

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

مجموعة الاتصال الخاصة بالقرصنة على السواحل الصومالية • 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>	Piracy Prisoner Transfer Programme
<b>3. Duration</b>	12 months
<b>4. Estimated Starting Date</b>	1 September 2014
<b>5. Location</b>	Hargeysa, Somaliland
<b>6. Application to Window of Fund</b>	Window A: Prosecution and detention-related
<b>7. Focus Area</b>	Security Sector
<b>8. Overall Budget (needed to implement the entire project) in USD</b>	\$ 16,656,500 of which of which \$10,292,293 has been funded
<b>9. Budget requested from Trust Fund in USD</b>	\$595,500
<b>10. Project/Joint Programme indirect costs and percentage of total programme costs</b>	\$38,958 (7%)
<b>11. Bilateral/Multilateral contributions in USD</b>	

**12. Brief Description**

The promotion of secure and humane imprisonment in Somali detention facilities is one of the programmatic areas in which the UNODC's Maritime Crime Programme (MCP) has been actively engaged as part of the programme's effort to enhance the capacity of States in the region to counter piracy.

The achievements made under the UNODC Maritime Crime Programme (formerly Counter Piracy Programme) have been acknowledged by the Security Council in its resolution UNSCR 2125 (2013). The resolution welcomes: "the readiness of the national and regional administrations of Somalia to cooperate with each other and with States who have prosecuted suspected pirates with a view to enabling convicted pirates to be repatriated back to Somalia under suitable prisoner transfer arrangements, consistent with applicable international law, including international human rights law, and acknowledging the return from Seychelles to Somalia of convicted prisoners willing and eligible to serve their sentences in Somalia."

Under the MCP, the UNODC's Piracy Prisoner Transfer Programme (PPTP) has been the primary project under the MCP responsible for ensuring that:

1. Prisons in Somalia that are currently housing pirates sentenced by domestic courts are operated in line with international human rights and detention standards;
2. The human rights of the pirates transferred by regional prosecuting States are respected and protected by their country of origin, thus facilitating further transfers.

With this submission the UNODC's Piracy Prisoner Transfer Programme (PPTP) seeks to support operations at the following prisons:

- Hargeysa Prison that is currently housing pirates transferred from Seychelles that will house transferred Somali pirates from regional countries, including Oman and Yemen;
- Mandhera Prison that will house prisoners from Hargeysa Central.

UNODC in particular seeks to ensure that:

1. One 4x4 vehicle for prison authorities;
2. Supplementary food for inmates is provided at the Hargeysa and Mandhera prisons up until the end of 2015;
3. Medical equipment, medicines and welfare items are provided at the Hargeysa and Mandhera prisons up until the end of 2015;
4. Education, basic literacy and numeracy, is delivered at the Hargeysa and Mandhera prisons up until the end of 2015;
5. Ongoing training of Somali prison personnel and mentoring at the Hargeysa and Mandhera prisons is delivered up until the end of 2015;
6. Vocational training is implemented at the Hargeysa and Mandhera prisons up until the end of 2015.

## B. SITUATION ANALYSIS AND JUSTIFICATION

### 13. Problem Analysis

Due to serious concerns over the respect for human rights standards in the criminal justice system in Puntland and Somaliland, in the past many States with naval forces in the areas have been hesitant to transfer suspected pirates for prosecution and imprisonment to Somalia.

The Maritime Crime Programme (MCP)/Piracy Prisoner Transfer Programme (PPTP) has sought to address some of these concerns and systemic deficiencies by, among other things, promoting humane and up-to international standards detention in both Puntland and Somaliland prisons. A combination of legal reforms, human-rights oriented training, constant mentoring, construction of new detention facilities and refurbishment of existing ones has been the tool package proposed by UNODC to address existing shortcomings.

The programme, in particular, has been developed 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 and 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 Hargeysa Central prison is currently housing 29 convicted pirates that have been transferred from the Seychelles. With a view to relieving pressure from the Hargeysa Central prison, which tends to quickly be full, and make room for the transferred pirates and for those who will be transferred in the near future from regional countries, refurbishment and construction works have been undertaken at the Mandhera prison. UNODC has received

funding through the CGCPS Trust Fund to construct 3 dormitories each accommodating 40 inmates, refurbish the kitchen and undertake vocational training at the Mandhera prison.

In light of the works undertaken at the Mandhera prison, UNODC has stricken an agreement with the national authorities whereby half of the accommodation space created at the Mandhera prison will be secured at the Hargeysa Central prison for future transfers of convicted pirates.

UNODC is currently engaged in negotiations with regional countries including India, Yemen and Oman to transfer approximately 100 convicted pirates by the end of 2015.

To ensure the welfare of the convicted pirates, the respect and protection of their human rights, along with creating additional accommodation at Mandhera prison for future transferees, support to both Hargeysa and Mandhera prisons is required.

#### **14. Synergies/Partnerships**

The programme will build on the work already delivered by UNODC under the Piracy Prisoner Transfer Programme (PPTP), as well as the work done by UNDP Somalia, as part of a wider international effort to deliver a coordinated response to governance and rule of law.

#### **15. Partnership Arrangements/Modalities**

The PPTP will be managed in close cooperation with the national and regional authorities, the donor community, especially the Contact Group on Piracy off the Coast of Somalia (CGPCS) and other partners. Other partners include: the United Nations Development Programme (UNDP), the United Nations Country Team for Somalia (UNCT Somalia), the International Maritime Organization (IMO) and the Office of Legal Affairs of the United Nations (OLA).

To implement the activities for which it seeks support, UNODC will work through local implementing partners and local suppliers in Somalia for procurement. For reasons of expediency and in the case of large-scale procurement UNODC may sub-contract UNOPS.

### **C. STRATEGY**

#### **16. Overview of Project Strategy**

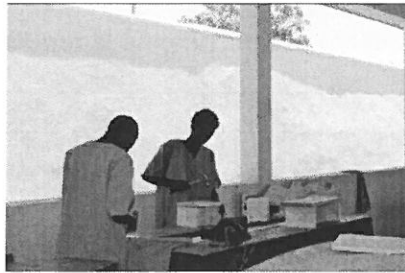
The UNODC Piracy Prisoner Transfer Programme's primary objectives are to:

1. To promote the transfer of convicted pirates from regional prosecuting States to their country of origin in compliance with human rights standards;
2. To ensure secure and humane imprisonment for piracy offenders adjudicated by Somali and regional courts.

To achieve these objectives, the PPTP has implemented the following activities that are relevant for this submission:

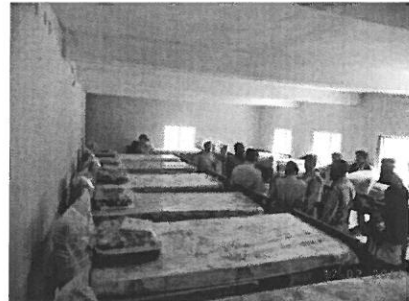
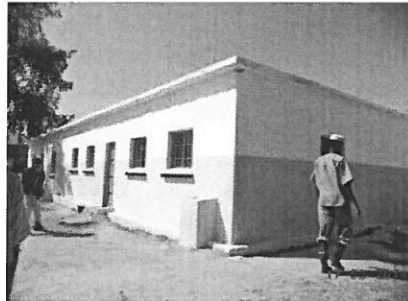
**Hargeysa, Somaliland**

- Hargeysa Central Prison

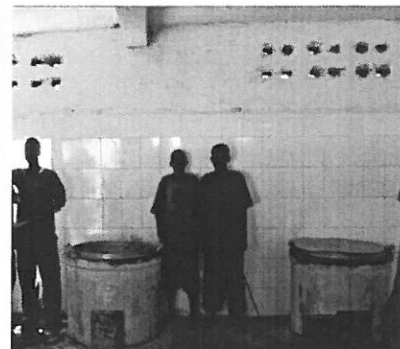
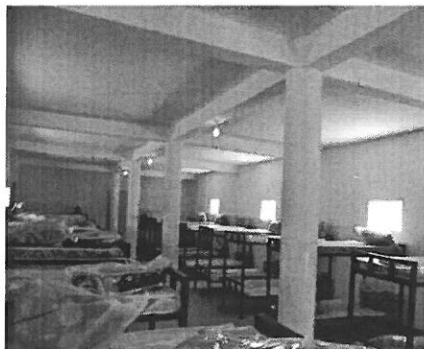
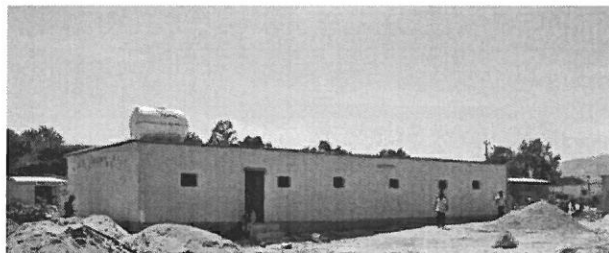


**Mandhera, Somaliland**

- Juvenile Block



- New block and kitchen



This project proposal in particular seeks to ensure the sustainability of the prison operations and the welfare of prisoners at the Hargeysa and Mandhera Prisons.

## 17. Major Project Outcomes and Outputs

The PPTP seeks to address the immediate and most serious health and humanitarian needs of the piracy prisoners in Puntland and Somaliland and ensure the sustainability of activities already implemented to ensure that the prison system is operated in line with the most basic minimum standards on the treatment of prisoners.

### Outcome 1: Prisons operations are ensured and security is enhanced at Hargeysa Central and Mandhera prisons.

- 1.1 One 4x4 vehicle for prison authorities;
- 1.2 Supplementary food for inmates is provided at the Hargeysa and Mandhera prisons up until the end of 2015;
- 1.3 Medical equipment, medicines and welfare items are provided at the Hargeysa and Mandhera prisons up until the end of 2015;
- 1.4 Education, basic literacy and numeracy, is delivered at the Hargeysa and Mandhera prisons up until the end of 2015.

### Outcome 2: Prison staff capacity to ensure effective prison management is enhanced in Somaliland and Puntland and prisoners are trained in trade skills.

- 2.1 Ongoing training of Somali prison personnel and mentoring at the Hargeysa and Mandhera prisons is delivered up until the end of 2015;
- 2.2 Vocational training schemes are developed and implemented at the Hargeysa and Mandhera prisons to promote rehabilitation and re-integration into society of piracy prisoners.

## 18. Key Risks and Mitigation Strategy

Given the unstable and variable security and political situation across Puntland and the recent election of a new President, the PPTP faces risks that may compromise the implementation of activities. These are as follows:

- Risk: Volatile Somali political/governmental environment
- Mitigation: UNODC is encouraged by the new government's enthusiasm for the project as an example of what can be achieved in the rule of law sector. We continue to enjoy close and cordial relations with the government.
- Risk: lack of political will and commitment
- Mitigation: Signing of agreements expressing mutual intent and ensuring a constant flow of communication between programme management and national authorities. In early March 2014, UNODC has organized meetings with the Ministry of Justice, Ministry of Foreign Affairs and prison authorities to ensure that the programme and operations are ensured for 2014 and 2015.
- Risk: Unstable security situation and/or attacks to UNODC or implementing partners
- Mitigation: Appropriate levels of investment in security measures, close monitoring of security situation in consultation with UNCT.
- Risk: Lack of support within Somali communities for the imprisonment of pirates
- Mitigation: Monitoring of political sentiments in local communities towards judicial processes against the imprisonment of pirates. Informing communities about piracy in close cooperation with Somali representatives via SCGPCS. The new government in Puntland has expressed interest in further transfers from regional states.

- Risk: Unrest in prison or dissatisfaction of local prison staff delaying project implementation
- Mitigation: UNODC is working with the Somaliland/Puntland authorities to ensure a staff payment scheme is developed and executed on a monthly basis. A prison-feeding scheme is also being explored to ensure prisoners receive food on a daily basis, thereby reducing the chance of unrest.

#### 19. Means of Verification

- Regular presence of UNODC staff at the Hargeysa Central and Mandhera prisons Prison
- Using the SCGPCS, local NGOs and the authorities to monitor the situation and dialogue with communities
- The Domestic Monitoring Committee that will visit the Hargeysa Central and Mandhera prisons at least twice a year
- The International Monitoring Committee that will visit the Hargeysa Central and Mandhera prisons at least twice a year to ensure international standards are fully respected and implemented

### D. MANAGEMENT ARRANGEMENTS

#### 20. Project Management Mechanisms and Structure

The programme will be implemented through the UNODC Regional Office in Eastern Africa and the Puntland country team based *in situ*.

The UNODC Maritime Crime Programme Regional Coordinator, the PPTP Programme Officer, and the expert advisors available in the MCP will conduct the strategic and day-to-day management, as well as the necessary reporting to donors of the project.

UNODC will closely work with regional level government institutions in Puntland, the Transitional Federal Government, Police and Prisons service to design, develop and deliver the implementation plans for the project. Funds and respective disbursement for a clearly designated set of activities will be the responsibility of UNODC to disperse.

#### 21. Project Evaluation

In 2013 an independent in-depth evaluation of the Counter Piracy Programme, of which the Piracy Prisoner Transfer Programme is one component, was conducted.

The evaluation report highlighted as its chief conclusion that: *“Overall the CPP has been impressive. It has delivered effective outputs, seen those spawn positive outcomes and real progression has been made toward achieving all three (programme) objectives.”*

Procedures for project management will be applied under the framework of UNODC results-based management, adopted by the Office to ensure the effective delivery of technical assistance.

A final review of the project will be conducted by an independent evaluator and will be made available to the Fund Board.

**22. Reporting**

UNODC will present certified project reports to the Fund Board and the Fund Manager on an annual basis, as per the TOR for the Fund, and the MOUR for Participating UN Agencies.

**23. Legal Context**

The UNODC, by means of the UN Country Team, is party to the Standard Basic Assistance Agreements that have been signed between the relevant national governments and the United Nations Development Programme.

**E. Budget Overview (by Outcome)**

OUTCOME	BUDGET
Project Outcome 1	\$ 330,000
Project Outcome 2	\$ 120,000

**F. Budget Overview (by reporting categories)**

1. Staff and other personnel costs	\$110,000
2. Supplies, Commodities, Materials	\$220,000
3. Equipment, Vehicles and Furniture including Depreciation	\$35,000
4. Contractual Services	\$135,000
5. Travel (including SPU)	\$30,042
6. Transfers and Grants Counterparts	
7. General Operating and Other Direct Costs	\$26,500
Sub-Total:	\$556,542
8. Indirect Support Costs (7%) of Sub-Total:	\$38,958
<b>TOTAL</b>	<b>\$595,500</b>



**G. WORK PLAN & BUDGET**

EXPECTED OUTPUTS	PLANNED ACTIVITIES	TIMEFRAME YEAR 1				RESPONSIBLE PARTY	PLANNED BUDGET	
		Q1	Q2	Q3	Q4		Budget Description	Amount USD
<b>OUTCOME 1: Prisons operations are ensured at the Hargeysa and Mandhera prisons</b>								
Output 1.1: One vehicle for national authorities is provided at the Hargeysa Prison	1.1.1 One 4x4 vehicle is procured and delivered	x	x			UNODC	Equipment, Vehicles and Furniture including Depreciation	\$35,000
Output 1.2: Food is provided at Hargeysa and Mandhera prisons to complement the food already provided by the State	1.2.1 Sub-contracts are in place 1.2.2 Food is delivered at Hargeysa and Mandhera prisons	x	x	x	x	UNODC	Contractual Services	\$60,000
Output 1.3: Medical equipment, medicines and welfare items are provided at the Hargeysa and Mandhera prisons	1.3.3 Medical equipment, medicines and welfare items, including beds and linen are procured and delivered at Hargeysa and Mandhera prisons	x	x	x	x	UNODC	Supplies, Commodities, Materials	\$160,000
Output 1.4: Education, basic literacy and numeracy, is delivered at the Hargeysa and Mandhera prisons	1.4.1 Sub-contracts are put in place 1.4.2 Education is at Hargeysa and Mandhera prisons 1.4.3 Education items are procured and delivered at Hargeysa and Mandhera prisons	x	x	x	x	UNODC	Contractual Services	\$75,000

<b>OUTCOME 2: Training and mentoring is delivered at the Hargeysa and Mandhera prisons</b>						
Output 2.1: Training and mentoring is provided to senior management, prison support personnel and new recruits to ensure human-rights compliant prison operations and management at Hargeysa and Mandhera prisons	x	x	x	x	UNODC	Staff and other personnel costs \$60,000
Output 2.2: Vocational training skills are developed and implemented at Hargeysa and Mandhera prisons	x	x	x	x	UNODC	Supplies, Commodities, Materials \$60,000
2.1.1 Training and mentoring is delivered at Hargeysa and Mandhera prisons						
2.2.1 Vocational training schemes are developed						
2.2.2 Material for vocational training, including iron, cement, fabric for uniforms is procured						
2.2.3 Material for vocational training is delivered at Hargeysa and Mandhera prisons						
<b>PROJECT MANAGEMENT AND SUPPORT COSTS</b>						
Staff and other personnel costs						\$50,000
Supplies, Commodities, Materials						
Equipment, Vehicles and Furniture including Depreciation						
Contractual Services						
Travel and Security						Travel of staff, including SPU \$30,042
Transfers and Grants Counterparts						

