by the Board of the Trust Fund, and their status during the reporting period. Chapter Three highlights the implementation status of ongoing projects as well as those projects that were operationally closed in 2012 and notes the achievements made by the United Nations organizations and the challenges encountered within this reporting period. Chapter Four, the final chapter, provides an overview of the financial performance of the Trust Fund.

² The Financial Progress Report was provided by UNODC in its capacity as the Trust Fund Manager.

1. THE PROBLEM OF MARITIME PIRACY

1.1 Maritime Piracy

4. Pirates continue to attempt to hijack vessels and hinder the peaceful transit of vessels through the waters off the coast of Somalia. Although structured armed robbery at sea off the coast of Somalia began in the mid 1990s, by 2007, there was a dramatic increase in the number of attacks against vessels sailing in the Indian Ocean off the coast of Somalia.³ Factors hindering the security of these waters and allowing piracy to flourish have included the weak rule of law and security situation in Somalia. At the time of this report, maritime piracy and armed robbery at sea remains a highly organized and lucrative illicit business, although the joint efforts of the international community and private sector have demonstrated successes in 2012. It is estimated that in 2012, pirates received about USD 31.75 million in ransoms for hijacked vessels and crews (compared to USD 170 million in 2011)⁴. There are still 71 seafarers and five vessels held hostage by Somali pirates as of 1 May 2013, and although since June 2012, there were no successful new hijackings of vessels in these waters, the economic cost of piracy off the coast of Somalia still totals around USD 6 billion,⁵ particularly on account of naval and military operations, the re-routing of ships, and other complex counter-piracy measures.

5. The declining trend is attributable to several efforts: the combined actions by naval forces both at sea and ashore to disrupt pirate operations; the improved implementation of the IMO guidance and industry-developed Best Management Practices for Protection against Somalia-based Piracy; better application of self-protection measures and situational awareness by merchant ships, including through the use of fortified safe rooms; and the prosecution of suspected pirates and imprisonment of convicted pirates. The deployment of privately contracted armed security personnel (PCASP) on board ships as well as the deployment of Vessel Protection Detachments may also have contributed to deterring pirate attacks.⁶ Despite the decrease in successful attacks, the international community still faces attempted

³ International Expert Group on Piracy off the Somali Coast, "Final Report Assessment and Recommendations," 28 November 2008. Available from <http://www.asil.org/files/SomaliaPiracyIntlExpertsreportconsolidated1.pdf>

⁴ This data comes from the Report of the Secretary-General on piracy (S/2012/783) as well as an assessment by the One Earth Future Foundation, a non-governmental organization, in: "The Economic Cost of Somali Piracy," 2012

⁵ Ibid

⁶ Report of the Secretary-General on Piracy (S/2012/783).

hijackings regularly. Therefore counter-piracy efforts must not be lessened; the maritime security framework needs to be continually strengthened in order to bridge any gaps that continue to exist.

6. Due to ongoing acts of piracy and armed robbery at sea, and in the broader context of organized crime, the international community has mobilized efforts to counter this threat in the affected region.⁷ On 21 November 2012, the Security Council adopted resolution 2077 which renewed the authorizations as set out in paragraph 10 of resolution 1846 (2008) and paragraph 6 of resolution 1851 (2008), as renewed by paragraph 7 of resolution 1897 (2009), paragraph 7 of resolution 1950 (2010), and paragraph 9 of resolution 2020 (2011) granted to States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia. Resolution 2077 was adopted after the Secretary-General's October 2012 report,⁸ which noted that despite the decline in pirate attacks as well as hijackings in 2012, piracy continues to pose a serious threat, and the overall cost of piracy to States and societies remains high.

7. The Secretary-General's October 2012 report identified the successful prosecution and detention of pirates as one of the strategies that would contribute to the eradication of piracy and related crimes. Individuals suspected of piracy apprehended at sea must be brought to justice through due process of law in accordance with applicable international standards, in particular human rights, humanitarian, and refugee law. Pertinent to this report, the international mechanisms of the Contact Group and the Trust Fund have been key elements in creating a sustainable counter-piracy framework and coordinating actions to suppress piracy. This report gives an account of the activities of the Trust Fund in 2012, including the work pertaining to increasing the number of prosecutions and detention of suspected and convicted pirates.

1.2 The Contact Group on Piracy off the Coast of Somalia

8. The Contact Group on Piracy Off the Coast of Somalia (CGPCS) was established as an international cooperation mechanism to act as a common point of contact between and among States and

⁷ Security Council resolutions 1814 (2008), 1816 (2008), 1838 (2008), 1844 (2008), 1846 (2008), 1851 (2008), 1897 (2009), 1918 (2010), 1950 (2010), 1976 (2011), 2015 (2011), 2020 (2011), and 2077 (2012).

⁸ Report of the Secretary-General pursuant to Security Council resolution 2020 (2011), 22 October 2012.

regional and international organizations on all aspects of combating piracy, in line with paragraph 4 of resolution 1851 (2008). The CGPCS seeks to synchronize the many efforts underway to utilize resources effectively, prevent duplication, and maximize the impact of national international efforts.

9. In recognition of the growing impact of piracy on humanitarian aid, commercial shipping, and regional and global trade, and pursuant to Security Council resolution 1851 (2008) of 16 December 2008, the international community created the Contact Group on 14 January 2009 as a voluntary, ad hoc international forum to facilitate discussions and coordinate international efforts in the fight against piracy off the coast of Somalia. Since its inaugural meeting in New York in 2009, the CGPCS now comprises over 80 participants, including Member States and international, regional, and non-governmental organizations—a testament to the global consensus that piracy poses a shared security challenge and that joint efforts can maximize the impact of national and international action.

10. The CGPCS operates through five thematic working groups: Working Group 1 on military and operational coordination, information sharing, and capacity building, chaired by the United Kingdom; Working Group 2 on legal issues chaired by Denmark; Working Group 3 on the strengthening of shipping self-awareness and other capabilities chaired by the Republic of Korea; Working Group 4 on public information chaired by Egypt; and Working Group 5 chaired by Italy, coordinates international efforts to identify and disrupt the financial networks of pirate leaders and their financiers. Beginning 2013, the CGPCS will meet twice a year in plenary sessions to reinforce the coordination and interaction of its five working groups. The chairmanship will henceforth rotate on an annual basis.

1.3 The Trust Fund to Support the Initiatives of States Countering Piracy off the Coast of Somalia

Establishment of the Trust Fund

11. The Trust Fund was established by the United Nations Secretary General at the request of the Contact Group, with the aim to “help defray the expenses associated with prosecution of suspected pirates, as well as other activities related to implementing the Contact Group’s objectives regarding

combating piracy in all its aspects.”⁹ Specifically, the Trust Fund is intended to: expand the current possibilities available to States and relevant industry to make tangible contributions to combat piracy off the coast of Somalia; permit the payment of expenses associated with prosecution and detention of suspected pirates as soon as possible; provide for an expedited distribution mechanism to allow for the payment or reimbursement of short-term prosecution-related expenses; and support relevant capacity building activities for legal institutions and individuals.

Structure of the Trust Fund¹⁰

12. The creation of the Trust Fund was approved by the UN Controller at the end of January 2010, with UNODC originally serving as the Fund Manager. The Department of Political Affairs (DPA) serves as the Secretariat of the Fund. Governance is provided through a Board consisting of ten Member States, appointed by the CGPCS, who serve a two-year term, with DPA serving as a non-voting Chair of the Board. The Fund Manager also has an ex-officio seat.¹¹ In May 2012, UNODC communicated to DPA its decision to relinquish its role as Trust Fund Manager to concentrate on development and delivery of its Counter-Piracy Programme, currently over USD 40 million. The Board of the Trust Fund decided to appoint UNDP’s Multi-Partner Trust Fund Office (MPTF Office) as the new Fund Administrator. This decision was endorsed by the Contact Group in July 2012, and approved by the Controller in November 2012. On 4 December 2012, the UNDP Administrator conveyed her approval for the MPTF Office to assume the administration of the Trust Fund. DPA retains the functions of Trust Fund Secretariat. The 13th plenary of the CGPCS held on 11 December 2012 endorsed the administrative changes in the Terms of Reference (ToR) of the Trust Fund as amended by the Board of the Trust Fund in its 12th meeting on 10 December 2012.

13. The revised ToR stipulates that the Trust Fund Administrator will be entitled to allocate an administrative fee of one percent (1%) of the Contribution by the Donor, to cover the Trust Fund Administrator’s costs of performing the Trust Fund Administration services. Indirect costs of the Recipient UN Organizations recovered through programme support costs will be 7%. The ToR further

⁹ Terms of Reference of the Trust Fund, as Approved by the 13th plenary of the CGPCS on 11 December 2012, Paragraph 4.

¹⁰ All information herein is derived from the Terms of Reference of the Trust Fund, as Approved by the 13th plenary of the CGPCS on 11 December 2012.

¹¹ The seats on the Board are divided as follows: three seats for regional and piracy-affected States, and the remaining seven seats for Contact Group Member States. The International Maritime Organisation (IMO), the United Nations Country Team (UNCT) and UNODC have non-voting seats on the Board, and the Fund Manager is an ex-officio Member.

clarifies and delineates roles and responsibilities, including reporting obligations, of the Trust Fund Board, Trust Fund Administrative Agent (MPTF Office), Trust Fund Secretariat (DPA), and Recipient Organizations. The Trust Fund Secretariat has been assigned the responsibility of preparing annual consolidated narrative reports and providing those consolidated reports to the Trust Fund Board and each Donor that has contributed to the Trust Fund no later than five months (31 May) after the end of the calendar year.

14. The revised ToR allowed the MPTF Office to take over as the Administrative Agent of the Trust Fund following the signing of a Memorandum of Understanding on 21 December 2012 between the Trust Fund Chair (United Nations Under Secretary-General for Political Affairs) and the Executive Coordinator of the MPTF Office.

15. According to the ToR of the Trust Fund, only UN agencies can be direct recipients of funds from the Trust Fund. Non-UN bodies seeking counter-piracy project financing from this Trust Fund must enter into a partnership with a UN agency which, in turn, will submit a joint proposal. Alternatively, non-UN applicants may seek funding from other relevant funds or bilateral donors outside the CGPCS Trust Fund.

16. In 2012, Djibouti, Egypt, France, Greece, Japan, Netherlands, Seychelles, Somalia, United Arab Emirates, and United States served on the Board. In 2013, the Board comprises Germany, Italy, Kenya, Republic of Korea, Norway, Qatar, Seychelles, Somalia, Turkey, and the United Kingdom. The Fund Board meets three times per year, with ad hoc meetings scheduled as deemed necessary.¹²

17. The Trust Fund was established with two “Windows” to allow donors to make contributions to specific categories of activities. The Windows correspond to the characterization of expenses incurred in addressing piracy in all its aspects. The two Windows are:

A: Prosecutions and Detentions-Related Activities

18. The nature of activities under this Window is practical, operational and requires rapid response, as well as those of an ordinary project nature. They include:

¹² Available from www.thecgps.org/trustfund.do?action=trustFund

- (i) Enabling the payment or reimbursement as quickly as possible of specific expenses associated with investigating or prosecuting suspected pirates, or imprisoning those convicted.
- (ii) Enabling other relevant financial support to national jurisdictions, in particular for national legal capacity-building, including supporting evidence gathering capacities, capacities in the field of detention and imprisonment, and mutual legal assistance among and between the regional States.

B: Other Priority Activities

- (i) Enabling other activities related to implementing Contact Group objectives regarding combating piracy in all its aspects, including public communication. To be used in circumstances where immediate funding to pay or reimburse short-term prosecution related expenses is required, the Terms of Reference of the Trust Fund specifically created a fast track mechanism, the “Expedited Facility” (ExFac) as a project that is replenished on a revolving basis.

Contributions to the Trust Fund

19. Donor contributions to the Fund are used to finance projects carried out by UN System Organizations (the “participating UN organizations” and implementing partners). Participating UN organizations become party to the Trust Fund through the signature of a Memorandum of Understanding with the Trust Fund Administrative Agent (MPTF Office). Following this, the participating UN Organization assumes full programmatic and financial accountability for the funds disbursed to it, in accordance with their own regulations, rules, directives and procedures.

20. For the period until 31 December 2012, a total of US\$ 16.58 million was received from donors including 19 Member States, a private shipping company, and an individual. Of these, US\$ 4.47 million was received in 2012.

Trust Fund Total Expenditures and Approvals

21. For the period until 31 December 2012, the Trust Fund reviewed a total of thirty-eight projects submitted by nine different United Nations organizations including FAO, ILO, OLA/DOALOS, UNICRI, UNDP, UNESCO, UNODC, UNOPS, and WFP. The Trust Fund approved 27 of those

projects as well as funding for the Expedited Facility with a total value of USD 16.2 million. As of 31 December 2012, USD 11,524,947 had been disbursed to the Participating UN Organizations.

22. At its first meeting in March 2010, the Board approved the creation of the Expedited Facility (ExFac) mechanism, under the direction of UNODC, with an initial allocation of USD 200,000. This was replenished by a further USD 200,000 in November 2010, and in November 2011, for a total sum of USD 600,000. Another tranche of USD 100,000 was approved for the ExFac replenishment in December 2012.¹³

23. The Trust Fund Administrator charges an administrative fee of one percent (1%) of the Contribution by the Donor, whereas the Recipient UN Organizations are entitled to a programme support cost of seven percent (7%). In accordance with the UN General Assembly resolution 62/208 (2007 Triennial Comprehensive Policy Review principle of full cost recovery), all other costs incurred by each Recipient UN Organization in carrying out the activities for which it is responsible under the Trust Fund will be recovered as direct costs.

Impact of the Trust Fund

24. The reports of the Secretary-General (S/2010/556, S/2011/662, and S/2012/783) identified the Trust Fund as an effective and responsive mechanism to counter piracy and armed robbery off the Coast of Somalia.¹⁴ In 2012, the report of the Secretary-General states that the Trust Fund “has played an essential role in supporting international efforts to counter maritime piracy and armed robbery at sea.”¹⁵

25. Consistent with its ToR on building capacity for prosecution and incarceration of pirates in Somalia and the region, the Trust Fund directly supported the construction and refurbishment of prison facilities in Puntland, “Somaliland”, and Seychelles for 1,380 prisoners, including pirates transferred from regional prosecuting States to Somalia to serve their sentences. The projects funded by the Trust Fund are on way to create new prison facilities for 920 inmates (200-bed male wing and 40-bed facility for women in Bosaso prison and 500-bed facility in Garowe prison, Puntland; 120-bed facility in

¹³ This tranche of USD 100,000 was disbursed in March 2013.

¹⁴ See S/2010/556 paras. 26, 58, 59 and 81; S/2011/662 paras. 25, 28, 62, 63 and 77; and S/2012/783 paras. 20, 21, 53, and 62.

¹⁵ See S/2012/783, para. 20.

Mandera prison, Somaliland; and 60-bed facility in the Seychelles) and have renovated and refurbished Hargeisa prison in Somaliland to support incarceration of 460 prisoners including pirates. Its grants also renovated and equipped prisons in Kenya to ensure they conform to basic minimum standards on the treatment of prisoners and to alleviate prison overcrowding. Moreover, the Trust Fund facilitated the transfer of 34 convicted pirates from Seychelles to prisons in Puntland and “Somaliland” to serve their sentences in their country of origin.

26. In parallel, the Trust Fund grants continued to strengthen the criminal justice system of Somalia and regional countries in accordance with human rights standards, and provide training to police, prosecutors, judges and prison personnel in Kenya, Seychelles, and Somalia. It supported the efforts of “Somaliland” and Puntland to re-draft the criminal and procedural codes in order to ensure that they support piracy trials and other prosecutions. In February 2012, “Somaliland” adopted legislation recognizing piracy as a crime and allowing for pirates convicted abroad to be transferred to its prisons in order to serve their sentences. Puntland has since done the same. While the Trust Fund projects have raised public awareness in Somalia against piracy, the hostage support programme, funded by the Trust Fund, coordinated the recovery and repatriation of 49 hostages from Ghana, India, Iran, Pakistan, Philippines, Seychelles, Sri Lanka, Sudan, Syria and Yemen.

27. This report covers the period from 1 January 2013 to 31 December 2012 and is derived from statements and reports prepared by the UN Organizations, in accordance with the reporting procedures of the Trust Fund Terms of Reference (TOR). The next section attempts to assess the scope and impact of the Fund as a whole in its third year of operation. It provides an overview of the status of implemented and initiated projects that have been funded through the Trust Fund.

2. TRUST FUND: 2012 IMPLEMENTATION OVERVIEW

28. During the period 1 January to 31 December 2012, the Board of the Trust Fund met three times in March, July and December and approved nine¹⁶ new projects for a total of USD 6,664,540 to address maritime piracy, off the coast of Somalia. Cumulatively, the Trust Fund supported, funded and approved 21 projects (excluding the Expedited Facility), of which five were completed and operationally closed during the period under review. Ten projects that were active during 2012 totaled USD 5,623,199. In December, the Trust Fund Board also decided to replenish the Expedited Facility to meet short-term unforeseen expenditures.

29. Collectively, the projects assisted in utilizing media to prevent and combat piracy, building the capacity of police departments in regional countries, strengthening regional capacity for piracy prosecutions, providing financial support to construct essential new prison facilities, enhancing capacity of judiciaries and prosecutorial services, creating greater public awareness of the consequences of piracy, and facilitating the safe transfer of convicted pirates in accordance with applicable international human rights and humanitarian standards. Specifically, the projects supported the trials of individuals suspected of piracy in Kenya, Mauritius, Seychelles and the United Republic of Tanzania, and continue to provide further assistance for the Piracy Prisoner Transfer Programme. They will ensure basic comfort and minimum treatment standards for prisoners in Shimo la Tewa Prison in Mombasa, Kenya. The projects approved in December will seek to develop police capacity to combat piracy in Puntland. They will also facilitate effective prosecution and adjudication of individuals suspected of criminal offences, including boosting the capacities of Benadir Court in Mogadishu. One project will provide support to prisoner transfer flights from Seychelles to Somaliland and Puntland, while another project will support creation of Maritime Law Enforcement strategy and legal framework in Somalia.

¹⁶ Of the nine projects, Hostage Support Programme (#045) was exceptionally approved through correspondence in November, and was documented as approved by the 12th meeting of the Trust Fund Board held on 10 December. Another five projects were approved in the December meeting of the Trust Fund Board. Narrative reports for these six projects, which have not been shown as active in 2012, will be provided in the Annual Report for 2013.

2.1 Thematic Priority Areas

30. As of 31 December 2012 since the inception of the Trust Fund, the Board approved, supported, and funded 27 projects, excluding expedited Facility projects (See Table 1 below). So far, it has supported the initiatives of four United Nations entities: the International Maritime Organization (IMO), United Nations Development Programme (UNDP), United Nations Office on Drugs and Crime (UNODC), and United Nations Political Office for Somalia (UNPOS).

Table 1: Summary of All Projects Funded under the Trust Fund as of 31 December 2012

Sr No.	Recipient Org.	Project Title	Focus Area	Location	Date of Approval
1	UNODC	Implementing reforms and creating sustainable capacity in Somaliland and Puntland Prisons	Security Sector	Somalia: Puntland & Somaliland	23-Apr-10
2	UNODC	Somaliland and Puntland Law Reform	Prosecution & Detention	Somalia: Puntland & Somaliland	23-Apr-10
3	UNODC	Support to Seychelles as Regional Centre for the Prosecution of Piracy	Prosecution & Detention	Seychelles	23-Apr-10
4	UNODC	Somalia Prosecutors Programme	Prosecution & Detention	Somalia: Puntland & Somaliland	23-Apr-10
5	UNPOS	Utilizing media to preventing and combating Piracy	Preventing piracy using the media	Puntland and where possible South Central	23-Apr-10
6	UNODC	Improving conditions in Kenya Prisons	Security Sector	Kenya	10-Jun-10
7	UNDP	Civilian Police Project, Rule of Law & Security Programme	Prosecution & Detention	Puntland, Somalia	10-Jan-11
8	UNODC	Support to Seychelles: Police	Seychellois Police Capacity and Communications	Seychelles	10-Jan-11
9	UNODC	Implementing reforms and creating sustainable capacity in Bosaso Prison, Puntland: Phase 3 (Final Phase)	Security Sector	Somalia: Puntland and Somaliland	10-Jan-11
10	UNODC	Building regional capacity for Piracy Prosecutions	Prosecution & Detention	Kenya (to service Eastern/Horn of Africa Region & Gulf of Aden)	10-Jan-11
11	UNODC	Pirate Prison Transfer Programme: Phase 1 Construction (Puntland)	Criminal Justice Sector	Somalia: Puntland & Somaliland	12-Apr-11

TRUST FUND TO SUPPORT THE INITIATIVES OF STATES COUNTERING PIRACY OFF THE COAST OF SOMALIA

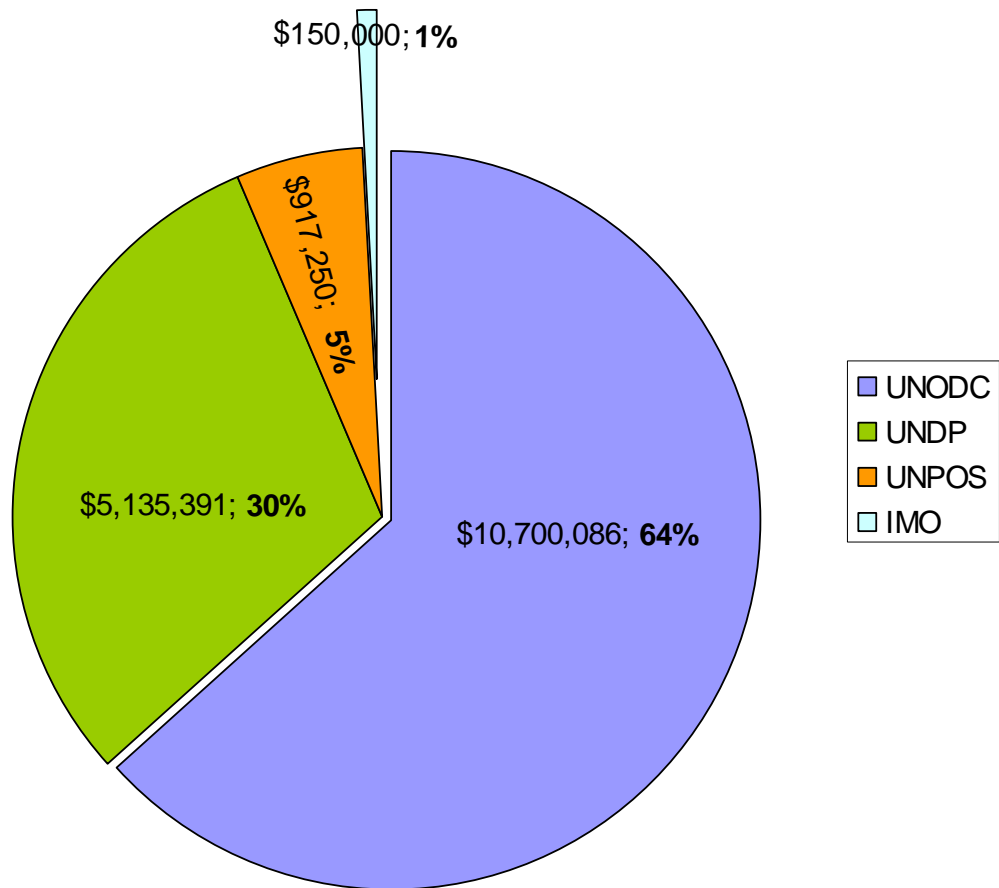
12	UNODC	Pirate Prison Transfer Programme: Phase 2 Capacity Building	Criminal Justice Sector	Somalia: Puntland	12-Apr-11
13	UNDP	Piracy Trials Programme	Judiciary, Legal Defence	Somalia: Puntland & Somaliland	12-Apr-11
14	UNDP	Piracy Trials Programme (Phase 1)	Judiciary, Policing	Somalia: Puntland	16-Nov-11
15	UNDP	Building capacity to prosecute and try piracy; enact anti-piracy law	Legal Aid: training and capacity building	Somaliland, Puntland, Somalia, United Arab Emirates (Abu Dhabi)	16-Nov-11
16	UNPOS	Campaigning against Piracy in Somalia	Communications	Somalia: South Central and Northern Kenya (refugee camps)	16-Nov-11
17	UNODC	Support to Seychelles Prosecutions centre	Prosecution	Seychelles	16-Nov-11
18	UNODC	Building regional capacity for Piracy Prosecutions III	Prosecution & Detention	Kenya (to service Eastern/Horn of Africa Region)	16-Nov-11
19	UNODC	Building regional capacity for Piracy Prosecutions	Prosecution, Repatriation, Detention	Kenya, Seychelles, Mauritius, and Tanzania; repatriation (Somalia)	10-Mar-12
20	UNODC	Piracy Prisoner Transfer Programme	Criminal Justice Sector	Somaliland	10-Mar-12
21	UNODC	Improving Conditions in Mombasa Prison	Prosecution and Detention	Kenya	24-Jul-12
22	UNPOS, UNODC	Hostages Support Programme	Legal Aid		13-Nov-12
23	UNDP	Civilian Police Project – Puntland	Criminal Justice Sector	Puntland-Somalia	10-Dec-12
24	UNDP, UNODC	Piracy Trials Programme	Prosecution; criminal justice sector	South Central Somalia	10-Dec-12
25	UNODC	Rehabilitation of Mogadishu Central Prison	Detention; criminal justice sector	Somalia	10-Dec-12
26	UNODC	Support to prisoner transfer flights from Seychelles to Somaliland and Puntland	Prosecution and Detention	Seychelles and Somalia	10-Dec-12
27	UNPOS, IMO, UNODC	Support to Maritime Law Enforcement	Legal Aid and Justice sector	Somalia	10-Dec-12

31. The Trust Fund has channelled the bulk of its funds to support initiatives in the judiciary and rule of law sectors, particularly those with prosecution and detention related components. Generally, the majority of projects that were completed in this reporting period focused on enabling Somalia, and the States of the region, to prosecute persons accused of piracy. Prioritization was given to projects that sought to support the prison and judicial systems, strengthen rule of law through training and capacity building and reform the legislative framework. In light of the importance of sensitizing the public on the negative effects and long term implications of piracy, advocacy and awareness raising projects were also funded.

32. Of the 27 projects that were supported, funded and approved since the inception of the Trust Fund, UNODC exclusively implemented 17 projects, in addition to ExFac mechanism; UNDP was exclusively involved in five projects; and UNPOS engaged in two exclusive project. Jointly, there were three other projects carried out between them, with the IMO included in one. Joint projects totalled USD 1,802,280. In terms of value, UNODC was responsible for handling of 64% of all funds, UNDP for 30% of funds, UNPOS for 5% and IMO for 1%. Joint projects constituted 17% of the total. (See Figure 1 on next page).

33. As of 31 December 2012, 11 projects valued at USD 5,682,398 are operationally closed.

Figure 1: Allocation of Funding by UN Organization



2.2 Internal Governance: Monitoring and Evaluation, and Reporting

34. In order for the Trust Fund to remain viable and effect change, the Terms of Reference (ToR) provides guidance on operational arrangements and modalities. The revised ToR clearly spells out guidelines and strategies relating to meetings of the Board, the solicitation and review of project proposals, and procedures for monitoring, reporting, and evaluation of the projects.

35. In order to streamline the meeting process and ensure an effective and efficient review of applications, the Board agreed to meet periodically on the eve of the Contact Group plenary, with additional meetings to be convened as necessary. The Fund Administrator was called to establish a public website on which an open call for proposals would be posted, including a published cut-off date

for the acceptance of proposals, in addition to all necessary application materials and supporting information. The Trust Fund Secretariat is responsible for the launching of regular calls for inviting project proposals and undertaking their technical review for compliance.

36. The Trust Fund Board noted the need to strengthen the monitoring, reporting and evaluation of projects that receive resources from the Trust Fund. To showcase the impact of the Fund and to promote fundraising, the Board considered it imperative that the projects financed by the Trust Fund follow rigorous monitoring and evaluation. In this vein, Recipient UN Organizations are required to provide to the Trust Fund Administrator Annual financial statements and reports no later than four months (30 April) after the end of the calendar year. Based on these reports, the Fund Administrator shall prepare and provide to the Trust Fund Board and the donors an annual certified financial statement on its activities as Trust Fund Administrator ('Report on Sources and Use of Funds') no later than five months (31 May) after the end of the calendar year.

37. Similarly, Recipient UN Organizations shall provide the Trust Fund Secretariat brief periodic reports on progress of implementation of ongoing projects, and annual narrative progress reports no later than three months (31 March) after the end of the calendar year. Based on these reports, the Trust Fund Secretariat will prepare and provide annual consolidated narrative reports to the Trust Fund Board and each Donor that has contributed to the Trust Fund no later than five months (31 May) after the end of the calendar year. The Fund Administrator and/or the Secretariat will flag any issue related to the implementation of approved projects to the Board. The Trust Fund Administrator will ensure that operations of the Trust Fund are publicly disclosed on the MPTF Office GATEWAY (<http://mptf.undp.org>), the Trust Fund Administrator's website.

38. The Board decided that for projects under the overall value of USD 1 million, a critical self-evaluation would be required annually, and/or at the conclusion of the project, using the self-evaluation form provided by the Fund Administrator. For projects above the value of USD 1 million, fund recipients would be required to factor in, as part of the project proposal, a budget for an independent evaluation once a year and/or at the conclusion of the project. The independent evaluation would be undertaken by an independent consultant, whose TOR would be supported and cleared by the Fund Administrator and the Secretariat.

3. PROJECT UNDER IMPLEMENTATION OR COMPLETED IN 2012: KEY INITIATIVES

3.1 United Nations Office on Drugs and Crime

39. Since 2009, the United Nations Office on Drugs and Crime (UNODC) Counter Piracy Programme (CPP) in Nairobi has been working with States in the Eastern African and Indian Ocean Region to strengthen the capacity of police, prosecutors, courts and prisons to address maritime piracy and armed robbery at sea. The strategy of the CPP recognizes that the only viable long-term solution to solving the problem of piracy off the coast of Somalia lies in the restoration of law and order in Somalia (including its waters). With a new democratic Federal Government and increased stability, counter piracy work in Somalia deserves an increased focus.

40. The UNODC CPP strategy for 2013 is therefore to increase programming in Somalia in an effort to encourage counter piracy measures delivered in the country by Somalis. UNODC will also continue to provide support to the criminal justice response to piracy in the Horn of Africa and the Indian Ocean.

41. To-date, the majority of UNODC projects implemented in Somalia and the neighbouring states have focused on raising the capacity for fair and efficient trials and secure and humane imprisonment for suspected and convicted pirates. Several of these projects have been funded by the Trust Fund. The UNODC CPP started in Kenya and has since expanded to Somalia (Puntland and “Somaliland”), Seychelles and Mauritius with some preparatory activity in Tanzania. In Somalia, projects support prisons, prosecutors and law reform initiatives.

42. During the reporting period, UNODC has increased efforts to create a sustained and integrated regional response to bring pirates to justice. In January 2012, UNODC launched the Piracy Prisoner Transfer Programme which seeks to facilitate the transfer of piracy prisoners convicted in other States to Somalia on a voluntary basis to serve out their sentences, while ensuring humane and secure imprisonment conditions. To this end, UNODC has been improving conditions in existing prisons in Puntland and “Somaliland” and have commenced the construction of a new 500-bed facility in Garowe.

Project Implementation Status

43. PROJECT #04 (Closed)

1. Participating UN Organization

Name of UN Organization (Lead)	UNODC
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2. Project Information

a. Project Number	04
b. Project Title	Somalia Prosecutor Programme
C. Project Duration	12 months
d. Project Starting Date	23 June 2010
e. End Date	23 June 2012
f. Location of Project	Somalia
g. Thematic/Focus Area	Prosecution and detention
h. Primary Project Objective (Summary)	To train and provide logistical support to the prosecutors of Somalia to allow for: <ul style="list-style-type: none"> - The fair and efficient trial of those charged with offences ; - Transfers of suspected pirates arrested by navies to Somalia for trial
i. Implementing Partner (s) (if applicable)	Nil

3. Time

a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes
c. Is the project currently on time?	Project is operationally closed
d. Comments if a-c is negative.	N/A

4. Financial Information (USD)

a. Overall Budget	224,786
b. Trust Fund Contribution	224,786
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to the budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	N/A

5. Assessment of implementation and monitoring of project activities

5.1. Activities carried out in the reporting period
In the reporting period two vehicles were delivered to the authorities in Somaliland and Puntland. While all project activities are now complete, no pirates have been transferred to Somalia for prosecutions. Another agency has taken on the role of working with judges and prosecutors in Somalia while UNODC remains focused on developing prison capacity.
5.2. Results achieved to date
Under outcome 1: Prosecutions advisor in place to deliver courses in piracy Courses in piracy delivered for judges and lawyers in Somaliland and Puntland Legal reference materials delivered to Somaliland and Puntland Under outcome 2: Vehicles delivered to Somaliland and Puntland
5.3. Major obstacles encountered when implementing the project
Nil
5.4. Concerning risks identified in the application – have any materialized – have any measures been taken?
No.
5.5 Any health/safety/environment issues? Special measures taken?
No.
5.6. Partnerships and cooperation with other organizations formed while implementing the project
Nil

44. PROJECT #07

1. Participating UN Organization

Name of UN Organization (Lead)	UNODC
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2. Project Information

a. Project Number	7
b. Project Title	Improving conditions in Kenya prisons
c. Project Duration	9 months
d. Project Starting Date	1 August 2010
e. End Date	30 April 2011
f. Location of Project	Kenya
g. Thematic/Focus Area	Prosecution and detention
h. Primary Project Objective (Summary)	Improving conditions in Kenya prisons
i. Implementing Partner (s) (if applicable)	Nil

3. Time

a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	No
c. Is the project currently on time?	No
d. Comments if a-c is negative.	See 5.3

4. Financial Information (USD)

a. Overall Budget	332,770
b. Trust Fund Contribution	332,770
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to the budget?	No
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	See 5.3

5. Assessment of implementation and monitoring of project activities

5.1. Activities carried out in the reporting period
All work is complete at Nakuru Prison, including renovated kitchen and an improved water supply.
5.2. Results achieved to date

Outcome 1: Nakuru prison is renovated – completed
 With strong support from the Kenyan Prison Service, Nakuru Prison renovations have been completed including improved water supply and new kitchen facilities.

Outcome 2: Kamiti prison is renovated – underway
 After significant delays caused by infrastructure failures and a public health emergency at Kamiti Prison, activities to support renovation works at Kamiti are scheduled for completion in July 2013.

Outcome 3: Remand review – underway
 The remand review programme completed. Training on the implementation of remand reviews is scheduled to be delivered to Kenyan magistrates in 2013, to ensure the long term sustainability of remand review exercises.

5.3. Major obstacles encountered when implementing the project

Outcome 1 (improvements to Nakuru Prison) has been fully and successfully implemented.

Outcome 2 (improvements to Kamiti Prison) is yet to be completed. The delay is due to a major infrastructure failure at Kamiti prison in 2011. The failure was associated with the sanitation system and the subsequent outbreaks of cholera. The Kenyan Government had to undertake emergency repairs to the prison infrastructure which prevented the UNODC sequenced work plan from being implemented. There have been further discussions with the Kenyan Prison Service on how this submission can be sequenced and delivery is on track to be complete by July 2013.

The conduct of remand review exercises under Outcome 3 was restrained by the limited number of prisons holding piracy prisoners and the progress of some courts in implementing remand reviews independently of UNODC financial support. To maximize the reach and sustainability of remand review programmes in Kenya, a training will be delivered to Magistrates within the 2013 reporting period.

5.4. Concerning risks identified in the application – have any materialized – have any measures been taken?

No.

5.5 Any health/safety/environment issues? Special measures taken?

None related to the submission but deaths associated with cholera at Kamiti prison have delayed implementation.

5.6. Partnerships and cooperation with other organizations formed while implementing the project

Nil

45. **PROJECT #17 (closed)***1. Participating UN Organization*

Name of UN Organization (Lead)	UNODC
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2. Project Information

a. Project Number	17
b. Project Title	Seychellois Police Capacity Communications
c. Project Duration	12 months
d. Project Starting Date	12 April 2011
e. End Date	31 March 2012
f. Location of Project	Seychelles
g. Thematic/Focus Area	Prosecution and detention
h. Primary Project Objective (Summary)	To train/assist local police force in using and maintaining communications. To equip the police force with a working communications network
i. Implementing Partner (s) (if applicable)	Nil

3. Time

a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes
c. Is the project currently on time?	Yes
d. Comments if a-c is negative.	N/A

4. Financial Information (USD)

a. Overall Budget	212,100
b. Trust Fund Contribution	212,100
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to the budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	N/A

5. Assessment of implementation and monitoring of project activities

5.1. Activities carried out in the reporting period
<p>Delivery of procured radios and other communication equipment to the Seychelles police.</p> <p>All activities are now complete and the project is operationally closed.</p>
5.2. Results achieved to date
<p>Under outcome 1:</p> <p>Delivery of radios and other equipment to establish a communications network</p> <p>Training in the use of police radio equipment</p> <p>Travel related to the implementation of the above activities</p>
5.3. Major obstacles encountered when implementing the project
Nil
5.4. Concerning risks identified in the application – have any materialized – have any measures been taken?
No.
5.5 Any health/safety/environment issues? Special measures taken?
No.
5.6. Partnerships and cooperation with other organizations formed while implementing the project
Nil

46. PROJECT #21 (closed)

1. Participating UN Organization

Name of UN Organization (Lead)	UNODC
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2. Project Information

a. Project Number	21
b. Project Title	Piracy Prisoner Transfer Programme: Phase 1, Construction (Puntland)
C. Project Duration	24 months
d. Project Starting Date	December 2011
e. End Date	June 2012
f. Location of Project	Puntland and Somaliland
g. Thematic/Focus Area	Prosecution and detention
h. Primary Project Objective (Summary)	To construct a new prison in Garowe and to secure procurement for the necessary equipment to support 500 inmates in line with international minimum standards.
i. Implementing Partner (s) (if applicable)	UNOPS

3. Time

a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes.
c. Is the project currently on time?	Yes
d. Comments if a-c is negative.	N/A

4. Financial Information (USD)

a. Overall Budget	US \$ 13,275,105 (Puntland element 50%)
b. Trust Fund Contribution	US \$ 1,356,760
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to the budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	NA

5. Assessment of implementation and monitoring of project activities

5.1. Activities carried out in the reporting period
In the reporting period, funding from the current proposal has contributed to the following activities related to the construction of Garowe prison: Development and finalization of building plans; Construction of the prison including accommodation blocks, administration, training and intake buildings and a secure perimeter wall (ongoing); Oversight of construction works (ongoing); Procurement of goods and equipment (ongoing). Funding under this Trust Fund proposal is now full expended and operationally closed. Ongoing activities are funded through other sources.
5.2. Results achieved to date
Under the CPP's Piracy Prisoner Transfer Programme, a 500 bed prison with an associated Training Academy and farm is being constructed in Garowe. This project is in part funded by the current Trust Fund proposal. A plot of land outside Garowe has been secured for the prison and the design finalized. Significant progress on the construction of the 500-bed prison facility has been made under funding from this proposal. Funding also provided for the procurement of basic security and training equipment. Through funding from bilateral sources, the 500-bed prison, training academy and farm are expected to be operational by the end of 2013. This will contribute to raising the capacity for secure and humane imprisonment in Puntland for transferred pirates and other detainees.
5.3. Major obstacles encountered when implementing the project
Nil
5.4. Concerning risks identified in the application – have any materialized – have any measures been taken?
No
5.5 Any health/safety/environment issues? Special measures taken?
No
5.6. Partnerships and cooperation with other organizations formed while implementing the project
Nil

47. **PROJECT #22 (closed)***1. Participating UN Organization*

Name of UN Organization (Lead)	UNODC
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2. Project Information

a. Project Number	22
b. Project Title	Piracy Prisoner Transfer Programme: Phase 2, Capacity Building
C. Project Duration	12 months
d. Project Starting Date ¹⁷	December 2011
e. End Date	June 2012
f. Location of Project	Puntland and “Somaliland”
g. Thematic/Focus Area	Prosecution and detention
h. Primary Project Objective (Summary)	To ensure that the prison in Puntland is staffed and managed in line with international minimum standards and norms. To establish a core capacity for substantive support and coordination of training and capacity building related to the components of the UNODC Counter Piracy Programme.
i. Implementing Partner (s) (if applicable)	UNOPS

3. Time

a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes.
c. Is the project currently on time?	Yes
d. Comments if a-c is negative.	N/A

4. Financial Information (USD)

a. Overall Budget	US \$ 13,275,105 (Puntland element 50%)
b. Trust Fund Contribution	US \$ 332,770
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to the budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	NA

¹⁷ The start date is the date of the first transfer of the funds from the Trust Fund.

5. Assessment of implementation and monitoring of project activities

5.1. Activities carried out in the reporting period
<p>Funding under this proposal contributed to the following activities.</p> <p>Under Outcome 1, New prison in Garowe staffed and managed in line with minimum international standards: Support to prison mentors to have regular presence at Garowe (ongoing); Development of training curriculum; Training of trainers and prison officers (ongoing) ; Development of an oversight committee (ongoing).</p> <p>Under Outcome 2, Establish core capacity for substantive support and coordination of training and capacity building related to components of the UNODC CPP: Regional Learning Exchanges in the areas of police, prisons and courts/prosecutions, attended by participants from Kenya, Seychelles, Mauritius, Tanzania (and Zanzibar) and Comoros. Joint IMO/UNODC trainings on the Djibouti Code of Conduct. Joint INTERPOL/UNODC Analytical Training programme Funding under this Trust Fund proposal is now fully expended and operationally closed. Ongoing activities are funded through other sources.</p>
5.2. Results achieved to date
<p>Two corrections advisors seconded by the Norwegian Government were engaged to provide advice on the construction process of Garowe prison, assist in hiring and training of prison staff and liaise with local prison and government authorities. Under Outcome 1, the deployment and regular presence of these mentors to Garowe has been enabled. The training curriculum, training programmes for trainers and officers carried out will ensure that the prison in managed in line with international standards when opened at the end of 2013. Funding also contributed to the development of a national oversight committee that will conduct regular evaluation visits.</p> <p>Under Outcome 2, trainings have been carried out to increase coordination and substantive and practical learning among regional partners and organizations involved in combating piracy.</p>
5.3. Major obstacles encountered when implementing the project
Nil
5.4. Concerning risks identified in the application – have any materialized – have any measures been taken?
No.
5.5 Any health/safety/environment issues? Special measures taken?
No.
5.6. Partnerships and cooperation with other organizations formed while implementing the project
Nil

48. **PROJECT #35****1. Participating UN Organization**

Name of UN Organization (Lead)	UNODC
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2. Project Information

a. Project Number	35
b. Project Title	Support to Seychelles Prosecution Centre
c. Project Duration	12 months
d. Project Starting Date	1 January 2012
e. End Date	31 Dec 2012
f. Location of Project	Seychelles
g. Thematic/Focus Area	Prosecution and detention
h. Primary Project Objective (Summary)	Court house with the capacity for holding piracy trials constructed
i. Implementing Partner (s) (if applicable)	Nil

3. Time

a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	No
c. Is the project currently on time?	No
d. Comments if a-c is negative.	See 5.2

4. Financial Information (USD)

a. Overall Budget	1,000,000
b. Trust Fund Contribution	500,000
c. Is the overall cost still applicable?	No
d. Is expenditure currently according to the budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	See 5.1

5. Assessment of implementation and monitoring of project activities

5.1. Activities carried out in the reporting period
During the reporting period, land was secured, a design was agreed upon and planning permission was obtained. The project went out to tender and the contract was awarded. However investigations subsequently revealed that there was no prospect of the successful bidder delivering on the contract. The contract was withdrawn and awarded to a different bidder who is judged able to complete the work. Further funding was required as this bidder was more expensive. That funding has been secured and the contract has been reissued. Construction is set to begin early in 2013 and the project is estimated to be completed by early 2014.
5.2. Results achieved to date
<p>Whilst UNODC has enjoyed full cooperation from the Government of Seychelles, the Government has faced a number of significant challenges in securing and clearing the site for this project. Shortly after the approval of the submission in November 2011 contractors working on a building project close to the intended site occupied the site with workshops and accommodation for their staff. Moving them was impractical without causing delays to other important infrastructure work. The Ministry of Home Affairs, Environment and Transport, the Ministry of Land Use and Housing and UNODC then examined a number of other packages of land in the area to assess their suitability to house a court dedicated to piracy trials. Suitable land was identified in March 2012 but the shape of the plot required the full redesign of the courthouse and the Seychelles Judiciary then requested further changes to the design.</p> <p>There have also been delays in getting planning approval for the construction. As a result of the delays, UNODC applied to the Trust Fund on 26 August 2012 for an extension of time and was granted until September 2013.</p> <p>Detailed designs have been drafted and agreed upon with the Seychelles Judiciary, planning approval was granted on 21 November 2012. After the cancellation of the first contract, the work has been awarded to a different contractor and will now proceed.</p>
5.3. Major obstacles encountered when implementing the project
Key challenges to the project were the presence of workshops and accommodation on the proposed construction site and the delays caused by the reallocation of a suitable plot, necessary redesigns and planning approval and the unsuccessful tender processes.
5.4. Concerning risks identified in the application – have any materialized – have any measures been taken?
No
5.5 Any health/safety/environment issues? Special measures taken?
No
5.6. Partnerships and cooperation with other organizations formed while implementing the project
Nil

49. **PROJECT #36**

1. Participating UN Organization

Name of UN Organization (Lead)	UNODC
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2. Project Information

a. Project Number	36
b. Project Title	Building Regional capacity for piracy prosecutions III
C. Project Duration	12 months
d. Project Starting Date	1 March 2012
e. End Date	28 February 2013
f. Location of Project	Kenya, Seychelles and Mauritius
g. Thematic/Focus Area	Prosecution and detention
h. Primary Project Objective (Summary)	The provision of essential trial support including legal aid, transcription services, interpretation services and travel for foreign witnesses to testify at trials and improving conditions at Montagne Posse Prison in Seychelles.
i. Implementing Partner (s) (if applicable)	Nil

3. Time

a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes
c. Is the project currently on time?	Yes
d. Comments if a-c is negative.	N/A

4. Financial Information (USD)

a. Overall Budget	409,275
b. Trust Fund Contribution	409,275
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to the budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	NA

5. Assessment of implementation and monitoring of project activities

5.1. Activities carried out in the reporting period
The implementation of this project proceeded smoothly and all funds have been expended. All piracy trials to date in both Kenya and Seychelles have had support for legal representation for the accused, testimony from foreign witnesses and interpretation services (in both Somali and languages of foreign witnesses). No trial to date has failed for lack of any of these services. At Montagne Posse Prison in Seychelles, funds have provided medical equipment, water pumps and hosing, gym equipment and equipment for vocational training for prisoners. It has also allowed for the presence of three prison mentors to train prison staff and develop the training curriculum.
5.2. Results achieved to date
Outcome 1: Support to ongoing prosecution activities in regional states – complete Helped ensure attendance of civilian witnesses, interpretation, transcription and defence support at piracy trials in Kenya and Seychelles. Activities under this project succeeded by TF project 40 Outcome 2: Enhanced prison standards in Seychelles – complete Improvements to prison conditions in Seychelles through the provision of firefighting equipment, medical equipment, exercise equipment for a newly refurbished gym facility and materials for painting and construction works, completed under vocational training programmes for prisoners. Full-time presence of prison mentors on-site to improve prison operations.
5.3. Major obstacles encountered when implementing the project
Nil
5.4. Concerning risks identified in the application – have any materialized – have any measures been taken?
No
5.5 Any health/safety/environment issues? Special measures taken?
No
5.6. Partnerships and cooperation with other organizations formed while implementing the project
Nil

50. **PROJECT #40****1. Participating UN Organization**

Name of UN Organization (Lead)	UNODC
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2. Project Information

a. Project Number	40
b. Project Title	Regional Prosecutions IV
C. Project Duration	12 months
d. Project Starting Date	1 June 12
e. End Date	31 May 13
f. Location of Project	Kenya, Seychelles and Mauritius
g. Thematic/Focus Area	Prosecution and detention
h. Primary Project Objective (Summary)	Support to Regional Prosecuting Centres
i. Implementing Partner (s) (if applicable)	Nil

3. Time

a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes
c. Is the project currently on time?	Yes
d. Comments if a-c is negative.	N/A

4. Financial Information (USD)

a. Overall Budget	642,000
b. Trust Fund Contribution	642,000
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to the budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	N/A

5. Assessment of implementation and monitoring of project activities**5.1. Activities carried out in the reporting period**

In the reporting period, funding for trial support has allowed UNODC to continue providing essential services to Kenya and Seychelles in the conduct of piracy trials.

Funding for repatriations has allowed a grant to be put in place with Seychelles which contributed towards five flights that took place in 2012. This funding will continue to support flights in 2013.

Funding under this proposal was also used to deliver a Prison Learning Exchange in Mauritius in December 2012. Procurement for work on the Shimo La Tewa Borstal has been carried out; construction works are to begin in early 2013.

5.2. Results achieved to date

Outcome 1: Trial support to regional states - ongoing, as required
 In Seychelles, funding supported the travel of foreign civilian witnesses to attend trial, as well as interpretation and legal aid services.
 In Kenya, funding supported the provision of video link equipment to allow witnesses to testify from abroad.

Outcome 2: Repatriation flights – ongoing, as required
 Funding supported flights from Seychelles to Somalia.

Outcome 3: Regional learning exchanges – complete
 Contributed to a Prison Regional Learning Exchange, attended by officials from Kenya, Seychelles, Mauritius, Tanzania and Comoros.

Outcome 4: Juvenile detention centre at SLT – ongoing
 Plans for improvements to the Borstal at Shimo La Tewa prison have been completed. Materials for construction works have been procured. Building, which will be carried out by detainees as part of vocational training programming, will begin in early 2013.

5.3. Major obstacles encountered when implementing the project

Nil

5.4. Concerning risks identified in the application – have any materialized – have any measures been taken?

No

5.5 Any health/safety/environment issues? Special measures taken?

No

5.6. Partnerships and cooperation with other organizations formed while implementing the project

Nil

51. **PROJECT #41***1. Participating UN Organization*

Name of UN Organization (Lead)	UNODC
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2. Project Information

a. Project Number	41
b. Project Title	Piracy Prisoner Transfer Programme Somaliland
C. Project Duration	12 months
d. Project Starting Date	1 July 2012
e. End Date	30 June 2013
f. Location of Project	Somaliland
g. Thematic/Focus Area	Prosecution and detention
h. Primary Project Objective (Summary)	Provision of Prison Mentor and construction of 120 bed facility
i. Implementing Partner (s) (if applicable)	Nil

3. Time

a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes
c. Is the project currently on time?	Yes
d. Comments if a-c is negative.	N/A

4. Financial Information (USD)

a. Overall Budget	2,800,000
b. Trust Fund Contribution	731,200
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to the budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes. This project receives bilateral funding. The previously foreseen funding shortfall will be offset by a new implementation strategy based on construction through prisoner vocational programming.
f. Comments if c-e is negative	NA

*5. Assessment of implementation and monitoring of project activities***5.1. Activities carried out in the reporting period**

The Letter of Agreement between UNODC and the Government of Somaliland was signed 18 October 2012. It forms the basis for UNODC work under this proposal and the Ministry of Justice was not prepared to consider the letter until agreed funding was in place. The letter has been signed and the first objective is complete: a prison mentor is in place in

Hargeisa, Somaliland. He has made impressive progress with the operation of Hargeisa Prison including the improvement of procedures for reception of prisoners, the implementation of a management structure and substantial improvements in the operation of the prison visiting arrangements. By maintaining constant support through this mentor, UNODC has been able to gain the trust of the staff and reinforce the training delivered. The mentor is now training trainers to develop and deliver their own courses and is working with prison headquarters to develop a 5-year strategy and a formal training structure. There have been regular visits from the donor community to Hargeisa Prison.

The design for the 120 bed unit in Mandera has been approved by the Minister of Justice and the procurement process is underway. Once the procured items have been delivered, the production of some building materials (such as bricks) and the construction itself will be carried out by detainees as part of vocational programming. This will allow prisoners to learn new, transferable skills while working to improve their own living environment and pass on ownership to the Custodial Corps to develop and maintain their own establishments.

5.2. Results achieved to date

- Outcome 1: Full-time mentor in Somaliland - Complete
- Outcome 2: 120-bed facility at Mandera Prison - Underway
- Outcome 3: UN office monitoring and management flights - Underway
- Outcome 4: Personnel and site security - Underway

5.3. Major obstacles encountered when implementing the project

Nil

5.4. Concerning risks identified in the application – have any materialized – have any measures been taken?

No

5.5 Any health/safety/environment issues? Special measures taken?

No

5.6. Partnerships and cooperation with other organizations formed while implementing the project

Nil

52. **PROJECT #43***1. Participating UN Organization*

Name of UN Organization (Lead)	UNODC
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2. Project Information

a. Project Number	43
b. Project Title	Improving prison conditions in Mombasa Prison and other prison related work
C. Project Duration	12 months
d. Project Starting Date	24 July 2012
e. End Date	24 July 2013
f. Location of Project	Kenya
g. Thematic/Focus Area	Prosecution and detention
h. Primary Project Objective (Summary)	Improvements to Shimo La Tewa prison through refurbishment and vocational training
i. Implementing Partner (s) (if applicable)	Nil

3. Time

a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes
c. Is the project currently on time?	Yes
d. Comments if a-c is negative.	N/A

4. Financial Information (USD)

a. Overall Budget	393,760
b. Trust Fund Contribution	393,760
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to the budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	N/A

*5. Assessment of implementation and monitoring of project activities***5.1. Activities carried out in the reporting period**

Materials have been delivered to Shimo La Tewa (SLT) prison to enable construction of a dispensary and vocational training to prisoners through construction work. Kenya prison officials attended a Prison Regional Learning Exchange that included training on age determination. The procurement process for improved medical facilities has started.

Materials for prisoner uniforms, and water and sanitation improvements will be delivered in 2013.
5.2. Results achieved to date
<p>Outcome 1: Medical Facilities at SLT improved – underway Building materials procured for improvements to the prison medical facilities. Work to be carried out by prisoners through vocational training.</p> <p>Outcome 2: Dispensary at SLT established – underway Building materials procured for the construction of a dispensary. Work to be carried out by prisoners through vocational training.</p> <p>Outcome 3: Uniforms for prisoners provided – not commenced Materials will be provided for the production of prisoner uniforms by prisoners through vocational training.</p> <p>Outcome 4: SLT water and sanitation systems improved – not commenced Materials to be provided for improvements to water and sanitation systems. Work to be carried out by prisoners through vocational training.</p> <p>Outcome 5: Materials necessary for prisoner construction work supplied – underway This outcome is being implemented in conjunction with Outcomes 1,2,4. Construction through vocational training keeps prisoners engaged, helps them to develop transferable skills while contributing to the betterment of their own living environments, and helps to keep maximize the value of project costs.</p> <p>Outcome 6: Expert advice on age determination provided – complete Kenya prison officials participated in a Prison Regional Learning Exchange that included training on age determination in December 2012.</p>
5.3. Major obstacles encountered when implementing the project
Nil
5.4. Concerning risks identified in the application – have any materialized – have any measures been taken?
No
5.5 Any health/safety/environment issues? Special measures taken?
No
5.6. Partnerships and cooperation with other organizations formed while implementing the project
Nil

3.1.1. Expedited Facility

53. The Terms of Reference of the Trust Fund (section VI, paragraph 23) state that “in circumstances where an immediate funding to pay or reimburse short-term prosecution related expenses is required, a Fast Track Mechanism will be developed in the form of a project proposal for review by the Trust Fund Board at the earliest opportunity.” This “Expedited Facility” (hereinafter, ExFac) is intended to allow the Fund Board to delegate authority of approval to UNODC in circumstances where immediate action is needed to pay or reimburse short-term prosecution related expenses, or to support any other activities highlighted as urgent priorities by the Board. ExFac funds are, in other words, dedicated exclusively to unforeseen activities.

54. At its first meeting in March 2010, the Board approved the creation of the ExFac mechanism, under the direction of UNODC, with an initial allocation of USD 200,000. This was replenished by a further USD 200,000 in November 2010, and in November 2011, and by a further USD 100,000 in December 2012.

Prison Transport for Kenya

55. In 2012, Kenya accepted 4 piracy suspects from Denmark bringing the total number of piracy prisoners accepted by Kenya to 164. Those on remand and those who are below the age of 18 (juveniles) are held in Shimo la Tewa Prison in Mombasa. Those convicted are spread out in five different prisons across the country. Judgment was reached in 5 cases in 2012 bringing the total number of convictions to 83 and 17 acquittals with 64 remaining in remand.

56. The Kenya Prison Service has had no means of securely transporting convicted pirates from Shimo La Tewa Prison to the prison where their sentences are to be served. This was seen to endanger the Kenyan public, the detainees, as well as the Prison Service staff. This issue arose at short notice as the Government of Kenya identified the prisons in which convicted pirates were to serve their sentences. As the above cited verdicts were imminent, so became the need to procure a vehicle. UNODC therefore committed ExFac funding to fulfill an urgent request for the provision of a secure vehicle for prisoner transport.

Repatriation from Kenya to Somalia

57. On December 10 2010, 17 Somalis suspected of piracy and handed over to Kenyan authorities for prosecution by the USA were acquitted. Their repatriation to Somalia was required urgently as they were considered to be prohibited immigrants upon their release. UNODC therefore facilitated the travel of the 17 to Somalia using the ExFac.

Support to Trials

58. The ExFac has been used throughout 2012 to continue support to ongoing piracy trials in the region, particularly in Seychelles and Kenya. Funds spent in Kenya during the reporting period have enabled the travel for foreign witnesses to testify at piracy trials, interpretation services during court proceedings, travel of prosecutors to attend court hearings, and video-link capabilities to enable witness testimony to be given remotely. In connection with video link testimony, UNODC has on two occasions also used the ExFac to fly Kenyan officials to oversee the testimony given remotely. On one occasion, a Kenyan representative from the Embassy in Rome was flown to Poland and on another occasion a Kenyan court official was flown from Kenya to Teheran.

59. Crucial assistance has helped Seychelles maintain a high rate of prosecutions while ensuring fair trials. Four convictions were reached in Seychelles in 2012 bringing the total numbers of convicted pirates in Seychelles to 67 while 21 remain on remand. Assistance in 2012 included the provision of legal aid for all accused and interpretation services for trials and investigations. In 2011, the Seychelles Attorney General made an urgent appeal to UNODC to supplement his prosecutorial staff to meet the demands of ongoing piracy trials and investigations. To ensure timely, effective and sound prosecution, UNODC committed to provide this support jointly with other donors. ExFac funds were in this case used to cover accommodation, transportation costs and travel expenses for the prosecution. The Government of Seychelles, furthermore, sought reimbursement of expenses related to the defense council for piracy suspects. These lawyers were paid through the Seychelles legal aid system and ensured that the suspects had access to legal representation at their trials.

Dedicated Interpretation

60. The rights of the accused can only be assured if Somali translators are present at police interviews and during trial. Interpretation also needs to be readily available for any new arrest (which requires interview within 24 hours) and in the case of a medical emergency (the Somalis are unable to communicate verbally with prison staff). There are no local Somali interpreters in Seychelles it was essential to recruit an interpreter to be permanently stationed in Seychelles to provide these services on a daily basis. Additional interpreters are flown in to trials to supplement the permanent interpreter who also spends time teaching English to Somali detainees at Montagne Posée Prison.

Welfare Support

61. As suspected and convicted pirates are detained far from their families, they do not receive the support that local prisoners enjoy through their social networks. Therefore, items such as extra clothing, devotional material, washing materials and writing materials have been delivered to prisoners in Seychelles and Kenya along with regular visits to ensure wellbeing.

Repatriation from Seychelles to Somalia

62. The small island state of Seychelles has proven to be a key partner in regional piracy prosecutions. In total, Seychelles has held 124 piracy prisoners in Montagne Posée Prison. These have either been handed over by international navies or arrested by the Seychellois Coastguard. Due to lack of prison capacity, particularly staff, Seychelles has been eager to see the transfer of convicted pirates to prisons in Somalia. In fact, due to the limited capacity of the Seychellois prison system, the transfer of convicted pirates back to Somalia is a prerequisite to accepting more suspected pirates for prosecution. In 2012, four transfer flights of convicted pirates brought a total of 34 piracy prisoners to either Bosasso Prison in Puntland or Hargeisa Prison in Somaliland. Two repatriation flights were further made; one of 5 stranded Somali fishermen, the other of two members of piracy gangs who were too young to serve prison sentences. In effect, a total of 41 Somalis were returned to Somalia either as free men or as prisoners relieving to some extent the pressure on Montagne Posée Prison.

63. Expenditures incurred for transfer flights that moved convicted piracy prisoners from Seychelles to Somalia (Somaliland and Puntland) and the related support activities, including transfer talks were charged to the Ex Fac.

64. A certified financial report of the Expedited Facility until 31 December 2012 is attached as annex 2 at the end of this report.

3.2 United Nations Development Programme

65. United Nations Development Programme (UNDP) has been tasked to provide assistance and capacity-building in Somalia—including in Puntland and “Somaliland”. Specifically, UNDP has supported a comprehensive judicial programme throughout Somalia, expanded legal assistance programmes, mobilized legal representation, and helped provide due process for all individuals arrested on piracy-related offences. UNDP, in collaboration with UNODC, is implementing a ‘Piracy Trials Programme’ with financial support from the Trust Fund to build capacity across the criminal justice institutions in Somalia to enable police, Attorney General’s office, courts and defence lawyers to ensure due process for those accused of piracy related crimes. UNDP supported an advance criminal investigations training course for 18 officers, deployed to the National Crime Directorate in Garowe. This builds upon the 96 officers of the Criminal Investigations Department who had received UNDP-facilitated basic training in Puntland and “Somaliland” in 2011. With the Trust Fund grants, UNDP also supported legal aid professionals to provide free legal counsel and representation to 8,778 persons, including 30 court cases involving 138 suspected pirates in Somalia.

66. As of 31 December 2012, the Trust Fund Board had approved five projects to be implemented exclusively by UNDP; another project to be implemented jointly by UNDP and UNODC was approved in December 2012. The first project approved on 10 January 2011, included supporting initiatives in training of Judges, Prosecutors and Defence Counsel, building the capacities of the High Judicial Council (the ruling body of the Judiciary). The second project approved on 12 April 2011, would facilitate effective and efficient police investigations of individuals suspected of piracy related criminal offences. Two additional projects were approved for funding on 16 November 2011 to complement the project approved previously. The 10 December 2012 Trust Fund Board meeting approved a project that

seeks to develop police capacity to combat piracy in Puntland, while another joint project to be implemented by UNDP and UNODC will facilitate effective and efficient prosecution and adjudication of individuals suspected of criminal offences, including boosting the capacities of Benadir Court in Mogadishu to hear piracy cases. The six projects will also build the capacity of legal institutions in the three geographical locations: South Central, Puntland, and “Somaliland” to strengthen the criminal justice legislative framework. The activities of the two projects approved in December 2012 will be reported on in the 2013 Annual narrative report.

67. **PROJECT #011**

1. Participating UN Organization

Name of UN Organization (Lead)	UNDP Somalia
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2. Project Information

a. Project Number	011
b. Project Title	Civilian Police Project, Rule of Law and Security Programme
C. Project Duration	12 months
d. Project Starting Date	28 July 2011
e. End Date	31 December 2012
f. Location of Project	Puntland, Somalia
g. Thematic/Focus Area	Civilian Policing
h. Primary Project Objective (Summary)	To provide criminal investigations training to 100 police officers and provision of communication equipment to the Puntland Police Force to aid in the fight against piracy in the region. Rehabilitation of the Bossasso Police Station is also key to supporting the police in Bossasso in fighting serious crimes, including piracy, in this port city.
i. Implementing Partner (s) (if applicable)	Puntland Ministry of Security, Puntland Police Force

3. Time

a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	No
c. Is the project currently on time?	No
d. Comments if a-c is negative.	Rehabilitation of Bosaso Police Station is facing delays due to a slight disagreement between the Ministry of Security and UNDP

4. Financial Information (USD)

a. Overall Budget	US \$ 362,307
b. Trust Fund Contribution	US \$ 362,307
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to the budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	Not applicable

5. Assessment of implementation and monitoring of project activities

5.1. Activities carried out in the reporting period

During the reporting period, 100 police officers received practical criminal investigations training in order to conduct proactive intelligence led operations against serious and organized crimes, with a focus on piracy. The aim of the training was to improve technical police capacity to investigate and combat crime, notably piracy crime and related criminal acts.

In April 2012, the National Crime Directorate (NCD) was formally opened in a new purpose-built facility at the Police Headquarters by the Puntland government. The NCD has been staffed by the officers trained under this project. The NCD incorporates the Criminal Investigations Department, a crime analysis unit, a gender-based violence unit and a forensics capacity.

In Quarter 3 of 2012, 18 advanced criminal investigators graduated from a training program at the new National Crime Directorate in Garowe. Following their graduation these officers were all posted to the NCD and there is a commitment from the Government of Puntland that they will be posted in capacities in which their skills and training can be applied.

In Quarter 4 of 2012, 20 criminal investigators attended a joint training course with their counterparts from the Prosecutor's office. This training was specifically designed to increase the capacity of the police and prosecutors to achieve successful prosecutions under the law.

The project has supplied equipment to the Puntland Police Headquarters, including the NCD: 14 VHF radios, 6 computers, 3 vehicles and office furniture.

5.2. Results achieved to date

The project has achieved the following results to date:

- National Crime Directorate has been established at the Police HQ in Garowe;
- The Criminal Investigations Unit in the NCD has been equipped and staffed and is fully operational;

- 100 officers have received training in basic criminal investigations;
- 18 officers have received advanced criminal investigations training and are based in the NCD;
- 20 CID Officers have undergone a joint training with Prosecutors;
- Criminal investigators have been engaged in a number of cases, working closely with the Prosecutor's Office, including in two high-profile cases, one involving piracy suspects detained in Eyl, and the other relating to the trafficking of 50 people from Northern Puntland.

5.3. Major obstacles encountered when implementing the project

The project faced obstacles in the selection of police officers for the CID training course. Officers have been selected by the senior command of the Puntland Police Force. Due to the lack of capacity in Puntland, a large percentage of the selected officers do not have the basic skills or training required to specialize in courses such as this. This undermines the impact of the training as well as how much of the training officers are able to absorb and use in the execution of their duties.

Furthermore, once officers complete the training course, they are often not deployed to functions which require use of their newly acquired skills. The project is working with the senior police command and the Ministry of the Security to put guarantees in place in future agreements that help to utilize these specialist skills to maximum effect.

Although established during the reporting period, the National Crime Directorate is not yet a fully functional body. The NCD structure, chain of command and human resources are to be developed and this requires commitment on the side of the government, especially as regards police reform. The Criminal Investigations Department is functioning well, while the crime analysis, gender violence and forensics units will be developed further in 2013.

In order to enable more effective policing at the community level, including support to rural and coastal areas, model police stations will ensure that policing is developed and delivered in consultation with the community and that it responds effectively to the needs of the community. Emphasis is placed on the community and police collaborating in the identification of insecurity and the community supporting policing in responding to insecurity. In the case of Puntland, this includes the crime of piracy which not only affects those at sea, but also the communities in which the pirates operate. Under this project, the Ministry of Security and UNDP have selected the Bosaso Police Station as one of the locations in which a model community police station will be established.

UNDP had anticipated that the Bosaso Police Station would be near completion by the last quarter of 2012. However, there have been significant delays in project implementation. Prior to consultation with UNDP, the government began work on the station and thereafter requested UNDP to take over and complete the project. As the works were not certified by a UN engineer and neither in line with UN procurement rules and regulations, UNDP is not in a position to take over these works on behalf of the government. Discussions are ongoing with the Ministry of Security for a way forward and whether or not rehabilitation would carry on at the current site or a new location identified.

A further challenge in project implementation has been the absence of the Minister of Security from Puntland. In July 2012, the Minister was deployed to Mogadishu to represent the Puntland Government in the political transition process. The minister has only recently returned to Puntland. In his absence, his deputies have been hesitant to make key decisions regarding the project. This has significantly hindered project progress.

5.4. Concerning risks identified in the application – have any materialized – have any measures been taken?

Drawing from past lessons in the selection of trainees, the project has worked with the Puntland Police Force to improve their systems for selecting and vetting police officers to undergo training courses. As a result, 20 CID police officers attended a prosecution training course for CID officers, to enable them to better carry out their functional roles and lead to successful prosecution of crimes.

The project has also received guarantees from the Police Commissioner and the Ministry of Interior that trained officers will be retained in the technical capacity for which they have been trained.

5.5 Any health/safety/environment issues? Special measures taken?

Not applicable

5.6. Partnerships and cooperation with other organizations formed while implementing the project

The project’s principle partnership is with the Puntland Police Force. The Area Project Manager (APM) based in Garowe, Puntland’s capital, works closely with the Police Commissioner on a daily basis to design, implement and monitor the project’s priority activities. The APM also has a close working relationship with the Director of Operations and the Director of Criminal Investigations within the Police HQ. Having a permanent senior international staff member based in Garowe has significantly enhanced the partnership.

The project has been working closely with UNDP’s Access to Justice project, in particular with its relationship with the Prosecutor’s Office. The objective is to enhance collaboration between police and prosecutors to ensure that the police are able to document their investigations in order to secure successful prosecutions in the courts.

ANALYSIS OF EXPENDITURE FOR THE PERIOD – 1ST JANUARY – 31 DECEMBER 2012

Output	Key Activities	Account	Description	Original Budget (USD)	Actual Expenditure (USD)
		71600	Travel	22000	22000
		71200	International consultants	83500	83500
		75700	Training	93164	93164
		72200	Equipment	138436	138436
		72000	Operation and Maintenance of equipment	25207	25207
			Total	362,307	362,307

EXPENDITURE BY CATEGORY FOR THE PERIOD 1 JAN. –31 DEC 2012

Category	Amount (USD)
Technical Assistance	337,100.00
General Management and Implementation Services	25,207.00
Total	362,307

EXPENDITURE BY SOURCE OF FUNDS FOR THE PERIOD 1 JAN – 31 DEC

Donor	Amount (USD)	Percentage
Counter Piracy Trust Funds	362,307	100%
Total	362,307	100%

68. **PROJECT #024 (closed)**

1. Participating UN Organization

Name of UN Organization (Lead)	UNDP Somalia
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2. Project Information

a. Project Number	024
b. Project Title	Piracy Trial Programme
C. Project Duration	12 months (duration of entire project is 3 years)
d. Project Starting Date	1 April 2011
e. End Date	31 March 2012
f. Location of Project	Somalia: "Somaliland" & Puntland
g. Thematic/Focus Area	Prosecution, Judiciary and legal defence
h. Primary Project Objective (Summary)	This contribution represented initial support to the Piracy trials programme. Objectives submitted in this submission were related to interventions in Somaliland & Puntland as follows: a. Training of 80 judges, prosecutors, and members of the judiciary in Somaliland and Puntland. b. Increased legal defence in Somalia prioritizing vulnerable groups including those in detention and remand, as well as alleged pirates.
i. Implementing Partner (s) (if applicable)	University of Hargeisa in Somaliland; Puntland State University in Puntland – with respect to Judicial training Somaliland Lawyers Association; Puntland Legal Aid centre – with respect to legal aid

3. Time

a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes
c. Is the project currently on time?	Yes (project completed on 31 March 2012)
d. Comments if a-c is negative.	N/A

4. Financial Information (USD)

a. Overall Budget	\$908,567
b. Trust Fund Contribution	\$908,567
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to the budget?	Yes
e. Is the entire financing for the	Yes

project secured? (for projects that receive bilateral funding in addition to the TF)	
f. Comments if c-e is negative	NA

5. Assessment of implementation and monitoring of project activities

5.1. Activities carried out in the reporting period

Vehicles were provided to the Supreme Court Somaliland and the Assize Court in Bosaso

Office equipment and furniture were provided to Courts in Hargeisa, Bosaso and Garowe and copies of key laws handed over to the Courts and AG Office

Judicial training programmes on-going in Somaliland and Puntland. During the reporting period 13 Judges, 3 prosecutors and 5 registrars graduated in Puntland. 31 Judges and Prosecutors graduated in Somaliland in January 2012. 51 Judges and Prosecutors commenced a training programme in March 2012 whereas 45 registrars and clerks were enrolled on case management and court administration courses during the same in period.

In Puntland 317 clients were provided with legal assistance including 10 piracy cases (267 cases provided with mediation and referral services by paralegals). In Somaliland 1 case involving 10 suspects was heard in the reporting period out of a total of 2029 (until March 31 2012 when the project finished)

5.2. Results achieved to date

The project concluded on 31 March 2012 with all funds exhausted.

Project Outcome One: Increased effective and efficient prosecution and adjudication of individuals suspected of serious offences

Output 1.1: 60 Judges and Prosecutors have passed UNDP certified legal diploma: *Judges and Prosecutors have completed this programme with a total of 92 Judges and Prosecutors graduating during the reporting period. Judges and Prosecutors failed the programme. Pre and post tests conducted of those who successfully completed the programme have evidenced an improvement in their comprehension and understanding. Similarly reviews of Judicial files show a sound understanding in some areas with improvements still required in respect of procedure*

Output 1.2.: Priority Courts adjudicating on piracy cases have equipment necessary to record proceedings, store and maintain written records and have current versions of the relevant laws: *all equipment was handed over the Supreme Courts of Somaliland and Puntland and is currently in place. Vehicles were also handed over and are being utilized*

Project Outcome Two: Increased legal defence in Somalia prioritizing vulnerable groups including those in detention and remand including alleged pirates

Output 2.1: suspected pirates on remand and in pre-trial detention held by Police or Custodial Corps in Puntland to be recipients of legal assistance in selected areas

Output 2.2: suspected pirates on remand and in pre-trial detention held by Police or Custodial Corps in Somaliland to be recipients of legal assistance in selected areas
In Q1 2012 legal aid partners provided legal representation to 2,346 cases in Puntland and Somaliland with 20 suspected pirates receiving legal representation. UNDP legal aid partners are present throughout Somaliland & Puntland. They have unfettered access to Prison facilities and conduct visits on a weekly basis. Somaliland's Ministry of Justice also has a legal aid unit (supported by UNDP) which coordinates legal aid provision ensuring those accused of serious crimes are provided with legal representation.

5.3. Major obstacles encountered when implementing the project

None to report

5.4. Concerning risks identified in the application – have any materialized – have any measures been taken?

None to report

5.5 Any health/safety/environment issues? Special measures taken?

None to report

5.6. Partnerships and cooperation with other organizations formed while implementing the project

UNDP is working in collaboration with UNODC's Counter-piracy programme. UNDP is taking the lead on strengthening capacities in the Police and Judicial sector in Puntland and Somaliland in order to ensure fair trials with respect to serious crimes including piracy. UNODC takes the lead on matters relating to Corrections and transfer related issues.

ANALYSIS OF EXPENDITURE FOR THE PERIOD 1 JAN – 31 MARCH 2012

Output	Key Activities	Account	Description	Original Budget (USD)	Actual Expenditure (USD)
		71600	Travel costs	25,310.21	25,310.21
		61300	Staff salaries benefits	268,411.77	268,411.77
		72100	Subcontracts and Grants	330,443.77	330,443.77
		75700	Training	74,168.20	74,168.20
		72200	Equipment & Furniture	94,631.97	94,631.97
		74525	Sundries	115,600.87	115,600.87
			Total	908,566.79	908,566.79

EXPENDITURE BY CATEGORY FOR THE PERIOD 1 JAN – 31 MARCH 2012

Category	Amount (USD)
Technical Assistance	792,965.92
General Management and Implementation Services	115,600.87
Total	908,566.79

EXPENDITURE BY SOURCE OF FUNDS FOR THE PERIOD 1 JAN – 31 MARCH 2012

Donor	Amount (USD)	Percentage
Counter piracy trust funds	908,566.79	100%
Total	908,566.79	100%

69. PROJECT #031**1. Participating UN Organization**

Name of UN Organization (Lead)	UNDP Somalia
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2. Project Information

a. Project Number	031
b. Project Title	Training and capacity building
C. Project Duration	12 months
d. Project Starting Date	24 July 2012
e. End Date	23 July 2013
f. Location of Project	Somaliland, Puntland, South Central Somalia, United Arab Emirates
g. Thematic/Focus Area	Prosecution and Judicial capacity building
h. Primary Project Objective (Summary)	Development of specialized training programme for Jurists by the French National School of the Judiciary in the UAE; training of Judges in Somalia on the same and compilation of operational compendium of existing international legal frameworks
i. Implementing Partner (s) (if	The French National School for the Judiciary; The

<i>applicable)</i>	National Judicial Training Institute in the United Arab Emirates; Hargeisa University, Somaliland; Puntland State University, Puntland; Mogadishu University, Somalia The High Judicial Council, Somaliland; High Judicial Council, Puntland; Judicial Services Council, Somalia
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3. Time

a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes
c. Is the project currently on time?	Yes
d. Comments if a-c is negative.	NA

4. Financial Information (USD)

a. Overall Budget	\$824,456.90
b. Trust Fund Contribution	\$824,456.90
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to the budget?	Yes (however please see comments below: this requires that funds allocated for awareness raising are required to cover the costs of delivering the training programme in the UAE and thereafter in Somaliland and Puntland)
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	No
f. Comments if c-e is negative	<p>Due to changes in the design of the training programme, there were insufficient funds to cover the whole cost of the training programme.</p> <p>The UAE are providing invaluable in-kind contributions including accommodation, in country transportation and translation equipment for the duration of the training programme.</p> <p>The training programme is now 4 weeks duration (2 weeks was initially envisaged in the programme document) and also includes senior members of the Judiciary, Attorney General's Office and Criminal Investigation Departments (CID)</p> <p>The current funds will cover the cost of delivering the training programme in the UAE. It will also cover the cost of delivering the training</p>

	<p>programme to Judges and Prosecutors in Somalia. The involvement of law faculty staff on this programme ensures that a skills transfer will occur. In addition to that, in consultation with the French National School for the Judiciary, Foreign Ministry Staff and Somali authorities agreed that senior members of the Judiciary were also required. This is to ensure that the skills/ knowledge which take place are put into practice on return; to increase cooperation and partnerships between Judicial staff in the 3 regions & to ensure those senior Judicial staff directly benefit from this training programme.</p> <p>The training provider is also developing and will provide a training manual which will include the relevant legal frameworks as well as an invaluable tool which they will be able to use (a) in delivering the training programme in Somalia (b) for judges and prosecutors to assist in preparing and adjudicating trials</p> <p>This will mean that funds initially designed to be utilized on awareness raising and development of the legal compendium will be required to cover the cost of the training programme and development of training materials etc which directly complements the training programme.</p>
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5. Assessment of implementation and monitoring of project activities

5.1. Activities carried out in the reporting period

A four week training programme has now been completed with the French National School for the Judiciary. This curriculum comprises modules on key judicial skills followed by an in depth programme on organized crime including piracy and the international legal framework relating to piracy. The Programme was developed in consultation with Somali Judicial experts, UNDP access to justice staff and staff from the French National School for the Judiciary.

The first programme commenced on 24 November 2012 with a second session commencing at the end of January 2013. The Training programme concluded on 7 February 2013 27 experts from Somaliland, Puntland and South Central Somalia including Judges, Prosecutors, CID officers and law professors graduated. It has been agreed that those attending the programme will deliver the training programme on their return monitored by UNDP staff.

A selection of those attending the training programme in the UAE will also be invited to

Paris to meet with members of the Judiciary dealing with serious crimes including piracy. It will also provide an invaluable opportunity to meet with the French National School for the Judiciary to scrutinize their training regimen. This will take place in May 2013

The UAE has also provided invaluable assistance to this project at no cost. They have facilitated the training programme, giving assistance with respect to visas. They are also providing the use of their National Institute for the Judiciary at no cost and providing accommodation to Somali participants for the duration of the training programme. The UAE also provided simultaneous translation equipment and Arabic/English translators and interpreters.

5.2. Results achieved to date

A 4 week training programme has been designed in collaboration and consultation with the authorities and legal experts from Somaliland, Puntland and South Central Somalia. It is in line with the key gaps and priorities in terms of adjudicating serious crimes and in particular organized crime (including piracy). The trainers have also developed a comprehensive training manual which will provide an invaluable tool in ensuring the training programme is delivered on their return to Somalia and also as a tool to use in carrying out their duties.

The training programme was completed in February 2013 in the UAE and will be delivered in Somalia by Law Faculties to Judges and Prosecutors by the end of 2013.

Finally an exposure visit for 9 Somali legal experts will take place in May 2013 to France. It will be an opportunity to meet with criminal justice experts at first hand and discuss how they deal with serious crimes and learn from their experiences. The tour will also feature a visit to the French National School on Judicial training. As Somalia seeks to establish its own model in this regard it will provide an invaluable opportunity to learn from this model and lessons learnt and provide important guidance for establishment of this model there.

5.3. Major obstacles encountered when implementing the project

The training programme is the first occasion Jurists from Somaliland, Puntland and South Central Somalia have participated in a joint training programme. In addition to that the training programme represents a first in terms of the collaboration and assistance provided by the French National School for the Judiciary and the United Arab Emirates Judicial Training Institute.

5.4. Concerning risks identified in the application – have any materialized – have any measures been taken?

none

5.5 Any health/safety/environment issues? Special measures taken?

none

5.6. Partnerships and cooperation with other organizations formed while implementing the project

UNDP is working in collaboration with UNODC’s Counter-piracy programme. UNDP is taking the lead on strengthening capacities in the Police and Judicial sector in Puntland and Somaliland in order to ensure fair trials with respect to serious crimes including piracy.

UNODC takes the lead on matters relating to Corrections and transfer related issues

In respect of this proposal it has benefited from invaluable assistance and help from the Governments of France and United Arab Emirates. The French National School for the Judiciary and the UAE National Judicial Training Institute have also been an invaluable partner in developing the training programme and providing logistical support i.e. usage of the training venue, transportation, use of translation equipment and accommodation

ANALYSIS OF EXPENDITURE FOR THE PERIOD 24 JULY – 31 DECEMBER 2012

Output	Key Activities	Account	Description	Original Budget (USD)	Actual Expenditure (USD)
		61300	Staff salaries benefits	70,520.75	70,520.75
		72100	Subcontracts and Grants	149,999.70	57,695.81
		75700	Training	550,000.00	550,000.00
		75100	Project Support Cost	53,936.45	53,936.45
			Total	824,456.90	732,153.01

EXPENDITURE BY CATEGORY FOR THE PERIOD 24 JULY – 31 DEC 2012

Category	Amount (USD)
Technical Assistance	678,216.56
General Management and Implementation Services	53,936.45
Total	732,153.01

EXPENDITURE BY SOURCE OF FUNDS FOR THE PERIOD 24 JULY – 31 DEC 2012

Donor	Amount (USD)	Percentage
Counter piracy trust funds	732,153.01	88.80%
Total	732,153.01	88.80%

70. **PROJECT #032***1. Participating UN Organization*

Name of UN Organization (Lead)	UNDP Somalia
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2. Project Information

a. Project Number	032
b. Project Title	Piracy Trials Programme
C. Project Duration	12 months
d. Project Starting Date	24 July 2012
e. End Date	23 July 2013
f. Location of Project	Somalia: Somaliland, Puntland
g. Thematic/Focus Area	Prosecution, Judiciary
h. Primary Project Objective (Summary)	a. Development of case management and tracking system to enhance the capacity of judiciary b. Justice systems in Puntland investigate and prosecute suspects of serious crimes, including piracy; c. Key legislation related to serious criminal offenses is updated, passed into law and consistently applied within the judicial system; d. Personal security support to prosecutors and judges in Puntland
i. Implementing Partner (s) (if applicable)	High Judicial Council; Supreme Court and Ministry of Justice: Somaliland, Puntland

3. Time

a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes
c. Is the project currently on time?	Yes
d. Comments if a-c is negative.	NA

4. Financial Information (USD)

a. Overall Budget	\$874,180
b. Trust Fund Contribution	\$874,180
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to the budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	NA

5. Assessment of implementation and monitoring of project activities

5.1. Activities carried out in the reporting period

A feasibility study has been completed on improving the case management system currently in place. It has been expanded to multiple courts in Somaliland with a plan to do so in Puntland shortly: the system will also be expanded to Bosaso. The study will inform the work of introducing such a system in Mogadishu.

A feasibility study has also been completed for introducing a case tracking system in Somaliland and Puntland with activities planned to commence shortly in 1 pilot location in both locations.

The contracting process is on track with respect to commencing activities on personal security training for the Judiciary. Activities will commence in Q1 2013.

5.2. Results achieved to date

Activities will commence in Q1 2013.

Case management systems are now in place in Courts in Hargeisa and Garowe, however the scope of these services can be expanded. This programme will ensure that this expansion can happen. It will also enhance cooperation between the Police, AG Office, Courts, and Prison System; it will improve statistical data between the different agencies; reduce the risk of procedural violations, e.g. in terms of remand times. With the completion of the feasibility study, we will commence roll out of these activities.

The safety and security of Judges in Puntland is still a critical issue which is undermining the judicial system’s capabilities of prosecuting and adjudicating serious crimes. To date, 8 Judges and Prosecutors have been assassinated in the last 2-3 years, representing 10% of the Judiciary. The study will be expanded to include Mogadishu where the Piracy Trials Programme has also started (with funds from another bi-lateral donor) and will be completed in the next 2-3 months with activities to commence.

5.3. Major obstacles encountered when implementing the project

Delays have been encountered in the development of revisions to the Criminal Procedure and Penal Codes. With the establishment of the new Federal Government, this activity should be focused there, rather than in Puntland, given they have responsibility for law making in the entire territory of Somalia. It is extremely unlikely that the Government will be able to commence substantive revisions of these laws within the time-frame of this project.

It is requested that the funds (USD 205,000) be instead utilized to support improvements to Judicial security (project outcome 3). Although funds have been provided for training of Judges on mitigation of risk, additional funds will be required to train Court security officers and to provide basic equipment to these officers in key courts (Bosaso, Galkayo, Gardo and Garowe) including metal detectors and mirrors as well as minor infrastructure improvements to restrict illegal access (e.g. boom gates at the entrance; guard houses at court entrances).

5.4. Concerning risks identified in the application – have any materialized – have any

measures been taken?
None
5.5 Any health/safety/environment issues? Special measures taken?
None
5.6. Partnerships and cooperation with other organizations formed while implementing the project
UNDP is working in collaboration with UNODC's Counter-piracy programme. UNDP is taking the lead on strengthening capacities in the Police and Judicial sector in Puntland and Somaliland in order to ensure fair trials with respect to serious crimes including piracy. UNODC takes the lead on matters relating to Corrections and transfer related issues

ANALYSIS OF EXPENDITURE FOR THE PERIOD – 24 JULY – 31 DECEMBER 2012

Output	Key Activities	Account	Description	Original Budget (USD)	Actual Expenditure (USD)
		71600	Travel costs	21,000	21,000
		61300	Staff salaries benefits	192,000	192,000
		72100	Subcontracts and Grants	205,000	-
		75700	Training	219,000	61,365.23
		72200	Equipment & Furniture	165,000	65,000
		75100	Project Support Cost	72,180	72,180
			Total	874,180.00	411,545.23

EXPENDITURE BY CATEGORY FOR THE PERIOD 24 JULY – 31 DEC 2012

Category	Amount (USD)
Technical Assistance	339,365.23
General Management and Implementation Services	72,180
Total	411,545.23

EXPENDITURE BY SOURCE OF FUNDS FOR THE PERIOD 24 JULY -31 DEC 2012

Donor	Amount (USD)	Percentage
Counter piracy trust funds	411,545.23	47.08%
Total	411,545.23	47.08%

3.3 United Nations Political Office for Somalia

71. United Nations Political Office for Somalia (UNPOS) has been tasked with devising and implementing advocacy projects using the media and other forms of outreach to inform the Somali public about the negative effects and implications of piracy. UNPOS, as the United Nations focal point for efforts to counter piracy off the coast of Somalia, has established a Nairobi-based integrated task force of United Nations entities and regional organizations called “the Nairobi Cluster”. UNPOS together with IMO and UNODC co-chairs the Kampala Process, known as the Somali Contact Group on Piracy, which facilitates the coordination of Somali efforts. UNPOS also co-chairs the Maritime Security and Counter Piracy Technical Working Group with the participation of Member States to coordinate counter-piracy and security efforts.

72. As of 31 December 2012, the Trust Fund Board had approved four projects to be implemented by UNPOS. The first project approved on 23 April 2010, sought to present the Somali general population with an accurate account of the effects of piracy in Somalia and the regional States. The second project which compliments the previous project was approved on 16 November 2011, and will create greater awareness of the harmful consequences of piracy, particularly targeting young men in Somalia and Northern Kenya susceptible to engage in criminal activities. The third project ‘hostage support programme’, to be implemented jointly with UNODC, was approved through correspondence in November 2012, and will provide medical care, accommodation, food, clothes and welfare items to the isolated groups of hostages during the release phase and support them in returning home. The fourth project, to be implemented jointly with IMO, was approved on 10 December 2012, and will support to the creation of Maritime Law Enforcement strategy and legal framework in Somalia.

73. **PROJECT #05 (closed)***1. Participating UN Organization*

Name of UN Organization (Lead)	UNPOS
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2. Project Information

a. Project Number	05
b. Project Title	Utilizing media to prevent and combat piracy
C. Project Duration	12 Months
d. Project Starting Date	May 2011
e. End Date	May 2012
f. Location of Project	Puntland State Somalia
g. Thematic/Focus Area	Creating awareness of the negative and long term implications of piracy to deter recruitment among the youth
h. Primary Project Objective (Summary)	Use the media to prevent youth from joining in acts of piracy and to discredit and dispel the popular belief that pirates are to be admired for protecting the coastline.
i. Implementing Partner (s) (if applicable)	Puntland Development Research Centre

3. Time

a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes
c. Is the project currently on time?	Yes
d. Comments if a-c is negative.	N/A

4. Financial Information (USD)

a. Overall Budget	USD 214,000
b. Trust Fund Contribution	USD 214,000
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to the budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	N/A

*5. Assessment of implementation and monitoring of project activities***5.1. Activities carried out in the reporting period**

Print and Digital Media: 42 counter piracy topics published on 3 websites.
Radio: 9 PSAs produced and aired on 450 prime announcement slots on 3 radio stations during the campaign period, i.e. 150 times per radio station (Total Airtime = 450 minutes)
 2. 63 radio programs produced and aired once on 3 radio stations during the campaign

period, i.e. 21 programs per radio station.

Radio programs included: one (1) panel discussion, - two (2) question and answer sessions embedded in a panel discussion and public forum, one (1) drama (“The Sorrow” renamed from the original planned title “The Regret”) with numerous poetic insertions and theme songs on piracy and its effects. Four (4) counter piracy songs produced and played on local radio stations.-19 other programs aired.

Television:

1. Produced & broadcasted 6 TV PSAs - 63 times each (1 minute per PSA) on 2 TV stations (1 contract was terminated for Somali channel) for 10 months.

2. Produced and broadcasted 15 TV programs for 10 months.

TV Programs included: One vox pop; Perceptions and knowledge of people on piracy, Interviews; The impact of piracy on the Somali culture and environment; 4 Counter-piracy songs on ETN, Impact of Piracy on fishing; Chairman Bari Region Fishermen’s Association, NATO Documentary; Counter-piracy mobilization in coastal and land villages/towns around Jariiban district, Interview; Bosaso Livestock Holdings and Export Association on the negative consequences of piracy on livestock exports.

Capacity Building: 3 training sessions conducted for 60 media personnel; Prepped Darwish Primary school learners on basic debating skills and piracy issues.

5.2. Results achieved to date

a. A sharp drop in Piracy Off the Somali Coast

- i. Generally, there was a sharp decrease in piracy attacks and ship hijackings off the Somali coast during the project period as reported by the International Maritime Bureau (IMB).
- ii. The PDRC counter piracy unit working closely with Jariban district authorities, TFG dignitaries (sons of Jariban working with the Office of the Somali Prime Minister) and clan leaders through a Diaspora led youth group, mobilized communities to expel pirates from the notorious hotspot of Gara’ad.

b. Greater community understanding of Piracy’s effect on their livelihoods and security

- i. 365 community members from various categories of the social strata like the civil society, traditional elders, clan leaders, the business sector, respectable professionals, were provided platforms for education, experience sharing, and question and answer sessions with the appropriate government organs to help them establish the link between piracy and the existing problems of security, and dire livelihood conditions within their communities. These platforms also presented piracy’s effects on Somalis’ image internationally. Apart from the above, various articles and broadcasts covering the issues were delivered, with similar messages to the target audiences. As shown in the voxpops and the usual Q&A sessions conducted at the end of the meetings, communities have developed insights into the numerous effects of piracy on security and livelihoods.

c. Communities’ positive perceptions on the Legitimacy of Piracy has changed

- i. The PDRC Counter Piracy Unit and its media partners collected voxpops from the public to scan changes in the public’s perception on Piracy. There was a public

consensus on the unlawfulness of piracy money. In response to the question, “Is piracy Halaal (lawful) or Haraam (unlawful)?” respondents all said that it was Haraam. (*see pictures of hand raising by students during the civic education lectures, listen to collected voxpops on media program CD’s*)

ii. Similarly, we cleared away the popular perception initially held by target audiences, that of pirates seen as sea resource protectors, or rather, vigilante coastguards. The messaging exposed their anti-social behaviors, the most disheartening one being the gang raping of a minor IDP girl by 7 pirates at Tawakal IDP camp. The campaign also clearly highlighted the fact that illegal fishing vessels were the least of the prey hunted and captured by pirates.

d. Some of the empowered Somali public condemn piracy

i. Close to 40 persons from our target audiences, 7 of them from the ancient Red Sea fishing community of Elayo-the furthest frontier of our campaign, which used to be the launch pad for the notorious jailed pirate Mr. Hanano; currently languishing in an Egyptian jail – condemned acts of piracy and lamented the ills it had borne in their communities. Elayo residents have 50 sons serving sentences in prisons across the world; in the film, they pray to Allah to bring back their sons and call upon the Somali youth to resist the glitter and glamour of piracy – and to prefer an honest living. (*See annexed report Elayo Public Forum*)

5.3. Major obstacles encountered when implementing the project

FUND TRANSFER DELAY

The contractor experienced delays in transferring funds for the project’s second installment. The funds were delayed for almost 3 months and coincided with the implementation of the most crucial component of the project, the outreach to coastal communities who were the primary target of our campaign. The campaign made various calls to stakeholders but stringent transfer processes could not be hurried. The transfer of the second installment also coincided with the end of 2011, a time when most international agencies are busy with account closures and audit processes. This forced the project team to cancel various appointments and adjust the work-plan to accommodate a quick program in pursuit of achieving the work within the stipulated timeline. Among the adjustments was the cancellation of research processes (a voluntary undertaking by PDRC with no budget lines in project budget) and limiting research activity to dispensing questionnaires and collecting perceptions without analyzing the collected data. Unfortunately, this important and overlooked part of the campaign will not be reported along with this final completion report. This delay has forced the project team to work round the clock to complete the outreach component, the civic education component and the drama. This also made reporting a hurried effort from the project team.

Budgetary limitations

- The project budget did not have allocations for production costs of the programs. This consumed the time of the project team since they had to spend most of the time in research, writing creative briefs, and even producing spots and programs.
- The project budget did not have sufficient and clear demarcations for specific programs. For instance, there was no outline for the drama costs, the balances could only provide for the development of the design document and acting, however, after pleading with the

veteran scriptwriter, we managed to get scripts for a single play without the multiple series drama which was initially planned by the project team.

- This being a communication project, there was a need to understand the change achieved by the various messages transmitted to the target audiences, however, the budget did not have allocations for assessing and evaluating: a) Campaign material pretests and posttests b) Campaign impact and KAP analysis. The project team made innovations to assess KAP through the collection of voxpops from the public, although the voxpops have been used for broadcasting, there is neither time nor resources to assess the vast amounts of non-structured data that was collected during the project duration. The project coordinator is seeking volunteers to carry out the analysis of the data and hopefully will be able to produce a report in the shortest possible time.
- The limited budget also limited coordination and networking efforts for the project, the available budget was insufficient for holding several stakeholder meetings to bridge the gap between the international community and the local stakeholders.
- To understand and educate the public on the consequences of piracy to Somalis and the international community at large, the team needed visits and documentation of these effects in neighboring countries, for instance a small documentary on prison conditions for pirates would be a very important counter piracy tool for the media. The budget however limited us to heavy reliance on secondary and unreliable information.
- The budget did not attend to the security needs of the project team, neither did we attend to the security needs of the journalists and presenters from the partner staff. Thus, our field operation decisions were limited to using secondary intelligence and daring expeditions without security into some of the most dangerous places, for example in Elayo, where there are reports of extremist elements and territorial tensions between Puntland and Somaliland. The team relied on personal intelligence and prayer for security. (I highlight the assassination of the campaign monitor in the piracy hotspot of Galkayo and a journalist also killed in cold blood in Galkayo.)
- The USD depreciated against the local currency by 24%, which affected the purchasing power of the project financial capacity.

Understaffing of project

- The project had only 3 staff members. It was very difficult for the coordinator to produce for the partner radio and TV stations, research, plan and conduct events, report and coordinate activities. Similarly, the team had the daunting task of monitoring activities and collecting feedback from an expansive scope beginning from Elayo in the northern territory of Puntland to Jariban and Gara'ad located at the lower tip of the Puntland territory. This was especially difficult due to the limited reach of the media partners, for example Radio Galkayo was limited to Galkayo and Galmudug, and it was difficult for the project team to monitor their broadcasts from Garowe. The PDRC director in Galkayo volunteered to do that service for the project, but did not live long enough to complete the project with us. The project - considering its scope and its 9 partners, most of them understaffed, would need at least 4 additional staff, including researchers, producers, officers and a project manager.

Limited partner capacity (the Media)

- The media partners from the project had very few staff members and were not

experienced in carrying out media campaigns. None of the partner firms had ever carried out an analysis on their audiences and could barely help us with statistics to plan our campaign operational plan. The partner (media) firms' capacity needs were immense and could not be attended to the meager funds provided by the project. In fact, the CP Unit had to arrange them in subsets to pool their resources and work physically with them in their studios. 75% of the campaign materials were produced directly by the project team and the PDRC audiovisual unit as a result, with technical support of a media expert consultant. The CP Unit tried even to produce their monthly reports at the beginning but could not continue doing so due to the limited available time.

Challenges to Behavior Change

Media Coverage Limitations

- The limited coverage of radio and television in Puntland.
- The high levels of illiteracy amongst target audiences.

Limited transparency and freedom of expression on crimes committed at sea as well as the counter piracy operations carried out by naval powers within Somali waters. This has left a communication vacuum that has given way to suspicion and speculation amongst the Somali people.

- The perception that no consideration was given by our campaign to address the underlying causes of piracy like illegal fishing.
- The rumors spread by fishermen claiming that the international navy forces were using piracy as an excuse to exploit/facilitate the exploitation of Somalia's fishing resources and offshore mining deposits.
- Collateral damage by mysterious naval forces in Eyl, Bargal, and other locations in the Bari region coastline leading to the killing of genuine fishermen by the naval forces have accelerated the unpopularity of counter piracy efforts amongst our audiences. These allegations result in endangering the life of counter piracy activists who are viewed as intelligence collaborators with naval forces (*this is untrue since naval operations to combat piracy off the Somali coast are yet to coordinate with our messaging efforts on the ground*)
- Rumors of Mysterious Counter Piracy Tactics employed by naval powers on the Sea, like the confiscation of high powered engines from human traffickers and fishermen. Claims report that some replace the confiscated engines with low powered engines while others leave the victims of confiscation to float helplessly on the sea.

Other common challenges to behaviour change

- Rampant Illegal, Unregulated and Unreported (IUU) fishing in places visible to coastal communities

5.4. Concerning risks identified in the application – have any materialized – have any measures been taken?

N/A

5.5 Any health/safety/environment issues? Special measures taken?

- Inhibition of media performance by threats, property confiscation, assassinations and bodily harm upon journalists and project staff.
- Insecurity in piracy hotspots
- General public negativity towards exposure on film taking, audio or even in pictures.

5.6. Partnerships and cooperation with other organizations formed while implementing the project

Outreach activities included collaboration with district authorities, religious leaders and poets.

74. **PROJECT #037**

1. Participating UN Organization

Name of UN Organization (Lead)	UNPOS
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2. Project Information

a. Project Number	037
b. Project Title	Campaigning against piracy in Somalia – to create greater public awareness of the harmful consequences of piracy.
C. Project Duration	18 Months
d. Project Starting Date	29 December 2012
e. End Date	28 June 2014
f. Location of Project	South Central Somalia and Dadaab Kenya
g. Thematic/Focus Area	Greater awareness of the dangers associated with piracy
h. Primary Project Objective (Summary)	This 18-month project will influence public opinion in South Central Somalia and among refugees in Kenya against piracy by highlighting the dangers and problems associated with engaging in piracy.
i. Implementing Partner (s) (if applicable)	Aden and Partners

3. Time

a. Did the project start on time?	No
b. Is the planned end date still applicable?	Yes
c. Is the project currently on time?	Yes
d. Comments if a-c is negative.	The procurement process took longer than anticipated, but once contractor was on board the project was launched and is now on course.

4. Financial Information (USD)

a. Overall Budget	553,250
b. Trust Fund Contribution	553,250
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to the budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	N/A

5. Assessment of implementation and monitoring of project activities

5.1. Activities carried out in the reporting period
<p>During the reporting period (Jan – Dec 2012) UNPOS completed the procurement of a contractor for the project:</p> <ul style="list-style-type: none"> · Raised a requisition for a vendor/contractor · Prepared a Letter for Expression of Interest · Sent out the Request for Proposal (RFP) <ul style="list-style-type: none"> o Prepared the Statement of Work o Drafted Key Performance Indicators · RFP posted for 30 days · Tender Opening Committee opened the bids · Technical Evaluation Committee evaluated the proposals · Financial Evaluation Committee – evaluated the proposal · Selected and Negotiated with the best vendor · Drafted and signed the contract for Public Information Services
5.2. Results achieved to date
Implementation of the contract started in January (For next reporting period)
5.3. Major obstacles encountered when implementing the project
<p>A technically long procurement process was complicated by the scarcity of experts in the region. The need to find vendors with experience in the war-torn country was deemed essential in order to guarantee impact in the project area. Eventually, we were able to find a vendor with the requisite mix of technical expertise and experience in the region.</p> <p>Second, the budget was restrictive as it was based on projections from work done in Puntland and did not take into account the challenges of security and travel in the region. As a result, some of the anticipated project activities had to be redefined in order to be feasible for the project locations.</p>
5.4. Concerning risks identified in the application – have any materialized – have any measures been taken?
<p>The biggest risk is security in South Central Somalia. This risk has been mitigated by providing a security allowance in the budget that is used for the protection of consultants in Somalia. Additionally, in some of the remote locations where Piracy Information Offices were planned, we opted for Liaison Teams that could go in to set up Town Halls and disseminate information without having a permanent presence on the ground.</p>

5.5 Any health/safety/environment issues? Special measures taken?
--

Yes: See above.

5.6. Partnerships and cooperation with other organizations formed while implementing the project

Among the first deliverables of the contract was for the vendor to submit a signed Memorandum of Understanding with key stakeholders, including government, religious clerics, youth groups, and civil society organizations. The results will be in the next report as these activities were scheduled for 2013.

4. FINANCIALS

4.1 Donor Contributions to the Trust Fund

74. Since its inception, the Trust Fund received USD 16,580,678 in contribution (See Table 2).

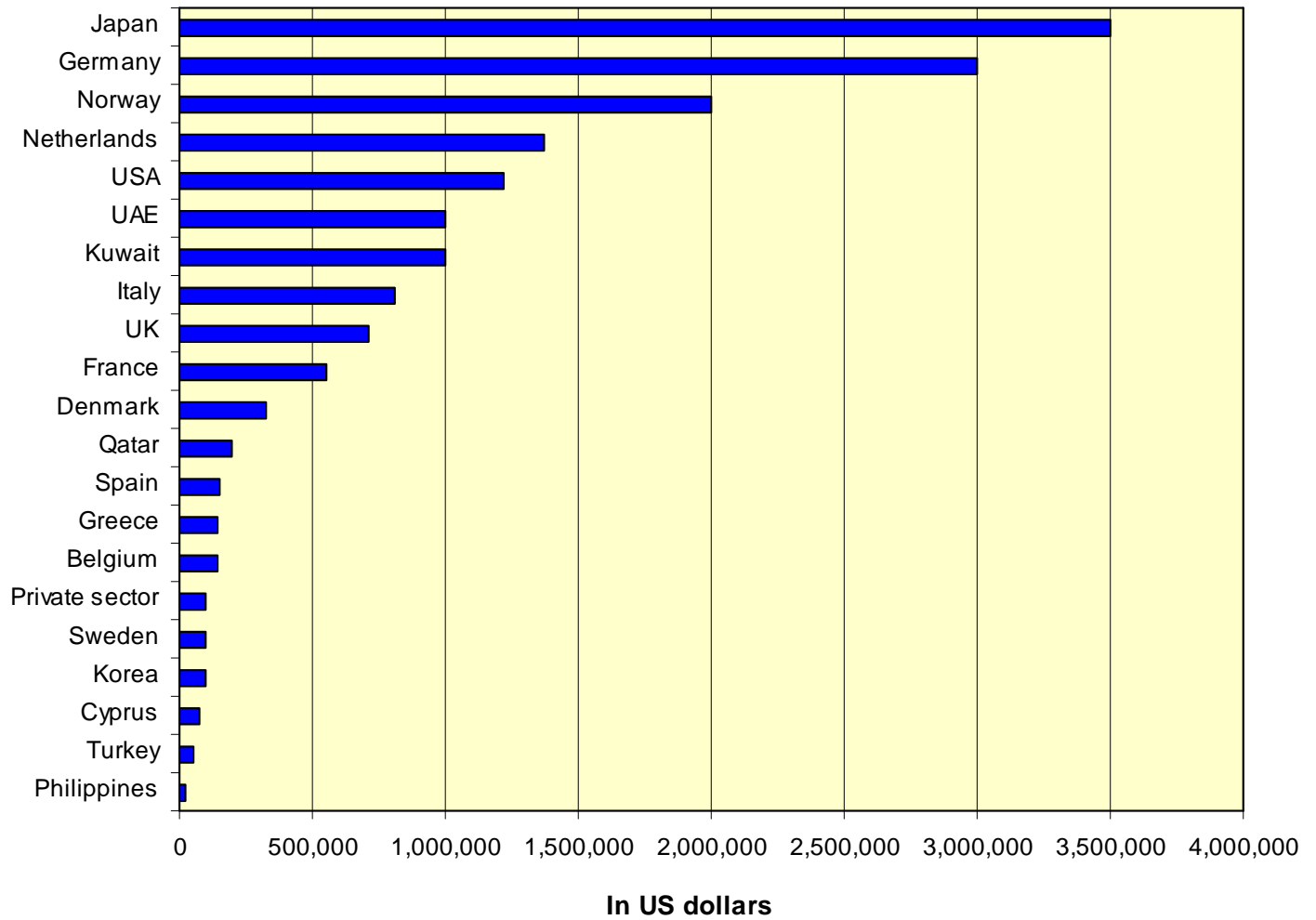
Table 2: Year-Wise Summary of Donor Deposits as of 31 December 2012

Contributor	Date	Currency	Pledge Amount	USD
Cyprus	Nov-09	Euro	50,000	75,301
France	Dec-09	Euro	100,000	150,602
Germany	Dec-09	USD	1,000,000	1,000,000
Sweden	Dec-09	USD	100,000	100,000
Total collection for 2009				1,325,903
Denmark	Jul-10	DKK	2,000,000	329,042
Greece	Jan-10	Euro	100,000	144,300
Japan	Mar-10	USD	500,000	500,000
Netherlands	Dec-10	Euro	1,000,000	1,371,464
Norway	Jun-10	NOK	4,000,000	631,512
Norway	Oct-10	NOK	4,000,000	686,695
USA	Dec-10	USD	100,000	100,000
Total collection for 2010				3,763,013
Belgium	Aug-11	Euro	100,000	142,857
France	Dec-11	Euro	300,000	400,000
Italy	Jun-11	Euro	200,000	284,900
Italy	Dec-11	Euro	100,000	133,333
Japan	Mar-11	USD	1,000,000	1,000,000
Kuwait	Jul-11	USD	1,000,000	1,000,000
Norway	Sep-11	NOK	4,000,000	682,594
Philippines	Nov-11	USD	25,000	25,000
Qatar	Jun-11	USD	100,000	100,000
Rep. of Korea	Dec-11	USD	100,000	100,000
Turkey	Nov-11	USD	50,000	50,000
UAE	Oct-11	USD	1,000,000	1,000,000
UK	Mar-11	GBP	453,010	710,512
USA	Nov-11	USD	1,000,000	1,000,000
USA	Dec-11	USD	118,259	118,259
Total collection for 2011				6,747,455
DP World			99,964	99,964
Spain	Jan-12	Euro	90,000	116,279
Japan	Mar-12	USD	2,000,000	2,000,000
Qatar	Oct-12	USD	100,000	100,000
Italy	Nov-12	Euro	300,000	388,601
Spain	Nov-12	USD	38,860	38,860
Germany	Nov-12	USD	2,000,000	2,000,000
Public donation		USD	601	601
Total collection for 2012				4,744,305
TOTAL				16,580,676

Table 3: Summary of Individual Donor Deposits as of 31 December 2012

Country	Amount USD
Philippines	25,000
Turkey	50,000
Cyprus	75,301
Republic of Korea	100,000
Sweden	100,000
Private sector	100,565
Belgium	142,857
Greece	144,300
Spain	155,139
Qatar	200,000
Denmark	329,042
France	550,602
UK	710,512
Italy	806,834
Kuwait	1,000,000
UAE	1,000,000
USA	1,218,259
Netherlands	1,371,464
Norway	2,000,801
Germany	3,000,000
Japan	3,500,000
Total	16,580,676

Figure 2: Individual Donor Deposits as of 31 December 2012



4.1 Analysis of Expenditure

75. Under the management of UNODC, since the inception of the Trust Fund until 31 December 2012, a total of USD16.58 million was received from donors including Member States, private shipping company and an individual. The Board approved 27 projects and four replenishments of the ExFac¹⁸ with a total value of USD16.3 million. As of 31 December 2012, USD11.5 million (USD11,524,947) had been disbursed to the Recipient UN Organizations.¹⁹

76. The United Arab Emirates held an international conference on piracy, titled “Global Threats, Regional Responses: Forging a Common Approach to Maritime Piracy” on 17-19 April 2011 in Dubai. In the margins of this event, a joint UN-UAE fundraising event was held on 19 April, which raised almost \$5 million for the Trust Fund. These new pledges were made by Member States, and for the first time from the private sector (UAE shipping companies: E-marine, DP World, Abu Dhabi Ports Company). Within the reporting period, \$2.3 million has been collected and a balance of \$1.2 million remains outstanding - \$1.4 million pledged by the Netherlands was later contributed bilaterally to UNODC.

77. A certified financial statement, provided by UNODC, following the closure of UNODC’s 2012 accounts is attached below as Annex 1.

¹⁸ Please refer to section 3.1.1 for additional information.

¹⁹ In January 2013, in accordance with the decision of the Trust Fund Board following the meeting of December 2012, UNODC transferred to the UNDP MPTF a sum of USD2.53 million (\$2,527,461.14), representing deposits made in October-December 2012, to permit it to disburse funds for projects approved by the Board in December 2012. The remaining balance of USD 3,848,197 was transferred to the UNDP MPTF on 30 April 2013, following closure of UNODC’s 2012 accounts.

TRUST FUND TO SUPPORT INITIATIVES OF STATES COUNTERING PIRACY OF THE COAST OF SOMALIA
Statement of Income and Expenditure, and Changes in Reserves and Fund Balances
as at 26 April 2013 for the biennium 2012-2013
(In United States Dollars)

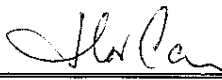
INCOME		
Voluntary Contributions ^{a/}		4,744,306
Interest Income		39,809
	TOTAL INCOME	4,784,115
EXPENDITURE		
Staff and Other Personnel Costs		140,961
Travel		336,881
Contractual Services		1,138,493
Operating Expenses		23,864
Acquisitions		47,911
Fellowship, Grants, Others		53,575
Programme Support Costs (implementing partners)		118,812
	Total Direct Expenditure	1,860,497
Programme Support Cost (United Nations)		204,349
	TOTAL EXPENDITURE	2,064,846
Excess (Shortfall) of income over expenditure		2,719,269
Prior period adjustments		
Net changes in provisions		-551,813
Net excess(shortfall) of income over expenditure		
Transfers (to) from other funds ^{b/}		-2,654,937
Refunds to Donors ^{c/}		-2,527,461
Reserves and Fund Balance, Beginning of Period		6,863,140
RESERVES AND FUND BALANCES, END PERIOD		3,848,198

a/ See Pledge Schedule

b/ Transfers made to UNODC for implementation of projects

c/ Transfers made to UNDP

29 Apr 2013




Polinikis Sophocleous
Chief of FRMS
UNOV / UNODC




TRUST FUND TO SUPPORT INITIATIVES OF STATES COUNTERING PIRACY OF THE COAST OF SOMALIA
Statement of Income and Expenditure, and Changes in Reserves and Fund Balances
Statement of Assets, Liabilities, and Reserves and Fund Balances
As of 26 April 2013
(In United States Dollars)

ASSETS		
Advances to Implementing Partners		1,108,189
Interfund Balance		3,848,199
TOTAL ASSETS		4,956,388
 LIABILITIES		
Other Payables		0
	TOTAL LIABILITIES	0
 RESERVES AND FUND BALANCES		
Reserves for Allocations		1,108,190
Reserves and Fund Balances		3,848,198
	TOTAL RESERVES AND FUND BALANCES	4,956,388
	 TOTAL LIABILITIES, RESERVES AND FUND BALANCES	 4,956,388

29 Apr 2013



 **Polinikis Sophocleous**
Chief of FRMS
UNOV / UNODC



Pledge Schedule for the Trust Fund to Support Initiatives of States Countering Piracy Off the Coast of Somalia

Donor	Unpaid Pledges as at 1 January 2012				Income from Pledges for 2012			Pledges for Future Years	Adjustments	Collections	Revaluation (Losses) Gains	Unpaid Pledges as at 31 December 2012
	a	b	c	d=b+c	e	f	g					
DP World	-	-	99,964	99,964	-	-	-	99,964	-	-	-	-
Germany	-	-	2,000,000	2,000,000	-	-	-	2,000,000	-	-	-	-
Italy	-	-	388,601	388,601	-	-	-	388,601	-	-	-	-
Japan	-	-	2,000,000	2,000,000	-	-	-	2,000,000	-	-	-	-
Public Donations	-	-	601	601	-	-	-	601	-	-	-	-
Qatar	-	-	100,000	100,000	-	-	-	100,000	-	-	-	-
Spain	-	-	155,139	155,139	-	-	-	155,139	-	-	-	-
Total	-	-	4,744,306	4,744,306	-	-	-	4,744,306	-	-	-	-

TRUST FUND TO SUPPORT INITIATIVES OF STATES COUNTERING PIRACY OF THE COAST OF SOMALIA
As of 26 April 2013
(In United States Dollars)

Advances to Implementing Partners	
UNPOS	\$553,250.00
UNDP	\$554,938.66
Total	\$1,108,188.66



Project: Trust Fund Expedited Facility

**Support of the Integrated Programme - XSSX11(FSB 6418)
Project Financial Report as of 31 December 2012
(in United States Dollar)**

1) Income:

<i>Donor</i>	<i>Pledge Reference</i>	<i>Pledge Amount</i>	<i>Collected Amount</i>
Global	PTF801-10	200,000	200,000
	PTF802-10	200,000	200,000
	PTF807-12	200,000	200,000
Total		600,000	600,000

Pledges received are reported as cash collected amount.

2) Expenditures:

<i>Description</i>	<i>Expenditures prior to 2012</i>	<i>Expenditure Jan - Dec 2012</i>	<i>Total Expenditure</i>
Travel	213,702	-34,048	179,654
Personnel	58,556	9,035	67,591
Subcontracts	47,713	-115,490	-67,777
Training	653	26,676	27,329
Equipment	23,136	31,294	54,430
Miscellaneous	30,035	1	30,036
Project Sub-Total	373,795	-82,532	291,263
Support Costs	26,165	-5,778	20,387
Project Total	399,960	-88,310	311,650

3) Balance:

<i>Description</i>	<i>Project Fund Balance</i>
Pledged contribution upto Dec 2012	600,000
Gains/(losses) from currency fluctuations - Operations	-
Less: Expenditure upto Dec 2012	(311,650)
Balance as at 31 December 2012	288,350

I certify that the above financial statement is correct and that the accounts are maintained in accordance with the financial regulations and rules of the United Nations.


 Flor Cam
 Chief, Accounts Section
 Financial Resources Management Service



15 APRIL 2013
 (Date)