



Country: Somalia
Project Initiation Plan:
Constitutional Review and Implementation Support

Project Title: Support to Inclusive and Peaceful Constitutional Review and Implementation

Outputs and Results

PSG 1: *Inclusive Politics*

PSG priority: *2. Finalize and adopt a Federal Constitution by December*

PSG milestones: *2.1 Oversight Committee established with operational work plan and strategy and capacitated and functional*

2.2. Substantial review on the key priority areas of the constitutions conducted and public consultations held in line with the work plan of the Parliament, Ministry of Constitutional Affairs, Oversight Committee (OC) and ICRIC and results analysed

2.3. Civic education programmes designed and conducted

2.4. The Inter-Regional Consultative Forum (IRCF), or its equivalent is regularly convened to deliberate on priority areas of the constitutional review process

2.5. The OC and ICRIC through OC engage in regular dialogue with Parliament, which informs the progress on the constitutional review process per parliamentary session

2.6. Draft constitution submitted to Parliament and vote held

Initiation Plan Start Date: 01 June 2015

Initiation Plan End Date: 30 November 2015

Main implementing agencies: UNDP, UNSOM

Implementing partners: Federal Ministry of Constitutional Affairs UNCT, National Federal Parliament, Provisional Constitution Review and Implementation Oversight Committee, Independent Constitutional Review and Implementation Commission, Puntland Parliament, Puntland Ministry for Constitution, Federal Affairs and Democratisation, additional sub-national entities including relevant constitutional authorities within Interim Regional Administrations, Interpeace, Max Planck Institute, Chemonix, AWEPA, national CSOs, traditional/religious leaders and others.

Brief Description

The main objective of this UNDP's interim project is to provide immediate, short and medium-term assistance to the Federal Government of Somalia in its endeavor to start the constitutional review process. The endorsement of the 2012 Provisional Constitution was a ground-breaking achievement, which set in place an overarching, nationally endorsed legal framework to guide Somalia's efforts to rebuild the nation in accordance with division of power and the rule of law. As the Provisional Constitution left several key issues undecided the revision of the Provisional Constitution has been identified in Somalia's New Deal Compact as one of its key PSG priorities, to be completed by 2016. To that end, in accordance with the Provisional Constitution, a Parliamentary Constitutional Implementation and Oversight Committee and an Independent Constitutional Review and Implementation Commission (ICRIC) were established in 2014 to progress the review, though each body requires substantial institutional and capacity support to enable them to discharge their mandates. As part of the newly established 2015 Cabinet, a new Ministry of Constitutional Affairs (MoCA) was appointed which has the role of providing the overall organizational facilitation of the smooth execution of the tasks throughout the period of the review and implementation process of the constitution and strengthen the coordination of all institutions that are involved in the constitution review process. This ministry also requires a significant support in this process. These three bodies have signed in early March 2015 the MoU which is the guiding principles of the work of these national stakeholders are enumerated, and roles and responsibilities of each stated. This MoU is the base and the reference point of the PIP document. The bodies will need to plan and work jointly to bring together stakeholders across and at all levels of government and the community to build consensus around a range of outstanding constitutional issues over the Next nine to Twelve months.

While a project document is under preparation which shall define UN's integrated support to the

I. PURPOSE

The endorsement of the 2012 Provisional Constitution of the Federal Republic of Somalia was a ground-breaking achievement, which set in place an overarching, nationally endorsed legal framework to guide Somalia's efforts to rebuild the nation in accordance with the rule of law. Review of the Provisional Constitution is a process central to solidifying a political settlement and the success of the transition of Somalia from decades of war and conflict into a stable and peaceful country.

In accordance with the Provisional Constitution, a Parliamentary Constitutional Implementation and Oversight Committee and an Independent Constitutional Review and Implementation Commission (ICRIC) were established in 2014 to progress the review, though each body requires substantial institutional and capacity support to enable them to discharge their mandates. A new Ministry responsible for Constitutional Affairs was also established as part of the new 2015 Cabinet.

Progress with the constitutional review process in 2014 was slow, due to a range of political and security factors. However, the New Deal Compact¹ agreed did prioritise constitutional review, and the Government's own Vision 2016 Framework² also endorsed the importance of the process. Over the next 12-18 months, the Ministry of Constitutional Affairs, the Oversight Committee and the ICRIC will need to work to bring together stakeholders across and at all levels of government and the community to build consensus around a range of outstanding constitutional issues.

II. REASON FOR RAPID RESPONSE FUNDING:

A larger constitutional support project has been developed by the UN, but finalisation has been delayed by a number of factors, including the recent no confidence motion in the Government in late 2014, and slow formation of a new Cabinet. Consequently, this Project Initiative Plan has been designed to provide support to the existing key constitutional institutions, as well as to progress urgent constitutional activities. This immediate support is even more important as a new Ministry of Constitutional Affairs has been appointed and is required to engage promptly in this process, whilst the institution is being established and knowledge building of the process and developments so far.

Further, the PIP is a direct response and developed based on the framework provided by the Memorandum of Understanding (MoU) signed by the Ministry of Constitutional Affairs, the Oversight Committee and the ICRIC on 8 March 2015. This MoU, forms the bases and reference point of this document, sets out the guiding principles of the work of the three bodies, as well as the roles and responsibilities of each one:

Note: roles and responsibilities of MoCA, OC, and ICRIC are extracted from the original MoU signed in Somali version on 8th March, 2015 which is unofficial translation:

The Ministry of Constitutional Affairs representing the Federal Government of Somalia, has the following Roles and Responsibilities:

1. *To facilitate the creation of conditions that enable and ensure the effective implementation and transparent process of the constitutional review and implementation that entails;*
 - a. *Promoting and facilitating political and public consultations vis-à-vis the tasks of the Review and Implementation of the constitution with the member states of the Federal Government, the Interim Regional Authorities and other Regional Administrations that come under the Federal Government as well as the political, social and cultural organizations and the Somali society in general in order to devise and open transparent and inclusive atmosphere of the Constitutional Review Process in collaboration with the Parliamentary Oversight Committee and the Independent Constitutional Review and Implementation Commission.*
 - b. *Plan and raise the necessary resources both from the government and the international Donors in Consultation with the Oversight Parliamentary Committee and the Independent Constitutional Review and Implementation Commission*
 - c. *Ensure the organization and provision of the financial and technical resources required to enable the constitutional review process to become fully operational in consultation with the Oversight Committee and Independent Constitutional Review and Implementation Commission*
 - d. *Providing the overall necessary organizational facilitation of the smooth execution of tasks throughout the period of the review and implementation process of the constitution and strengthen the coordination of all institutions that are involved in the Constitutional Review Process.*

¹ <http://www.pbsbdialogue.org/The%20Somali%20Compact.pdf>

² http://midnimoqaran.so/eng/images/Vision_2016_Framework%20for_Action.pdf

- e. *Promotion and creation of the conditions and atmosphere that enables collaboration and mutual support among the most important entities and institutions of the constitutional review process.*
2. *Facilitate the public awareness and other civic education programs in coordination with the Independent Constitutional Review and Implementation Commission and the Parliamentary Oversight Committee as stipulated in article 132(6).*
3. *Ensure the harmonization of the official common position of the institutions of the Federal Government in the Constitutional Review and Implementation process.*
4. *Facilitate the conditions that enable the creation of appropriate political environment for the preparation and execution of a public referendum on the constitution.*
5. *Draft and implement a national referendum law which lays the foundations for conducting a referendum to endorse the constitution*

Roles and Responsibilities of the Oversight Committee of the Federal Parliament

The Oversight Committee of the Federal Parliament shall fulfil its responsibilities and obligations in accordance with Articles 133 and 134 of the Provisional constitution and Articles 15, 17 and 20 of the Review and Implementation Commission Legislative Act. These include:

1. *Oversee, direct and approve the work of the Independent Constitutional Review and Implementation Commission in accordance with the Provisional Constitution and the Review and Implementation Commission Legislative Act.*
2. *Assign drafting projects and instructions to the Review and Implementation Commission in a sequential order to ensure consistency and coherence of the draft constitution;*
3. *Internally review a draft constitutional amendment or draft bill and the accompanying report, received from the Independent Review and Implementation Commission;*
4. *Inform the public of the contents of the proposal and the report submitted by the Commission;*
5. *Ensure that adequate opportunity is provided for public debate, as far as possible;*
6. *Consult with members of the Federal Parliament for deliberation and guidance;*
7. *Engage Federal Member States legislatures, Interim Regional Administrations and other regional authority's legislatures under the Federal Government.*
8. *Manage independently resources allocated to its activities in accordance with financial and administrative regulations of the Federal Government of Somalia.*
9. *The Ministry of Constitutional Affairs, the Oversight Committee and the Independent Constitutional Review and Implementation Commission shall collaborate on public outreach and societal participation.*

Roles and Responsibilities of the Independent Constitutional Review and Implementation Commission

The Independent Constitutional Review and Implementation Commission shall fulfil its responsibilities and obligations in accordance with Articles 133 and 134 of the Provisional constitution and Article 12 of Review and Implementation of Commission Act of 3rd July 2013. These include:

1. *As the Oversight Committee may direct, draft a proposed constitutional amendment in terms of Schedule One (C), or a proposed bill as mentioned in Schedule One (D), or as otherwise required pursuant to the outcomes of the National Constituent Assembly;*
2. *Prepare a research report to accompany proposed amendments or bills, which will prescribe amendment proposals that will ameliorate the legal content of constitutional articles or bills proposed for amendments.*
3. *Accomplish the necessary legal and factual research required as basis to fulfil these tasks.*

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4. *Submit the completed proposed amendments or draft bills accompanied by the report to the Oversight Committee;*
5. *Report every three (3) months to the Oversight Committee, or upon its request, on progress in the review and implementation process of this Constitution and any related impediments.*
6. *Manage independently resources allocated to its activities in accordance with financial and administrative regulations of the Federal Government of Somalia.*
7. *Subject to budgetary limitations, employ staff and experts sufficient to accomplish its duties.*
8. *The Ministry of Constitutional Affairs, the Oversight Committee and the Independent Constitutional Review and Implementation Commission shall collaborate on public outreach and societal participation.*

The PIP is also intended to respond to the urgent requests of the MoCA, Oversight Committee and ICRIC to the UN, in writing and orally, to assist them to ensure that they are ready and able to guide an inclusive and peaceful constitutional process. To this end, the funding needs have been based on a list of needs provided by the national stakeholders to UN. This project intends to support the needed urgent kick-start of consultations and public education. It is anticipated that the bigger Project will be mobilised by mid-2015.

III. EXPECTED OUTPUTS

As noted above, a longer-term Project has already been designed to support an inclusive and peaceful constitutional review process, but finalisation and mobilisation has been delayed by the current fluid political environment. Furthermore the project needs to be aligned with an overall master plan agreed between the national and international stakeholders defining the process of constitutional review and

assigning the respective roles. A division of labour based on particular mandates, competences and strengths needs to be agreed and take place both among national institutions as well as international organisations and implementers. Support to the elaboration of this master plan is in the centre of this PIP.

This PIP seeks to implement initial activities in line with the mediumr Project, under each of the three outputs designed for the bigger Project and adds the preparation of the constitutional review master plan as a separate Output 4.

Output 1: National stakeholders, the UN, donors and implementers agree on the Somalia Constitutional Review Master Plan

- Support to state institutions involved in the review process to internally agree on a joint Somalia Constitutional Process Concept and Master Plan to guide the process. The key institutions have indicated that they intend to meet to work through their priorities and plans for the review process, and will then present an agreed Master Plan to the international community for support. The discussion shall build on a MoU between the MoCA, Oversight Committee and the Review and Implementation Commission signed on 8 March 2015
- Facilitate the organisation and running of a workshop in Jun 2015 for the MoCA, Oversight Committee, Parliament Leadership, ICRIC, donors, national CSOs, the UN and key implementers to discuss the proposed joint Master Plan; Key outcome of the workshop should be the completion of the text of the Master Plan, as well as an understanding of the division of labour between the UN and other providers of support and technical advice.
- Presentation of the final version of the Somalia Constitutional Review Master Plan to donors with a request for funding and support (July 2015).

Output 2: Constitutional review institutions supported to undertake political dialogue, negotiations and broad-based consensus building to discuss final federal constitutional review text for review, debate and enactment by parliament

- MoCA is tasked with the promotion and facilitation of political and public consultations visa-vis tasks of the federal government, the interim regional authorities and other regional administrations that come under the federal government as well as the political, social and cultural organizations and the Somali society in general in order to devise and open, transparent and inclusive atmosphere of the constitutional review process in collaboration with the parliamentary oversight committee and the independent constitutional review and implementation commission.
- Support to planning of activities for Regional Constitutional Dialogue Conference and first National Constitutional Dialogue, including support to initial meetings of national and regional stakeholders to agree upon processes for consultation and agreement (incl. meetings, travel, retreats). The Government's Vision 2016 Framework recognised that complementary to the technical constitutional review which will be led by the Oversight Committee with support to the ICRIC, it is important for there to be political dialogue and consensus building at multiple levels of government and society. The constitution represents a new social contract for the country and needs to have broad-based ownership accordingly. To this end, there has been a suggestion that a series of Regional and National Constitutional Dialogues be held, across the country, which bring together government and non-government representatives incl. CSOs to discuss the key contentious issues to be debated and build consensus around responses. The PIP will support planning for such Dialogue forums, and depending on progress will support the Dialogue itself.

Output 3: Civic education and public consultation processes undertaken to build awareness, understanding of and support for the federal constitutional review process

- Ministry of constitutional affairs is mandated to facilitate the public awareness and other civic education programs in coordination with the independent commission and parliament oversight committee as stipulated in article 132 (6).

- In line with an agreed Somalia Constitutional Review Master Plan, work with the MOCA, Oversight Committee, ICRIC, and civil society to develop a civic education implementation plan. A coordinated plan is important to ensure consistent government messaging and avoid confusion;
- Provide funding for initial civic education activities, incl. support to design of public outreach material and awareness as well as support to dissemination as far as it falls into the period Jun to Nov 2015.
- Undertake initial civic education activities targeted at all sectors of society;

Output 4: Capacities of relevant constitutional institutions, including the Ministry of Constitutional Affairs, Oversight Committee ICRIC and the Federal and sub-national administrations, supported to work collaboratively to ensure timely implementation and review of the Provisional Constitution

- Support to build operational capacity of the MOCA by funding a team of constitutional experts for the Ministry of Constitutional Affairs (MoCA) and assisting in setting up office space. The portfolios of Justice and Constitutional Affairs were separated in the new Cabinet, so UNDP will work with the new Ministry to transfer the obligations under a current LoA with former MoJCA and continue to develop its constitutional coordination capacities. ;
- Recruit and build the capacity of a team of constitutional experts fluent in English and Somali language to support the Oversight Committee. This support will enable the Committee to access timely advice, which will facilitate their active engagement with other stakeholders. The Oversight Committee will also draw on the ICRIC for advice and analysis in line with Article 134 of the Provisional Constitution. Some operational capacity to the Oversight Committee is also foreseen;
- Support to build operational capacity of ICRIC (eg. secure office accommodation, costs with thematic constitutional experts and secretariat,). The ICRIC was established only in mid-2014, but due to security challenges it has taken some time to identify safe office space and assess the ICRIC's needs. However, office accommodation is being identified by FGS and UNDP will support ICRIC Commissioners to return to Mogadishu, taking up their posts in a secure office space and developing the Commission's capacities;

Output 5: Capacities of relevant sub-national institutions including the Ministry of Constitution, Federal Affairs and Democratisation and Interim Regional Authorities supported to work collaboratively to ensure timely implementation and review of the Provisional Constitution

- Support to build operational capacity of other state institutions including Puntland and emerging interim regional authorities with constitutional expertise and engagement. This support will depend on the different development trajectories of Puntland and the IRAs and their requests for support. Under the PIP, UNDP will continue to support the Puntland Ministry of Constitutional Affairs, Federalism and Democratisation, where technical experts are already working to support organisational development and capacity development.

IV. STRATEGY AND GUIDING PRINCIPLES

In partnership with Federal Government of Somalia, UNSOM and UNDP Somalia will contribute to the overall strategic objective of PSG One, and under the UN Integrated Strategic Framework (ISF), by supporting and developing the Somali constitutional review process. Somalia is at a fragile point in its transition and expectations are high following the endorsement of the Provisional Constitution, and MPs and the public alike expect that the National Federal Parliament and relevant institutions of the Executive will be given substantial support to implement the federal constitutional review process in accordance with the Provisional Constitution. There is also a recognition that specific attention will need to be given to supporting a range of political and community stakeholders to play an effective part in supporting nation-building and peace-building as the country tries to move on from its difficult past and rebuild a nation that will hold together under pressure. With these immediate imperatives in mind, the programming strategy which will underpin this Project includes a mix of direct technical support, set within a framework of developing sustainable legal and consultation capacities in national counterparts, as well as ensuring that Members of Parliament and the Executive, as well as sub-national

representatives across the country are supported to take full ownership over the peacebuilding and state building process that is now underway.

Guiding Principles

Given the Somali context, including a dynamically changing political process and unpredictable security conditions, PIP implementation will be guided by a fundamental set of programming principles:

- **Build peaceful political consensus amongst leaders:** The federal constitutional review process will be a highly political endeavour which will require consensus-building, dialogue and in many cases, reconciliation. Effort will need to be put in to ensure that different voices are heard and conflicts are peacefully mediated. In such a politicized area of work and recognising the fragmented polity of Somalia, care needs to be taken to support multi-party, highly inclusive and transparent processes, which foster ownership across political factions, as well as clans and groups. Agreeing an initial federal distribution of powers and resources will be a tough exercise, which may indeed be revisited and renegotiated as the Somali federation continues to grow and develop. At this sensitive juncture, it is essential that all Somalis come to the process with a focus on building on the progress of the last few years to achieve a nationally-owned outcome which lay the groundwork for building a functional and viable state that will be sustainably developed by generations of Somalis to come;
- **Build buy-in for constitutional outcomes at different levels:** While visionary political leadership will be essential to agreeing a final constitutional compact, it is not enough to reach an (arguably fragile) “elite bargain” amongst political leaders. The agreements made by senior Somalis representatives must be more broadly owned by traditional elders, religious leaders, influential clan members and the community at large. Otherwise, experience has shown that while an initial constitutional bargain may be reached, it will quickly unravel due to a lack of commitment from the society whose consent to be governed in accordance with the constitution is essential. It will be essential to build a narrative amongst the country that the new constitution serves the people of Somalia and contributes to eliminate existing social tensions;
- **Ensure an inclusive political process, in particular, by women and young people:** It is essential to include the voices of the marginalized populations of Somalia, to ensure that these people also feel part of the federal Somali state which is being forged. In particular, special effort needs to be made to include the voices of the young people , women and marginalised groups whose contribution to Somalia must be recognised at the highest political levels;
- **Ensuring a flexible approach to respond to the fluid political environment:** This Project will need to be closely and flexibly managed to respond to changes in the operating environment, which will be inevitable. To ensure operational readiness and senior level engagement, UNDP will draw on the existing P5 Parliamentary Development Chief Technical Advisor and Project Manager to take responsibility for overseeing this Project and for responsively addressing challenges as they present themselves. Regular review of priorities will be required, considering the limited absorption capacity of national counterparts to date, and this will be done in close coordination with other partners on the ground. Using the existing staff from the UNDP Parliamentary Development Project and their experience will also ensure that the work of this Project with MPs leverages that work for better impact and avoids duplication.

V. MANAGEMENT ARRANGEMENTS

One UN Constitutional Coordination and Implementation

Review and implementation of the Provisional Constitution will involve considerable high level political interventions by UNSOM, in support of the creation of the Federal Member States, and dialogue across the country and levels of government to agree the final federal division of powers and resources. UNSOM has a clear mandate via Security Council Resolution to provide high level strategic policy advice on the constitutional review process and this PIP therefore recognizes UNSOM's central political and strategic role. UNSOM's political engagement will need to be supported by technical advice and expertise across a very wide range of subject areas. This support will primarily be provided through this PIP, to ensure that UNSOM can rapidly and flexibly access expertise as required, but will also be drawn from other relevant UNSOM/UNDP projects where possible (eg. on local governance, rule of law, state formation, elections), as well as other UN agencies, including UN Women and UNODC.

Lessons learned from the UN's previous constitutional support demonstrate the crucial importance of ensuring coordination of support. Unlike the previous process, where a single unit could engage with a

relatively narrow set of institutions Somali actors, this process is more complex, and will require the UN to adopt a highly coordinated One UN approach in order to offer “whole-of-government” support, as well as effective sub-national assistance. The fact that the Mission and UNCT were integrated from 2014 is of huge benefit in ensuring the UN effectively coordinates its support. In order to ensure coordinated One UN support for the constitutional review and implementation process. One practical outcome of this integration has been the co-location of UNSOM and some UNDP staff, in particular, UNDP’s team working on parliamentary development and constitutional assistance. This co-location is a key part of the UN’s constitutional support coordination strategy.

Since the establishment of the Mission, UNSOM and the UNCT have worked together to identify a core set of staff/agencies who will support the process with the FGS and other national stakeholders, through the establishment of a UN Integrated Constitutional Support Team (see the Terms of Reference at Annex 1 for more details). The UNSOM Political Affairs and Mediation Group lead this Integrated Constitutional Support Team (ICST), and will be supported by staff across the UN family. This PIP commits the UNDP Chief Technical Advisor and the UNDP Project Manager to work side-by-side with the UNSOM Political Affairs and Mediation Group (in particular the UNSOM Constitutional Advisor) as a member of the ICST.³ At a minimum, the CTA and Project Manager will also meet at least weekly with the UNSOM Political Affairs and Mediation Group to discuss progress with the Project and any issues for follow up. UNSOM will share relevant political information and provide strategic guidance in line with UNSOM good offices role and political engagement with Somali leadership. In order to promote a stronger team approach, UNSOM/UNDP is also the lead for the UN on the PSG-1 Priority 2 Sub-Working Group which will act as a governing body of this PIP (see Project Board Structure below for details), and will convene/participate in regular coordination meetings. Joint management meetings will also take place on a regular basis between UNDP and UNSOM senior management to review progress, identify challenges and jointly identify means of addressing them.

Project Roles and Responsibilities

Constitutional Support PIP Board

Considering the complex nature of the federal constitutional review process and the centrality of the process to the Somali Compact and “Vision 2016: Inclusive Politics in Action” plan a more strategic approach is required, which reflects national coordination requirements and builds on existing oversight fora. This will reduce the burden on counterparts, ensure a “Somali-led, Somali-owned” process, and secures that UNDP/UNSOM are also strategically coordinated with donors. It is proposed that existing constitutional support oversight mechanisms be utilized, namely the Somalia Compact Sub-Working Group for PSG-1, Priority 2: Federal Constitutional Review, which is already supposed to meet regularly to discuss the design and implementation of activities relevant to this area of work. This Sub-Working Group for PSG-1 is supposed to provide high-level policy advice and strategic orientation to the project team. The SWG shall assure that all project activities on the federal constitutional review process will be aligned with and come under the coordination of the Somali Compact, Vision 2016 and ongoing guidance from national counterparts.

Support to Constitutional Review Project Board

The Project Board is the group responsible for making, by consensus, management decisions for a programme when guidance is required by the Programme Manager and CTA, including recommendation for UNDP approval of project plans and revisions. UNDP has ultimate accountability for progressing the Project and accounting for donor funding, and Project Board decisions should thus be made in accordance with standards that shall ensure management for development results, best value money, fairness, integrity, transparency and effective international competition. In case a consensus cannot be reached within the Board, final decision shall rest with the Co-chairs.

The Project Board plays a critical role in UNDP commissioned evaluations by quality assuring the evaluation process and products, and using evaluations for performance improvement, accountability and learning. Project reviews by this group are made at designated decision points during the duration

³ Note that the UNDP Chief Technical Advisor and the UNDP Project Manager are shared 50/50 between this PIP and the UN Parliamentary Support Project. This will also ensure that there is close coordination between parliamentary capacity development support generally and specific constitutional engagement with parliamentary stakeholders.

of the Project or as necessary when raised by the CTA and Project Manager. The Board is consulted by the CTA and Project Manager for decisions when his or her tolerances (normally in terms of time and budget) have been exceeded. Based on the approved annual work plan (AWP), the Project Board may also review and approve quarterly plans when required and authorizes any major deviation from these agreed quarterly plans. The objective is to create a mechanism for effective programme management. The Board contains three roles:

- **Executive:** The project board will be co-chaired by
 - The Speaker of the parliament (or his/her nominee),
 - The Minister of Constitutional Affairs (or his nominee),
 - The UNDP Country Director (or his/her nominee)They are the individuals representing the project ownership and will chair the group.
- The chairperson of the Provisional Constitution Review and Implementation Oversight Committee and the Chairperson of the Independent Constitutional Review and Implementation Commission (or their nominees) are members of the Project Board.
- Furthermore the Minister of Constitution, Federal Affairs and Democratisation (or his/her nominee) and one representative each of the Interim Regional Authorities of Interim Jubaland Administration (IJA) and Interim South-West administration (ISWA) are also members of the Project Board
- **Supplier:** This group includes UNDP as the core provider of technical services to the Project, as well as UN MISSION and the donors providing funding to the Project. The Board can decide to include additional technical providers as appropriate during the period of implementation;
- **Beneficiary Representative:** This group represents the interests of those who will ultimately benefit from the programme, and needs to include representatives from the civil society organizations and media (incl. a women and a youth representative).

Constitutional Review Support Technical Working Group

At a technical level it is proposed that the consortium of organizations which will be supporting the process (eg. Max Planck Institute, AWEPA, Chemonix) will hold regular meetings (minimum once every month) and establish and agree on workplans, based on joint planning with national counterparts. This Technical Working Group will be convened by UNSOM, with UNDP participating as a technical working group member and providing support.

PIP technical team

MoCA will ensure the organization and provision of the financial and technical resources required to enable the constitutional review process to become fully operational in consultation with Oversight Committee and the Independent Commission while UNDP Somalia will be the Executing Agency for the project (Direct Implementation Modality / DIM). UNDP will manage and implement the PIP using the UNDP standards for project management. UNDP will engage implementing partners through the UNDP procurement process and based on UNDP guidelines and procedures.

To maximize efficiencies and harness the impact of limited human resources in Mogadishu, PIP personnel resources will be shared with the existing UNDP Parliamentary Support Project. In particular, this PIP will share a Chief Technical Advisor (P5) and Project Manager (P3) with the UNDP Parliamentary Development Project. A Legal and Constitution Specialist (P4) will be recruited and shared between the two Projects, in recognition of the need to provide legal advice in support of ongoing implementation of the Provisional Constitution, as well as legal advice on constitutional amendments and awareness-raising training and technical advice to MPs generally. This Specialist will work closely with the existing UNSOM Constitutional Advisor (P5) and UNSOM Political and Constitutional Affairs Officer (P3). The international (1 x P4) and national posts dedicated to civic education and outreach will also be shared between the two projects. Recruitment of additional project staff might be necessary for a limited period of time in order to ensure timely and professional implementation.

The PIP Team will draw on global expertise in the area of constitutional support, including expertise from other UN agencies. For example, the UNDP headquarters Constitutional Assistance and Political Dialogue Specialist and DPA Constitutional Advisor will provide quality assurance and advice in relation to constitutional issues, as well as supporting the Country Office to source swiftly experts from within the system and with other partners. The PIP Team will also draw on the UN Standby Team

mechanism, a roster of constitutional and subject-matter experts who can be deployed in-country within 72 hours as required. This PIP will also coordinate closely with the other UNDP Projects and UN agencies which have technical advisors in place with key Federal Ministries who can provide technical advice on key constitutional legislation, for example, in relation to public financial management, civil service reform and anti-corruption measures. The UNSOM/UNDP Somalia Rule of Law and Security Programme also has considerable relevant expertise that will be drawn on to inform the efforts of stakeholders to develop constitutional options regarding federal approaches to the security sector, community security, police and militia reform, as well as the transitional justice elements of the Provisional Constitution.

Coordination and partnerships outside the UN

The UN/UNDP will invest heavily in ensuring that all technical expertise available to Somalia is leveraged for maximum benefit of the Parliament and the country. This will require close coordination of support to national counterparts, both within the UN (as discussed above) and with other development partners. Considerable effort will be given to facilitating development partner coordination, within the overall framework of the Somali Compact coordination mechanisms. In this regard, UNSOM has the political lead for coordination. The UNSOM SRSG has already initiated a number of high-level coordination meetings. These meetings will continue to be regularly convened, and it is envisaged that their tempo will increase as the constitutional review process itself gains momentum.

At an operational level, the UNSOM Political Affairs and Mediation Group (with UNDP engagement) has already convened coordination meetings of technical service providers will continue to do so during the PIP. It is understood that MPI has already been funded by the EU to provide technical support specifically to the Oversight Committee, in particular through expert advisors. Likewise, Chemonix Consulting has been funding by USAID to provide support to parliament and possibly the constitutional process. Efforts will be made to ensure that support through this Project is complementary to activities of other partners, including through the development of joint activities, as possible.

VI. MONITORING

Internal monitoring framework

- A Progress Report will be prepared at the end of the Project Initiation Plan, using the standard format available in the Executive Snapshot and on the Country Office Intranet.
- The Governance and Rule of Law Programme Manager will be monitoring all support to Government of Somalia. Project development and mobilization will be reported within UNDP's Strategic Plan annual reports, and progress in achieving results will be monitored quarterly.

External evaluation and reporting

Activities conducted under the Initiation Plan will be subject to the same corporate reporting requirements in the relevant priority areas of the UNDP Annual Business Plan and UNDP's results oriented annual reporting (ROAR) targets.

	GMS Output 2									42,000		
	Total Output 2									642,000		
Output 3: Civic education and public consultation processes undertaken	Activity 3.1: Initial civic education activities undertaken, including specific ones undertaken for women and youth . Support to the joint development of the civic education plan . Support the development and functioning of the constitutional review process website . Design and Production of CE material (leaflets, brochures, posters) printing and dissemination; . Design and Production of CE material TV/radio, Broad casting & . Dissemination and regional and national civic education activities implemented.	X	X					UN ICST NFP MOCA OC ICRIC Relevant sub-national institutions	UN MPTF	Consultants	20,000	
					X	X	X			X	Meetings	5,000
					X	X	X			X	Website	10,000
					X	X	X			X	Design and Production of CE material (leaflets, brochures, posters) printing and dissemination	120,000
					X	X	X			X	Design and Production of CE material TV/radio, Broad casting & Dissemination	145,000
	Total Activity 3.1									300,000		
	GMS Output 3									21,000		
	Total Output 3									321,000		
Output 4: Capacities of relevant constitutional institutions supported	Activity 4.1: Support capacity development of Oversight Committee . Support to establishment of team of constitutional experts . Support to capacity building activities, including training and thematic sessions	X	X	X	X	X	X	UN ICST NFP OC	UN MPTF	Office and equipment, support staff	24,000	
										Constitutional experts	42,116	
		X	X	X	X	X	X			Thematic sessions and training	20,000	
										Technical training session	10,000	
										Joint OC / MPs outreach activities	30,000	
	Sub-Total Activity 4.1.									126,116		
	Activity 4.2: Support capacity development of ICRIC . Operational support to ICRIC . Support to establishment of team of constitutional experts	X	X	X	X	X	X	UN ICT ICRIC	UN MPTF	Office equipment, ICT equipment, Furniture	50,000	
		X	X	X	X	X	X			(staff salaries)	61,200	

	. Support to the development of ICRC methodology of work	X	X							operations (rent, internet, communication, car hire)	30,000
	. Support to capacity building activities	X	X							International consultants	85,000
	. Support to ICRC's regional consultations		X	X	X	X	X			National consultants	120,000
										Refurbishment of office space (at Policy Unit VS)	5,000
										Accommodation commissioners	150,000
										Regional consultations	50,000
										For commissioners committees work	50,000
										Sub-Total Activity 4.2.	601,200
	Activity 4.3: Support constitutional capacity development of MOCA									Furniture, ICT (lap top, printer, modem etc), Office equipment	75,000
	. Operational Support to MoCA	X	X	X	X	X	X				Office renovations (new MoCA office within PM office)
. Support to establishment of team of constitutional experts	X	X								Operation costs (internet, utilities, communication)	50,000
. Support to capacity building activities	X	X								Conference room (2-pax) /VIP meeting room	21,000
. Support to high-level outreach and coordination		X	X	X	X	X	UN ICT MoCA	UN MPTF		Constitutional advisors/ experts costs	270,000
										Travel	30,000
										Training	20,000

											International Consultants	80,000
											Sub-Total Activity 4.2.	616,000
	Total Activity 4.1.-4.3											1,343,316
	GMS Output 4											94,032
	Total Output 4											1,437,348
Output 5: Capacities of relevant sub-national institutions	Activity 5.1. Support capacity development of sub-national state institutions in Puntland (MoCFAD, Puntland HoR) to participate in the constitutional review process . Operational support to relevant Puntland institutions . Support to capacity building activities . Support to outreach activities	X	X	X	X	X	X	UN ICST NFP MOCA OC ICRIC MoCFAD, Puntland HoR	UN MPTF	Office equipment, ICT - consultants - Training / meetings - Travel - operational costs	88,000	
	Activity 5.2. Support capacity development of sub-national state institutions in emerging states (IRA) to participate in the constitutional review process . Operational support to relevant IRA institutions . Support to capacity building activities	X	X	X	X	X	X	UN ICST NFP MOCA OC ICRIC Relevant sub-national institutions	UN MPTF	Office equipment, ICT - consultants - Training / meetings - Travel - operational costs	150,000	
	Total Activity 5.1.-5.2.											238,000
	GMS Output 5											16,660
	Total Output 5											254,660
TOTAL	Total Output 1-5											2,740,608
											Staff	352,935
											Others + premises	356,558

SUB TOTAL Project Mgt. Costs	709,493
Security	81,770
M&E	163,540
Communications Support	32,708
Finance, HR, Procurement, ICT and other Office Support	147,186
GMS (7%)	79,429
TOTAL PROJECT MANAGEMENT COSTS	1,254,069
Sub-Total PIP Constitution	3,994,677
UN MPTF Management Costs	39,947
TOTAL	4,034,624

VIII. RESULTS AND RESOURCE FRAMEWORK

Period: June-November 2015

Project title: Support to Inclusive and Peaceful Constitutional Review and Implementation
PSG 1: Inclusive Politics
CPD Outcome: Sub-outcome 2.1: “Mechanisms for the transition to democratic and accountable structures and systems of governance designed and implemented”; 2.4: Technical Assistance provided to improve security, establish a functioning judiciary, access to justice, a constitutional and legal framework and protection of human rights under the rule of law. Sub-outcome 4.2: Women’s participation in peace- building, representation, civil service and public life increased at all levels.
Overall Project Goal: Finalize and adopt a Federal Constitution by December 2015
Goal/Impact Indicator: Well-functioning institution of Parliament which has enacted the revised Constitution seen as legitimate

INTENDED OUTPUTS, BASELINE AND INDICATORS + OUTPUT TARGETS	INDICATIVE ACTIVITIES ⁴	RESPONSIBILITY/ PARTNERS	INPUTS						INDICATIVE BUDGET
			J u n	J u l	A u g	S e p	O c t	N o v	
Outcome 1: Inclusive Constitutional Review Process actively in place and engaging key national and international stakeholders.									
<p>Outcome Indicator 1.1: Key National and International stakeholders agree jointly plan and agree on roles, responsibilities and resource allocation to contribute to an efficient constitutional review process</p> <p>Outcome Indicator 1.2: Key national constitution stakeholders inclusively, transparently and peacefully engage in dialogue to build consensus on constitutional review process</p> <p>Outcome Indicator 1.3: Functional key national stakeholders engaging with public and civil society on inclusive, informative and transparent constitutional review process</p>									

⁴ Indicate Activities for 2016 will be designated at a later stage, based on a mid-term review in 2015.

INTENDED OUTPUTS, BASELINE AND INDICATORS + OUTPUT TARGETS	INDICATIVE ACTIVITIES ⁴	RESPONSIBILITY/ PARTNERS	INPUTS						INDICATIVE BUDGET
			J u n	J u l	A u g	S e p	O c t	N o v	
OUTPUT 1: National stakeholders, the UN, donors and implementers agree on the Somalia Constitutional Review Master Plan									
<u>Baseline</u> A draft MoU between institutions signed in Feb 2015; A work plan of the national stakeholders for the full process does not exist yet; the division of labor between UN and other international implementers not defined.	Activity Result 1.1: Support development of Somalia Constitutional Review Master Plan <ul style="list-style-type: none"> Planning and organization of meeting for discussion and approval of the Master Plan 	UN ICST NFP MOCA OC ICRIC Relevant sub-national institutions							Workshops venue/materials
<u>Indicators</u> <ul style="list-style-type: none"> Road Map of Constitutional Review Process agreed by end of May 2015 Master plan of Constitutional Review Process drafted and circulated amongst national and international partners by end June 2015; Master Plan agreed by end of June 2015. 			X	X					
<u>Targets</u> Master Plan for review support prepared and agreed.									
	GMS Output 1		X	X	X	X	X	X	5,600
OUTPUT 2 SUB-TOTAL									85,600

INTENDED OUTPUTS, BASELINE AND INDICATORS + OUTPUT TARGETS	INDICATIVE ACTIVITIES ⁴	RESPONSIBILITY/ PARTNERS	INPUTS						INDICATIVE BUDGET
			J u n	J u l	A u g	S e p	O c t	N o v	
OUTPUT 2: Political dialogue, negotiations and broad-based consensus building									
<u>Baseline</u> One Vision 2016 conference undertaken in 2013. <u>Indicators</u> - Regional Conferences held no later than November 2015; - Each regional conference presents recommendations for the National Conference; - National Conference outlines main consensus reached and agrees on recommendations to be included in the revised constitution. <u>Targets</u> 5 Regional and 1 National Dialogue Conference Undertaken	Activity Result 2.1: Support to the organization and implementation of 3 regional <ul style="list-style-type: none"> Organization of the 5 regional conferences (5 days each; per event 25 MPs, 25 reps from MoCAR, OC, ICRIC and 100 pax locally) 	UN ICST NFP MOCA OC ICRIC Relevant sub-national institutions			X	X	X	X	71600 Travel 75700 Training, Workshops and Conferences
	Activity Result 2.2: Support to planning and implementation of National Constitutional Dialogue Conference <ul style="list-style-type: none"> Organization of the National Conference in Mogadishu, with some 200 pax, out of which 50 MP's 	UN ICST NFP MOCA OC ICRIC Relevant sub-national institutions					X	X	71600 Travel 75700 Training, Workshops and Conferences
	GMS Output 2		X	X	X	X	X	X	42,000
OUTPUT 2 SUB-TOTAL									642,000

INTENDED OUTPUTS, BASELINE AND INDICATORS + OUTPUT TARGETS	INDICATIVE ACTIVITIES ⁴	RESPONSIBILITY/ PARTNERS	INPUTS						INDICATIVE BUDGET
			J u n	J u l	A u g	S e p	O c t	N o v	
OUTPUT 3: Civic education and public consultation processes undertaken									
<u>Baseline</u> Ad hoc, limited civic education undertaken by NGOs but not by Government. Road map of constitutional review process agreed by end of May 2015.	Activity 3.1: Initial civic education activities undertaken, including specific ones undertaken for women and youth . Support to the joint development of the civic education plan . Support the development and functioning of the constitutional review process website . Design and Production of CE material (leaflets, brochures, posters) printing and dissemination; . Design and Production of CE material TV/radio, Broad casting & . Dissemination and regional and national civic education activities implemented.	UN ICST NFP MOCA OC ICRIC Relevant sub-national institutions	X	X					71300 - Local Consultants
<u>Indicators</u> . Based on Road Map, Civic Education Plan drafted and agreed by key national stakeholders by end June 2015; . Website for the Constitutional review process functioning by end of July 2015 . At least one media civic education activity launched by August 2015, at National and Regional level; . At least 1 specific civic education activity for women undertaken until September 2015, in more than one region; . At least one specific civic education activity for youth undertaken until September 2015, in more than one region;					X	X	X	X	72700 - Hospitality/Catering
					X	X	X	X	71300 - Local Consultants
					X	X	X	X	72100 - Contractual Services-Companies
									74200 - Audio Visual & Print Prod Costs
									71600 Travel

INTENDED OUTPUTS, BASELINE AND INDICATORS + OUTPUT TARGETS	INDICATIVE ACTIVITIES ⁴	RESPONSIBILITY/ PARTNERS	INPUTS						INDICATIVE BUDGET
			J u n	J u l	A u g	S e p	O c t	N o v	
<u>Targets</u> Key national stakeholders agree civic education plan and begin its implementation									
	GMS Output 3		X	X	X	X	X	X	21,000
OUTPUT 3 SUB-TOTAL									321,000

Outcome 2: Key national stakeholders with capacity strengthened and able to engage and complete the Constitutional Review Process, by end of 2015

Outcome Indicator 2.1:

Key National stakeholders technically supported to implement the Road Map of the Constitutional Review Process.

Outcome Indicator 2.2:

Key National stakeholders technically and operationally supported to undertake outreach activities.

Outcome Indicator 2.3:

Functional key sub-national stakeholders engaging in the constitutional review process

OUTPUT 4: Capacities of relevant national constitutional institutions supported

<p><u>Baseline</u> Limited capacity of key constitutional institutions; No existing office structure and support for key constitutional institutions such as ICRC; MoCA in place since February 2015.</p> <p><u>Indicators</u> . Office space set up in first 2 months of PIP initiation; . All support staff and constitutional experts hired in the 2 months of PIP;</p>	<p>Activity Result 4.1: Support capacity development of Oversight Committee</p> <p>. Support to establishment of team of constitutional experts . Support to capacity building activities, including training and thematic sessions</p>	<p>UN ICST NFP OC</p>		X	X							<p>72200 - Equipment and Furniture 71300 - Local Consultants 72700 - Hospitality/Catering</p>
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<p>. At least one thematic session and/or one training session conducted each month, per institution;</p> <p>. At least one monthly joint OC/ICRIC outreach activity conducted between Jul-Nov;</p> <p>. ICRIC's Methodology of work developed and agreed by end of June 2015.</p> <p><u>Targets</u> MoCA, ICRIC and OC staffed up and capacitated to perform their mandates</p>	<p>Activity Result 4.2: Support capacity development of ICRIC</p> <p>. Operational support to ICRIC</p> <p>. Support to establishment of team of constitutional experts</p> <p>. Support to the development of ICRIC methodology of work</p> <p>. Support to capacity building activities</p> <p>. Support to ICRIC's regional consultations</p>	UN ICST ICRIC	X	X	X	X	X	X	72200 - Equipment and Furniture
			X	X	X	X	X	X	72800 - IT Equipment
			X	X					72400 – Communic. & Audio Visual equipment
			X	X			X	X	71300 - Local Consultants
				X	X				71200 - International Consultants
									72500 - Supplies
									72700 - Hospitality/Catering
									71600 Travel
									75700 Training, Workshops and Conferences
	<p>Activity Result 4.3: Support constitutional capacity development of MOCA</p> <p>. Operational Support to MoCA</p> <p>. Support to establishment of team of constitutional experts</p>	UN ICST MOCA	X	X	X	X	X	X	72200 - Equipment and Furniture
			X	X					72800 - IT

	. Support to capacity building activities . Support to high-level outreach and coordination		X	X						Equipment 72400 – Communic. & Audio Visual equipment 71300 - Local Consultants 71200 - International Consultants 72500 - Supplies 72700 - Hospitality/Catering 71600 Travel 75700 Training, Workshops and Conferences
	GMS Output 4		X	X	X	X	X	X		94,032
OUTPUT 4 SUB-TOTAL										1,437,348

OUTPUT 5: Capacities of relevant sub-national institutions								
<p><u>Baseline</u> Limited or no capacity of sub-national institutions; additional sub-national institutions to be established; Road map of constitutional review process agreed by end of May 2015.</p> <p><u>Indicators</u> All staff hired by end of June 2015; At least one outreach activity per month conducted in Puntland; All staff hired and office set-up in</p> <p><u>Targets</u> Puntland Institutions and IRA institutions staffed up and capacitated to perform their mandates and to engage in the national constitutional review process.</p>	<p>Activity Result 5.1: Support capacity development of sub-national institutions in Puntland (MoCFAD, Puntland HoR) to participate in the constitutional review process</p> <ul style="list-style-type: none"> . Operational support to relevant Puntland institutions . Support to capacity building activities . Support to outreach activities 	UN ICST NFP MOCA OC ICRIC MoCFAD, Puntland HoR	X	X	X	X	X	71300 - Local Consultants 72200 - Equipment and Furniture 75700 - Training, Workshops and Conferences 71600 - Travel
	<p>Activity Result 5.2: Support capacity development of sub-national institutions in IJA</p> <ul style="list-style-type: none"> . Operational support to relevant IJA institutions . Support to capacity building activities 	UN ICST NFP MOCA OC ICRIC Relevant sub-national institutions	X	X	X	X	X	71300 - Local Consultants 72200 - Equipment and Furniture 75700 - Training, Workshops and Conferences 72500 - Supplies
	GMS Output 5		X	X	X	X	X	16,660
OUTPUT 5 SUB-TOTAL								254,660

II. RISK MATRIX

Risk	Impact	Probability	Mitigation Measures
	Low 1 / 5 High		
Security			
Constitutional Oversight Committee does not take sufficient leadership to progress constitutional review and implementation agenda	4	3	Project has been developed in close partnership with the Speaker and Committee Chair + specific TA resources are dedicated to upskilling the Committee
Delays in progressing constitutional dialogue due to breakdown in relations between Federal Government and IRAs/other stakeholders	4	3	UNSOM to take the lead in working closely with FGS and NFP to support political dialogue and negotiation with regions, incl. Puntland
Outbreak of violence or serious deterioration of the security environment in Somalia	4	4	Programme team will adjust programme activities to changes in the security situation. Increased use of civil society organizations, universities, legal aid centres and paralegals to implement activities.
Serious deterioration in relations between UN and the NFP or Government	4	3	Maintenance of respectful, collaborative approach and transparency; vigilance in regards to developments relating to continued transition in Somalia. Donors need to be aware that slowness may be necessary to ensure counterparts are on board and committed
Key stakeholders unwilling to collaborate with other partners and engage in collaborative approach to project implementation	4	3	Open, consultative programme planning and development approaches will be pursued; careful relationship development and management are prioritised.
Poor cooperation with UNSOM and UNCT agencies, competition between these organisations, weak coordination	3	1	Implementation of TOR of Integrated Constitutional Support Team to promote coordination and collaboration