

**CONTACT GROUP**  
**ON PIRACY OFF THE COAST OF SOMALIA**

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


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

This proposal has been agreed and supported by the relevant Somali counterparts.  
 It has also been de-conflicted with projects reflected in the CBCG Portal.

**PROJECT DOCUMENT**
**A. PROJECT OVERVIEW**

<b>1. Requesting Recipient UN Organization (s), indicate the Lead Agency if Joint Programme</b>	UNODC
<b>2. Project/Joint Programme Title</b>	Support to Garowe Major Crimes Court
<b>3. Duration</b>	12 Months
<b>4. Estimated Starting Date</b>	September 2014
<b>5. Location</b>	Somalia-Puntland
<b>6. Application to Window of Fund</b>	Window A
<b>7. Focus Area</b>	Court Security
<b>8. Overall Budget (needed to implement the entire project) in USD</b>	\$ 191,000
<b>9. Budget requested from Trust Fund in USD</b>	\$ 191,000
<b>10. Project/Joint Programme indirect costs and percentage of total programme costs</b>	\$ 12,495 (7%)
<b>11. Bilateral/Multilateral contributions in USD</b>	\$ 0
<b>12. Brief Description</b>	
<p>UNODC seeks funding for three additional guard towers to protect the Garowe Major Crimes Court, situated within the administrative area of Garowe Prison. The court was built in response to Proposal 25 of the 2011 <i>Report of the Special Advisor to the Secretary-General on Legal Issues Related to Piracy Off the Coast of Somalia</i> ("The Lang Report"). The requirement for UNODC to continue this work is underscored in UNSCR 2125(2013), Op para 18.</p> <p>The court is the preferred venue for serious criminal trials in Puntland for the following reasons:</p> <ol style="list-style-type: none"> <li>1. It is the best equipped courtroom in Puntland;</li> <li>2. It provides proper consultation facilities for defence lawyers;</li> <li>3. Prisoners do not need to be transferred through town to reach the court;</li> <li>4. It is within a secure and protected compound guarded by armed staff.</li> </ol>	

In November 2013 there was a sustained attack by member of Al Shabaab on Bosasso Prison which holds both piracy and Al Shabaab prisoners. The attack lasted for two hours and although the prison was not breached, two members of staff were killed along with four police officers and one attackers.

## B. SITUATION ANALYSIS AND JUSTIFICATION

### 13. Problem Analysis

Garowe Major Crimes Court is situated in the administrative area at the front of Garowe Prison which opened in March 2014. The prison and court were designed to provide a secure location for the detention of prisoners, including convicted pirates transferred from outside Somalia to serve the balance of their sentences in Puntland. The emphasis in the design of Garowe Prison, as with most prisons, was upon stopping persons from breaking out rather than stopping persons from breaking in. However given the threat in Puntland at the time, the external walls and guard towers within the prison were engineered above the immediate requirement to prevent escape and also now provide good protection against external attack.

The prison is mentored by UNODC international prison experts and UNODC conducts regular security assessments of the premises.

In November 2013, the prison at Bosasso, which also holds members of Al Shabaab and transferred pirates, was subject to a sustained attack by approximately 40 fighters. A small explosive device was placed against the rear wall of the prison and an assault mounted on the front of the prison.

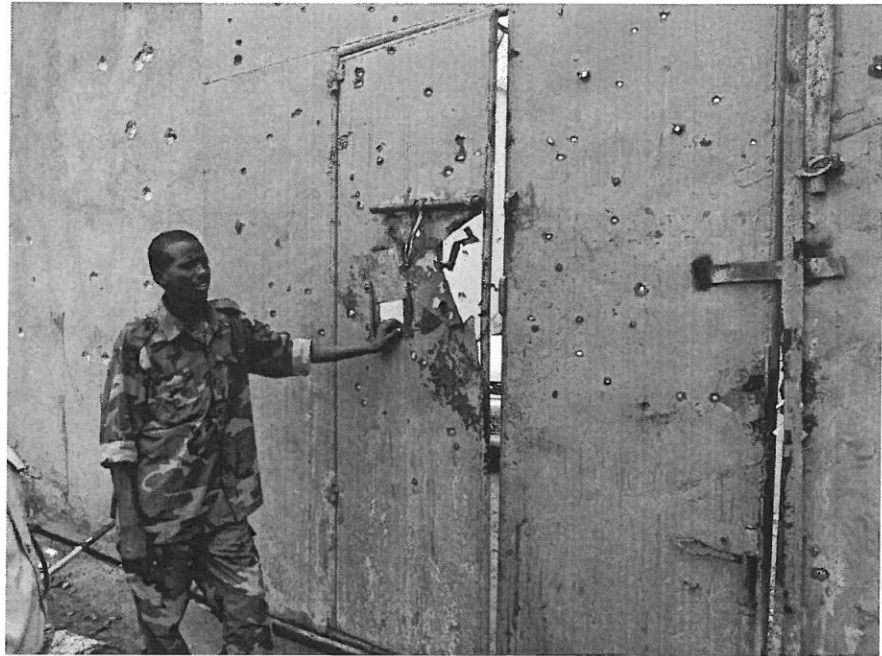
Damage to rear wall from explosive device



The prison staff fought off the attack on the main entrance to the prison which had only recently opened after being rebuilt to a modern design by UNODC. The main entrance held

and no prisoners were released.

Damage to front gate  
from small arms fire

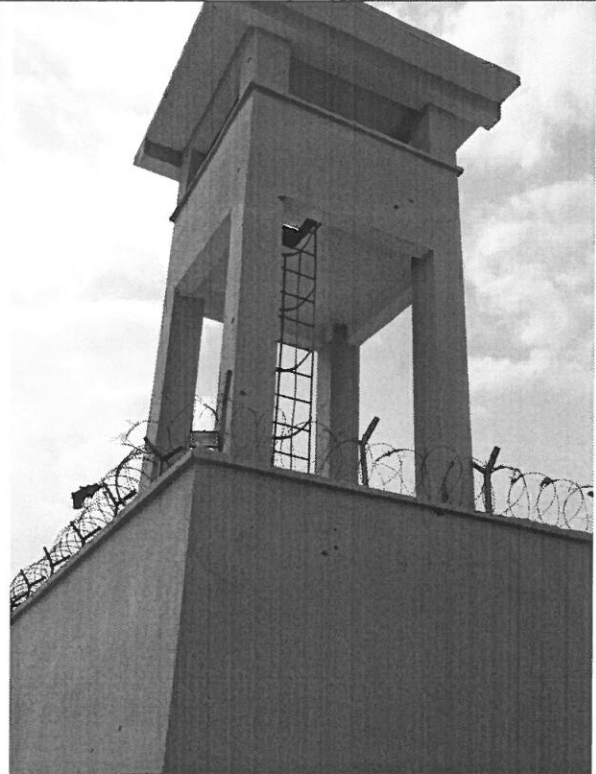


Damage to car passing  
through sally port at the  
time



Critical to the defeat of the attack were the three guard towers on the front face of the prison which overlooked the main gate and allowed prison staff to fire directly upon those attacking it. They were designed by UNODC to provide protection from fire and are constructed of poured concrete and steel.

UNODC built guard tower at Bosasso Prison from which fire was returned



Following the attack, UNODC re-evaluated the security arrangements at Garowe Prison. The prison part of the compound is extremely well protected with four towers that provide good oversight of the inside and outside of the prison compound. Those towers are built to a high standard and provide good fields of fire in protection of the prison compound. However the Garowe Major Crimes Court is situated in the administrative compound at the front of the prison to allow easier access to court staff and the necessary separation between court and prison. While two of the prison guard towers provide some oversight, UNODC's assessment is that the front of the administrative compound is vulnerable to attack. Although the wall and gate are high and built to a very high standard, they are not overlooked by guard towers. It was the existence of such guard towers in Bosasso that proved instrumental in repelling the attack.

Garowe Major Crimes Court showing guard tower on wall dividing court from prison compound. One of the additional towers would be built on the right of the picture



UNODC therefore seeks funding to build three guard towers on the front face of Garowe Prison.

#### 14. Synergies/Partnerships

This programme is in response to the *Report of the Special Advisor to the Secretary General on Legal Issues Related to Piracy Off the Coast of Somalia* (the Lang Report), Proposal 24.

UNODC has been called upon in UNSCR 2125 (2013) to continue its work in support of the Somali authorities that prosecute and detain Somali Piracy Prisoners.

Under the Somali Compact, PSG3, UNODC is responsible for the delivery of prison support to the Federal Government. The Somali aspects of this project fall under and will be reported under PSG3.

The prison is operated by the Puntland Custodial Corps with whom UNODC works very closely.

The judges, defence advocates and prosecutors who use the courtroom are supported by UNDP's rule of law programme.

The court was equipped by EUCAPNESTOR.

#### 15. Partnership Arrangements/Modalities

UNODC implements construction through UNOPS.

### C. STRATEGY

#### 16. Overview of Project Strategy

UNODC/UNOPS will design and build three additional guard towers to protect Garowe Major Crimes Court.

#### 17. Major Project Outcomes and Outputs

**Outcome 1:** Construction of three additional guardtowers

#### 18. Key Risks and Mitigation Strategy

The principal risks associated with this proposal are:

- **Risk:** Unstable security situation leading to attacks on implementing partners.
- **Mitigation:** UNODC has been carrying out programming, including construction work, in Garowe for the last three years and is confident that existing security arrangements on the site are robust enough

#### 19. Means of Verification

- UNODC staff are based permanently in Garowe to oversee implementation



- The project will be subject to independent evaluation in January 2015.

#### D. MANAGEMENT ARRANGEMENTS

##### 20. Project Management Mechanisms and Structure

The programme will be under the supervision of the UNODC MCP IO/HoA Regional Coordinator.

All personnel costs associated with this work are already funded.

##### 21. Project Evaluation

UNODC will have the current Trust Fund proposal fall under project XEAX93, the successor to the Trust Fund project XEAX20, which was opened for easier administration and reporting purposes in May 2013. This project will, along with XEAX20, be part of the final independent evaluation of MCP IO/HoA (and activities under its predecessor, the Counter Piracy Programme) to take place in Q4 2015.

UNODC focuses its evaluations on the criteria of: relevance, effectiveness, efficiency, impact and sustainability, partnerships and coordination, and gender and human rights. All UNODC evaluations are carried out under the oversight of the Independent Evaluation Unit (IEU) of UNODC Headquarters in Vienna, which provides technical support and quality assurance throughout the process. IEU clears the Terms of References, the selection of the evaluation consultant/s, the inception and final reports. The Counter Piracy Programme was subject to an in-depth evaluation in the first half of 2013 prior to the move to wider maritime crime programming under the new MCP IO/HoA.

##### 22. Reporting

UNODC will present narrative and certified financial project reports to the Trust Fund Board and the Fund Manager on an annual basis as per the TOR for the Fund, and the MOU for Participating UN Agencies. Interim reporting will be provided to the Fund Manager upon request.

##### 23. Legal Context

The Government of the Somali Democratic Republic agrees that the Standard Basic Assistance Agreement (SBAA) signed on 16 May 1977 with the United Nations Development Programme (UNDP), shall apply, *mutatis mutandis*, to the assistance provided by UNODC under the present project document. The Government confirms, in particular, that Article IX (Privileges and Immunities), Article X (Facilities for the execution of UNDP assistance), Article XI (Suspension or Termination of Assistance) and Article XII (Settlement of Disputes) of the SBAA shall apply to the activities of UNODC under this project.

#### E. Budget Overview (by Outcome and Organization)

OUTCOME	BUDGET USD
Project Outcome 1	160,000
<b>Total project activity costs</b>	<b>160,000</b>

<b>F. Budget Overview (by reporting categories) USD</b>	<b>USD</b>
1. Staff and other personnel costs	
2. Supplies, Commodities, Materials	
3. Equipment, Vehicles and Furniture including Depreciation	
4. Contractual Services	160,000
5. Travel	10,005
6. Transfers and Grants Counterparts	
7. General Operating and Other Direct Costs <sup>1</sup>	8,500
Sub-Total:	<b>178,505</b>
8. Indirect Support Costs (7%) of Sub-Total:	12,495
<b>TOTAL</b>	<b>191,000</b>

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<sup>1</sup> Including FCR

