

**PBF PROJECT PROGRESS REPORT**  
**COUNTRY:** Somalia  
**TYPE OF REPORT: SEMI-ANNUAL, ANNUAL OR FINAL:**  
 semi-annual  
**YEAR OF REPORT:** 2020



<b>Project Title: Support to NIEC Electoral Dispute Resolution Mechanisms</b>									
<b>Project Number from MPTF-O Gateway: please select 00118635</b>									
<b>If funding is disbursed into a national or regional trust fund:</b> <input type="checkbox"/> Country Trust Fund <input type="checkbox"/> Regional Trust Fund  <b>Name of Recipient Fund:</b>	<b>Type and name of recipient organizations:</b>  please select <b>UNDP (Convening Agency)</b> please select <b>UNOPS</b> please select please select please select								
<b>Date of first transfer:</b> 20 Nov 2019 <b>Project end date:</b> 31 Aug 2021 <b>Is the current project end date within 6 months?</b> NO									
<b>Check if the project falls under one or more PBF priority windows:</b> <input type="checkbox"/> Gender promotion initiative <input type="checkbox"/> Youth promotion initiative <input type="checkbox"/> Transition from UN or regional peacekeeping or special political missions <input type="checkbox"/> Cross-border or regional project									
<b>Total PBF approved project budget (by recipient organization):</b> <table border="0"> <thead> <tr> <th>Recipient Organization</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>UNDP</td> <td>\$ 1,600,000</td> </tr> <tr> <td>UNOPS</td> <td>\$ 900,000</td> </tr> <tr> <td align="right" colspan="2">Total: \$ 2,500,000</td> </tr> </tbody> </table> <p>Approximate implementation rate as percentage of total project budget: 12%          *ATTACH PROJECT EXCEL BUDGET SHOWING CURRENT APPROXIMATE EXPENDITURE*</p>		Recipient Organization	Amount	UNDP	\$ 1,600,000	UNOPS	\$ 900,000	Total: \$ 2,500,000	
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<b>Gender-responsive Budgeting:</b>  Indicate dollar amount from the project document to be allocated to activities focussed on gender equality or women's empowerment: 30% Amount expended to date on activities focussed on gender equality or women's empowerment: 0									
<b>Project Gender Marker: GM2</b> <b>Project Risk Marker: Low</b> <b>Project PBF focus area: 4.1 Strengthening National State Capacity</b>									
<b>Report preparation:</b> Project report prepared by: Mary Cummins, UNDP and Mewael KAHSAY, UNOPS Project report approved by: Did PBF Secretariat review the report: please select									

***NOTES FOR COMPLETING THE REPORT:***

- *Avoid acronyms and UN jargon, use general /common language.*
- *Report on what has been achieved in the reporting period, not what the project aims to do.*
- *Be as concrete as possible. Avoid theoretical, vague or conceptual discourse.*
- *Ensure the analysis and project progress assessment is gender and age sensitive.*

**PART 1: OVERALL PROJECT PROGRESS**

**Briefly outline the status of the project in terms of implementation cycle, including whether preliminary/preparatory activities have been completed (i.e. contracting of partners, staff recruitment, etc.) (1500 character limit):**

Since the commencement of the project in November 2019, UNDP/IESG accomplished the following:

IESG and external international legal expert provided advice to the National Independent Electoral Commission (NIEC) legal department, Secretariat and the Board of Commissioners on an Electoral Dispute Resolution (EDR) structure in compliance with the electoral law in several advisory sessions, workshops and meetings.

NIEC decided to implement a two-tier EDR decision making process, at field level and central headquarters level based on advice provided.

An NIEC/IESG meeting was held with the Chief Justice of the Supreme Court to discuss their role in the electoral process.

To enhance transparency of the decision-making process, trust in the institution and acceptance of results, the NIEC Board of Commissioners will be supported by the Election Dispute Resolution Committee (EDRC) composed of representatives of the Federal Member States (FMS), women, youth and clans.

A temporary EDR department will be created to support the decision-making process at central level. IESG provided technical advice on staffing and drafting Terms of Reference (ToRs) for the EDRC team.

Recruitment of Electoral Technical Specialist (on electoral dispute resolution, electoral procedures and/or training) for the effective delivery of the project and to provide support to the NIEC to put in place a lean electoral dispute resolution mechanism has been completed. The candidate has been notified who has confirmed his availability and will join the project once circumstances permit. In addition, recruitment of Project Management Specialist to support the team in ensuring results of project are achieved within the specified constraints of time and cost has also been completed, the PBF Coordinator participated on the interview panel. Selected candidate will be informed soon upon approval of this recruitment process by CRB in early Jul 2020.

**Challenges include the late adoption of the electoral legal framework:**

Electoral Law (adopted 20 Feb 2020) delegated the authority to Parliament to regulate fundamental aspects of the electoral process in regulations that are still not adopted. These may or may not impact the EDR structure. The Amendments to the Political Parties Law not yet tabled in Parliament. The quality of the legal framework is challenging as it is contradictory and insufficient, reflecting the lack of legal drafting knowledge.

COVID 19 pandemic delayed Parliament's resumption affecting the NIEC legal department's work. IESG identified candidates for the EDR process and a Project Management Specialist; completion of the recruitment is delayed because of COVID-19 restrictions.

**UNOPS:**

Since the commencement of the project in Nov 2019, UNOPS accomplished the following:

- Design:** The concept design and detailed design of the building were completed. The design was reviewed by third parties and design certificate was obtained.
- Procurement of the works contract:** The bid was launched and awarded to winning bidder.
- Mobilization and start of the works:** The contractor had mobilized to the site and started the construction activities.

**Please indicate any significant project-related events anticipated in the next six months, i.e. national dialogues, youth congresses, film screenings, etc. (1000 character limit):**

The next steps to be taken by the NIEC are to finalise the recruitment process for EDR staff and prepare the training plan supported by the IESG EDR expert and project management specialist and complete the construction of the EDR centre. When the electoral legal framework is adopted by Parliament, the NIEC legal department, advised by IESG, will draft EDR regulations and procedures to ensure a streamlined EDR process and manage a public information campaign for citizens.

**UNOPS:** The construction of the EDRM building is expected to be 100% complete and a formal taking over event is anticipated.

**FOR PROJECTS WITHIN SIX MONTHS OF COMPLETION:** summarize **the main structural, institutional or societal level change the project has contributed to**. This is not anecdotal evidence or a list of individual outputs, but a description of progress made toward the main purpose of the project. (1500 character limit):

N/A

May include anecdotal stories about the project's positive effect on the people's lives. Include direct quotes where possible or weblinks to strategic communications pieces. (2000 character limit):

## **PART II: RESULT PROGRESS BY PROJECT OUTCOME**

*Describe overall progress under each Outcome made during the reporting period (for June reports: January-June; for November reports: January-November; for final reports: full project duration). Do not list individual activities. If the project is starting to make/has made a difference at the outcome level, provide specific evidence for the progress (quantitative and qualitative) and explain how it impacts the broader political and peacebuilding context.*

- *“On track” refers to the timely completion of outputs as indicated in the workplan.*
- *“On track with peacebuilding results” refers to higher-level changes in the conflict or peace factors that the project is meant to contribute to. These effects are more likely in mature projects than in newer ones.*

*If your project has more than four outcomes, contact PBSO for template modification.*

**Outcome 1: EDR mechanism is effectively strengthened in its capacity to prevent the outbreak of electoral violence by mitigating and resolving electoral complaints through formal and informal dispute resolution**

**Rate the current status of the outcome progress: on track**

**Progress summary: (3000 character limit)**

Output Indicator 1.1 requires that an EDR mechanism and structure is designed, the UNDP/IESG and an external international legal expert provided advice to the NIEC legal department, the NIEC secretariat and the NIEC Board of Commissioners on an EDR structure in compliance with the electoral law. This work took place over the course of several advisory sessions, workshops and meetings. The NIEC legal department in collaboration with IESG held a meeting with the Chief Justice of the Supreme Court of Somalia to discuss the role of the Supreme Court in the electoral process. On the basis of the advice provided by IESG and the legal expert, the NIEC decided about the EDRM design and to implement two EDR decision making levels, one at field level and one at the headquarters central level. In order to enhance transparency of the decision-making process, trust in the institution and acceptance of results, the NIEC Board of Commissioners, will be supported by an Election Dispute Resolution Committee (EDRC) composed of representatives of the Federal Member States (FMS), women, youth and clans. This is a mitigation measure to prevent tensions and the possible outbreak of electoral violence especially between the FGS and FMS. A temporary EDR department will be created to support the decision-making process on central level ensuring a transparent process in line with the legal provisions. Following those decisions, IESG advised on drafting ToRs for the EDRC members and EDR department staff members and provided a rationale on the number of staff required for the department. ToRs have been discussed internally by the NIEC but not yet been published. These efforts indicate the first structured approach to develop an EDR structure that is able to deal with complaints in a timely manner and not to be overloaded and unable to respond to citizen's concerns as compared to what happened during the 2016 selection process.

**UNOPS:** Design and procurement process completed and contractor onboard with foundation works in progress. The expected completion duration is 6 months. Good progress onsite.

**Indicate any additional analysis on how Gender Equality and Women's Empowerment and/or Youth Inclusion and Responsiveness has been ensured under this Outcome: (1000 character limit)**

In order to enhance transparency of the decision-making process, trust in the institution and acceptance of results, the NIEC Board of Commissioners decided to create an Election Dispute Resolution Committee (EDRC) composed of representatives of the Federal Member States (FMS), women, youth and clans. IESG continues to advocate with the NIEC to ensure women are encouraged to apply for the jobs when advertised. Various networks such as

the Bar Association will be utilized to ensure information is shared as widely as possible about the recruitment and the NIEC will strive to ensure 30% women are hired for these positions. TORs will be reviewed to ensure they are gender sensitive and that women are encouraged to apply.

**PART III: CROSS-CUTTING ISSUES**

<p><b><u>Monitoring:</u></b> Please list monitoring activities undertaken in the reporting period (1000 character limit)</p> <p>Regular meetings with NIEC legal department to follow-up on progress. Workshops and Meetings between IESG, NIEC Board of Commissioners, NIEC Secretariat (including legal department) with recorded decisions on EDR structures taken.</p>	<p>Do outcome indicators have baselines? yes</p> <p>Has the project launched perception surveys or other community-based data collection? no</p>
<p><b><u>Evaluation:</u></b> Has an evaluation been conducted during the reporting period? please select No</p>	<p>Evaluation budget (response required): <u>USD 57,392</u></p> <p>If project will end in next six months, describe the evaluation preparations (1500 character limit): n/a</p>
<p><b><u>Catalytic effects (financial):</u></b> Indicate name of funding agent and amount of additional non-PBF funding support that has been leveraged by the project.</p>	<p>Name of funder: Anticipated contributions from donors including EU, Norway, Denmark, USA, Switzerland, Germany through MPTF and DIFD</p> <p>Amount: USD 1.4 M approx.- n/a</p>

	<p>Elections budget to support the other EDRM related activities including salaries and of EDRM committee and secretariat staff, software development, training, audit and investigation, staff travel and transport cost are included in Electoral Support Program budget for Elections.</p>
<p><b>Other:</b> Are there any other issues concerning project implementation that you want to share, including any capacity needs of the recipient organizations? (1500 character limit)</p>	<p>The Electoral Law was adopted by the two Houses of the Federal Parliament and then signed by the President of the Federal Republic of Somalia on 20 February 2020. The Law left critical issues unresolved and the NIEC found itself unable to implement it without further clarifications from Parliament. On 28 February, Parliament announced the establishment of a Joint Ad Hoc Committee ‘to draft regulations which complement the Electoral law’ and their report was expected to be presented by mid-April. Due to COVID-19 related travel restrictions, Parliament resumed on 6 June and the Joint Committee presented its report on 17 June. The report is currently being debated in the Lower House of the Parliament. The NIEC was due to present their report on implementing elections on 27 May but following the delay in passing the electoral legislation, they may present their report on 27 June if all necessary legislation has been adopted. The delay in passing the necessary electoral legislation may affect adherence to the constitutional schedule for elections.</p>

	<p>IESG is supporting the NIEC for construction of its new compound which includes three components: 1) construction of data center and procurement of equipment and furniture under UNDP electoral support programme funded by including EU, Norway, Denmark, USA, Switzerland, Germany and DIFD with budget of USD 1.5 M approx. ; 2) construction EDRM building by UNOPS and 3) security enhancement by UNSOS and construction of warehouse by UNSOS with budget of USD 1.3 M contribution from UN HQ and Govt of Japan (USD 252 K). The construction of the data center was completed in May 2020. With completion of all these three construction projects, NIEC new compound is expected to be functional by early next year 2021.</p>
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**PART IV: INDICATOR BASED PERFORMANCE ASSESSMENT**

*Using the **Project Results Framework as per the approved project document or any amendments-** provide an update on the achievement of **key indicators** at both the outcome and output level in the table below (if your project has more indicators than provided in the table, select the most relevant ones with most relevant progress to highlight). Where it has not been possible to collect data on indicators, state this and provide any explanation. Provide gender and age disaggregated data. (300 characters max per entry)*

	<b>Performance Indicators</b>	<b>Indicator Baseline</b>	<b>End of project Indicator Target</b>	<b>Indicator Milestone</b>	<b>Current indicator progress</b>	<b>Reasons for Variance/ Delay (if any)</b>
<b>Outcome 1</b> EDR mechanism is effectively strengthened in its capacity to prevent the outbreak of electoral violence by mitigating and resolving electoral complaints through formal and informal dispute resolution	<b>Indicator 1.1</b> % of electoral disputes resolved in a correct, timebound and peaceful manner through formal dispute resolution (courts) and NIEC dispute resolution body/staff /or local alternative dispute mediation (NIEC)	NA	80%	Capacity of NIEC is being developed.	Following consultations, meetings and workshops with NIEC, the organization was enabled to make an informed decision about the EDR mechanism to be deployed.	Adoption of electoral legislation delayed.
<b>Output 1.1</b> EDRM mechanism established, resourced, implemented and understood by all electoral stakeholders (UNDP/ IESG)	<b>Indicator 1.1.1</b> EDRM mechanism and structure designed and established; EDR regulations and procedures drafted and adopted	NA	100%	EDR structure approved. TORs drafted for approval of NIEC Board of Commissioners.	- EDR mechanism and structure is designed - ToRs for the EDRC members and EDR department staff members drafted - Rationale on how many staff members are required to support the EDR structure was provided.	Reasons for Variance: - late adoption of the legal framework: Electoral Law (adopted in Feb 2020) delegated the authority to Parliament to regulate fundamental aspects of the electoral process in regulations that are still not adopted. Such regulations when adopted may or may not affect the EDR structure, regulations and procedures to be drafted by the NIEC. The Amendments to the Political Parties Law remains to be adopted by Parliament. - Quality of the legal framework remains a concern as it is contradictory and lacking clarity. - COVID-19 pandemic, delay in Parliament's resumption affected legislative business which affected the NIEC's legal team to prepare the necessary regulations and procedures.
	<b>Indicator 1.1.2</b> % of Master Trainers (10-15), Field Trainers (ca.	NA	100%, minimum 30% women			Delay in Parliament passing the necessary electoral legislation has delayed electoral operations.

	<b>Performance Indicators</b>	<b>Indicator Baseline</b>	<b>End of project Indicator Target</b>	<b>Indicator Milestone</b>	<b>Current indicator progress</b>	<b>Reasons for Variance/ Delay (if any)</b>
	65) to ensure continued cascade training to thousands of electoral workers in the field					
	<b>Indicator 1.1.3</b> % of electoral workers (up to 3,000) in the field that received the required training on electoral dispute resolution mechanisms and complaints management	NA	100%, minimum 30% women			Delay in Parliament passing the necessary electoral legislation has delayed electoral operations.
	<b>Indicator 1.1.4</b> % of judges of relevant courts at Federal Level (9) familiar with NIEC procedures and electoral dispute resolution	NA	100%			Delay in Parliament passing the necessary electoral legislation has delayed electoral operations.
	<b>Indicator 1.1.5</b> # of political actors, local leaders, elders, CSOs, youth and media group trained on electoral procedures, regulations and electoral dispute resolution	NA	TBD			Delay in Parliament passing the necessary electoral legislation has delayed electoral operations.
<b>Output 1.2</b> NIEC stakeholder outreach and EDR facilities are developed at NIEC HQ, including security enhancements (UNOPS)	<b>Indicator 1.2.1</b> Accessible and gender-supportive facilities constructed at the NIEC Compound for EDR, training and meeting purposes with NIEC.	0	Design and construction of two storey concrete structure building which is accessible and gender supportive with 19 separate office spaces, 1 meeting room that can	Design and procurement process completed and contractor onboard with foundation works in progress.	On track	No Variance

	<b>Performance Indicators</b>	<b>Indicator Baseline</b>	<b>End of project Indicator Target</b>	<b>Indicator Milestone</b>	<b>Current indicator progress</b>	<b>Reasons for Variance/ Delay (if any)</b>
			accommodate 90-100 people. Reception area, server room, kitchen, store, gender segregated toilets on both floors, access for physically challenged, solar energy powered, environmentally friendly building with low energy consumption and low carbon footprint.			