

**PRF – PROJECT DOCUMENT**



**United Nations Peacebuilding Support Office (PBSO)/ Peacebuilding Fund (PBF)**

<p><b>Project Title: Support to the Implementation of Transitional Justice in Yemen (2014-2015)</b></p>	<p><b>Recipient UN Organisation(s):</b> United Nations Development Programme (UNDP)</p>
<p><b>Project Contact:</b> Edward Christow, Team Leader, Governance Address:P.O. Box: 551, Sana'a - Yemen Telephone:+967 – 1 – 448605 Ext: 322 +967 -712222322 E-mail: edward.christow@undp.org</p>	<p><b>Implementing Partner(s):</b>  The President's Office, Ministry of Legal Affairs (MoLA), Ministry of Planning and International Cooperation (MoPIC), Independent National Human Rights Institution (INHRI), Justice and National Reconciliation Commission (JNRC)<sup>1</sup>, Commission of Inquiry (CoI) into events of 2011, the Commission to Consider and Address Land Issues (Land Commission) and the Commission on Forcibly Dismissed Employees (Forced Dismissals Commission) or similar entities that may be formed, Office of High Commissioner for Human Rights (OHCHR), and CSOs.</p>
<p><b>Project Number:</b> <i>(To be completed by UNDP MPTF Office)</i></p>	<p><b>Project Location:</b>National</p>
<p><b>Project Description:</b> <i>(One sentence describing the main purpose of the project and how it contributes to the peacebuilding process in the country with reference to the main expected overall programme outcomes / theory of change)</i></p> <p>The project will provide support to the implementation of transitional justice and national reconciliation in Yemen in compliance with international standards and best practice, ensuring (i) a victim-centred perspective, (ii) that conflicts are resolved peacefully and in a manner that supports the coexistence of all relevant groups involved, (iii) lasting, open and inclusive societal dialogue about the past, (iv) democratic values and human rights and (v) guarantees of non-recurrence of violence.</p>	<p><b>Total Project Cost: \$6,986,179</b> Peacebuilding Fund (pending): \$ 1,000,000 UNDP BCPR: \$500,000 UNDP TRAC: \$ 207,000 Government Input: in kind Other: the Netherlands \$ 754,876 EU Commission: \$ 1,340,482 OHCHR: \$50,000 SIDA: \$ 2,133,821 Government of Japan (pending): \$ 1,000,000</p> <p><b>Project Start Date and Duration:</b> 1 May 2014 - 30 November 2015</p>
<p><b>Gender Marker Score<sup>2</sup>:</b> The project initiates strategic and ad hoc activities covering position of women in post conflict situation and also initiate involvement of women in the processes of defining and implementing transitional justice activities. Concretely, the project will (i) develop programme concept paper on raising</p>	

<sup>1</sup> Justice and National Reconciliation Commission is envisioned truth commission that should be formed through the Transitional Justice Law. However, this name could change depending on the NDC's outcomes.

<sup>2</sup> The PBSO monitors the inclusion of women and girls in all PBF projects in line with SC Resolutions 1325, 1612, 1888, 1889.

awareness and securing implementation of women's rights in transitional justice context, (ii) organize specific workshop on the topic, (iii) include representatives of women organization to actively participate in TJ-related trainings and consultation process on TJ legislation, (iv) initiate discussion on women's rights during consultation process on developing TJ legislation and (v) specifically underline that one of the focus areas to be supported through small grants will be either projects of women organizations or projects targeting women and women's rights.

*Score 3 for projects that are targeted 100% to women beneficiaries and/or address specific hardships faced by women and girls in post-conflict situations;*

*Score 2 for projects with specific component, activities and budget allocated to women;*

*Score 1 for projects with women mentioned explicitly in its objectives, but no specific activities are formulated nor is a budget reserved; and*

*Score 0 for projects that do not specifically mention women.*

**PBF Outcomes<sup>3</sup>:National Reconciliation**

**Project Outputs and Key Activities:**






*(A paragraph outlining key project outputs, activities and results)*

The objective of the project is to establish a strong national platform that will support implementation of nationally- and locally-driven transitional justice initiatives. The project will support 3 different levels: (i) national frameworks and institutions for redress (Ministry of Legal Affairs, Justice and National Reconciliation Commission, specialized Commissions of Inquiry on the events of 2011, the Land and Forced Dismissals Commissions, Independent National Human Rights Institution, etc.); (ii) CSOs for alternative avenues of redress and participation of victims and other conflict-affected vulnerable groups; (iii) public outreach and national dialogue facilitation (building on the NDC process).

<sup>3</sup> PBF specific outcome areas: 1 Security Sector Reform; 2 Rule of Law; 3 (DD)R; 4 Political dialogue for Peace Agreements; 5. National reconciliation; 6. Democratic governance; 7. Management of natural resources (including land); 8. Short-term employment generation; 9. Sustainable livelihoods; 10. Public administration; and 11. Public service delivery (including infrastructure)

# PROJECT DOCUMENT COVER SHEET

(for PRF-funded projects)

Co-chairs of the Joint Steering Committee	
<p><i>Mr. Jamal Benomar</i> Special Advisor to the Secretary General on Yemen</p> <p>Signature <input style="width: 100px; height: 20px;" type="text"/></p> <p>Date &amp; Seal</p> 	<p><i>HE Mr. Mohammed Al-Sa'adi</i> Minister of Planning and International Cooperation</p> <p>Signature <input style="width: 100px; height: 20px;" type="text"/></p> <p>Date &amp; Seal <i>29/05/2014</i></p> 
<p><i>Mr. Paolo Lembo</i> United Nations Resident Coordinator</p> <p>Signature <input style="width: 100px; height: 20px;" type="text"/></p> <p>Date &amp; Seal</p> 	
<p>Recipient UN Organisation(s) <input style="width: 100%; height: 20px;" type="text"/></p>	<p>National Implementing Partner(s)</p>
<p><i>Ms. Mikiko Tanaka</i></p> <p>Signature <input style="width: 100px; height: 20px;" type="text"/></p> <p><i>UNDP Country Director</i></p> <p>Date &amp; Seal <i>12/05/2014</i></p> 	<p><i>HE Mr. Mohamed Al-Mekhlafi</i></p> <p>Signature <input style="width: 100px; height: 20px;" type="text"/></p> <p><i>Minister of Legal Affairs</i></p> <p>Date &amp; Seal</p> 

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## PROJECT COMPONENTS:

### COMPONENT 1: (The “WHY”)

#### a) Situation analysis, financial gap analysis and assessment of critical peacebuilding needs

- Conflict drivers and critical peacebuilding needs: *Brief analysis of key conflict and peace drivers and the status of government's and other efforts to reduce the risk for (re)lapse into conflicts. Who are the key actors? In which areas do they engage and how? Are there national strategies for peacebuilding which have been articulated or are in place, that reflect government's commitments to achieve peace relevant results? Which sectors are the priorities?*

- Existing efforts and gaps: *What are the current peacebuilding efforts? In which sectors are donors engaged, and in which ones they are resistant to intervene? What is the evidence of urgent financial or peace relevant gaps which need to be addressed?<sup>4</sup> What are any risks of PBF engagement in terms of other actors' positions?*

Although the events in Yemen in 2011 can be interpreted as part of the Arab Spring and the democratization movement that spread across the Arab world, the events in Yemen are grounded in the country's problems of chronic underdevelopment, weak governance, political marginalization and social exclusion. In both the north-west and the south, the state's failure to meet the needs of local populations resulted in their disengagement from the approved political sphere and the strengthening of tribal leadership, and, critically, the re-emergence of separatist agendas in the south. Local conflicts between farmers and nomadic tribes over declining natural resources have also increased. Finally, terrorist activities have increased in recent years, bringing a cross-border dimension to the Yemeni conflict. All mentioned refer that security situation in the country appears to be worsening, and the need for the State to restore the trust of a divided population remains acute.

With the signing of the peace initiative and its implementation mechanism sponsored by the Gulf Cooperation Council (GCC) in November 2011, and the stepping down of former President Ali Abdullah Saleh after more than 33 years in power, Yemen embarked on the implementation of its transition agenda. The transition agenda originally referred to two-year political transition process, including a fully inclusive National Dialogue process, and constitutional and electoral reform, ending with Presidential and Parliamentary elections in 2014.<sup>5</sup> However, due to prolongation of the NDC and the country's security and political dynamic, this timetable will be extended and finalized later.

Transitional justice in Yemen remains a sensitive agenda partially due to the Immunity Law which was issued for former President Saleh and his associates<sup>6</sup>, and partially due to the divergent perspectives among various stakeholders with regard to questions of accountability and past violations<sup>7</sup>. At the time of writing, the proposed *Law on Transitional Justice and National Reconciliation* has been submitted to the Parliament<sup>8</sup>, and hence the relevant mechanisms such as

<sup>4</sup> Fill in the proposed tables at Annex A, B, C.

<sup>5</sup> National Dialogue is launched on 18 March 2013. The 565 delegates are tasked to develop recommendations how to address pressing issues relevant to the future of the country, which will go into the writing of a new constitution and holding of new elections. However, transition period, which was originally planned to last two-years, was prolonged due to various delays caused by extension of the National dialogue process and the country's political and security situation.

<sup>6</sup> On 21 January, the Yemeni Parliament adopted an amnesty law (Law No.1 2012) that granted absolute immunity from prosecution to President Saleh, and an amnesty from criminal prosecution to all officials who worked under the President during his rule. This implied that the President and the officials were also provided immunity from criminal prosecution of “politically motivated” cases.

<sup>7</sup> An important area of controversy with regard to the draft TJ law concerns the time frame that the TJ process should encompass with various groups suggesting periods that match their particular grievances.

<sup>8</sup> In February 2012, the Ministry of Legal Affairs drafted the Law on Transitional Justice and National Reconciliation, and presented it to the public. The Council of Ministers formed a Ministerial Committee to review the law, and a revised version was produced by the Ministry and submitted twice to the Cabinet in May 2012. No agreement has been reached on the draft law, and the matter was referred to the Prime Minister and the President pursuant to the GCC Implementation Mechanism.

JNRC and CoIntto events of 2011 have yet to be established to carry forward to the transitional justice process. Also, transitional justice was one of the topics discussed in the National Dialogue process, which was also very contentious.

Although transitional justice is placed high on the agenda, there is no strategic or coordinated approach to TJ. There are initiatives in the field, but they are more of ad hoc nature focusing on settling pressing political needs to address past grievances. One of the examples is establishment of the Land and Forced Dismissals commissions in January 2013 which are “to address issues related to land and employees in the Sothern Governorates in order to complete the National Dialogue and National Reconciliation and as required by the Public Interest”.<sup>9</sup> However, on the one hand the commissions face significant logistical, technical and financial shortages and the beneficiary society has high expectations for these two commissions to deliver. A failure of these commissions may cause further deterioration of an existing fragile security situation and societal division and be of significant negative impact on transitional processes in general. At the last instance, the *ad hoc* approach raises expectations on the parts of the society that feel excluded and less prioritized since grievances committed against them are not investigated yet.

There is a similarly challenging situation with CSOs. Both specialized knowledge of transitional justice tools and alternatives as well needed administrative and professional capacity seem to be lacking among CSOs to enable them to play an effective advocacy and oversight role. Empowering CSOs, building national CSOs networks and helping them to support an inclusive societal dialogue about the past (consultations), focusing especially on the communities that are burdened with injustice is one of the project imperatives. Achievement of results in this process (dialogue) contributes to overcoming sectarian divide and promoting rights of victims and from public domain excluded societal groups. In addition, dialogical process may end with institutionalization of conclusions made through consultations that will further contribute to better understanding between institutions and citizens and generating trust of citizens to institutions.

At the end, it is important to say that there is no wide understanding of transitional justice in Yemen and how society can benefit from this process. Lack of understanding may cause reservation towards Transitional Justice (TJ), than national institutions that will come out from the TJ process (such as the truth commission) or recommendations of the National Dialogue. Raising awareness activities, together with previously mentioned approaches may contribute to overcome challenges in TJ process.

In light of the abovementioned challenges, supporting continuing and inclusive societal dialogue and developing capacity of national institutions and civil society to address the past through formal and informal TJ processes and outreach campaign is one of the key peacebuilding initiatives for the country. As acknowledged by the government, success or failure of transitional justice efforts will largely determine ability to institute needed reforms and reestablish trust in national institutions.

#### **a) Project (Portfolio) Justification**

##### Project's relevance to peacebuilding:

*Describe the project's immediate relevance to the peacebuilding process in the country. How urgent and strategic is the PBF engagement? How does this project (or project portfolio) support the government's strategic agenda for peace at a larger scale (if there is one)? **How does this project fit within the approved Priority Plan?***

Yemen has a long history of political violence and human rights abuses, both before it became a unified state in 1990, and since – including during a civil war in 1994. Grave abuses, including the

The law was finally submitted to the Parliament in April 2013, but MPs still has not discussed it, waiting the NDC's outcomes.

<sup>9</sup> Presidential decree number 2 for the year 2013.



killing of unarmed demonstrators, also took place during the uprising which started in January 2011 and led to the removal from power of former president 'Ali' Abdullah Saleh.<sup>10</sup>

The Gulf Cooperation Council (GCC) initiative, agreed by the key political factions in Yemen and endorsed by the UN Security Council in October 2011, provides for a political transition and requires steps on transitional justice and "measures to ensure that violations of human rights and humanitarian law do not occur in the future." As part of this initiative, Saleh resigned in exchange for total immunity from prosecution.

In mid-2012 the UN Security Council urged the Yemeni government "to pass legislation on transitional justice to support national reconciliation without further delay."<sup>11</sup> Moreover, the UN Security Council and UN Human Rights Council have both recommended the establishment of an Independent Commission of Inquiry to investigate human rights violations committed by all parties during the protests of 2011. For its part, the GoY publicly committed itself to establish the National Commission of Enquiry, in compliance with relevant international standards.

The new president AbdoRabboh Mansour Hadi issued a decree in January 2013 to establish the Commission to Consider and Address Land Issues and the Commission on Forcibly Dismissed Employees which are "to address issues related to land and employees in the Southern Governorates in order to complete the National Dialogue and National Reconciliation and as required by the Public Interest."

Activities related to establishment of the commissions of inquiry and TJ legislation are not strategically coordinated and articulated. So far, they have been more *ad hoc* tools to deal with pressing issues, international obligations and expectations. At the same time, the issues related to abuses of the recent past are insufficiently discussed with the broader public which may undermine legitimacy and participatory nature of TJ processes. One of the consequences of the lack of a comprehensive, national approach is rising demand to establish commissions of inquiry in other parts of Yemen to deal with committed injustice, with the argument that human rights violations against one group should not have priority over the others.

In institutions and in society at large there is still insufficient understanding of what transitional justice stands for and what it can and cannot accomplish. Also, the lack of an inclusive process, for example, may significantly endanger the possibility of active involvement of civil society and citizens in general in creation of TJ processes in the country. Lack of recognition of the key partners in this process could jeopardize communication between government and CSOs which is crucial for institutional transformation and establishment of institutions responsive to their citizens.

With the worsening security situation in the country, the need for the State to restore the trust of a divided population remains acute particularly in this transitional period. It is essential for the Transitional Justice and National Reconciliation Law to be passed to ensure the national reconciliation and peacebuilding efforts are supported, but also to secure functioning of already established commissions of inquiry (or similar entities in the future) and to build TJ capacity of institutions of governance, CSOs and citizens in general, to open space for lasting open and inclusive public debate on TJ, especially in context when the expectations of the population are very high and the capacity of the newly established government limited.

The ongoing UNDP assistance to the Government of Yemen focuses on identifying context-appropriate and sustainable transitional justice programmes. It is designed to provide technical support for government's general commitment to initiate and oversee mechanisms of redress for past abuses. More concretely, and as an immediate task, it ensures direct assistance for capacity development of relevant

<sup>10</sup> ICTJ, 'Facing a Troubled Past, Yemen Debates Transitional Justice Measures, 26<sup>th</sup> June 2012.

<sup>11</sup> Among other things the law regulates the establishment of the Justice and National Reconciliation Commission (truth commission), its functions, objectives and powers. However, the law has not been adopted yet.

line ministries and other supporting institutions, including for establishing and fulfilling the mandate of the JNRC and CoI as well as fulfilling mandates of the Land and Dismissals Commissions. In addition, the project is particularly concerned to build capacity of CSOs to enable them to play effective advocacy and oversight role. In the end, the project organizes outreach related activities to help society to understand TJ and how they can benefit from this process. The project provides a strategic approach to TJ issues, covering envisaged transitional justice process in their totality, but also securing support for ongoing activities, with the aim to secure a victim's centered approach, and underpin peacebuilding efforts more generally. So far the project succeeded to create database for the Land and Dismissals Commissions, which enabled the commissions to properly aggregate and disaggregate cases, issue reports and analysis regarding specific cases, protect documentation, register new claims electronically etc. Also, based on the project's assistance, for the first time in countrywide consultations between representatives of institutions of Government of Yemen and civil society on transitional justice were organized. These consultations have enabled the parties to reach consensus about human rights violations and sensitive political issues, which contributes to overcoming sectarian divide. Also, the project succeeded to create partnership with the TJ working group of the NDC and particularly with some delegates, who hold regular meetings with the project staff on the TJ issues.

It is also important to mention OSASG efforts in transitional justice area. They are related to core TJ issues in country, such as providing technical advice regarding creation of the TJ Law, presidential decree to establish the Land and Dismissals Commissions and technical advice to TJ working group in NDC. In September 2013, the OSASG started to implement the project *Addressing grievances in the South* aiming to support 1) active, peaceful and constructive engagement of Southern factions in political transition and 2) to support the Land and Dismissals Commissions to achieve tangible progress in concluding on solutions to land and civil service related grievances. Regarding all TJ related issues, but especially those related to the Land and Dismissals Commissions, OSASG and UNDP closely cooperate.

#### Catalytic effects:<sup>12</sup>

*What are potential catalytic effects (financial leverage, unblocking political processes) of this project? Is the project accelerating the peacebuilding process? If yes, describe how. Is the project unblocking a peacebuilding process under stalemate? If yes, describe how. If necessary, how is the project going to attract additional funds (either from other donors or from the Government) to scale up activities in the targeted area?*

Yemeni society is divided into those advocating for justice in terms of criminal accountability as a precondition for reconciliation and those emphasizing reconciliation, introducing immunity as its unavoidable part. These starkly contrasting positions exacerbate an already divided society. Added to this challenge is the weakness of institutions to provide mandated services, due to capacity gaps, insufficient public information, and divisive political influence. The project promotes a strategic approach to transitional justice through providing capacity support and advice to state institutions, existing and future commissions of inquiry and a truth commission, as well as to CSOs, and developing outreach activities and strategic documents related to each TJ mechanism. In doing so, the project promotes a victims-centred approach, democratic values and human rights, and non-recurrence of violations.

Through providing capacity building interventions the project will help to ensure that institutions recognize the need to establish close interactions with citizens for the purpose of responsiveness to citizens' needs, as a precondition for the reestablishment of citizens' trust. An important step toward this aim is promotion of civic participation in decision making processes and creation of relevant policies. This approach secures catalytic effects since it fundamentally changes the inherited practice of non-communication with citizens and

<sup>12</sup>Definition of Catalytic for PBF Projects: An initiative is catalytic when it a) launches an initiative that allows for longer-term or larger peacebuilding efforts or b) unblocks a stalled peacebuilding process and/or c) it undertakes an innovative, risky or politically sensitive intervention that other actors are unwilling to support and that addresses conflict factors. Also see [www.unpbf.org/catalytic-programming](http://www.unpbf.org/catalytic-programming)



enables structural transformation and national ownership over initiated process. The project promotes civic participation through providing support to CSOs through capacity building initiatives and a small grants fund and through open and inclusive consultation processes relevant to developing TJ legislation and mechanisms. The above mentioned group of activities is a proactive way of engaging citizens (securing particularly the participation of excluded and marginalized groups, as well as women, youth and victims) in activities aimed at securing national ownership over TJ processes, which will also provide the threshold for any other similar activities in the future. In order to secure stated goals, the project will initiate programme outreach to raise awareness of broad public on TJ and to provide support for activities that are related to structural socio and political transformation.

By providing support to existing and future commissions of inquiry and a truth commission, the project contributes to the process of establishment facts about the past, acknowledgment and recognition of suffering, realizing multi layered societal dialogue on pressing issues and narrowing the space for denial, as one of the preconditions to overcome distrust on the horizontal and vertical level. Also, providing adequate technical recommendations and advice to existing and future commissions of inquiry and a truth commission, may further accelerate institutional transformation. However, as stated, established commissions of inquiry face significant challenges in achieving their goals. The project recognizes the importance to support these bodies to enable them to accomplish their obligation toward stakeholders and to bolster the TJ process in general. Therefore, through implementation of all mentioned activities, or those particularly related to the commissions of inquiry, the project unblocks stalled processes, especially TJ related.

The National Dialogue Conference (NDC), established by GCC Agreement, is a platform for change in various areas, including transitional justice. Securing stated activities is an important step to support NDC, as well as feasibility and implementation of NDC's recommendations.

Overall, national transitional justice initiatives supported through this project, if successful, will have multi-faceted effect on desired social transformation, and peace and security provisions on the long run as well as in the coming period. Some of the key benefits have previously been identified, but should include the following:

- 1) Re-establishing citizen trust in national, regional and local institutions of governance, and enhancing general respect for the rule of law through government and CSO TJ initiatives;
- 2) Establishing an adequate historical record of past abuses and disseminating lessons learned through truth telling processes;
- 3) Strengthening deterring provisions of the overall criminal justice system;
- 4) Addressing needs of victims and other pressure groups (e.g. families of missing persons etc.) directly through reparations and other programmes;
- 5) Addressing grievances of citizens of the south through restitution or compensation
- 6) Fostering national dialogue on reconciliation, and encouraging inclusiveness and social cohesion through multi-stakeholder consultations, media campaigns and community outreach programmes.

## **COMPONENT 2: (the “What”)**

### **a) Project focus and target groups**

#### **Project focus:**

*What is the focus of project? What type of change will be expected to impact conflict?*

The focus of the project is to build national capacities to initiate and maintain transitional justice processes. The project will work with various institutions and constituencies that are key in carrying out national initiatives of this kind.

UNDP will work closely with the various institutions of governance such as the MoLA, MoPIC, MoHR, the President's office etc. A Special set of activities was related to providing necessary

technical and logistical support to the Land and Dismissals Commissions, Commission of Inquiry into events of 2011, JNRC and INHRI. The Land and Dismissals Commissions were established in January 2013 through presidential decree. The MoHR is currently spearheading the process to develop the CoI into events of 2011, while the JNRC is yet to be established through the Transitional Justice Law.<sup>13</sup> All of mentioned bodies are meant to be ad hoc bodies. Through technical and logistical assistance, the project assist the commissions to achieve their mandates by: (i) providing trainings on how those bodies to achieve their mandates (with particular focus on collecting and analysing allegations), (ii) developing a staffing plan, (iii) creating work plans, (iv) designing an effective database for the storage and organization of work, (iv) building a communication strategy, (v) drafting the final report, (vi) advising on reparations programme and strategy with particular focus on compensations. The INHRI is designed as a permanent structure. The INHRI, once established, will be tasked with the protection and promotion of human rights in Yemen. It will act as a supervisory body to the government's performance in this field. The project will ensure that the INHRI has the capacity to provide an oversight role over mentioned ad hoc bodies and transitional justice process in general. In order to achieve those goals the project will provide adequate technical advice to the INHRI. Technical advice will be tailored to the specific needs of the Institution as well as to the TJ mechanisms that are established/will be established on the base of Transitional Justice Law or relevant decrees. One of important segment of the work of INHRI will be empowering CSOs in the oversight role where the INHRI will lay a coordination role. A particular focus will be dedicated to organisations at the local level especially those focusing on youth, women and victims groups) to organize consultations on TJ.

The project will work on developing an adequate TJ legislative framework and by-laws to set off national initiatives. In this area the project will provide capacity building support to the MoLA, focusing on international humanitarian law and international human rights law as the basis for creation of future transitional justice legislative framework. In that sense, the project will pay particular attention to creation of by-laws relevant particularly to the TJ Law. The main purpose of such activities is to assist the Ministry to increase knowledge of staff and performance and to be more responsive to citizens' needs.

The second part of the project will be directed to providing support to CSOs in order to empower them to participate in TJ process and to take a lead in inclusive societal dialogue about the past. The project will be particularly focused on communities that are burdened with injustice, which is one of imperatives to overcoming sectarian divide and achieving social cohesion. Achievement of results in this process will also contribute to promoting needs of victims and excluded societal groups, which will help institutions to implement activities necessary to satisfying citizens' needs that will contribute to better understanding between institutions and citizens and generating trust of citizens to institutions.

The third component of the project strives to raise awareness on TJ issues among various stakeholders and the public at large, to empower them to understand TJ, how society can benefit from transitional justice, how to participate in the process more actively and how to restore trust between the new government and the population.

Recognition will also be given to the particular transitional justice needs of Yemeni women, who have been consistently ranked at the bottom in the World Economic Forum's Global Gender Gap in access to health, education and economic opportunity. The project initiates strategic and ad hoc activities covering position of women in post conflict situation and also initiate involvement of women in the processes of defining and implementing transitional justice activities. Concretely, the project will (i) develop programme concept paper on raising awareness and securing implementation of women's rights in transitional justice context, (ii) organize specific workshop on gender and TJ, (iii) include

<sup>13</sup> As set the law was submitted to the Parliament in April 2013, but MPs still has not discussed it, waiting recommendations from the transitional justice working group of the NDC.

representatives of women organization to actively participate in TJ-related trainings and consultation process on TJ, (iv) initiate discussion on women's rights during consultation process and (v) assure that some fund of envisioned small grants funding activity will be particularly allocated to projects targeting women and women's rights.

Key target groups/beneficiaries:

*Who are the target beneficiaries of the project? (N.B.: The targeted groups could either be the source of conflicts and/or groups at risk of conflict, which does not necessarily coincide with the category of economically vulnerable groups). Describe their profile in quantitative and qualitative terms. What are the relationship dynamics among different groups? What incentives will be used to ensure their participation?*

The first group of beneficiaries of the project are governmental institutions, established and future commissions of inquiry, JNRC, INHRI, in general. The project will work closely with all mentioned stakeholders towards building a broad consensus around the importance of human rights and ensure the victims-centred approach. Since the mentioned institutions of governance and established commissions of inquiry seriously lack capacity to achieve their goals, the project will provide necessary support to all of them in order to increase their performance while at the same time to underlining necessity of inclusion of CSOs and citizens in general in all activities (civic participation).

The second group of beneficiaries are CSOs and society in general, with particular focus on victims' associations, human rights activists, youth groups, women, vulnerable groups (such as IDPs etc.) tribal and religious leaders etc. The project particularly pays attention on developing capacities of CSOs through trainings, international expertise and exchange of CSOs experiences to empower CSOs to participate in TJ process on the more adequate way and to develop their programmes and projects. To achieve this, the project will, in addition, initiate small grants fund to support CSOs activities in this field. Also, the project will particularly pay attention to generating societal dialogue about the past in local communities through supporting communal truth-telling initiatives, building interrelations between CSOs and local governance.

More than in other areas of rule of law ensuring that transitional justice processes are nationally owned and driven is a prerequisite for engagement of the broader community in support of social transition. To ensure national ownership over the activities, the project will initiate raising awareness campaign to inform society about TJ and its instruments, how citizens may achieve their rights, what the role of relevant institutions is and how their work is related to citizens' needs. As a part of this process the project is striving to organize open and inclusive consultation process that will serve as an encompassing activity to secure broad civic participation in generating TJ ideas and developing TJ legislation together with representatives of government. This move toward inclusive civic participation and communication with representatives of government will contribute to more responsive institutions and regaining trust of citizens in institutions, which will serve to securing peacebuilding initiatives and achieving lasting peace.

**b) Theory of changes: linking activities to results**

Theory of change:

*What changes does the project aim to achieve that trigger and/or accelerate peace consolidation? Is there a clear focus on specific conflict drivers that can realistically be addressed within the agreed time and budget? What is the causal chain of events that is expected to lead to the desired peacebuilding outcomes?*

Transitional justice consists of both judicial and non-judicial processes and mechanisms, including prosecution initiatives truth-seeking, reparations programmes, institutional reform, etc. or an appropriate combination thereof. Referring to comparative practice, by striving to address the spectrum of violations in a integrated and interdependent manner, designing activities which are relevant to the country's socio-economic, cultural, historical and political specifics, involving broad

society in societal dialogue about the past creating perception that no one is excluded and cautiously sequencing and prioritizing activities based on strategic approach, transitional justice can contribute to achieving the broader objectives of preventing further conflict, peace-building and reconciliation.

The project provides framework for implementing TJ activities, either on the basis to strengthen existing initiatives which are to resolve pressing societal issues or in a way that represents a strategic response to the needs of the political and social life. The example of the first approach is providing support to the Land and Dismissals Commissions which are tasked to “address issues related to land and employees in the Southern Governorates in order to complete the National Dialogue and National Reconciliation and as required by the Public Interest.” The project will be particularly focused on providing support to the commissions regarding creation of an adequate compensation policy/strategy (resolving the cases), to compensate claimants and other reparation modalities. Lasting tensions and unsettled grievances in South are of significant influence on transitional justice, particularly the transitional process in general. By providing support to these investigative bodies, the project contributes to solving pressing political and societal issues that threaten to endanger fragile security situation and on that way contributes to achieving sustainable peace and national reconciliation.

The second approach has several sub sections:

(i) generating public dialogue about the past, involving governmental institutions, CSOs and citizens. The purpose is to assist Yemeni citizens to understand the concept of transitional justice, to give them opportunity to express and define their needs regarding TJ and to consensually define recommendations on how to achieve them. The project particularly focuses on communities which are burdened with injustice and citizens that are widely considered as excluded, such as Al-Houthis, citizens from southern governorates, victims associations etc. in order to securing perception that all societal groups have opportunity to express their visions regarding key societal processes. As comparative practice shows, this approach creates potential for creating new TJ activities based on real needs of the citizens (institutionalization of recommendations defined during consultation process and institutional responsiveness to citizens’ needs) and the country’s reality which legitimize transitional justice process. In addition, those forums can be used for explaining roles of various institutions in the TJ process, such as truth commission and to present results of relevant bodies. The project considers CSOs as crucial partners in generating national dialogue, especially on the local level, because of their close link to stakeholders. Through this partnership the project may secure participation of wide population in the dialogue process, but particularly of the excluded groups.

(II) building institutional capacity to draft TJ legislation and relevant by-laws, through understanding international legal standards on TJ and human rights protection (international human rights law and international humanitarian law). Understanding of international legal standards on TJ and human rights protection in general will contribute to strengthening relations between institutions and citizens, since institutions will be perceived as responsive to citizens’ needs. The project will additionally assist in this through creating programme concept papers relevant to each TJ mechanism. Beside, those documents will encompass outcomes of the National Dialogue on TJ. On that way the project will contribute to creating strategic framework for TJ in Yemen.

(iii) Once they are established, the project will provide technical assistance to JNRC and CoI into events of 2011 in order to assist them to investigate and report about injustice (please see project focus and target groups). As comparative practice shows, by assisting the mentioned bodies, the project contributes to overcoming legacy of injustice from the past and achieving understanding among citizens, that will lead to national reconciliation in future.

In the end, an outreach campaign through national media and at the local level will be organized with the purpose to empower citizens to understand TJ, how society can benefit from transitional justice, to participate in the process more actively and to support the above mentioned goals.



### COMPONENT 3: (the “How” or Implementation Strategy)

#### **a) Implementation approach**

##### Prioritisation and phasing of support:

*How is the project prioritising and sequencing activities? Is the project targeting specific conflict-prone areas only? Which ones: urban or rural high risk areas? Is there a phasing of support/ activities? Will e.g. ‘public security’ be addressed first before the next area of engagement will be tackled (e.g. reconciliation’)? Which conflict factors will be addressed in a short term (triggers) and a longer term (root causes)? Does the project include a regional dimension (e.g. South –South exchanges)? How are ‘do not harm’ principles and gender balance taken into account?*

The project will (i) support and actively encourage compliance with international norms and standards by transitional justice processes and mechanisms, as well as taking account of the political context when designing and implementing TJ activities; (ii) align assistance on transitional justice to the Yemeni context; and, (iii) strengthen national capacities to carry out community-wide transitional justice processes, especially in areas that are particularly burdened with legacy of injustice.

The project is sequenced on the way to start with activities which are considered critical for country’s transition and will be followed by other activities based on priority plan that will be developed in cooperation with the OHCHR and the Ministry of Legal Affairs and approved on Project Board Meetings. 1) The priority will be given to ongoing activities which are considered critical for country’s transition and development, such as supporting the Land and Dismissals Commissions. 2) This will be followed by building capacity of relevant institutions of governance and civil society organisations on transitional justice with a view to laying foundations for achieving stated objectives (see project focus and theory of change). 3) At the same time, as a third sequence, the project will organize consultation process to secure citizens’ involvement in overarching societal dialogue about the past and institutionalization of recommendations defined during that process. 4) Subsequently, the project will focus on providing support towards the implementation of the TJ and national reconciliation process in Yemen, ensuring a victim-centred perspective and looking to reparations policy and guarantees of non-recurrence of violations. This will be particularly done through providing support to CoI, the truth commission and the Independent Human Rights Institution. 5) At the end, outreach activities and designing of TJ programme concept papers relevant to each TJ mechanism, as strategic framework which will be based on international good practice and outcomes of the NDC will support mentioned activities and provide strategic orientation of the project (see project focus and theory of change).

The project will be implemented nation-wide. In designing and implementation of the activities, the project pays particular attention to areas specifically burdened with legacy of injustice, such as Aden, Abyan, Ad Dali’, Al Mahrah, Hadramaut, Lahij and Shabwah. The project supports Land and Forced dismissals commissions and organize consultations and other events in areas such as Aden or Al-Mukalla. Part of devised small grants fund will target activities which will be implemented in those regions. Similarly, specific project activities will serve to generate dialogue between CSOs and local municipalities in other areas burdened with injustice, to create appropriate truth-telling and other TJ related activities on the micro level.

Moreover, the project will also strive to ensure women’s rights and gender mainstreaming to transitional justice processes and mechanisms, as well as ensure the centrality of victims in the design and implementation of all activities. This will be particularly reflected through small grants fund, which will be, among others, focused on supporting CSOs projects covering women’s rights and rights of vulnerable groups (such as children or IDPs etc) in TJ process. Broad-based dialogue and consultations, with the explicit inclusion of victims and other often excluded groups, have proven to be particularly effective in incorporating inclusive priorities for achieving sustainable peace and accountability, as well as facilitating national ownership of the process. Placing victims at the centre



of this work requires and ensuring that victim's rights and views are reflected in implementation of transitional justice processes. However, through supporting and organizing all mentioned activities, especially consultation process, the project particularly pays attention not to cause harm to other societal transformation processes. It can be observed from strategic but also from the project related side. From strategic side, the project will carefully plan its activities organizing coordination meeting with its partners from the government, CSOs, United Nations and international community. The coordination transitional justice interventions with the other RoL initiatives (UNDP's Rule of Law Project, Human Rights Project, ECDF, OSASG etc.) will be essential through establishment of a Working Group (ToR/mandate will be established upon arrival of project staff) to ensure cross fertilization and high level partnership. Also, in organizing consultation events, the project will engage professional facilitators to facilitate discussion in the small groups to achieve the goals of the consultation, but also to provide "safe space" allowing consultations' participants to feel trust in the process and elaborate their opinion and needs in regards to TJ.

Implementing activities, the project interlinks public security issues and reconciliation. The project is aware of sensitivity of the TJ issues and addresses their resolution. The way to overcome security issue is to generate participatory and inclusive consultations on the past, establishing platform for societal dialogue, securing that all stakeholders are included and that their opinion is respected and included in conclusions which should be based on broad consensus. In addition, through providing support to various commissions of inquiry, the truth commission and INHRI, than various governmental institutions or CSOs and organizing outreach activities the project secure that injustice will be addressed and recognized, that the governmental institutions will be responsive to citizens' needs and that citizens will be empowered to be adequately involved in creation of strategic policies. Through implementation of all mentioned activities the project will bear in mind lines of divide in order to design adequate response to injustice and to contribute settling down conflicts.

#### Project implementation modalities:

*Describe the implementation modality of the project (ex. UN Joint Project Pass-through modality or single RUNO's project). The project needs to have a Project Manager/Coordinator, responsible for its daily implementation. Describe the role and functions of the Project Manager/Coordinator and its team, if existing.<sup>14</sup>*

The joint project will be implemented in direct implementation modality by UNDP and OHCHR and in consultation with the OSASG. There will be one Project Manager for the project. Working under the supervision of the Rule of Law Component Lead and the Governance Team Leader of UNDP, the Project Manager / Chief Technical Adviser on Transitional Justice will work with all UN agencies, donors and other international and national partners. The CTA will act as a strategic advisor, leading formulation, strategic management and evaluation of activities within the project and act as a key point of contact for major national and international stakeholders. The results will be delivered in the following areas: Advisory Services and Strategic Management; Project, Financial and Operational Management; Partnerships; and Knowledge Management and Policy Development. Also, the project will have National Project Coordinator who will be responsible for day to day implementation of project activities and operations as well as financial management and reporting and the Project Assistant who will be responsible for the project administration related to keeping track on expenditures and assisting in financial reporting, tracking of relevant data and documentation and other administrative tasks. The project may need national/field staff to work at the Governorate level and they shall not exceed five professionals. Independent National and International consultants and field officers shall be hired on short term basis whenever needed.

#### **b) Budget**

##### Budget break-down into categories:

<sup>14</sup> It is recommended to annex ToRs of the Project Manager/Coordinator to the Project.

Using the table below, break down the proposed budget for the project(s) according to key budget categories. This is the Standard Format\* agreed by UNDG Financial Policies Working Group with necessary modifications to suit the expected PBF project activities. The use of the budget format is mandatory as it allows the UNDP MPTF Office as the PBF Administrative Agent to consolidate and synthesise the periodic financial expenditure reports that will be submitted by Recipient UN Organisations. Recipient UN Organisations are required to attach a copy of the project budget, showing in detail the different budget lines that lead to the final figures in the standard format of their organisation to facilitate review.

<b>PBF PROJECT BUDGET</b>			
<b>CATEGORIES</b>	<b>Amount Participating Agency UNDP</b>	<b>Amount Participating Agency</b>	<b>TOTAL</b>
1. Staff and other personnel Chief Technical Advisor National Project Coordinator Project Assistant	\$ 100,000	0	\$ 100,000
2. Supplies, Commodities, Materials Office supplies Supplies for MoLA, JNRC, Land and Forced Dismissals Commissions, CoI into events from 2011, INHRI, CSOs	\$ 60,000	0	\$ 60,000
3. Equipment, Vehicles, and Furniture (including Depreciation) IT equipment and furniture for JNRC, Land and Forced Dismissals Commission, CoI into events of 2011, MoLA, INHRI, CSOs, vehicle for the project	\$ 150,000	0	\$ 150,000
4. Contractual services Legal Experts TJ Specialists National Specialists Capacity Assessment Consultant Facilitation Specialists CSOs Specialist Field visits Translation Printing Designers Agencies to provide services Media campaign	\$ 294,580	0	\$ 294,580
5. Travel Travel and DSA	\$ 70,000	0	\$ 70,000
6. Transfers and Grants to Counterparts Small Grants to CSOs/ NGOs/Victim Organisations.	\$ 90,000	0	\$ 90,000
7. General Operating and other Direct Costs Communication and Awareness. Seminars/trainings/workshops/consultations/trainings Baseline and engagement programme concept papers for TJ.	\$ 98,653.51	0	\$ 98,653.51
8. Monitoring and evaluation	\$ 71,345.93		\$ 71,345.93
<b>Sub-Total Project Costs</b>	<b>\$934,579.44</b>	<b>0</b>	<b>\$934,579.44</b>
8. Indirect Support Costs* (7% GMS)	\$65,420.56	0	\$65,420.56
<b>TOTAL</b>	<b>\$ 1,000,000</b>	<b>0</b>	<b>\$ 1,000,000</b>

\* The rate shall not exceed 7% of the total of categories 1-7, as specified in the PBF MOU and should follow the rules and guidelines of each recipient organisation. Note that Agency-incurred direct project implementation costs should be charged to the relevant budget line, according to the Agency's regulations, rules and procedures.

### **c) Sustainability**

#### Sustainability of projects:

*Describe how the project's achievements can be sustained. How does the project intend to consolidate its gains after its completion? What are the mechanisms in place to ensure that the peacebuilding results are consolidated? What institution will be in charge of carrying on the work afterwards? With which source of funding? What are the major steps of an exit strategy?*

The precise trajectory of the transitional justice process and its associated mechanisms in Yemen remains to some degree uncertain. As noted above, the national Commission of Inquiry into events of 2011 and the proposed Justice and National Reconciliation Commission are yet to be established, as well as INHRI. As such, on-going attention will need to be given during project implementation to issues of sustainability, and the careful planning of project closure. By placing national ownership at the centre of this project and assuming a capacity development approach, UNDP aims to minimise Yemeni reliance on external assistance as institutions and processes develop.

By providing support to existing commissions of inquiry, the Commission to Consider and Address Land Issues and the Commission on Forcibly Dismissed Employees the project contributes to addressing some of the most pressing issues in the state, therefore contributing to peacebuilding efforts. Also, by supporting governmental institutions and CSOs, the project intends to initiate broad TJ knowledge among stakeholders, but also to instill a strategy of cooperation between the institutions and the society, which will result in institutions more responsive to citizens' needs that will contribute to regaining trust in institutions of governance. In this way the project supports peace building activities, but also secures that institutions will not heavily depend on external knowledge and assistance like the situation is today, and that policies will be developed through dialogue between society and institutions.

Also, the project will initiate creation of programme concept papers that will assist in developing a broad TJ framework which will guide institutions of government, CSOs and various commissions of inquiry, the truth commission and INHRI on how to achieve their mandates.

The present project will formulate an appropriate exit strategy for phasing out its support in consultation with national actors. There must be a room for flexibility not only in implementing the project, but also in applying this exit strategy – paying attention to the progress and needs of TJ institutions and civil society stakeholders. In that sense the project will provide the assessment what are TJ needs, expectation and knowledge of the society regarding TJ, and based on this to provide appropriate measures. In any case, the exit strategy should be revisited and discussed regularly with beneficiaries as well as bilateral donors and relevant UN entities working in the sector during the project implementation period.

### **d) Risk management**

#### Risks:

*Using the table below, identify the major risks that might cause failure, their likelihood of occurrence, the repercussions on the implementation process and results achievement and proposed risk management strategies. Consider risk relating to political and security situation, socio-economic issues, managerial issues and anything else*

Risk	Likelihood (high, medium low)	Severity of impact on project (high, medium, low)	Mitigating Strategy
Insufficient understanding, coordination, or/ political will among stakeholders	High	High	Primary awareness raising sessions for increasing National participation on the Justice modality. Support from enlightened national players on TJ modality.
Deterioration in the political & security situation.	High	High	inclusive TJ process to contribute to reducing insecurity;re-shaping project document and engagement of CSOs to implement activities, under the project's coordination

### e) Results framework and Monitoring and evaluation:

Provide a Results framework for the project/portfolio, using the table below. At the start of the Framework summarise in one-two sentences the underlying roadmap for peacebuilding, the purpose of PBF support and the underpinning theory of change. Further instructions and examples for each table column are contained at the bottom of the table.

#### Results Framework for PRF projects

(1) Outcomes and types of change required	(2) Indicators	(3) Baselines and time-bound targets	(4) Outputs and activities	(5) Indicators	(6) Baselines and time-bound targets	(7) RUNO & party responsible for mobilizing inputs	(8) Inputs/ budget	(9) Assumptions
<p>Institutional frameworks address long-standing grievances and lay the basis for accountable institutions that respect and protect human rights. Structural and relational.</p>	<p># of MoLA members trained to draft TJ-related laws and by-laws. # of citizens of Yemen aware of TJ, commissions of inquiry and truth commissions and provide testimonies to such bodies #of TJ projects initiated by CSOs throughout the country</p>	<p>Limited technical expertise among the MoLA staff and other relevant stakeholders on legal drafting and international norms and standards related to Transitional Justice. CSOs do not have capacity to adequately participate in TJ process</p> <p>Target (year 1): Training</p>	<p><b>Output 1: MoLA-enabled to draft TJ related legislation and relevant By-Laws</b> 1. Provide technical expertise and trainings to the MoLA and other institutional stakeholders on the drafting of TJ legislation and by-laws. 2. Provide support (e.g. technical advice, consultations, regional exchanges etc.) to relevant institutions (the MoLA) in relation to drafting TJ law and by-laws relevant to JNRC and Colinto events of 2011.</p>	<p># of relevant trainings and other capacity building activities to the MoLA and other stakeholders from the institutions of governance and CSOs organized</p>	<p>Transitional justice legislation is not adopted yet. MoLA has limited technical expertise to draft TJ related legislation and relevant by-laws. CSOs do not have TJ knowledge. Targets (year 1): At least 50 representatives of the MoLA and other relevant institutions of governance trained</p>	<p>UNDP, OHCHR, MoLA, members of the Parliament, proposed JNRC and Col into events of 2011. (or similarly mandated entity)</p>	<p>\$ 50,000</p>	<p>TJ Law adopted. Increased knowledge of the MoLA to achieve mandated requirements. Increased knowledge of CSOs to provide credible analysis of TJ laws and by-laws.</p>

**Theory of change statement:**By striving to address the spectrum of violations in an integrated and interdependent manner, the project can contribute to achieving the broader objectives of preventing further conflict, peace-building and reconciliation.

**Policy statement / national roadmap for peace building:**The project is to assist the Government of Yemen and other national stakeholders in developing their transitional justice initiatives based on the comprehensive approach and reflecting international standards and comparative experiences. The project looks to support the national TJ process from design through implementation, giving due attention to civil society, victims' organisations, and issues of communication and outreach between formal processes and national dialogue.

**Purpose of PBF support:**To support initiatives and activities ensuring (i) a victim-centred perspective, (ii) that conflicts are resolved peacefully and in a manner that supports the coexistence of all relevant groups involved, (iii) lasting, open and inclusive societal dialogue about the past, (iv) democratic values and human rights and (v) guarantees of non-recurrence of violence.



		<p>programme for the MoLA for drafting laws designed and relevant trainings organized.</p> <p>Training programme for CSOs designed and relevant trainings organized.</p> <p><u>Target (year 2)</u> The MoLA has basic capacity to draft TJ laws and by-laws.</p> <p>CSOs initiate programmes and projects in TJ area.</p>	<p>3. Support civil society to engage with the above processes (including through building capacity to review and critique drafts of by-laws and legal and operational frameworks of the proposed commissions, as appropriate).</p>	<p>how to draft TJ related legislation and relevant by-laws.</p> <p>At least 100 representatives of MoLA and other relevant institutions and CSOs trained in TJ.</p> <p><u>Target (year 2 ):</u> Training attendees during first year of project implementation participate on follow up trainings to draft TJ related legislation and relevant by-laws.</p> <p>At least, addition 100 representatives of relevant institutions of governance and CSOs trained in TJ.</p> <p>TJ Law and ToR of JNRC developed (*if recommended by the NDC).</p>					
<b>(1) Outcomes and types of change required</b>	<b>(2) Indicators</b>	<b>(3) Baselines and time-bound targets</b>	<b>(4) Outputs and activities</b>	<b>(5) Indicators</b>	<b>(6) Baselines and time-bound targets</b>	<b>(7) RUNO &amp; party responsible for mobilizing inputs</b>	<b>(8) Inputs/ budget</b>	<b>(9) Assumptions</b>	

<p>Institutional frameworks address long-standing grievances and lay the basis for accountable institutions that respect and protect human rights. Structural and relational.</p>	<p># of MoLA members trained in international human right law and humanitarian law. Web-site link/directory of drafted and adopted laws created Information centre and/or legal library/database for use by various interested institutions and others created.</p>	<p>Low capacity of legal staff. MoLA has limited resources to improve its effectiveness in priority areas. <u>Target (1 year):</u> Strategic programme concept how to improve the MoLA capacity structured <u>Target (year 2)</u> The MoLA implements recommendations from the strategic programme concept paper.</p>	<p><b>Output 2: Technical and operational capacity of the Ministry of Legal Affairs in TJ area enhanced</b> 1. Conduct a capacity assessment to identify training and capacity needs of the Ministry and branches of the ministry in governorates (if possible). 2. Provide expertise on international standards and good practices for drafting laws (focus on developing criminal legislation). 3. Facilitate exchange between the Ministry and civil society 4. Organize trainings for facilitators in TJ area 5. Creation of the web-site (link) which will serve as a directory of the drafted and adopted laws. 6. Initiate development of an information centre and legal library/database for use by various interested institutions and others.</p>	<p># of trainings and other capacity building activities for empowering the MoLA organized</p>	<p>Low capacity of legal staff in the MoLA. Communication between the MoLA and CSOs is not established. <u>Targets (year 1):</u> Capacity assessment completed <u>Targets (year 2):</u> Forums for exchange between the Ministry and civil society set up Web site designed. information center/date base designed</p>	<p>UNDP, OHCHR, MoLA</p>	<p>\$ 94,580</p>	<p>Increased knowledge of the MoLA to achieve mandated requirements and to establish communication with CSOs</p>
<p>(1) Outcomes and types of change required</p> <p>Institutional frameworks address long-standing grievances and lay the basis for accountable institutions that respect and protect human</p>	<p>(2) Indicators</p> <p># of the JNRC staff trained. Capacity needs assessment structured. Recommendations</p>	<p>(3) Baselines and time-bound targets</p> <p>Legal framework for the establishment of the JNRC has not adopted yet. <u>Target (year 1)</u></p>	<p>(4) Outputs and activities</p> <p><b>Output 3: Justice and National Reconciliation Commission execute its mandate effectively.</b> 1. Support (e.g. through technical advice,</p>	<p>(5) Indicators</p> <p># of trainings and other capacity building activities for empowering the JNRC</p>	<p>(6) Baselines and time-bound targets</p> <p>TJ Law has not been adopted yet and the JNRC is yet to be established. <u>Targets (year 1):</u></p>	<p>(7) RUNO &amp; party responsible for mobilizing inputs</p> <p>UNDP, OHCHR, proposed JNRC, INHRI (or similarly mandated entity)</p>	<p>(8) Inputs/ budget</p> <p>\$ 100,000</p>	<p>(9) Assumptions</p> <p>Justice and National Reconciliation Commission established and has basic capacities to</p>

rights. Structural and relational.	from capacity needs assessment implemented.	Support to establishment of the JNRC and raising awareness. Development of legal framework relevant to establishment of JNRC (if the Parliament rejects existing draft). Target (year 2) The JNRC has initial programmatic and logistical capacity to fulfil its mandate Legal framework and by laws relevant to establishment and functioning of the JNRC adopted (if they are not adopted in the first year).	consultations and regional exchanges) the establishment of the JNRC (or similarly mandated entity) and development of its ToR. 2. Conduct a capacity and needs assessment of the proposed JNRC. 3. Provide technical (including field visits etc.), material and administrative support to the JNRC. 4. National and international experts train and advise the JNRC on international standards and good practices relevant to mandate of truth commissions. 5. Facilitate experiences sharing with similar entities in other contexts (e.g. through dialogue, workshops, and field trips). 6. Facilitate exchange between the JNRC, civil society and stakeholders and active involvement of CSOs in the commissions' work. 7. Create commission's website and data base 8. Creation of documentation centre/data base where the commissions' documentation will be archived	organized	Initiated raising awareness process through nationwide consultative/educational events and workshops and outreach activities. # of trainings relevant to work of truth commissions for representatives of governmental institutions, JNRC, INHRI and CSOs organized Targets (year 2) The JNRC has initial capacity for functioning.	(7) RUNO & party	(8) Inputs/ budget	(9) Assumptions
(1) Outcomes and types of change	(2) Indicators	(3) Baselines and time-bound	(4) Outputs and activities	(5) Indicators	(6) Baselines and time-bound	(7) RUNO & party	(8) Inputs/ budget	(9) Assumptions

required		targets			targets	responsible for mobilizing inputs		
<p>Institutional frameworks address long-standing grievances and lay the basis for accountable institutions that respect and protect human rights.</p> <p>Structural and relational.</p>	<p># of the INHRI staff trained.</p> <p>#of CSOs (with particular focus on victims, women organisations, youth etc.) and other relevant stakeholders involved in INHRI's work.</p> <p># of consultations on the local level organized</p>	<p>INHRI is not established yet.</p> <p>Target (year 1) Awareness raising on TJ</p> <p>Target (year 2) The INHRI has initial capacity to do TJ oversight role.</p>	<p><b>Output 4: INHRI provides effective oversight of the JNRC and other similar bodies</b></p> <p>1. INHRI takes part in providing an oversight role (directly or through CSOs/NGOs) on the applicable international standards and good practices on TJ and JNRC and similar bodies.</p> <p>2. INHRI used as a tool to identify target groups to contribute to TJ issues including a baseline/survey relevant to improving TJ process.</p> <p>3. Ensure forums for information exchange of international standards, experiences and best practices on TJ.</p> <p>4. Support INHRI to provide assistance to CSOs at governorate and community levels (especially focusing on youth, women and victims groups) to organize consultations on TJ.</p> <p>5. Ensure provision of technical (e.g. TJ expert capacity etc.), administrative and material resources to support INHRI to engage with all mentioned processes.</p>	<p># of trainings and other capacity building activities for empowering the INHRI and CSOs to be involved in INHRI's work organized</p>	<p>INHRI is yet to be established.</p> <p>Targets (year 1): # of outreach activities relevant to raising awareness on TJ issues and necessity of establishment of the INHRI initiated (related to output 7)</p> <p>Mapping TJ needs and TJ knowledge of various societal groups organized. (relevant to output 7)</p> <p>Targets (year 2): INHRI empowered to initiate (i) consultation events, (ii) coordinate with CSOs and (iii) conduct oversight activities</p>	<p>UNDP, OHCHR, MoHR, INHRI</p>	<p>\$ 50,000</p>	<p>The INHRI is established and has basic capacities to achieve its mandate.</p>

(1) Outcomes and types of change required	(2) Indicators	(3) Baselines and time-bound targets	(4) Outputs and activities	(5) Indicators	(6) Baselines and time-bound targets	(7) RUNO & party responsible for mobilizing inputs	(8) Inputs/ budget	(9) Assumptions
<p>Institutional frameworks address long-standing grievances and lay the basis for accountable institutions that respect and protect human rights.</p> <p>Structural and relational.</p>	<p># of workshops on TJ mechanisms organized</p> <p># of programme concept papers relevant to each TJ mechanism, based on best international practice and outcomes of the NDC structured</p> <p># of outreach activities promoting work and results of truth commissions, Col and other similar bodies organized</p>	<p>Lack of societal and institutional knowledge on transitional justice and international standards and best practice.</p> <p><u>Targets (year 1)</u> Representatives of GoY and CSOs actively participate in structuring programme concept papers and workshops (relevant for the second year as well).</p> <p><u>Targets (year 2)</u> GoY and CSOs use recommendations from structured programme concept papers to create programmes and activities.</p>	<p><b>Output 5: Policy measures to ensure acknowledgement, recognition of suffering and non-recurrence of human rights violations created.</b></p> <p>1. Organise national seminars on TJ mechanisms (connected with activity 8).</p> <p>2. Support amendments of Yemeni criminal legislation in line with international standards (relevant to output 2).</p> <p>3. Ensure that recommendations from various commissions of enquiry and JNRC feed into on-going constitutional and legal reform.</p> <p>4. Creation of programme concept papers relevant to TJ mechanisms, based on international standards and outcomes of the NDC.</p>	<p># of CSOs, citizens, representative of institutions of governance and commissions of inquiry and truth commission informed about TJ and international standard and best practice</p>	<p>Limited capacities of CSOs and society in general to advocate for policy measures to ensure non-recurrence of human rights violations.</p> <p><u>Targets (year 1):</u> CSOs, institutions of governance and members of commissions of inquiry and truth commission aware of TJ mechanisms with particular focus on women's rights relevant to TJ and reparations programmes.</p> <p><u>Targets (year 2):</u> CSOs, institutions of governance and members of commissions of inquiry and truth commission use recommendations designed in the programme concept papers.</p>	<p>UNDP, OHCHR, MoLA, commissions of inquiry, INHRI, JNRC, CSOs</p>	\$ 50,000	<p>Increased understanding of citizens and representatives of government of TJ process, steps and mechanisms necessary to achieve justice for victims and society in general and guarantees of non-recurrence.</p>
<p>(1) Outcomes and types of change required</p>	<p>(2) Indicators</p>	<p>(3) Baselines and time-bound targets</p>	<p>(4) Outputs and activities</p>	<p>(5) Indicators</p>	<p>(6) Baselines and time-bound targets</p>	<p>(7) RUNO &amp; party responsible for mobilizing inputs</p>	<p>(8) Inputs/ budget</p>	<p>(9) Assumptions</p>



<p>Institutional frameworks address long-standing grievances and lay the basis for accountable institutions that respect and protect human rights. Structural and relational.</p>	<p># of trainings of representatives of CSOs on TJ organized</p> <p># of projects from CSO received and supported through small grants fund</p> <p># of meetings/workshops involving commissions of inquiry and truth commission and CSOs organized</p>	<p>Limited knowledge and activities of CSOs in TJ area.</p> <p><u>Targets (1 year)</u> Increased capacities of CSOs to participate in TJ activities.</p> <p><u>Targets (year 2)</u> Representatives of CSOs actively participate in creation and implementation of TJ activities.</p>	<p><b>Output 6: Civil society, victims' networks, and community level initiatives on Transitional Justice and National Reconciliation strengthened.</b></p> <p>1. Mapping CSOs activities and needs in TJ area: (i) devise an advocacy and capacity building concept paper for civil society on TJ issues; (ii) develop a training programme for CSOs (training for trainers) to provide rolling support to staff and officials responsible for TJ process</p> <p>2. Provide trainings for CSOs (focusing particularly victims, women, youth and vulnerable groups) on TJ issues</p> <p>3. Organize trainings for future facilitators in TJ area</p> <p>4. Provide logistical support to CSOs working on the rights of victims.</p> <p>5. Initiating small grants fund to support CSOs projects</p> <p>6. Facilitate creation of coalition/network of CSOs on TJ issues</p> <p>7. Facilitate exchange between commissions of enquiry and the truth</p>	<p># of representatives of CSOs participate in trainings and workshops for the purpose of building TJ capacities.</p>	<p>Limited capacity of CSOs to participate adequately in TJ process.</p> <p><u>Targets (year 1):</u> CSOs needs, programmes and capacities mapped, intensified communication among civil society, between CSOs and commissions of enquiry and CSOs and institutions of governance.</p> <p><u>Targets (year 2):</u> #CSOs projects in TJ area initiated. CSOs empowered to advocate and provide TJ trainings for various stakeholders.</p>	<p><b>mobilizing inputs</b> UNDP, OHCHR, commissions of inquiry and truth commission, civil society</p>	<p>\$ 60,000</p>	<p>CSOs increased their capacity to adequately participate in initiating and implementing TJ activities.</p>
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				<p>commission and CSOs</p> <p>8. Initiate projects on community level focusing on truth telling and dialogue about the past, engaging CSOs and institutions of governance.</p> <p>9. Website of the CSOs coalition designed</p>				
<p><b>(1) Outcomes and types of change required</b></p> <p>Institutional frameworks address long-standing grievances and lay the basis for accountable institutions that respect and protect human rights.</p> <p>Structural and relational.</p>	<p><b>(2) Indicators</b></p> <p># of TV/radio shows created and broadcasted</p> <p># of TV/radio clips produced and broadcasted</p> <p># of conferences/workshops on work of commissions of enquiry and truth commission organized</p>	<p><b>(3) Baselines and time-bound targets</b></p> <p>Citizens do not understand TJ, which rights they have and how to achieve them.</p> <p><u>Targets (1 year)</u></p> <p>Increased knowledge of citizens on TJ</p> <p><u>Targets (year 2)</u></p> <p>Increased numbers of citizens actively participate in TJ processes.</p>	<p><b>(4) Outputs and activities</b></p> <p><b>Output 7: Citizens of Yemen gained knowledge on transitional justice, based on effective outreach and communication campaign</b></p> <ol style="list-style-type: none"> <li>1. Conduct a baseline survey on TJ needs and TJ knowledge (at the beginning and at the end of the project).</li> <li>2. Develop TV/radio shows on each of 5 TJ mechanisms</li> <li>3. Develop radio/TV clips on TJ</li> <li>4. Issuing a brochure/guide on TJ, commissions of enquiry and truth commission and relevant laws</li> <li>5. Organizing workshops/conferences on the work of commissions of enquiry and truth commissions.</li> <li>6. Support CSOs</li> </ol>	<p><b>(5) Indicators</b></p> <p>Increased # of citizens understand TJ issues (evaluated through participation on workshops, trainings sessions, TJ activities, survey responds, activities of commissions of enquiry and truth commission etc).</p>	<p><b>(6) Baselines and time-bound targets</b></p> <p>Lack of citizens' knowledge on TJ.</p> <p><u>Targets (year 1):</u></p> <p>TJ campaign encompassed people from all governorates (evaluated through workshops, surveys etc.).</p> <p><u>Targets (year 2):</u></p> <p># of CSOs projects initiated and # of people understand TJ (evaluated through workshops, surveys etc.).</p>	<p><b>(7) RUNO &amp; party responsible for mobilizing inputs</b></p> <p>UNDP, OHCHR, CSOs, INHRI, commissions of enquiry and truth commission</p>	<p><b>(8) Inputs/ budget</b></p> <p>\$ 100,000</p>	<p><b>(9) Assumptions</b></p> <p>Increased understanding of TJ and active participation of citizens in creation and implementation of TJ activities.</p>

(1) Outcomes and types of change required	(2) Indicators	(3) Baselines and time-bound targets	awareness-raising events (4) Outputs and activities	(5) Indicators	(6) Baselines and time-bound targets	(7) RUNO & party responsible for mobilizing inputs	(8) Inputs/ budget	(9) Assumptions
<p>Institutional frameworks address long-standing grievances and lay the basis for accountable institutions that respect and protect human rights.</p> <p>Structural and relational.</p>	<p># of citizens of Yemen and representatives of government participated in educational and consultative events</p> <p># of recommendations feed into developed TJ-related legislation</p> <p># of marginalized groups, women and youth participated in educational and consultative events</p>	<p>There is no participatory approach organized relevant to creation of TJ process.</p> <p><u>Targets (1 year)</u> Increased understanding of necessity for organizing participatory approach in creation of state policies.</p> <p><u>Targets (year 2)</u> Consultations with citizens accepted as a mechanism for securing participatory approach in creation of state policies.</p>	<p><b>Output 8: Recommendations defined during educational and consultative events institutionalised</b></p> <ol style="list-style-type: none"> <li>Organize educational events with CSOs, victims' networks, youth, women organizations etc. and representatives of governmental institutions on TJ and TJ legislation.</li> <li>Collect ideas from consultations and feed them into relevant legal documents or use them to create the new ones</li> <li>Organize specialized meetings to discuss strategies of including marginalized groups, IDPs, women and children in TJ processes and programmes.</li> <li>Organize consultations in local communities relevant to issues in local communities to designate adequate TJ approach in those communities</li> </ol>	<p># of educational and consultative events organized</p>	<p>No consultations on TJ legislation and processes organized.</p> <p><u>Targets (year 1):</u> #of educational and consultative events organized.</p> <p><u>Targets (year 2):</u> # of consultations on local level organized</p>	<p>UNDP, OHCHR, MoLA CSOs/NGOs, victims' networks, community leaders</p>	<p>\$ 50,000</p>	<p>Participatory approach accepted as important step in securing communication between institutions and citizens' and citizens' trust in institutions.</p>
<p>(1) Outcomes and types of change required</p>	<p>(2) Indicators</p>	<p>(3) Baselines and time-bound targets</p>	<p>(4) Outputs and activities</p>	<p>(5) Indicators</p>	<p>(6) Baselines and time-bound targets</p>	<p>(7) RUNO &amp; party responsible for mobilizing inputs</p>	<p>(8) Inputs/ budget</p>	<p>(9) Assumptions</p>

<p>Institutional frameworks address long-standing grievances and lay the basis for accountable institutions that respect and protect human rights. Structural and relational.</p>	<p># of the Col staff trained. Capacity needs assessment structured. Recommendations from capacity needs assessment implemented.</p>	<p>Colhas not established yet. <u>Target (year 1)</u> Support to establishment of the Col and raising awareness. <u>Target (year 2)</u> The Col has initial programmatic and logistical capacity to fulfil its mandate</p>	<p><b>Output 9: Col into events of 2011 execute its mandate effectively.</b> 1. Support (e.g. through technical advice, consultations and regional exchanges) the establishment of the Col (or similarly mandated entity) and development of its ToR. 2. Conduct a capacity and needs assessment of the proposed Col. 3. Provide technical (including field visits etc.), material and administrative support to the Col. 4. National and international experts train and advise Col on international standards and good practices. 5. Facilitate experiences sharing with similar entities in other contexts (e.g. through dialogue, workshops, and field trips). 6. Facilitate exchange between the Col, civil society and stakeholders and active involvement of CSOs in the commission's work. 7. Creation of documentation centre/data base where the commission's documentation will be archived (relevant to</p>	<p># of trainings and other capacity building activities for empowering the Col organized</p>	<p>Col has not established yet. <u>Targets (year 1):</u> # of trainings on work of the truth commissions (comparative practice) for representatives of governmental institutions and CSOs organized <u>Targets (year 2)</u> The Col has initial capacity for functioning.</p>	<p>UNDP, OHCHR, proposed Col and MoHR</p>	<p>\$ 100,000</p>	<p>Col established and have basic capacities to achieve its mandate.</p>
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(1) Outcomes and types of change required	(2) Indicators	(3) Baselines and time-bound targets	(4) Outputs and activities	(5) Indicators	(6) Baselines and time-bound targets	(7) RUNO & party responsible for mobilizing inputs	(8) Inputs/ budget	(9) Assumptions
<p>Institutional frameworks address long-standing grievances and lay the basis for accountable institutions that respect and protect human rights. Structural and relational.</p>	<p># of the commissions' staff trained. Capacity needs assessment structured. Recommendations from capacity needs assessment implemented.</p>	<p>The commissions do not have capacity to finalize their work efficiently and effectively. <u>Target (year 1)</u> Provide technical, administrative and material support to the commissions.</p> <p><u>Target (year 2)</u> Creation of documentation center/database where the commissions' results will be archived</p>	<p>outputs 3 and 10) 8. Create commission's website and database</p> <p><b>Output 10: The final report on resolving the land and dismissals issues finalized and presented to the President and compensation policy structured.</b></p> <p>1. Conduct capacity and needs assessment of the commissions</p> <p>2. Provide technical, material and administrative support to the commissions to become more operational.</p> <p>3. National and international experts train and advise the commissions on international standards and good practices (particular focus will be given to creation of compensation policy/resolving the cases and other reparation measures).</p> <p>4. Facilitate experience sharing with similar entities in other contexts (e.g. through dialogue, workshops, and field trips).</p>	<p># of trainings and other capacity building activities for empowering the commissions organized</p>	<p>The commissions do not have capacity to finalize their work efficiently and effectively. <u>Targets (year 1):</u> # of trainings relevant to work of the truth commissions and similar investigative bodies (comparative practice) for representatives of the commissions organized <u>Targets (year 2)</u> The commissions have capacity to finalize their work. # of compensation decisions made</p>	<p>UNDP, OHCHR, Land and Forced Dismissals Commissions, OSASG.</p>	<p>\$ 100,000</p>	<p>The commissions have basic capacities to achieve their mandate.</p>

			<p>5. Facilitate exchange between the Commission, civil society and stakeholders and active involvement of CSOs in its work.</p> <p>6. Creation of data base for the Land and Dismissals Commissions and web portal with on-line database</p> <p>7. Creation of documentation center/data base where the commissions' documentation will be archived (connected to activities 1.3 and 1.9)</p>				
<p>Column (1) lists project outcomes. Outcomes measure behaviour changes and should be focused on peacebuilding. The column also specifies what types of changes are required to achieve the outcome. These can be: personal, relational, structural or cultural.</p> <p>Example:  Outcome: National security services enabled to keep control of violent incidents during electoral campaigns within urban areas. Structural change.</p> <p>Column (4) lists project outputs and activities, which together lead to the achievement of the outcome. The outputs are project specific and focus on deliverables. Under each outcome, there should be a list of outputs contributing to the outcome. Under each output, there should be the list of project activities which are contributing to the output.</p> <p>Example:  Output: Training provided to 500 members of national security services.</p> <p>Activities: Identification of security personnel, creation of relevant training modules, conduct of training, assessment, refresher training.</p> <p>Columns (2) &amp; (5) list indicators which will be used to track the status of outcome and output achievements in quantitative or qualitative form. Indicator formulation should be specific, measurable, attainable, relevant and time-bound (SMART). The number of indicators should be limited to 3 per outcome and 1 per output.</p> <p>Example:  # of violent clashes related to the second round of the presidential elections (disaggregated during / after vote)</p> <p>Columns (3)&amp; (6) provide the baseline (i.e. current situation) and set targets for each indicator with timeframes for achievement. Targets need to be quantifiable, verifiable and realistic.</p> <p>Example:  Baseline: 75 incidents during first electoral period (from ...to)  Target (end of project): Significant reduction of violent incidents (at least 25% compared to last elections)</p> <p>Column (7) lists the RUNO driving the project and outlines the person (from RUNO or implementing agencies) responsible for ensuring inputs are provided.</p> <p>Column (8) lists the key inputs and budget which will be used for each output.</p> <p>Column (9) identifies assumptions that have been made in the theory of change regarding the outcome in question.</p> <p>Example:  The Ministry of Planning has the capacity to manage the selection of project beneficiaries in an impartial manner.</p>							



### Systems for M&E of the project (portfolio):

*Based on the Results Framework, briefly describe which systems are in place or need to be established for the monitoring and reporting on results. Formulate an M&E plan (template 7) which determines how the necessary data will be collected, the responsibilities for data analysis and reporting and the proposed approach for systematic use of M&E data for performance assessments and improvements if necessary. Determine the reporting line from fund users to RCO, Management team and PBSO/PBF country desk officer.<sup>15</sup> Also, provide the amount of funds earmarked for the full cost coverage of monitoring, reporting and the final evaluation at the end of PBF funding. It is recommended to allocate at least \$50,000 to 80,000 for M&E related tasks and activities.*

In accordance with the programming policies and procedures outlined in the UNDP User Guide, the project will be monitored through the following:

Within the annual cycle:

- On a quarterly basis, a quality assessment shall record progress towards the completion of key results, based on quality criteria and methods captured in the Quality Management table below.
- An Issue Log shall be activated in Atlas and updated by the Project Manager to facilitate tracking and resolution of potential problems or requests for change.
- Based on the initial risk analysis submitted (see annex 1), a risk log shall be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation.
- Based on the above information recorded in Atlas, a Project Progress Reports (PPR) shall be submitted by the Project Manager to the Project Board through Project Assurance, using the standard report format available in the Executive Snapshot.
- A project Lesson-learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the organisation, and to facilitate the preparation of the Lessons-learned Report at the end of the project.
- A Monitoring Schedule Plan shall be activated in Atlas and updated to track key management actions/events.

Annually:

- Annual Review Report. An Annual Review Report shall be prepared by the Project Manager and shared with the Project Board and the Outcome Board. As minimum requirement, the Annual Review Report shall consist of the Atlas standard format for the QPR covering the whole year with updated information for each above element of the QPR as well as a summary of results achieved against pre-defined annual targets at the output level.
- Annual Project Review. Based on the above report, an annual project review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment. This review is driven by the Project Board and may involve other stakeholders as required. It shall focus on the extent to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes.

The project will undergo a thorough evaluation at its close, based on the baselines and objectives enunciated at its launch, as well as any amendments during the course of the project lifespan.

Type of change	Indicators per outcome	Targets / baselines	Methodology for data collection / frequency (use secondary data from national statistical institutes if accessible)	M&E budget/ Cost coverage	Roles and responsibilities (more detailed in AWP of M&E expert)
<p><b>a) structural</b></p> <p>Increased capacity of the MoLA to draft laws and by-laws in line with international standards and good practice.</p> <p>Various commissions of inquiry and JNRC have basic capacity to fulfil their mandates.</p> <p>Improved awareness of CSOs and citizens on TJ.</p> <p><b>b) Relational:</b></p> <p>Increased ability of MoLA, commissions of inquiry and truth commissions to be more responsive to citizens' needs.</p> <p>Increased ability of CSOs to address citizens' needs.</p>	<p># of MoLA members trained to draft TJ-related laws and by-laws.</p> <p># of CSOs understand TJ and work of commissions of inquiry and truth commissions.</p> <p># of TJ projects initiated by CSOs</p> <p># of CSOs included in MoLA, truth commission and commissions of inquiries' activities.</p> <p># of citizens included in CSOs activities</p>	<p>Targets by end of PBF funding:</p> <p>The MoLA implements recommendations from the strategic programme concept paper.</p> <p>CSOs initiate programmes and projects in TJ area and actively participate in TJ process.</p> <p>JNRC and CoI into events of 2011 established and have basic capacity to achieve its mandate.</p> <p>Land and Forced Dismissals commissions have basic capacities to achieve their mandates</p> <p><u>Baseline data</u></p> <p>The MoLA does not have capacity to fulfil mandated services.</p> <p>Legal framework for establishment of Justice and National Reconciliation Commission has not</p>	<p>Nation-wide TJ surveys on transitional justice with a representative sample of target groups at each level</p> <p><u>Quality criteria</u> for assessing service performance, trust and confidence at target population:</p> <p>(i) Timeliness, (ii) openness and responsiveness, (iii) professionalism in follow-up commitments and handling misconduct (related to MoLA, commissions of inquiry and the truth commission).</p> <p><u>Data disaggregation by:</u></p> <p>- Service coverage: MoLA, commissions of inquiry, truth commission, CSOs and stakeholders</p> <p>- Public opinion surveys disaggregated by social status, category groups, gender and geography (rural vs. urban areas)</p> <p><u>Frequency:</u> before start of services with update accomplished before arrival of mid-term and final external evaluations</p>	<p><u>Budget needs:</u></p> <p>-25,000 US\$: start-up survey</p> <p>-10,000 US\$: update of primary data at mid-term</p> <p>-10,000 US\$: update for final evaluation</p> <p>Total 45,000US\$</p> <p><u>Budget line:</u> xx</p> <p><u>Signed off by:</u> PBF Secretariat / PBSO HQ</p>	<p><u>Data collection and analysis:</u> M&amp;E expert of PBF secretariat</p> <p><u>Reporting:</u> Project manager in close collaboration with focal point of RUNOs</p> <p><u>Performance assessment:</u> JSC with submission of report to PBSO</p> <p>Knowledge sharing/LL: M&amp;E expert</p> <p>Final programme evaluation: PBSO HQ in close collaboration with PBF secretariat and independent external evaluation team</p>



## **COMPONENT 4: (The “WHO”)**

### **a) Implementing agencies and their capacity:**

#### List of RUNOs and implementing agencies:

United Nations Development Programme (UNDP)  
UN Office of the High Commissioner for Human Rights (OHCHR)

For the purpose of the implementation of the project, UNDP and OHCHR will closely consult with OSASG.

#### Implementing agency capacity:

*Indicate the in-country capacity and comparative advantages of the Recipient UN Organisation(s). If this is a joint programme, indicate previous experience in managing joint programming of each Recipient UN Organisation. If the project utilises national or locally-based implementing partners (CSOs, NGOs, etc.), indicate the capacity of these implementing partner(s) and their previous experience and comparative advantage in working in the project outcome area. Indicate under which modality the RUNO(s) intends to transfer funds to the implementing partners.*

This project will be jointly implemented by UNDP and OHCHR. Both agencies have leading role in transitional justice area within UN system, including institutional knowledge and comparative experience in implementing TJ activities throughout the world (Sierra Leone, East Timor, Bosnia and Herzegovina, Kosovo, Serbia, Solomon Islands etc). Also, both agencies have established rosters of experts which may help ensuring a successful implementation of the project.

Among other things, OHCHR initiated a series of Rule-of-Law Tools for Post-Conflict States and through it published brochures covering various TJ topics, such as truth commissions, reparations programme, criminal justice, amnesties, hybrid tribunals etc. OHCHR also serves as a Secretariat to the Special Rapporteur on Promotion of Truth, Justice, Reparation and guarantees of non-occurrence who supports many countries in having a successful transitional justice process. UNDP has also published various publications on TJ issues. In some countries UNDP had directly supported functioning of truth commissions, such as in Sierra Leone or East Timor or provided support to governments to create national transitional justice strategy like in Bosnia and Herzegovina.

In Yemen, UNDP and OHCHR are for the first time jointly implementing the project. They are doing this in consultation with OSASG. The project does not utilise national or locally-based implementing partner.

### **b) Project Management Arrangements and coordination:**

#### Project management and coordination:

*Identify the oversight structure or mechanism responsible for the effective implementation of the project and for the achievement of expected results. In the absence of any other pre-existing peacebuilding mechanism, it is recommended to set up an inclusive Project Board, representing all the different stakeholders involved in the project, including the Civil Society.<sup>16</sup>*

This project, carried out under the institutional umbrella of the MOLA, is implemented by UNDP in close partnership with the OHCHR, and the participation of key UN agencies concerned by transitional justice and other strategic stakeholder. For the purpose of the project implementation, the

project will particularly closely cooperate with OSASG. The project will be implemented under the Direct Implementation Modality (DIM).

The project office will be hosted at the Ministry of Legal Affairs. Apart from the Project Board, which will be established to oversee the implementation, a working group will also be established (ToR to be formulated later), which will involve all stakeholders in Transitional Justice and Human Rights related activities.

The Project Board will consist of 1) representatives from UNDP, the Ministry of Planning and International Cooperation, MoLA, and OHCHR as *Executive* members, 2) The Netherlands Embassy, SIDA, EU and Embassy of Japan as the *Senior Suppliers*, 3) and politicians, judges and law enforcement officials, Parliamentarians, representatives of various investigative bodies and NGOs as the *senior beneficiary*. The senior supplier is not only providing funding but also provides guidance regarding the technical feasibility of the project whenever needed. The Senior Beneficiary's primary function within the board is to ensure the realisation of programme results as per the agreed project document. A gender balance will be actively sought in the membership of the Project Board which will be convened on quarterly basis; however, it can be convened on urgency basis whenever needed. In order to ensure UNDP's accountability, the Project Board decisions are made in accordance to standards that ensure management for development results, best value for money, fairness, integrity, transparency and effective competitiveness.

Project staff shall consist of a Chief Technical Advisor, a National Project Coordinator and a National Project Assistant. Either the project may need national/field staff to work in the office (such as interpreter/translator) or at the Governorate level. Independent National and International consultants and field officers shall be hired on short-term basis whenever needed. Also, in order to secure successful cooperation between the UNDP and OHCHR and implementation of the project, the project, together with OHCHR will engage a National Programme Officer.

**The Project Board has the following specific responsibilities:**

- Provide overall guidance and direction to the project, emphasising gender sensitive and participatory approaches;
- Address project issues including policy matters raised by the Project Management;
- Provide guidance and agree on possible management actions to address specific risks;
- Approve Annual Work Plans (AWP) and subsequent quarterly work plans and progress reports and agree on Project Manager's tolerances in the
- AWP Plan and quarterly plans when required;
- Conduct regular meetings to review the Project Quarterly Progress Reports and
- Annual Progress Reports and provide direction and recommendations to ensure that the agreed deliverables are produced satisfactorily according to plans;
- Ensure that development partners/ technical agencies play their assigned roles;
- Review and approve end project report, make recommendations for follow-on actions;
- Assess and decide on project changes through revisions.

Project Assurance will be the responsibility of the UNDP Country Office as well as the OHCHR Country Office. The Project Assurance role supports the Project Board by carrying out objective and independent project oversight and monitoring functions. This role ensures appropriate project management milestones are properly managed and completed. Project Assurance must be independent from the Project Manager; therefore the Project Board cannot delegate any of its assurance responsibilities to the Project Manager. The project team will include a Chief Technical Advisor (Project Manager), National Project Coordinator, National Project Assistant and professional interpreter/translator (Project Support) to ensure a timely and effective implementation, monitoring and reporting of project activities.



**c) Administrative Arrangements** (standardised paragraphs – do not remove)

The UNDP MPTF Office serves as the Administrative Agent (AA) of the PBF and is responsible for the receipt of donor contributions, the transfer of funds to Recipient UN Organisations, the consolidation of narrative and financial reports and the submission of these to the PBSO and the PBF donors. As the Administrative Agent of the PBF, MPTF Office transfers funds to RUNOS on the basis of the signed Memorandum of Understanding between each RUNO and the MPTF Office.

**AA Functions**

On behalf of the Participating Organisations, and in accordance with the UNDG-approved “Protocol on the Administrative Agent for Multi Donor Trust Funds and Joint Programmes, and One UN funds” (2008),<sup>17</sup> the MPTF Office as the AA of the PBF will:

- Disburse funds to each of the RUNO in accordance with instructions from the PBSO. The AA will normally make each disbursement within three (3) to five (5) business days after having received instructions from the PBSO along with the relevant Submission form and Project document signed by all participants concerned;
- Consolidate narrative reports and financial statements (Annual and Final), based on submissions provided to the AA by RUNOS and provide the PBF consolidated progress reports to the donors and the PBSO;
- Proceed with the operational and financial closure of the project in the MPTF Office system once the completion is notified by the RUNO (accompanied by the final narrative report, the final certified financial statement and the balance refund);
- Disburse funds to any RUNO for any costs extension that the PBSO may decide in accordance with the PBF rules & regulations.

**Accountability, transparency and reporting of the Recipient United Nations Organisations**

Recipient United Nations Organisations will assume full programmatic and financial accountability for the funds disbursed to them by the Administrative Agent. Such funds will be administered by each RUNO in accordance with its own regulations, rules, directives and procedures.

Each RUNO shall establish a separate ledger account for the receipt and administration of the funds disbursed to it by the Administrative Agent from the PBF account. This separate ledger account shall be administered by each RUNO in accordance with its own regulations, rules, directives and procedures, including those relating to interest. The separate ledger account shall be subject exclusively to the internal and external auditing procedures laid down in the financial regulations, rules, directives and procedures applicable to the RUNO.

Each RUNO will provide the Administrative Agent and the PBSO (for narrative reports only) with:

- Bi-annual progress reports to be provided no later than July 31st;
- Annual narrative progress reports, to be provided no later than three months (31 March) after the end of the calendar year;
- Annual financial statements as of 31 December with respect to the funds disbursed to it from the PBF, to be provided no later than four months (30 April) after the end of the calendar year;
- Final narrative reports, after the completion of the activities in the approved programmatic document, to be provided no later than four months (30 April) of the year following the completion of the activities. The final report will give a summary of results and achievements compared to the goals and objectives of the PBF; and

<sup>17</sup> Available at: <http://www.undg.org/docs/9885/Protocol-on-the-role-of-the-AA,-10.30.2008.doc>

- Certified final financial statements after the completion of the activities in the approved programmatic document, to be provided no later than six months (30 June) of the year following the completion of the activities.
- Unspent Balance at the closure of the project would have to be refunded and a notification sent to the MPTF Office, no later than six months (30 June) of the year following the completion of the activities.

### **Ownership of Equipment, Supplies and Other Property**

Ownership of equipment, supplies and other property financed from the PBF shall vest in the RUNO undertaking the activities. Matters relating to the transfer of ownership by the RUNO shall be determined in accordance with its own applicable policies and procedures.

### **Public Disclosure**

The PBSO and Administrative Agent will ensure that operations of the PBF are publicly disclosed on the PBF website (<http://unpbf.org>) and the Administrative Agent's website (<http://mptf.undp.org>).

## Component 5: Annexes

### Annex A:

#### Donor Mapping in Peacebuilding Strategic Outcome Area/s (including UN agencies) and gap analysis

Peacebuilding Strategic Outcome Area	Key Institution	Key Projects/Activities	Duration of projects/activities	Budget in \$	Estimated gap in \$
1 Security Sector Reform; 2 Rule of Law; 3 (DD)R; 4 Political dialogue for Peace Agreements; 5. National reconciliation; 6. Democratic governance; 7. Management of natural resources (including land); 8. Short-term employment generation; 9. Sustainable livelihoods; 10. Public administration; and 11. Public service delivery (including infrastructure	1) UNDP/Donor Basket Fund.	1) Supreme Committee for Elections and Referendum (SCER): Voter Registration, Referendum and Presidential Parliamentary elections; electoral legal reform	2012-2014	21 Million	N/A
	2) UNDP/UNCDF/GoY	2) UNDP/UNCDF/GoY: to transform the existing local authority system into a local governance system	2012-2013	N/A	N/A
	3) UNDP	3) UNDP: to improve implementation capacities and local and national ownership of the "Abyan and the South Response	2012-2013	N/A	N/A
	4) UNDP	4) UNDP/ECDF: to provide technical, advisory and limited procurement of equipment support to the Ministry of Interior	2012-2014	1.38 Million	N/A
	5) UNDP	5) UNDP/ECDF: to increase capacity of the Office of the President	2012-2014	N/A	N/A
	6) UNDP	6) UNDP/ECDF: to increase capacity of the Prime Minister's Office	2012-2014	1,5 million	N/A
	7) UNDP	7) UNDP/ECDF: to increase capacity of the Ministry of Finance	2012-2014	1,2 million	N/A
	8) UNDP	8) UNDP/ECDF: to increase capacity of the Ministry of Planning and International Cooperation	2012-2014	2,6 million	N/A
	9) UNDP, Sweden and the Netherlands	9) UNDP/OHCHR: to support the strengthening of human rights during the transition period	2012-2014	4 million	500,000
	10) UNDP/OHCHR	10) UNDP/OHCHR: support the transitional justice in Yemen	2012 – 2014	550,000	3,5 million
	11) Germany	11) GIZ: women	2013	N/A	N/A

Peacebuilding Strategic Outcome Area	Key Institution	Key Projects/Activities	Duration of projects/activities	Budget in \$	Estimated gap in \$
		empowerment to make positive changes in the community			
	12) EU	12) UNICEF/Ministry of Justice: strengthening the juvenile justice system	2009 – 2014	N/A	N/A
	13) EU	13) TANSTEC: technical assistance and capacity building for the House of Representative	2010 – 2014	N/A	N/A
	14) EU	14) ICON/MoSAL: restructuring of Ministry of Social Affairs	2010 – 2014	N/A	N/A
	15) EU	15) Arab Human Rights Foundation: promoting rights of people with disability	2011 – 2013	N/A	N/A
	16) EU	16) Yemen Observatory for Human Rights: promotion and protection of human rights defenders in the Arabian Gulf countries	2012 – 2015	N/A	N/A
	17) EU	17) Political Development Forum: White voices towards freedom of expression and media	2011 – 2013	N/A	N/A
	18) EU	18) HOOD: Limit scope of death sentences	2010 – 2013	N/A	N/A
	19) EU	19) CiviPol-Agency of French Ministry of Justice: Support to the Yemeni Ministry of Interior through capacity building for police academies and police schools	2010 – 2015	N/A	N/A
	20) EU	20) Yemen Polling Centre: Security governance in Yemen – Conditions and framework for a multi-layered security network	2012 – 2014:	N/A	N/A
	21) EU	21) Taiz Center for Studies and Research: National project for controlling an arbitrary arrestment and applying the law governance	2011 – 2013	N/A	N/A
	22) EU	22) National Forum for Human Rights (Hodeida): Strengthening the rule of	2012 – 2013	N/A	N/A

Peacebuilding Strategic Outcome Area	Key Institution	Key Projects/Activities	Duration of projects/activities	Budget in \$	Estimated gap in \$
		law in cases relating to: conditions of detention, arbitrary arrests and detention facilities			
	23) EKN	23) IFES: Promoting the rule of law in the election administration process	2012 – 2014	N/A	N/A
	24) OSASG	24) Addressing grievances in the South	2013 - 2014	\$ 1,082,830	N/A



## Annex B:

### Mapping of UN Recipient Organisations

Please include exhaustive information of annual budgets of each recipient agency (RUNOs) in the targeted outcome area.

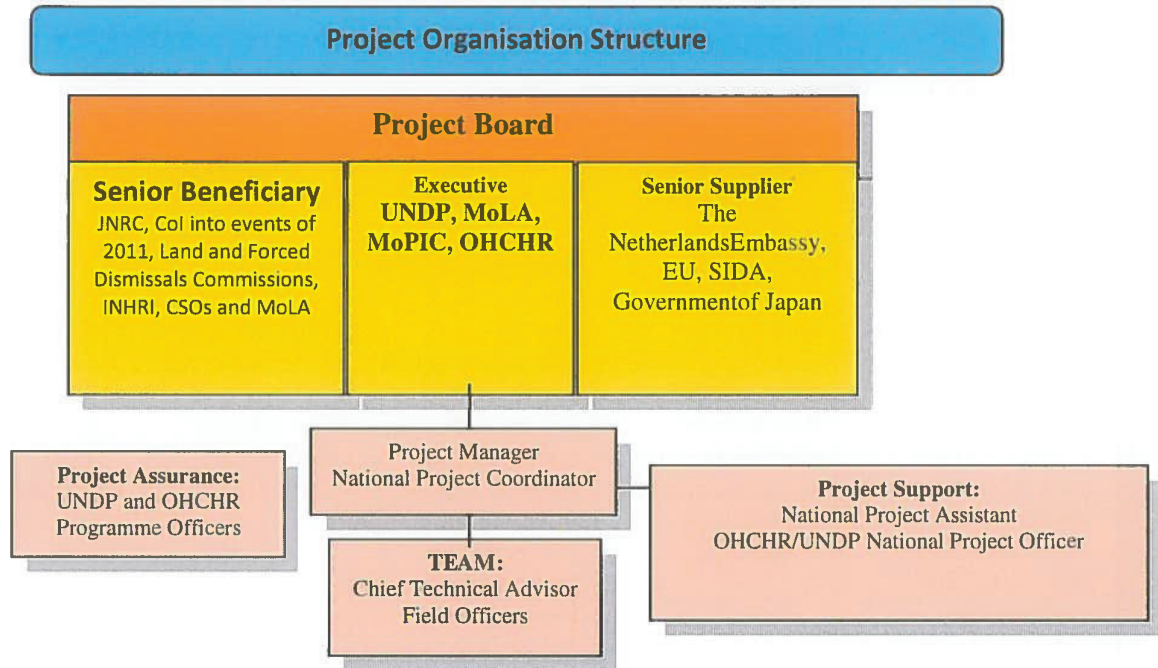
UN Agency	Key Sectors (top five or fewer )	Annual Budget (last year) per Recipient Organisation in key sectors. <sup>18</sup>	Annual Budget (this year) per Recipient Organisation in key sectors. <sup>19</sup>	Projection of Annual Budget (next year) per Recipient Organisation in key sectors	2012 Annual Delivery Rate (Agency Total)
1)UNDP	(1) Support to the implementation of transitional justice in Yemen	2012-2015: USD 1,450,000.	2013: 950,000 USD;500,000 USD from BCPR, 50,000 USD from OHCHR, 400,000 USD from TRACK	3,000,000 USD	2012 budget: 0 USD, 0%
	(2) Support to Human Rights during the Transition Period in Yemen	USD 4,218,200	2013: 4,000,000 USD	2,000,000 USD	2012 budget: 150,000 USD, 4%
	(3) Support to Elections during the Transitional Period	2011 – 2014: USD 23,154,000	2013: annual budget	Projection for the next year	2012 budget:.... percentages
	(4) Emergency Capacity Development Facility	2012 – 2014: USD 9,984,093	2013: 5,410,834 USD	3,160,161 USD	2012 budget 1,400,000 – 14%
2)OHCHR	<i>Institutional Grant</i>	<i>1) 2013: USD 2 Million</i>	<i>1) 2012: US\$ 0</i>		<i>N/A</i>

<sup>18</sup> If UNDP is one of the Recipient Agencies, specific information shall be included on whether the country is benefiting of BCPR Thematic Trust Fund and if yes, the amounts allocated and the funding gaps need to be specified

<sup>19</sup> If UNDP is one of the Recipient Agencies, specific information shall be included on whether the country is benefiting of BCPR Thematic Trust Fund and if yes, the amounts allocated and the funding gaps need to be specified

## Annex C

Suggested Organogram to be used for the Project's Joint Steering Committee or the Project Board.



**ANNEX D**

**TARGET TABLE FOR OUTCOME AND OUTPUT INDICATORS OF THE RESULTS FRAMEWORK**

*This target table will be used for reporting (see templates 4.2 to 4.5).*

*Using the Programme Results Framework from the Project Document - provide an update on the achievement of indicators at both the outcome and output level in the table below.*

*Where it has not been possible to collect data on indicators, clear explanation should be given explaining why, as well as plans on how and when this data will be collected.*

**This target table will be used for MPTFO reporting**

	<b>Performance Indicators</b>	<b>Indicator Baselines</b>	<b>Planned Indicator Targets</b>	<b>Targets actually achieved</b>
<b>Outcome 1<sup>20</sup></b>	<b>Indicator 1:</b>	<b>Indicator baseline 1:</b>	<b>Target 1:</b>	<b>Target achieved 1:</b>
Commission of Inquiry (CoI) into 2011 events, Justice and National Reconciliation Commission (JNRC), Commission to Consider and Address Land Issues (Land Commission), and Commission on Forcibly Dismissed Employees (Forced Dismissals Commission) are in place and, together with other relevant national institutions and CSOs, are empowered to implement transitional justice processes in compliance with international standards and practices	Law on Transitional Justice and National Reconciliation adopted and Justice and Reconciliation Commission established.	Law on Transitional Justice and National Reconciliation has not yet been adopted and the Justice and Reconciliation Commission has not yet been established	The Law adopted and Justice and Reconciliation Commission established by the mid 2015	The Law adopted and Justice and Reconciliation Commission established by the mid 2015
	<b>Indicator 2:</b>	<b>Indicator baseline 2:</b>	<b>Target 2:</b>	<b>Target achieved 2:</b>
	Commission of Inquiry has basic capacities to achieve mandated services.	Commission of Inquiry (CoI) has been established, but it is yet not functional.	By the mid 2015 CoI becomes fully functional.	By the mid 2015 CoI becomes fully functional.
<b>Indicator 3:</b>	<b>Indicator baseline 3:</b>	<b>Target 3:</b>	<b>Target achieved 3:</b>	
Land and Dismissals Commissions increased their performance by 50 %	Land and Dismissals Commissions are in place but they are under-equipped, underfunded and understaffed while also targeted population has inadequate information about their work.	By the end of 2014 the Two Commissions become fully functional and transparent in their work.	By the end of 2014 the Two Commissions become fully functional and transparent in their work.	

<sup>20</sup>Either country relevant (from the Priority Plan or Project Document) or PMP specific.

**Annex E:** Project Summary (to be submitted as a word document to MPTF-Office for upload at the gateway)



**PEACEBUILDING FUND  
PROJECT SUMMARY**

<b>Project Number &amp; Title:</b>	PBF/ Project number Support to the Implementation of Transitional Justice in Yemen (2012 – 2015)	
<b>Recipient UN Organisation:</b>	UNDP	
<b>Implementing Partner(s):</b>	The President’s Office, Ministry of Legal Affairs (MoLA), Ministry of Planning and International Cooperation (MoPIC), the Independent National Human Rights Institution (INHRI), Justice and National Reconciliation Commission (JNRC), Commission of Inquiry into events of 2011 (CoI into events of 2011), the Commission to Consider and Address Land Issues (Land Commission) and the Commission on Forcibly Dismissed Employees (Forced Dismissals Commission) or similar entities that may be formed, OHCHR and CSOs.	
<b>Location:</b>	Sana’a, Yemen	
<b>Approved Project Budget:</b>	<b>\$ 1,000,000</b>	
<b>Duration:</b>	<b>Planned Start Date:</b> 1 May2014	<b>Planned Completion:</b> 30November 2015
<b>SC Approval Date: (Actual Dates)</b>	TBC	
<b>Project Description:</b>	The project will provide support to the implementation of transitional justice and national reconciliation in Yemen in compliance with international standards and best practice, ensuring (i) a victim-centred perspective, (ii) that conflicts are resolved peacefully and in a manner that supports the coexistence of all relevant groups involved, (iii) lasting, open and inclusive societal dialogue about the past, (iv) democratic values and human rights and (v) guarantees of non-recurrence of violence.	
<b>PBF Priority Area:</b>	National reconciliation	
<b>PBF Outcome:</b>	Institutional frameworks address long-standing grievances and lay the basis for accountable institutions that respect and protect human rights.	
<b>Key Project Activities:</b>	<ul style="list-style-type: none"> <li>- technical assistance to the Ministry of Legal Affairs for legal reform related to transitional justice;</li> <li>- capacity development of the Justice and National Reconciliation Commission</li> <li>-Capacity development of the Commission of Inquiry into events of 2011;</li> <li>- Capacity development of the Land and Dismissals Commissions</li> </ul>	

	<ul style="list-style-type: none"><li>- support for victim associations and CSOs to adequately participate and contribute to the transitional justice processes;</li><li>- raising awareness of citizens of Yemen on transitional justice mechanisms and their role in the national healing and peacebuilding process.</li><li>- ensuring inclusion of marginalized groups, women, youth and other CSOs groups in consultation activities with representatives of governmental institutions</li></ul>
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