

END OF PROJECT REPORT



IRFFI/UNDG IRAQ TRUST FUND (UNDG ITF)

REPORTING PERIOD: 1 JANUARY 2006 – 31 DECEMBER 2009

Submitted by:

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Country and Thematic Area

Iraq

Governance

Programme No: C9-21a

Atlas Award No: 54951

MDTF Office Atlas No: 66951

Programme Title: Strengthening of the
Constitutional Process and Good
Governance

Participating Organization(s):

UNDP

Implementing Partners:

- UNDP-Programme On Governance in the Arab Region (UNDP-POGAR)
- United Nations Assistance Mission for Iraq/ Human Rights Office (UNAMI/HRO)
- Higher Judicial Council (HJC)
- Ministry of Justice (MoJ)
- Iraqi High Tribunal (IHT)
- Judicial Training Institute (JTI)
- Ministry of Human Rights (MoHR)
- Iraqi National Assembly (INA)
- NGO Coordination Committee in Iraq (NCCI)
- National Centre for Consultancy and Management Development, Ministry of Planning and Development Cooperation (NCCMD)
- UN Economic and Social Commission for Western Asia (UNESCWA)
- Canadian International for Development Agency (CIDA)

Programme Duration (in months): 30

- Start Date: January 2007
- End Date: December 2007
- 1st no cost time extension obtained until 15 March 2009
- 2nd no cost time extension obtained until 30 June 2009

Note: This project is operationally closed as of 30 June, 2009.

Programme Budget (from the Fund):

UNDP: 4 Million USD

NARRATIVE REPORT

I. Purpose

The overall development objectives of this project were to:

- i) Support the planning and implementation of the Iraqi Constitution and assist in the establishment and/or strengthening of key institutions that are necessary to help build a democratic and effective system of governance in Iraq, and
- ii) Promote national dialogue among key constituencies to diffuse tension and promote cross-community collaboration aimed at fostering inclusiveness, public participation (of all the regions) and transparency.

The first key objective of this programme was the establishment and strengthening of priority institutions and ministries, such as the National Centre for Consultancy and Management Development (NCCMD), National Human Rights Commission, the Judiciary, Parliament, Ministry of Human Rights, Ministry of Interior and Ministry of Justice, to build their capacity to advance the rule of law, to promote human rights and to ensure transparent public administration and good governance.

The second objective was to increase national dialogue on reconciliation and regional and cross-community collaboration, enhancing development and reconstruction.

Under Security Council Resolution 1770, passed on August 10, 2007, the Security Council reinforced the United Nations mandate in Iraq to promote the protection of human rights and judicial and legal reform in order to strengthen the rule of law in Iraq. The Resolution also assigns the United Nations in Iraq several other roles, including the promotion, support and facilitation, in coordination with the Government of Iraq, of the implementation of the International Compact with Iraq. Finally, it foresees a prominent role for the UN in dialogue and reconciliation:

This project addressed the GoI's goals as set forth in the International Compact with Iraq - that the rule of law should be strengthened. It aimed at the establishment of the rule of law through institutionalized reforms (which have been fundamental for the successful implementation of the Compact), and identified the strengthening of the judiciary and the administration of justice as one of its reform priorities.

It also addressed the GoI's goal to establish a civil service corps on the principles of professionalism, integrity and non-partisanship, as set forth in the International Compact with Iraq. Specifically, in section 9.43, it states that the Government will formulate a comprehensive civil service reform programme, which is fundamental for the successful implementation of the Compact.

In addition, the NDS also states the need for an independent judiciary that provides fair and equitable justice with respect for human rights; and the need for a civil service reform, especially management reform of the public sector institutions, as a priority.

II. Resources

Financial Resources:

No other funding sources were made available to the project. Budget revisions were approved by UNDP's senior management throughout the project's timeframe.

Human Resources:

National Staff and Consultants: One National Project Manager and one National Project Assistant were recruited for the National Dialogue and Human Rights components of this project. This recruitment was significantly delayed due to restrictions on the recruitment of Iraqi nationals without residency permits.

International Staff:

- One international Programme Officer was responsible for the Human Rights, National Dialogue and Parliament components of this project.
- An international Programme Specialist and a National Programme Officer funded by UNDP core resources were managing the Rule of Law and Institutional Strengthening components of this project.

III. Implementation and Monitoring Arrangements

- **Summarize the implementation mechanisms primarily utilized and how they are adapted to achieve maximum impact given the operating context.**

The primary implementation mechanism utilized has been DEX, through NGO and UN implementing partners.

- In the National Dialogue component of this project, UNDP worked with 2-3 NGOs as implementing partners.
- UNDP-POGAR implemented the Parliamentary Strengthening and Rule of Law activities under the project.
- UNESCWA implemented the Institutional Strengthening component. A portion of this project's budget (\$500,000) was allocated to UNAMI/HRO during the design process. Accordingly, HRO implemented these activities with assistance from UNDP.

- **Provide details on the procurement procedures utilized and explain variances in standard procedures.**

- The project adhered strictly to the UNDP procurement guidelines and practices. The selection of the Implementing agencies and the hiring of the national/international consultants were undertaken within the legal guidelines of UNDP.
- An assessment of ICT infrastructure of the National Center for Consultancy and Management Development (NCCMD) (Hardware – Software – website –

maintenance skills) was conducted, to determine equipment requirements, which were procured under the project.

- In support of the two projects: "Support to Ministry of Interior and Ministry of Defence Project" and "Support to the Ministry of Human Rights": Tsamota Ltd. was contracted to undertake the training component, and the preparation of a training manual under the two projects.

- **Provide details on the monitoring system(s) that are being used and how you identify and incorporate lessons learned into the ongoing project.**

Management and oversight of the project was governed by the normal procedures laid out in the programming manual of UNDP. The project activities were monitored through regular progress reports, evaluation of quarterly and final reports, tripartite and coordination review meetings with the counterparts, and participation of UNDP staff in the workshops inside and outside Iraq. Risks were analysed appropriately, annual work plans appraised with involvement of stakeholders, and lessons learnt were captured throughout the project through meetings with the stakeholders, and quick assessments.

- **Report on any assessments, evaluations or studies undertaken.**

Results and recommendations of monitoring reports were assessed and taken into consideration in support of the project (TPR meetings reports, impact evaluation of national dialogue reports).

Note: Copies of the final reports and evaluation reports are attached as annexes to this annual report.

IV. Results

Output 1: Rule of Law: Strengthen the capacity of the judicial community - national and regional - to formulate, uphold and monitor the application of the law (identified in the constitution); physical progress: 100%.

- Law and legal text have been modified and updated; it is the first time that this has been done in Iraqi law;
- All laws and regulations from the Kurdish Region were incorporated into the database. These texts were obtained from the Kurdistan Official Gazette (1992-2007);
- A criminal code, a criminal procedural code, and a commercial code were created;
- Officials from Iraq's judicial sector: 6 trainers, 13 users from the Iraqi Bar Association and Law School, 5 judges, one IT, 13 lawyers, academics and other jurists from Kurdistan region were trained on the use of the upgraded ILD, to

- ensure that the Iraqi State benefits from the work that has already been completed;
- A training session was organized for 11 Iraqi lawyers, judges and IT specialists for the purpose of familiarizing them with the ILD, and to train them to update the database;
- Four representatives from the HJC participated in the First Regional Conference on Supporting Implementation of the United Nations Convention against Corruption in the Arab Region;
- Six representatives from the HJC participated in a regional conference on intellectual property crimes that was organized by UNDP-POGAR in Manama, Bahrain;
- One representative from the HJC participated in the conference on the separation of powers, the independence of the judiciary and the role of public prosecutors in the rule of law held in Doha, Qatar;
- Training for Trainer's Session on Investigative Techniques of Modern Crimes was conducted in Cairo, Egypt;
- UNDP acquired materials for the establishment of an Information Department in the HJC for public prosecutors and investigatory judges on international best practice in relation to investigatory techniques;
- UNDP-POGAR commissioned the translation of a USIP publication on model criminal codes for post conflict societies.

Output 2: Support to the NCCMD: National dialogue increased on reconciliation and regional and cross-community collaboration; development and reconstruction enhanced; physical progress 100%.

- Facilitated membership of the NCCMD within regional networks, such as the Governance Institute Forum for Training – Middle East and North Africa (GIFT-MENA) network;
- The NCCMD job description directory was endorsed by all ministries, following the Human Resources Management Training provided under the project;
- NCCMD senior staff was exposed to the Egyptian experience in e-governance. A Training of Trainers (TOT) on E-Governance practices, methods and future strategies organized from 29 November till 4 December 2008 in Cairo in partnership with the Ministry of Administrative Development;
- A Study Tour organized on March 2008 in Beirut at the Institute of Finance of Lebanon. The Study Tour provided participants from the National Center for Consultancy and Management Development (NCCMD) at the Ministry of Planning and selected HR managers from the Iraqi public sector with information on best practices within prominent training centers in the region;
- TOT course on the Parmenides Eidos Think Tools was organized for 12 NCCMD Trainers in Beirut on 17-19 March 2008;
- TOT course was accomplished in Amman during March 2008 on business planning and performance management. UNDP-ESCWA and the World

University Service of Canada (WUSC) joined efforts in the implementation of this activity. Four out of twenty-two representatives from the NCCMD participated in the training;

- UNDP's Capacity Assessment and Capacity Development Methodology including a discussion of the core elements of the framework and the process was introduced in Beirut from 21-23 March, 2008;
- A detailed implementation plan for the management development of the Public Sector component was reviewed and prepared, with a particular focus on the Strategic Planning activity;
- Two business planning and one financial management workshops for three senior employees of the NCCMD were accomplished successfully during May 2008 in Amman;
- A Situation Analysis Consultative meeting was held in Amman during June 2008 with the aim of identifying and reaching consensus on the current state of affairs within the Iraqi Public Sector, with a particular emphasis on its needs and limitations. The outcomes of the meeting served as a basis for the development of a comprehensive strategic plan for the NCCMD;
- In the prospect of upgrading the Information Communication and Technology (ICT) infrastructure of the NCCMD, an assessment of all IT equipment – hardware and software – was performed;
- A study tour was conducted to the International Labour Organisation International Training Center (ITCILO) - in Italy, during 6-10 April for 21 staff members from the National Center for Consultancy and Management Development (NCCMD), Ministry of Municipalities and Public Works, and the Council of Ministers. The participants were exposed to best practices in the field of public management and good governance, and to models of recent reform in training and reorganization accompanying public management reform; they were also introduced to best practices of organizing training as a necessary component for the improvement of public service performance, and to practices on setting-up the institutional, legal, and professional framework for training in the public sector.

Output 3: Support to National Dialogue: Promoted human rights and the High Commission of Human Rights to undertake its role and responsibilities; physical progress: 95%.

- UNDP launched the National Dialogue Project (ND) in two phases: Phase I in October 2006 and Phase II in March 2009. By working with civil society, this project aimed to promote national dialogue among key constituencies, to diffuse tension and to promote cross-community collaboration. Phase II of the National Dialogue Project, which was concluded by March 2009, has launched the "Right to Live in Safety" (RSL) campaign, which was built on the results of Phase I;
- The Campaign highlights every Iraqis' Right to Live in Safety (RLS) continued and the campaign's messages have been widely disseminated through 150 workshops inside Iraq;

- The scope of the RLS was extended through the creation of two networks (established in October 2008) made up of CSOs/NGOs and academics in Baghdad, selected on criteria such as motivation, field of work, contact with the population, experience, gender balance, geographical distribution and mandates;
- UNDP-Iraq extended ND II until March 2009 for additional activities built on the two study visits to South Africa on July and August 2008 for business leaders, and representatives of Iraqi civil society (CSOs) and academics. The main purpose of these two visits was to learn about the South African peace negotiations and reconciliation process. A key outcome was the formulation by participants (both Groups) of two action plans. Group 1 action plan was directed primarily at Members of Parliament and political parties. Group 2, which included some participants from the "Right to Live in Safety" network, proposed creating a network of conflict resolution groups and activists at the governorate level, and the development of an awareness campaign on peace, reconciliation and non violence, also addressed to Members of Parliament and political parties;
- Building reconciliation through better pensions for Iraqi widows. The project was concluded on October. 2008. The project's original objective was a peace-building effort that aims to obtain better pensions for all Iraqi widows, raise awareness about the plight of widows and unite Iraqis around a common issue. Through this activity, information was collected on the situation of Iraqi widows, including number of widows, their geographical distribution, amount of money received and an estimate of a minimum acceptable pension;
- As the final activity of the National Dialogue Programme, the NGO Coordination Committee in Iraq, with support from UNDP, held a one-day conference of the "Right to Live in Safety Campaign" on 28 March 2009 for 80 participants of all the project stakeholders and beneficiaries (NGOs, Universities, Community Leaders), and the UN agencies. During the conference, UNDP highlighted some of the major national dialogue activities that had taken place over the life of the project, underlining the role of civil society in creating good governance, especially at the local level, with the successful elections of January 2009.

Output 4: Parliamentary Support: Enhanced the institutions and the capacity of parliamentarians and legislators, nationally and in the regions, to undertake their oversight role and responsibilities; physical progress 95%.

- Two studies investigating the role of the Council of Representatives (CoR) in the 2007 budget preparation process were completed. One study included a survey of all Iraqi MPs about their perceptions of and role in the budget process. Key recommendations on the next budget process were provided. These studies and recommendations were discussed at a meeting of Iraqi MPs and international experts in Cairo;
- Final Workshop on the Preparation and Adoption of the 2008 National Budget was hold. Representatives from the CoR's Finance and Economics Committees, the Board of Supreme Audit, the Ministry of Finance, and the

UN discussed the constitutional relationship between the different state institutions that are involved in the drafting, preparation and adoption of the national budget, and to set out recommendations for strengthening their working relationship in the future;

- A study on a Code of Conduct for Iraqi MPs was commissioned and results were discussed at a major workshop in Cairo, Egypt. Participants included members from the Parliament Secretariat and experts from the Arab region. It was agreed that a Code of Conduct should be prepared for the Iraqi Parliament;
- Code of Conduct drafting session staged. A group of 7 parliamentarians and advisers representing all of the CoR's major political blocs worked alongside two legal experts and senior policy advisers from UNDP, as well as one of the Arab region's leading legislative drafting experts, to prepare a draft Code of Conduct. This document was submitted to the CoR shortly afterwards for further discussion.
- Three training courses for the Parliament Clerk's Office were hosted by the Lebanese Parliament. The theme of these training courses was to discuss the practical and operational aspects of a Clerk's Office, including information management and sharing, agenda setting and minute taking;
- A three-day workshop was organized by UNDP/POGAR in London on the 17-19 June, 2009, on the issue of parliamentary oversight, in collaboration with the UK House of Commons. The workshop brought together key members of the Iraqi Council, including members from the Finance, Economics, Investment and Reconstruction Committees, with senior officials from different governmental and non-governmental institutions involved in parliamentary oversight in the United Kingdom. The workshop included meetings with senior officials from House of Commons' Public Accounts Committee, the House of Commons' Treasury Committee, the House of Commons' Scrutiny Unit, the Ministry of Finance and the National Audit Office.

Output 5: Support to Strengthen the capacities of existing institutions and/or supporting the establishment of new institutions nationally and in the regions as specified in the Constitution, focusing on the Ministries of Human Rights, Defense and Interior; physical progress: 100%.

- Two business planning, one financial management and one training of trainers workshop were conducted for four senior employees of the Ministry of Human Rights (MoHR).
- UNDP supported the participation of three Director Generals from MoHR in an ESCWA training course in proposal writing and project management. The training course that took place during 23–27 September 2007 brought together MoHR officials and representatives of civil society organisations. As well as providing tools in project development and design, this training course aimed to increase understanding and lay foundations for strategic partnerships between Government and civil society.

- Representatives of the Ministry of Human Rights participated in a five-day working session with a Canadian Human Rights Expert. The main aim of the workshop was to review the Ministry's strategic plan and its proposal to establish a National Institute for Human Rights. The meeting also covered the relationship between the Ministry and a National Commission, and processes required for developing a National Plan of Action. The Human Rights Expert continued to provide strategic and legal advice to the Ministry via email after the meeting.
 - UNDP and UNAMI/HRO signed a joint project document in December 2007.
 - The establishment of the National Institute of Human Rights, finalization and implementation of the Ministry's strategic plan and initiation with the required preparations for the development of a National Plan of Action.
 - In support of the National Institute of Human rights, a final training workshop was organized by UNDP from 31 of May till 9 of June, 2009, which targeted 15 trainers from the National Institute of Human Rights. This workshop was a key component of UNDP's support to the NIHR established by the Ministry of HRs to disseminate the culture of Human Rights, as well as raising awareness about human rights principles in both the public and civil sectors. During this workshop, the trainers were assisted in acquiring and developing knowledge and skills in the field of HRs Education in areas like International HRs, with special focus on women, children, and minorities rights; models and pedagogies associated with HR education; enforcing the participants' skills in planning, and development of HRs strategies.
 - Human Rights publications were shipped to both ministries;
 - The first training workshop for the MoD was delivered in Erbil on 16-21, December 2008, for 17 officials from different military ranks. The training addressed the issues of International Human Rights Law, and International Humanitarian Law, investigation and inspection, and females in the army;
 - Two training workshops for MoD official members were organized by UNDP on 15-28, February 2009. The first workshop was held on February 15-22, 2009, for 12 officials from Ministry of Defense, and the second was held during February 22-28, 2009, for 15 participants from the Ministry of Interior;
 - The last TOT training for 15 staff of the MoD was held in Erbil on 1-7 April 2009. The training assisted the participants with the drafting of the Law of Armed Conflict.
- **Explain, if relevant, delays in programme implementation, the nature of the constraints, actions taken to mitigate future delays and lessons learned in the process.**
 - Following new procedures established by the Jordanian authorities for granting entry visas to Iraqi nationals, Iraqi senior level officials have become reluctant to respond to invitations to attend events organized in Jordan. The Consultative Meetings organized in Amman suffered particularly from these new procedures,

- since the level of participation was not as expected. It was decided, during the reporting period, that Amman would be avoided for future events and/or workshops.
- Due to its key role in the development and reform of the Iraqi Public Sector, NCCMD was involved in many different projects implemented by UN agencies and other international donors. This situation was overwhelming to the NCCMD officials who found difficulties in scheduling activities. Some of the planned activities had to be postponed due to previous commitments of the NCCMD. This delay had an impact on the overall implementation of the project.
- Serious delays in communication with the Iraqi ministries had stalled the implementation of the Human Rights component. This led to a meeting held among UNDP, UNAMI/HRO, Ministry of Interior and Ministry of Defense in an attempt to restart the project activities.

• **List the key partnerships and collaborations, and explain how such relationships impact on the achievement of results.**

UNDP worked with several international and national partners in implementing this project. This enormously contributed to the successful implementation of the project components.

International partners:

- UNDP-POGAR was the implementing agent for three projects: (1) Updating of the Iraqi Legal Database, (2) Modernizing of Iraq's Public Prosecutors' Office and (3) Strengthening the Iraqi Parliament.
- UNESCWA was the implementing agent for development of the public sector, whilst CIDA and Team International provided the training programmes for this part of the project.
- UNAMI/HRO was the implementing agent for some of the human rights activities – specifically training for the Ministries of Interior and Defence.
- The Canadian NGO "Alternatives" implemented one activity in the national dialogue and reconciliation component of this project.

National Partners: The HJC, JTI and the IHT were key partners in the judicial reform section of this project. NCCI and other Iraqi NGOs were the implementing agents for activities under the national dialogue and reconciliation programme.

Key line ministries involved in this project were NCCMD/Ministry of Planning and Development Cooperation, Ministry of Human Rights, Ministry of Defence, Ministry of Interior and Ministry of Justice.

• **Other highlights and cross-cutting issues pertinent to the results being reported on.**

- The promotion and protection of human rights was a key component of this project. Whilst UNDP was working to strengthen the institutional capacity of the Ministry of Human Rights, it also assisted the Ministries of Defence and Interior to mainstream human rights into their by-laws, SOPs and training manuals.
- The project aimed to have direct and full participation of both men and women in strategic planning, needs assessments, meetings and workshops (90% of men and 70 % of women participated in this project.)

V. Future Work Plan

The project was operationally closed on June 30, 2009.

VI. Performance Indicators

Please refer to Appendix I.

VII. Abbreviations and Acronyms

TI: Team International	DEX: Direct Execution
TTC: Turin Training Centre	TOT: Training of the Trainers
USIP: United States Institute of Peace	KRG: Kurdistan Region
CRC: Convention on the Rights of the Child	HJC: Higher Judicial Council
GOI: Government of Iraq	MoJ: Ministry of Justice
GIFT-MENA: Governance Institute Forum for Training – Middle East and North Africa	IHT: Iraqi High Tribunal
RLS: Rights to Live in Safety	JTI: Judicial Training Institute
CSO: Civil Society Organization	MoHR: Ministry of Human Rights
SA: South Africa	INA: Iraqi National Assembly
ILD: Iraqi Legal Database	MoI: Ministry of Interior
SOP: Standard Operating Procedures	MoD: Ministry of Defense
HR: Human Rights	UNDP-POGAR: UNDP-Programme On Governance in the Arab Region
HJC: Higher Judicial Council	NCCI: NGO Coordination Committee in Iraq
NCCMD: National Centre for Consultancy and Management Development, Ministry of Planning and Development	UNESCWA: Cooperation UN Economic and Social Commission for Western Asia
CIDA: Canadian International for Development Agency	IPU: Alternatives Inter-Parliamentary Union

Appendixes:

Appendix 1: The Project Performance Indicators Table

Appendix 2: Evaluation of the Iraqi National Dialogue Workshop Series

**Appendix 3: Final Evaluation Report of the National Dialogue Program (ND) – Phase II
(Right to Live in Safety Campaign (RLS))**

Results Based Framework Table:

Strengthening of the Constitutional Process and Good Governance

- The original project document has not included an established result based framework table. Below table is prepared based on the project's stated outputs and activities implemented during the lifetime of the project.

Performance Indicators	Indicator Baselines	Planned Indicator Targets	Achieved Indicator Targets	Means of Verification	Comments (if any)
IP Outcome 1: Contributes towards the establishment and strengthening of priority institutions and Ministries, such as the National Centre for Consultancy & Management Development, National Human Rights Commission, the Judiciary, Parliament, Ministry of Human Rights, Ministry of Interior and Ministry of Justice, to build their capacity to advance the rule of law, to promote human rights, and to ensure transparent public administration and good governance.					
IP Outcome 2: Increase national dialogue on reconciliation and regional and cross community collaboration, enhancing development and reconstruction.					
IP Output 1. Strengthened the capacity of the Judicial community National and regional to formulate, uphold and monitor the application of the law (identified in the constitution).	Indicator 1.1 Comprehensive needs assessment of judicial and legislative reviews conducted and priority laws identified, drafted and ratified.	0	N/A	International Experts, and Iraqi Legal Database operational, and staff trained.	UNDP/POGAR documentation
	Indicator 1.2 Completed analysis of current legal framework's compliance with international human rights standards.	0	N/A	Working papers prepared by International experts.	UNDP/POGAR documentation
	Indicator 1.3		N/A	Reports and documentation by	

	Reforms (pilot) implemented in key institutions, including judicial, legal, public administration and other sectors with focus on the regions.				UNDP/ESWAN CCMD	
IP Output 2: National dialogue increased on reconciliation and regional and cross-community collaboration; development and reconstruction enhanced.	Indicator 2.1 Institutional contacts and linkages established amongst Iraqi Government, national and international counterparts.	0	N/A	- 269 participants in 13 workshops, - Reports and lessons learnt, - Two Study tours to South Africa, - 101 CSOs representatives received facilitation training, - 150 RLS workshops through the national campaign.	UNDP/NCCI Documentations and reports.	
IP Output 3: Promote human rights and the High Commission of Human Rights to undertake its role and responsibilities.	Indicator 3.1 Organizational structures and operational plans finalized for the Human Rights Commission.	0	N/A	International experts trained and guided the Business plan for the Ministry of Human Rights.	Business plan, reports by UNDP.	
	Indicators 3.2 Human Rights Training provided for commission members.	0	N/A	Officials from Ministries of Interior, Defense, and HRs trained on international human rights issues, TOT on HRs.	UNDP/HRO reports.	
IP Output 4: Enhanced the institutions and	Indicator 4.1 Respective				UNDP/POGAR documentation and reports	

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