



LIBERIA

PROJECT HALF YEARLY PROGRESS UPDATE

PERIOD COVERED: JANUARY – JUNE 2014

Project No & Title:	PBF/LBR/A-12: Support to Constitutional Reform Project (Project ID: 00088041)		
Recipient Organization(s)¹:	UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP)		
Implementing Partners (Government, UN agencies, NGOs etc):	CONSTITUTION REVIEW COMMITTEE		
Location:	Monrovia and nationwide in Liberia		
Total Approved Budget :²	US\$ 2,000,000		
Preliminary data on funds committed :³	US\$ 2,000,000	% of funds committed / total approved budget:	100%
Expenditure⁴:	US\$ 1,228,194	% of expenditure / total budget: (Delivery rate)	61%
Project Approval Date:	4 October 2013	Possible delay in operational closure date (Number of months)	
Project Start Date:	1 January 2014		
Expected Operational Project Closure Date:	31 December 2015		
Project Outcomes:	Constitutional and legal reform foster national reconciliation and respect for the rule of law through a participatory consultative process		
PBF Outcomes:	2.2: Democratic Governance		

Qualitative assessment of progress

For each intended outcome, provide evidence of progress during the reporting period.

In addition, for each outcome include the outputs achieved. (500 words max.)

Outcome 1: Constitutional and legal reform foster national reconciliation and respect for the rule of law through a participatory consultative process

The overall intent of the project is to facilitate an inclusive and participatory constitutional review process in Liberia so as to advance reconciliation, political dialogue, peace consolidation. This is being achieved by the participatory review process through the dialogue aimed at achieving some consensus on underlying issues and the nature of state best suited for Liberia; finally and thereby contribute to the creation of an enabling environment for the next phase of political, social and economic development in Liberia. The UNDP through this project supports the review process in line with the Government's obligation under Articles 91, 92 and 35 of the Constitution. Specifically, the project has strengthened national capacity for the implementation of a transparent, impartial, inclusive, participatory and creditable constitution making process. The project has provided technical, financial and logistical support to the CRC (Constitution Review Committee) to undertake review, research, establish its secretariat, coordination processes, and implement its work plan. Secondly, to support relevant government ministries and agencies, political parties, civil society, women, youth and the media to enhance public participation by developing and implementing a civic education programme at national, county and community levels, and conduct public consultation and dissemination of constitution related materials and popularize the constitution and draft proposals. These interventions have enabled Liberians nationally and in the Diaspora to discuss fundamentals of a perceived flawed governance structure and system and proposed alternatives through a process of dialogue and negotiation. The process has provided a platform for venting of frustrations of present system and provided an opportunity for citizens to express their concerns, frustration and desire for an improved governance architecture. Given the depth of engagement, proposals emanated from the review process will be owned by most Liberians and create a sense of obligation to uphold and protect constitutional principles agreed upon.

Output 1: Capacity of CRC Built

To achieve this output, the main activity result was to develop the institutional capacity of CRC and to establish a gender desk. Several activities relating to staff personnel were undertaken. CRC hired 15 county focal points persons together with 8 Assistants and trained 45 civic educators. It also hired the following personnel: 1 Gender desk officer, 1 National Project Officer, 6 Legal National Officers. The recruitment of this personnel enabled the CRC to mobilize public participation for the review process, undertake civic education and conduct public consultation. The recruited staff have also assisted in the compilation of views and the translation of these views into possible amendments for discussion and passage. Within the AWP, CRC was not able to hire the Focal Point & Civic Educator Supervisor. Notably, these positions were time bound; they were either for

one year, six months and 4 months.

Output 2: Review of Constitution and Preparation of Amendments Undertaken

Towards this output, CRC realized two key results: the first was to conduct the *review of the 1986 constitution and thereafter to hold a national constitutional conference*. Specific activities were carried out, some albeit late. CRC managed to only conduct comparative study tours to Ghana and Kenya. CRC could not visit South Africa due to limited resources and exigencies of time. Secondly, CRC completed 73 local consultations on the constitution, as well as a Diaspora Consultation in Ghana and the USA. Although Europe was in the AWP, time, resources and visa complications could not allow CRC to travel to Europe. CRC is hoping to hold the National Constitutional Conference in August. The second result in pursuit of this output was the preparation of draft amendments and explanatory notes and their submission to the President. To support this CRC was to hire 1 international constitution-drafting expert for 1 month. Although Prof. Muna Ndulo has been identified, he has not yet come. However, CRC has since finalized a report of the consultations and is in the process of listing proposed amendments before printing and disseminating them. UNDP has already received a request for the printing of the report that would be tabled at the National conference. Although CRC is expected to hold 5 public hearings on draft amendments with National Legislators, time is not on their hand. CRC has since held one meeting with the Legislature. There are plans to hold more meetings.

Output 3: Public participation in the constitutional review process enhanced

CRC pursued three key result areas within which a number of activities were carried out. The first was conduct of civic education; CRC printed copies of the 1986 Constitution including simplified version, translation into Liberian languages and produced suggestion boxes that were placed in all 15 counties at various locations. In addition, CRC launched a civic education program, and in order to ensure civic education is perpetuated at the counties, it employed 88 civic educators in all counties and 73 electoral units. In addition to the foregoing, CRC launched its website which has enhanced its outreach activities. It has also been carrying out a regular radio talk show titled: the “Big Law Book” which is aired at UNMIL radio every Thursday. CRC also hired key staff to engender its realization of this activity; they include the IT-officer/Web Master to continue updating the site; a Media Officer with responsibility to ensuring that CRC is engaging with the Media for press coverage, media outreach, Internet service. The other still outstanding activities in respect of this output are the development of consensus on draft proposals and the conduct of civic education on the draft amendment. The latter is being planned to take place after adoption of the former at the national conference. For this purpose, CRC will still need to employ civic educators whose contract has since lapsed after conclusion of the public consultations.

	<p>Output 4: Capacity of the LRC, GC/Traditional Council, youth and women agencies to support constitutional review strengthened</p> <p>A key result of this output was to strengthen the capacity of the Law Reform Commission (LRC) and Governance Commission (GC) to contribute to the constitution review process. To this extent, CRC’s work plan included specific allocations to both GC and the LRC to strengthen their capacity in providing technical support and guidance to the process as the CRC maintained the political face. Both LRC and GC continued to provide technical support by housing the technical teams that have supported the drafting of the amendments.</p> <p>Output 5: Participation/ inclusion of civil society, political parties and media in the review process enhanced.</p> <p>A key result of this output was to enhance capacity of civil society, political parties and media to effectively support and participate in the review process. Although CRC went out of its way to allocate resources within the AWP, smooth working with the CSOs remained a challenge as the majority were expecting to receive funds first before agreement on the modalities; it also took rather long to conclude an MoU between CRC and the CSOs; an initial meeting with political parties was held but a later one suffered a blow when the NEC deregistered 16 of the 31 political parties. An audit is being conducted to establish the most effective way of working with CSOs, and CRC continues to encourage political parties to submit their party positions on the review process.</p>
<p><i>Do you see evidence that the project is having a positive impact on peacebuilding? (250 words max.)</i></p>	<p>The review process has given Liberians both in the country and in the Diaspora the opportunity to ventilate and speak out their hearts about the kind of governance they want; this was helped with CRC’s framing of a key question to the Liberians during public consultations, namely, “what needs to change in the country?” Liberians went back memory lane with some suggesting that Liberians identity which appears to be unresolved; they made proposals around leadership; proposed for assurances on equity and decentralization; that Monrovia was not Liberia and neither was Liberia Monrovia. The review process brought everyone on the negotiation table and it thus became one major dialogue that contributes towards peace building. The people spoke eloquently about the protection of human rights. The review process links with other processes all geared towards the reconstruction of Liberia, hence a major milestone towards peacebuilding.</p>
<p><i>Were there catalytic effects from the project in the period reported, including additional funding commitments or unleashing/ unblocking of any peace relevant processes?</i></p>	<p>The meeting with the Legislature, participation by the Speaker of the Legislature in CRC functions was a boost; The Legislature expressed support and called for comprehensive review of the constitution; arguably, there is good political will that is still being developed; USAID’s contribution of US\$ 1.8 million to the project has been catalytic and assured project implementation in the remaining quarters. A couple of meetings with the President and her assurances that she was fully in support of the project was a great assurance to the project especially her commitment to support the national constitutional conference. Analysis of events continues as</p>

<p><i>(250 words max.)</i></p>	<p>CRC prepares for the next major phase, the national conference, and the publication of the report as well as the amendments. There is also developing consensus that a couple of meetings with the Legislature would be a strategic move before the final list of amendments is taken to referendum.</p>
<p><i>If progress has been slow or inadequate, provide main reasons and what is being done to address them.</i> <i>(250 words max.)</i></p>	<p>Progress has been slow for the main reason that CRC was not able to stick to agreed timelines; always opted to act in the last minute; to this end CRC constantly reviewed its timelines; external support could not be enhanced owing to the constant reminder that the review process was a sovereign act that was best left to Liberians; capacity as well as capability to do the job persisted; CRC was jolted to reality when it visited Ghana and Kenya to meet the committee of Experts and the Implementation commission in the two countries; they were able to learn how processes there were done; this motivated them and regrettably, these study tours did not come earlier. To some considerable extent, one would argue that CRC members (as well the Secretariat) had not fully appreciated the magnitude of the work before them and the responsibility that comes with it. This is, however, now being appreciated and implementation of the project in the next quarter appears promising.</p> <p>Another challenge has been CRC's capacity, it has been a difficulty to identify and recruit the right skills and match them against competencies required for the delivery of CRC's mandate. CRC's capacity and capability to deliver can thus be adjudged at 65%.</p>
<p><i>What are the main activities/expected results for the rest of the year?</i> <i>(250 words max.)</i></p>	<p>The first immediate activities are: the signing off of the Quarter 3 work plan, the convening of the Board meeting, the holding of the national constitutional conference, preparation of the draft amendments, the publication of the same, the publication of the report, submission of amendments to the president, who will then transmit them to Legislature, and the preparation towards civic education on the proposed amendments. Of course, the analysis of the views collated so far continues in earnest.</p>
<p><i>Is there any need to adjust project strategies/ duration/budget etc.?</i> <i>(500 words max.)</i></p>	<p>Yes there is need to adjust the strategy. In light of the challenge posed by the design of the review process, as contemplated in articles 91 and 92, a serious challenge appears to be how to present each of the amendments at the ballot paper/referendum, especially after the people's views appear to suggest a comprehensive review of the constitution in which they will be voting for a new constitution; it is not clear at this stage whether the process would be a success in the light of the remaining critical activities, that is, the national conference, which to this date has zero budget despite GoL assurances; the budget is yet to be passed; the CRC is yet to invite the specific delegates, the analysis of all views has been slow; members of CRC are yet to meet and internally own the amendments, as well as agree on the contents of the report; meetings with the legislature is gaining currency before the NCC and it is not clear when this would be.</p>

<p><i>Are there any lessons learned from the project in the period reported?</i> (500 words max.)</p>	<p>The adequate planning is absolutely a lesson that has been learnt; the generous spacing of timelines in order not to rush activities remains a major lesson; the need to match skills and competencies at the secretariat had been overlooked; the building of processes and systems first before work would have averted some of the challenges experienced; for example, CRC was adjudged as incapable of procuring and this made it difficult for both UNDP and CRC to implement the project smoothly because UNDP processes became a challenge in light of the timelines adopted by CRC. CRC could not present requests to UNDP in good time so that UNDP's internal processes could take place.</p>
<p><i>What is the project budget expenditure to date (percentage of allocated project budget expended by the date of the report) – preliminary figures only?</i> (250 words max.)</p>	<p>The project expenditure up to date is US\$ 1,228,194. This amount is 61 percent of the total funds allocated for the Project.</p>
<p><i>Any other information that the project needs to convey to PBSO (and JSC) at this stage?</i> (250 words max.)</p>	<p>There is need to revisit the project implementation in light of Articles 91 and 92. These two articles appear to be an obstacle especially when people's expectations have been raised on what they thought was wrong with the constitution; therefore the practicality of presenting before them a litany of amendments in a ballot box appears a difficult practicality; Liberia already has experience in a past referendum in which of the 5 issues presented, only one went through. Constitution making is a difficult ball game and a comprehensive presentation of one document as opposed to a list of amendments would be highly commendable.</p>

INDICATOR BASED PERFORMANCE ASSESSMENT: *Using the Programme Results Framework as per the approved Project Document - provide an update on the achievement of key indicators at both the outcome and output level in the table below. Where it has not been possible to collect data on indicators, state this and provide any explanation in the qualitative text above (250 characters max per entry).*

Outcome 1	Performance Indicators	Indicator Baselines	End of Project Indicator Targets	Current Indicator Progress	Reasons for Variance/Delay (if any)	Adjustment of targets (If any)
Outcome 1: Constitutional and legal reform foster national reconciliation and respect for the rule of law through a participatory consultative process	Outcome indicator: Number of public consultations on constitutional review conducted with key stakeholders	September 2013: 3 Public consultations held	December 2015: At least 25 public consultations undertaken	41 nationwide public consultations done, 4 Diaspora consultation and 10 thematic/sectoral consultations	N/A	
Output 1: Capacity of CRC Built	Output indicator 1.1: Fully functional Secretariat including Gender Desk	September 2013: 6 full time Committee members and 3 administrative staff No Gender Desk or Focal point	October 2014: Full technical Secretariat in place including gender Officer	Full Technical Secretariat in place (6 lawyers; 23 county focal persons 45 civic educators; media officer, 4 transcribers)	N/A	
Output 2: Review of Constitution and Preparation of Amendments	Output indicator 2.1: Number of proposals prepared; including gender specific	September 2013: Draft proposals relative to Decentralization of authority available	May 2014: Proposed Amendments presented to the President	Zero draft of proposed amendments prepared	N/A	

Undertaken	amendments; an presented in a timely manner	Recommendations from Women’s Roundtable on constitutional Review available				
Output 3: Public participation in the constitutional review process enhanced	Output indicator 3.1: Number of persons reached by public consultation and civic education	September 2013: 3 public consultations held	December 2015: 5 % (200,000) Liberian people (men, women, and youth) reached and consulted	1% (40,000) of population consulted. Over 40% (1.6 million reached through multi-media)		
Output 4: Capacity of Law Reform Commission, Governance Commission/ Traditional Council, youth and women agencies to support constitutional review strengthened	Output indicator 4.1: Number of technical assistance and submission provided to CRC and LRC and GC	September 2013: 1 LRC technical staff deployed to the CRC 12 technical suggestion on constitutional review Recommendations from Women’s Roundtable on Constitutional review available	December 2015: GC/LRC use their networks, staff and resources to support review Traditional leaders, women and youth make specific recommendations to CRC	LRC leads technical drafting process. GC has deployed 3 staff to support CRC undertake its mandate and loaned office equipment and materials Specific recommendations received from traditional leaders, youth and women		
Output 5: Participation/inclusion of civil society, political parties and media in the review process	Output indicator 5.1: Number of outreach/ civic education events organized by CSOs/ media and political parties	September 2013: 2 event organized by Liberia Bar Association, Political parties & Women’s CSOs	December 2015; 20 CSOs/Media outreach campaigns with at least 15% focus on women’s groups At least 1 event	Two events organized with political parties; 1 with Women’s CSOs; 1 with traditional leaders	Grants for CSO could not be finalized as request for clear milestone and deliverables and proof thereof it still outstanding. Reports in progress	

enhanced			organized by political parties			
Output 6: Legislative and Referendum phases of the review properly planned	Output indicator 6.1: Costed proposal for legislative and Referendum phases developed	September 2013: Costed plan for referendum developed by NEC	December 2014: Project document for support to referendum, elaborated	To be done by December 2014; not due	As per schedule	
Output 7: Effective project management	Output indicator 7.1: PMU operational	September 2013: No PMU in place	March 2014: PMU operational	PMU fully operational as of February 2014, with 1 CTA, 1 project Asst; short term operational specialist; National Officer		

