

PROJECT DOCUMENT

**Country:** Somalia

**Project Title:** Constitution Review Support Project (CRSP-II)

**Atlas Award ID:** 00099032

**Implementing Partner:** Ministry of Constitutional Affairs of the Federal Government, Ministries of Constitution of Member States, National Federal Parliament, CSOs, UNDP and UNSOM.

**Start Date:** 01 Jan 2018    **End Date:** 31 Dec 2019    LPAC Meeting date: 13 Dec 2017

**Brief Description**

In November 2017, the Ministry of Constitutional Affairs (MOCA), the Independent Constitutional Review and Implementation Commission (ICRIC) and the Oversight Committee (OC), the key stakeholders in Somalia's constitutional review process, developed a Roadmap and a Memorandum of Understanding (MoU) based on consultations and negotiations with the President and Prime Minister of Somalia. These documents also reflect the results of two major consultative gatherings between regional and federal role players held in Kismayo and Mogadishu in October and November 2017.

The Roadmap for constitutional review defines three key objectives, namely, to have a national constitution completed within the mandated timeframe by December 2019, to ensure that the review process is based on national dialogue and public consultation with the Somali people and key stakeholder, and to educate the Somali citizens about the process through broader civic education programs that empowers the society at large to contribute, and engage in the review process, possibly ensure their constitutional rights are well captured.

Furthermore, an MoU was signed between MoCA, the OC and ICRIC, as foreseen in the Provisional Constitution specifically in Articles 133, 134 and in Law No. 199 of 3 July 2013. The MoU defines the cooperation between these three constitutional review bodies and defines the basic principles, as well as shared and individual duties and responsibilities as well as dispute resolution mechanisms.

The Roadmap and MoU define the guiding principles for the constitutional review process, namely a fixed timeline, Somali ownership, continuation and recognition of the work done by the 9th parliament, inclusivity, transparency, participation, accountability as well as partnership and cooperation. This UNDP programme envisages to assist the key stakeholders in upholding these principles while carrying out their respective mandates. This UNDP capacity development programme is fully aligned with the national vision of the constitutional review process and the respective planning schedule and the key deliverables outlined in the Roadmap, namely: regularization of the constitution, negotiations on political issues, allocation of powers between the Federal Government and the Federal Member States (FMS), tabling and publication of the 9th Parliament's Constitutional Options report, civic education and public participation, national dialogue and consensus-building forum, review and adoption of the constitution, referendum or national validation, and alignment of FMS Constitutions with the Federal Constitution.

**Contributing Outcome (CPD): UNSF STRATEGIC PRIORITY INVOLVING UNDP 1:** Strategic plan, goal 1: Deepening federalism and state-building, supporting conflict resolution and reconciliation, and preparing for universal elections.

**UNDP Strategic Plan:**

Outcome 2: Accelerate Structural Transformations For Sustainable Development

Output 2.2.2 : Constitution-making, electoral and parliamentary processes and institutions strengthened to promote inclusion, transparency and accountability

**Output 2.1.** Parliaments, constitution making bodies and electoral institutions enabled to perform core functions for improved accountability, participation and representation, incl. for peaceful transitions

**GEN2 (Gender equality as a significant objective)**

<b>Total resources required:</b>	<b>USD 10,937,534</b>	
<b>Total resources allocated:</b>	<b>UNDP TRAC:</b>	
	<b>Donor: MPTF</b>	8,194,076 <sup>1</sup>
<b>Unfunded:</b>	<b>USD 2,743,458</b>	

**Agreed by:**

United Nations (UN)	Minister Constitutional Affairs (MoCA)
<p>Signature &amp; Date: _____</p> <p>George Conway      27-02-18 Country Director UNDP</p>	<p>Signature &amp; Date: _____</p> <p>Hon. Abdirahman Hosh Minister Constitutional Affairs (MoCA)</p>
<p>Signature &amp; Date: _____ 27/02/18</p> <p>Raisedon Zenenga Deputy Special Representative of the Secretary-General UNSOM</p>	

<sup>1</sup> Includes current estimated donor commitments.

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## I. DEVELOPMENT CHALLENGES

### A. General Context

Somalia is a complex political, security and development environment, and much of its recent past has been marked by poverty, famine and recurring violence. Somalis have been divided on the political front and did not have a clear path to reconciliation and political unity. The 25 years of conflict and political instability have largely destroyed the country's physical and socio-economic infrastructure, the government apparatus as well as the security institutions. The enduring nature of the conflict has generated extreme poverty, vulnerability and a complex set of political and social grievances that remain a threat to the country's stability.

However, in 2012, with the establishment of permanent political and executive institutions; the adoption of the Provisional Federal Constitution (PFC), and important military offensives and security gains, Somalia entered into a new period; a period where longer term peace seems possible. A rudimentary federal state structure now exists, Jubaland, South-West, Galmudug and Hir Shabelle have joined Puntland to become federal member states (FMS). The establishment of a federal government through national dialogue and consensus in 2012 and, commencing in 2013, the implementation of the Peace and State Building Goals of the New Deal Compact have been encouraging, but significant progress still needs to be made, as indicated by Somalia's poor ranking on the Global Fragile States Index<sup>2</sup> and Transparency International perception survey<sup>3</sup>. According to the Bertelsmann Transformation Index, corruption continues unabated<sup>4</sup> and the impact of the protracted conflict, humanitarian crises and the prevalent socio-cultural systems, political and power structures, including in some areas the enforcement of laws of extremist Islamic groups, contribute to a circumscribed status of Somali women.<sup>5</sup> The new Federal Government of Somalia (FGS) moreover faces significant challenges of simultaneously building frameworks and institutions, not just at the federal but also at the federal member state level, where the federalization process exacerbated local clan tensions and led to a series of violent conflicts<sup>6</sup>, whilst needing to immediately deliver tangible benefits to the Somali people.

Today, Somalia is undergoing a transition that represents the best chance it has had for decades for peace and state-building. In order to consolidate and accelerate the transition from conflict to peace and security, the FGS has launched a comprehensive approach toward consolidating peace, security and development into the new National Development Agenda. This first National Development Plan (NDP) for Somalia has been built in 2016, on the New Deal Compact for Somalia that has operated as the country's comprehensive development roadmap, since September 2013, setting out a number of critical national peacebuilding and state building goals and milestones for the country<sup>7</sup>. Significantly, the NDP explicitly states: *"Unlike traditional development plans, we included politics and security priorities into the NDP [as it is] difficult to disassociate political inclusivity, security sector reform and the rule of law from our three-year development agenda..."* In addition, the NDP states that gender considerations are relevant for all development areas from macroeconomic frameworks, through governance, to social services and resilience recognizing the importance of addressing gender disparities and the empowerment of women to enhance overall

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<sup>2</sup> Global Fund for Peace. The Fragile States Index 2017. <http://fundforpeace.org/fsi/>

<sup>3</sup> Transparency International, Corruption Perception Index, 2016.

[https://www.transparency.org/news/feature/corruption\\_perceptions\\_index\\_2016](https://www.transparency.org/news/feature/corruption_perceptions_index_2016)

<sup>4</sup> Bertelsmann Transformation Index, Somalia Country Report 2016. [https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI\\_2016\\_Somalia.pdf](https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Somalia.pdf)

<sup>5</sup> The Somali New Deal Compact 2014-2016. [https://eeas.europa.eu/sites/eeas/files/20130916\\_the\\_somali\\_compact.pdf](https://eeas.europa.eu/sites/eeas/files/20130916_the_somali_compact.pdf)

<sup>6</sup> Bertelsmann Transformation Index, Somalia Country Report 2016.

<sup>7</sup> The New Deal was supplemented by the Government's Vision 2016 strategy, which provided guidance in relation to critical political processes, though this was never formally adopted by the NFP.

development efforts.<sup>8</sup>

In this context, it is critically important that the constitution is reviewed and adopted in an inclusive and transparent manner, which would set up the institutional and legal framework for Somalia, defining the nature of relations between the center and regions, determining the status of Mogadishu and crystalizing the type of federation Somalis wish to build, propose framework for universal one person-one vote elections in 2020/1. The constitution of Somalia thus also has a crucial reconciliation peacebuilding function, as it defines a social contract between state and society – the lack of which has been a key element in the civil war and failed reconciliation processes<sup>9</sup>. An inclusive constitutional development process that is perceived as legitimate by all stakeholders is, therefore, an indispensable condition for working towards sustainable Development for All in Somalia.

### **B. Constitutional History**

The drafting of a new constitution by June 2012 was a cornerstone of the September 2011 Somalia End of Transition Roadmap which had been designed to steer the country towards more permanent and more representative political institutions as well as greater national security and stability. Consultative conferences were held in Garowe, Puntland, in December 2011 and February 2012 which the Transitional Federal Government and other Somali stakeholders attended. These two conferences led to an agreement on the “Garowe Principles”, which *inter alia* outlined plans for a National Constituent Assembly (NCA), which adopted the Provisional Constitution of the Federal Republic of Somalia on 1 August 2012.

The Provisional Constitution put in place an overarching, nationally endorsed legal framework to guide Somalia’s efforts to rebuild the nation in accordance with the rule of law. It set up a federal system based on two levels of government, the Federal Government level and the Federal Member State level, with both levels being elected. In accordance with the Provisional Constitution, a Parliamentary Constitutional Implementation and Oversight Committee (Oversight Committee) was established within the National Federal Parliament (NFP) in 2014, in addition to an Independent Constitutional Review and Implementation Commission (ICRIC), which would provide legal advice and drafting support for any constitutional review process.

The process to review began in 2014, but progress has been slow, due to a range of political and security factors. Additionally, public discussions on issues of ownership, transparency, accountability and representativeness of the constitutional process evolved.<sup>10</sup> Both the Oversight Committee and the ICRIC lacked substantial institutional and capacity support to enable them to discharge their mandates. In 2015, a Ministry of Constitutional Affairs (MoCA) was established as part of the new Cabinet.

### **C. Current Constitutional Process**

Both the New Deal Compact (2012-2016) and the Government’s own Vision 2016 Framework highlighted the importance of the review to establish a constitutional framework that appropriately enshrines the political agreements within the Somali context. The NFP was responsible for adopting the final text of a new Federal Constitution, followed by a national referendum – all of which was to take place before the constitutionally-required elections by September 2016. Work to review the Provisional Constitution was slow but in 2016 the Oversight Committee ramped up its efforts (with support from the Max Planck Institute and UNDP) and produced a number of options papers proposing comprehensive amendments. These were

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<sup>8</sup> Somali National Development Plan 2017-2019. <http://mopic.gov.so/wp-content/uploads/2016/11/SOMALIA-NATIONAL-DEVELOPMENT-PLAN-2017-2019.pdf>

<sup>9</sup> Abdihakim Ainte (2014). Somalia. Legitimacy of the Provisional Constitution. Conciliation Resources: Accord 25. [http://www.c-r.org/downloads/accord25\\_Somalia.pdf](http://www.c-r.org/downloads/accord25_Somalia.pdf)

<sup>10</sup> Ainte 2014.

submitted in the NFP but not debated due to political challenges facing the Parliamentarians then, including the indirect election process, starting in October 2016, which effectively overtook the constitutional review process.

Parliamentary elections were held in October and November 2016. For the first time, there has been a process to elect both the new Upper House of the NFP, as well as a new set of MPs to sit in the House of the People. Together, these two Houses sit as the 10<sup>th</sup> Parliament of Somalia. In February 2017, former Prime Minister Mohamed Abdullahi Mohamed Farmaajo was elected President of Somalia for a four-year-term by the members of both Houses. In November 2017, the produced Roadmap which defines the constitutional review process and assigns respective roles, as well as a Planning Schedule. With a view to the national elections scheduled for 2021, the intention is to have a new Constitution developed and endorsed by all parties before the end of 2019.

In September 2017, following concerns expressed by ICRC and the OC on the management of the constitutional review process, the President of Somalia called a meeting of all role players, including the Deputy Prime Minister, the Minister of Constitutional Affairs, and the Chairpersons of the OC and ICRC. The meeting resolved that it was necessary for all parties to work together. To that end, a Roadmap was drafted that clearly reflects the role each party has to play in the process.

Before the finalization of the Roadmap, two major consultative gatherings were held in October and November 2017, namely a meeting between the Presidents of Puntland, Jubaland, South West, Galmudug and Hirshabelle in Kismayo; and a meeting between the Federal Government, the Federal Member States and the Banadir Administration, chaired and hosted by the President of the Federal Republic of Somalia.

Both meetings resulted in a set of recommendations which cover several issues, including the necessity for strengthening the inter-state cooperation, and relations between the Federal Member States and the Federal Government, the consolidation of security, the reconciliation process, the federalization process, and the constitutional review process. At the core of both consultations was the agreement between all parties to enhance the involvement of the Regional States in the constitutional review process and to provide them with a clear mandate respectively. It was furthermore stressed that the allocation of powers and distribution of resources between the Federal Government and the Federal Member States must be clearly defined in the revised constitution and that the federal constitution and the FMS constitutions have to be harmonized to foster an environment of confidence and cooperation.

The outcomes of these meetings were acknowledged in the final version of the Roadmap of the Constitutional Review Process that was published on 13 November 2017. The Federal Member States Executives and Legislatures are named as key role players in the final document, and political consultations on the draft constitutional amendments with FMS and the Banadir Administration are foreseen in the review process before the draft is submitted to the National Federal Parliament, following a concrete recommendation from the meeting between the Federal Government, the FMS and the Banadir Administration.

The Roadmap furthermore defines three key objectives, namely

- to achieve the target of having a finalized national constitution completed within the mandated timeframe
- to ensure that the constitution review process is based on national dialogue and public consultation with the Somali people and key role players
- to educate the Somali citizens about the process through broader civic education programs that will enable society to understand their constitutional rights and duties

The Roadmap is characterized by its emphasis on the development common understandings, several

feedback loops and the consultation and cooperation between all role players throughout the trajectory of the review process. A number of key events will mark the review process, including a National Convention to officially launch the second phase of the review process, the establishment of a National Dialogue and Consensus-Building Forum, a National Finalization Conference, and a final Referendum.

Furthermore, a Memorandum of Understanding was signed between MoCA, the OC and ICRC, as foreseen in the Provisional Constitution, specifically in Articles 133, 134 and in Law No. 199 of 3 July 2013. The MoU defines the cooperation between all three constitutional review bodies and defines basic principles, as well as shared and individual duties and responsibilities, a dispute resolution mechanisms. The content of the MoU is in line with the Roadmap.

#### ***D. UNDP Constitutional Support in Somalia***

UNDP's Constitutional Review and Implementation Support Project Initiation Plan (PIP) of 2015, supported the MoCA, ICRC and Oversight Committee in their efforts to plan and work jointly to bring together stakeholders across and at all levels of government and the community to build consensus around a range of outstanding constitutional issues. The Constitutional PIP has been crucial in providing technical and operational support to the key national stakeholders. Such a multidimensional support has enabled the creation of a Technical Expert Support Working Group (TESWG) and has been responsible for the review of constitution chapters<sup>11</sup>.

Delays in the earlier stages of the Constitutional review process came as no surprise, given the multiple difficulties and challenges to the Somali state- coupled with flagging peacebuilding efforts. When the Provisional Constitution was adopted in 2012, only one of the now five Federal Member States (FMS) existed. State formation as well as the democratization process were continuously hampered by insurgents. How to deal with the constitutional requirement of consulting with FMS when not all were formed remained a challenge that was further complicated by Somalia's complex clan system, which required a careful consideration and inclusion of all Federal Member States <sup>12</sup>.

It is thus crucial that the main tasks of a comprehensive Constitutional review as foreseen in the national vision of Somalia<sup>13</sup>, are taken by *all* political stakeholders in Somalia. Given the prolonged limited effectiveness of the central government and the state of political fragmentation the country has been facing for years, only a common, consensus-based approach that reflects current political realities can take the constitutional review process forward and foster public legitimacy of a new Constitution.

This also involves addressing the issue of separation of powers between the Executive (President, Prime Minister), and Legislative; allocation of powers between the FGS and the FMS as well as clarification of powers between the Upper House and the Lower House of the NFP, and the promotion of a multiparty democracy, which would allow for political debate and civil discourse to be structured between competing political programmes or ideological perspectives instead of individuals who are able to exploit clan loyalties. The Somali government institutions on all levels need to restore political trust by demonstrating to the

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<sup>11</sup> One milestone of the Project was the Speakers Forum hosted by the National Federal Parliament Leadership during the first phase of the Project with state assembly speakers of South West, Galmudug and Jubaland State. As a result, a MoU was signed between the Parliaments on cooperation among the legislative bodies for this process. The Project furthermore supported the launch of a Public Outreach and General Civic Education on the Constitutional Review Process, with a regional consultation that brought together members of mandated institutions, including the Independent Constitutional Review and Implementation Commission, and which was funded by the Project. These key achievements lay out the foundations for the remaining state level consultations and civic education, as well as national consultation. During the first half of year 2016, the project focused on support to the functioning of the Constitutional Stakeholders and support to the Oversight Committee awareness workshops on revision of the Constitution with representatives of Women and Youth.

<sup>12</sup> Jan Amiclar Schmidt (2017): The Somali Constitutional Review Process. Taking Stock. IDEA: Constitution net, 8 March 2017. <http://www.constitutionnet.org/news/somali-constitutional-review-process-taking-stock>

<sup>13</sup> Including the NDP, the November 2017 Roadmap and the MoU.

Somali people that they are capable of delivering services and governing the country.

The conclusion of the federalization process needs to be recognized and accommodated in the structure of the constitutional review process. The state Constitutions of the federal member states need to be harmonized with the federal Constitution. Involvement of other important actors as well as of the Somali people has to be facilitated through outreach campaigns and civic education<sup>14</sup>. It is of critical importance that all voices are heard during the Constitutional review process, especially those of women and youth who have long been excluded from the political process in Somalia.

The Project is designed to provide responsive support to the key players in the constitutional review process, particularly MoCA, ICRIC and the FMS<sup>15</sup>; and support for public education and consultation, particularly envisaging the inclusion of women, youth, minorities, and other marginalized people. The projects envisaged in the Roadmap and the MoU, especially with regards to consultative processes and civic education, are considered important entry points for respective Project activities.

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## II. STRATEGY

Constitutions provide the overarching legal framework which sets out the basis of the social contract between a state and its people cutting across all aspects of policy and society. They establish the institutions of government and their powers vis-à-vis each other and with and between the people. Constitutions provide the foundations on which governance and peace are built.

Drafting and implementing a constitution that works requires the genuine buy-in of those concerned, including representatives and citizens. A focus on inclusion enhances the perceived legitimacy of both the process of constitution-making and the content of the constitutional provisions. Over the long-term, this contributes to the creation of an enabling political and governance environment that encourages participation from across society and fosters a culture of constitutionalism. This can ground further efforts to strengthen democratic governance, and protect and promote human rights and the rule of law, as the foundation for equitable, sustainable human development.

The Sustainable Development Goals (SDG) 2030 Agenda offers a defined, relevant and integrated framework for building inclusive and participatory processes. In particular, SDG 16 resolves to ***“Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.”***

Recognizing the centrality of national constitutions to UNDP’s work, for the first time, the UNDP Strategic Plan 2014-17 explicitly includes constitution-making assistance as a key component of UNDP’s support for inclusive governance, peacebuilding and sustainable human development. It reaffirms UNDP’s commitment to constitutional support to ensure that “citizen expectations for voice, development, the rule of law and accountability are met by stronger systems of democratic governance”.

The Project is in line with the new Somali National Development Plan (2017-20) (NDP), the UNDP Country Programme Document (CPD) and the UN Security Council Resolution (SCR) SCR calling for supporting peace and reconciliation process and to support establishing the federal structure. The strategy of this project follows the general approach of the Somali Government to peace, security, and development that is based upon the understanding that human security, state security and development as well as, conversely, insecurity and underdevelopment are mutually reinforcing.

The Project will support the Government to consolidate the current agenda for “inclusive politics”. The main objective of the Government in this field is to ***“achieve a stable and peaceful federal Somalia through inclusive political processes and effective decentralization.”*** The agenda covers three components, namely

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<sup>14</sup> Ibid.

<sup>15</sup> Support to the OC will be covered by UNDP’s Parliamentary Support Project in Somalia (PSP II).



democratization, finalizing the constitution and decentralization (implementing the federation process). Along these lines, the Project will foster various political processes and reforms that are crucial for Somalia in the coming years.

The recently published Memorandum of Understanding and the Roadmap both define guiding principles for the constitutional review process, namely Somali ownership, a fixed timeline, continuation and recognition of the work done by the 9<sup>th</sup> parliament, inclusivity, transparency, participation, accountability as well as partnership and cooperation. The Project envisages to support they key players in upholding these principles while carrying out their respective mandates.

The Project is furthermore in line with the national vision of the constitutional review process and the respective planning schedule and key deliverables outlined in the Roadmap, namely

- Regularization of the Constitution Negotiations on political issues
- Allocation of powers between the Federal Government and the FMS
- Tabling and Publication of the 9<sup>th</sup> Parliament’s Constitutional Options report
- Civic Education and Public Participation
- National Dialogue and Consensus-Building Forum
- Review and Adoption of the Constitution
- Referendum or National Validation
- Alignment of FMS Constitutions with the Federal Constitution

The intention is to have a new constitution developed and endorsed by all parties before the end of 2019. With those objectives in mind, the Project revolves around four entry points for integrated support to constitution-making in Somalia under the overarching framework of fostering inclusive processes, namely support for the coordination of the constitutional review process in line with the national vision, particularly by accompanying and advising the work of MoCA, ICRC and the FMS; support for an extensive civic education process; support for the public consultation and outreach activities of all actors involved in the constitutional review process; and technical support for the drafting of the constitutional text.

The Theory of Change underlying this Project can be described as follows:

***Supporting inclusive political processes at all levels to lead to a constitutional outcome will provide the basis for a new social contract and more effective, open, and accountable government thereby enjoying widespread legitimacy and support and providing the foundation for enduring equitable and sustainable development and peace.***

The Project acknowledges that specific attention will need to be given to supporting a range of political and community stakeholders to play an effective part in supporting peace- and state-building in Somalia as the country tries to move on from its difficult past and rebuild a constitutional democracy that will hold together under pressure. Gender equality and participation of women and youth is a key aspect of sustainable peace and development. The Project thus particularly envisages the inclusion of women, youth, minorities, and other marginalized people.

With these immediate imperatives in mind, the strategy which will underpin this Project includes a mix of immediate direct technical support, set within a broader framework of developing sustainable legal and consultation capacities of all key actors involved in the constitutional review process, as well as ensuring ownership of the constitution through fostering an increased understanding of and a continuous engagement with the constitutional process among members of the public.

The Project covers a period of two years and represents Phase I of a long-term constitutional support process. While the here proposed Strategy largely focuses on the content of the constitution and the review process, Phase II will promote adequate follow-up through supporting constitutional development and education, to help ensure that the new constitutional framework translates into tangible change that

impacts positively on the lives of people in Somalia. Several of the activities envisaged for Phase I will contribute to laying the foundation for the follow-through processes covered by Phase II.

The Project is based on the experiences and lessons learned from previous UNDP engagement in Somalia outlined above. Within the framework of other Projects, the UN mission in Somalia (UNSOM) and UNDP have been providing technical advice and support to the Somali Government on implementing the Provisional Constitution, including the establishment of constitutionally mandated institutions. Moreover, UNDP has leveraged its existing institutional-strengthening support to the Federal Parliament to provide support to the OC, including by providing support to develop and implement an Outreach and Dialogue Strategy. Lessons learned from years of Somali assistance as well as those captured by the UNDP global system have been integrated into the approach proposed in this Project.

Challenges and lessons learned from the PIP implementation phase emphasize the limited political ownership of the process of constitution making. Political leaders did not give the process the adequate support it required. The political environment marked by power struggle and government instability contributed to delaying the process and jeopardize the use of available resource. The Project's final annual report highlighted the need to harmonize constitutions from various states, to better define roles and responsibility of the Central Government vis-à-vis Federal Members States, and to reduce the mutual distrust between the different arms of government.

Further recommendations for future actions from the PIP implementation phase include:

- The regularization of the federal member states is critical and must be initiated at the beginning of the process.
- There are urgent amendments of the constitution that are necessary to reflect the current political realities and to attend to critical matters such as the separation of powers.
- The process of constitution making must promote the building of peace in the country and address the existing conflicts and mistrust. The process must be structured in a manner that will provide for a process of conciliation between different parties. This will be done by ensuring that the interests of the different parties are taken into account in the constitution. The constitution must be that legal framework that responds to the interests of all.
- This must be a Somali-owned process. It must be owned by all Somali people and it is therefore imperative that the Somali leadership assumes responsibility for the process and for the removal of obstacles and unblocking problems.
- The process of constitution making should also build capacity amongst Somalis so that a core of people is created who would be able to assume responsibility for the implementation of the constitution and in state building.
- The constitution is adopted by Parliament. However, the FGS Executive and the existing federal member states are important role players and they must partake the review process from the inception. Civil society are also important stakeholders in the constitution making process and must be consulted. The roles should be agreed to from the beginning of the process in line with the Constitution and taking into account the political set up in Somalia.

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### III. RESULTS AND PARTNERSHIPS

#### A. *Expected Results*

Based on this background, the proposed UNDP project intervention has the following objective (outcome): **Support an effective, transparent and accountable constitutional review process through strengthening inclusive political processes at all levels to develop a new social contract that meets the needs of Somali**

**women and men, reflects political realities and is of good technical quality in order to foster equitable and sustainable development and peace.**

With this overarching objective in mind, the Project revolves around four entry points for integrated support to constitution-making under the overarching framework of fostering inclusive processes, namely

- (1) for the coordination of the constitutional review process in line with the national vision, particularly by accompanying and advising the work of MoCA, ICRIC, and the FMS,
- (2) support for an extensive civic education process,
- (3) support for the public consultation and outreach activities of all actors involved in the constitutional review process,
- (4) technical support for the drafting of the constitutional text.

This approach seeks to complement the constitutional work of elected representatives, government officials and technical experts with broad based public participation. To that end, UNDP will bring in its strong comparative advantage to support the constitutional review process as a trusted partner and neutral broker in Somalia, and will draw on the UN's regional and global expertise and resources on constitutional development.

UNDP's support will remain responsive to the direction set by national constitutional partners throughout the whole Project implementation phase and activities may be modified and added accordingly. As per the UN Secretary General's Guidance Note on UN Assistance to Constitution-Making Processes, the Project will be sensitive to the need to provide advice and options, while ensuring that the process is nationally owned and led.

The Project has the following specific objectives to:

- a. Strengthen the capacities of and facilitate coordination and consensus-building between the different state and non-state actors involved in the constitutional review process.***

**Output 1: Effective participation on the constitutional review process resolves key contentious issues on all levels.**

In order to support MoCA, ICRIC and the FMS<sup>16</sup> in coordinating and overseeing a smooth constitutional review process in Somalia, UNDP will provide ongoing capacity development, institutional support and technical advisory support to all relevant constitutional review key players in Somalia to enable both members of the bodies and secretariat staff to do their jobs effectively and fully contribute to the process in line with the national vision for the constitutional review process.

The key players are furthermore tasked with the promotion and facilitation of political and public consultations vis-a-vis tasks of the federal government, the federal member states and that come under the federal government as well as the political, social and cultural organizations and the Somali society in general in order to devise and open, transparent and inclusive atmosphere of the constitutional review process and build trust among all actors with a view to sustainable peacebuilding processes. While the MoCA has already started the process consultations with key role players, further efforts need to be undertaken to ensure a participatory process that is owned by all Somalis. UNDP will support all consultative processes foreseen in the national vision.

The finalization process of the of constitution making is furthermore directly related to the process of deepening federalism in Somalia. A number of the political agreements (for instance, the structure of the state, essential authority decisions) will be enshrined in the constitution. Hence, a close coordination between the federalism process and the constitution process has to be ensured. Key to this coordination is to deepen political engagement and cooperation between key players from the federal center, FMS and

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<sup>16</sup> As noted above, OC will be supported within the framework of PSP II.

relevant civil society organizations and to foster consensus-seeking dialogue. The national vision respectively provides for several projects that aim at resolving contentious issues between key players from federal center and the FMS and at increasing consensus-seeking intergovernmental coordination and cooperation in the constitutional review process and beyond. UNDP/UNSOM will support activities that foster consensus-building on key contentious issues by *inter alia* providing capacity developing support with regards to mediation, facilitating dialogue processes, providing technical advisory support and strengthening the capacities of the envisaged Inter-State Commission.

***Activity Result 1.1: Capacity of MoCA members and staff to effectively manage the process of consultations and negotiations strengthened.***

In order to ensure that MoCA can effectively discharge its mandate, namely to facilitate the creation of a conducive environment and mechanisms for the effective execution of the review process, to ensure a unified vision of the federal institutions on the review process, to prepare and enact a national referendum law, and to facilitate conditions and the political atmosphere for a public referendum on the constitution, the Project will prioritize capacity development support to MoCA members and staff on process issues and technical/substantive issues, particularly to enhance their capacities to engage all role players, stakeholders and civil society in effective political dialogue and to facilitate negotiation and review processes. In this context, the Project will also provide training and capacity development on mediation, dialogue, negotiation and conflict mitigation. Furthermore, a team of constitutional experts will be recruited and trained in order to enable MoCA to access timely advice, which will facilitate their active engagement with other stakeholders. Support will furthermore be provided to support the capacity development of MoCA members and staff on financial issues in view of the Ministry's task to facilitate and plan the funding for the implementation of the constitutional process activities and to independently plan and administer its own budget while respecting the laws of the Financial Administration of the Federal Republic of Somalia.

MoCA will need to be supported by a technical Secretariat. To this end, the Project will provide technical and capacity development to ensure the Secretariat staff can effectively support assist the work of MoCA. UNDP will furthermore provide training and technical advice to the Secretariat as needed throughout the constitutional review process. In this regard, the Project will focus on providing support to the public outreach and communications functions of the MoCA Secretariat, with a view to strengthening MoCA's ability to engage with the CRC, media, CSOs, and the broader public.

In this context, the Project envisages the following activities:

- Recruit and build the capacity of a team of constitutional experts fluent in English and Somali language to support MoCA
- Conduct induction training for MoCA members on the goals and principles of constitution-making and the Somali constitutional process
- Conduct trainings and thematic sessions with MoCA members on process issues and technical/substantive issues of constitution-making
- Conduct induction training for MoCA members on negotiation, dialogue, mediation and conflict resolution
- Conduct specific mediation trainings with respect to sensitive and contentious issues constitutional issues with a view to MoCA's role in different negotiation fora
- Conduct specific trainings on budget management and resource mobilization
- Support to soliciting of public feedback during consultative processes
- Support preparation of reports during various stages of consultative processes
- Support to preparation and enactment of national referendum law
- Support to preparation and holding of a public referendum on the constitution
- Conduct induction training on constitutional review process for Secretariat staff
- Provide ongoing capacity development to Secretariat staff to provide support to MoCA with a view to public outreach and communications
- Provide ongoing capacity development to Secretariat staff to provide quality research, logistics and administrative services to members of MoCA

***Activity Result 1.2: Capacity of ICRIC members and staff to effectively provide technical support to the ICRIC strengthened.***

The Provisional Constitution establishes ICRIC to provide technical support to the OC during the constitutional review process. MoCA and the FMS will nominate additional ICRIC members in accordance with Article 133 and Article 134 of the Provisional Constitution. Capacity development support to new ICRIC members on process issues and technical/substantive issues will be required, particularly to enhance their capacities to develop own priorities and sequencing for the constitutional review process and to consult on these priorities and sequences with the Federal Government, MPs of the Federal Parliament, and FMS governments and legislatures. Further capacity development will be offered on topics such as the history of the Somali constitutional review process and comparative assessments of other constitutions.

ICRIC, OC and MoCA will also be responsible for preparing draft constitutional amendments or to propose draft legislation with an accompanying drafting report and respective necessary legal investigation or inquiry. The draft amendments have to be based on the public consultation processes with the Somali people in each FMS as well as on the recommendations from all federal member states and other stakeholders. The draft constitutional amendments will then be consulted with the Federal Government, the FMS, the Banadir Regional Administration and other administrations in the country. The respective recommendations and those resulting from the National Finalization Convention will then have to be integrated into a final draft by ICRIC and the OC. Thus, ICRIC will need to be supported by a team of constitutional experts and an adequate number of staff, to have access to timely legal advice and to be able to perform its functions in accordance with the Provisional Constitutions and the national laws.

In this context, the Project envisages the following activities:

- Recruit and build the capacity of a team of constitutional experts fluent in English and Somali language to support ICRIC
- Conduct induction training for new ICRIC members and staff on the goals and principles of constitution-making and the Somali constitutional process
- Provide ongoing support to preparation of draft amendments/proposals and reports throughout the various stages of the review process Provide ongoing support to establishing a procedure to record, organize, analyze, and review submissions made by all role players and stakeholders, and translate them into draft constitutional text
- Provide ongoing capacity development to staff to provide legislative drafting and technical advice to OC
- Provide ongoing capacity development to staff with a view to public outreach, communications and consultations

***Activity Result 1.3: The capacities of the FMS and the Banadir Regional Administration to effectively contribute to the constitutional review process are strengthened.***

The national vision acknowledges the importance of fully integrating the FMS Executives and Legislatures into the constitutional review process. Their input is crucial for an inclusive and participatory process that integrates the views of all relevant political stakeholders and that is perceived as legitimate by all citizens of Somalia. Furthermore, political discussions on the allocation of powers between the FGS and the FMS and other issues, including the status of Mogadishu, citizenship, and working processes of federal institutions, are crucial to finalize the federalization process. It is important that the voices of FMS and Banadir Regional Administration representatives during the consultation processes are strengthened and that they are capacitated to effectively provide informed input. UNDP support to strengthen the operational capacities of FMS legislatures and executives in areas that are critical to their effective contribution to the constitutional review process will depend on their different development trajectories and their request for support.

In this context, the Project envisages the following indicative activities:

- Conduct seminars/workshops in each FMS and the Banadir Region on the constitutional review process, including the development of respective Action Plans and the selection of new members of ICRIC from the Regional States
- Provide support to the establishment of Committees/Working Groups in each FMS and the Banadir Region responsible for the constitutional review process
- Conduct targeted trainings / seminars tied to critical chapters of the Constitution and contentious issues

***Activity Result 1.4: Political dialogue, negotiations and broad-based consensus building between all key players and relevant stakeholders involved in the constitutional review and implementation process enhanced.***

The review of the constitution will be bookended by two major national gatherings, namely a National Convention at the beginning of the process to launch the second phase of the constitutional review process and public engagement and a National Finalization Convention at the end to close the process of consultations. The purpose of the National Convention is to gain support for the constitutional review process and provide information on how the process is to be managed by presenting a final draft of a joint workplan developed by MoCA, the OC and ICRIC and agreed upon by the NFP, the PM, Heads of the FMS and the President of the FRS. UNDP will provide support to the planning activities of the National Convention including the finalization of the workplan; to the production of information and communications material to be used and distributed during the Convention; and to the facilitation of discussions.

Similar support will be provided to the organization and implementation of the National Finalization Convention, which will again be attended by all key players and stakeholders and provides them with the opportunity to transparently table their agreements, views and submissions and during which the final outcomes of the consultations and engagement with the public will be presented and integrated into the final draft constitutional amendments by ICRIC and the OC. The Conference signifies the last public step before consideration by Parliament of the views proffered. The output from the Finalization Convention will be a final review report which will provide an overview of the drafting of the constitutional amendments, including reasons and justifications that will facilitate their adoption. UNDP will specifically support the drafting of this output with technical advice and logistic support.

At the core of the constitutional review process' consultation activities is the establishment of a national dialogue, which seeks foster engagement between all key political role players both at the Federal and regional levels by binding them into an institutionalized consulting process on critical issues requiring consensus. The purpose of the national dialogue is thus to ensure that all political role players and stakeholders are engaged in a consultative process in the review of the constitution and that a common understanding of and general approach to the constitutional review process between the political leadership and the Somali Federal Government and Parliament and the FMS and among FMS is developed. This will essentially take two forms: Political consultations with the executive and legislative branches of both the Federal State and the FMS at various stages of the review process, and a broader public participation programme (s. Output 3). The political role players involved in these negotiation fora will be representatives of the Benadir regional administration and Federal Member States, Federal Government, and the Federal Parliament. In this regard, it will also be necessary to address matters relating to power-sharing and resource-sharing. Appropriate expertise will have to be secured and position papers to be developed. UNDP will provide operational-level assistance to the strategic planning of the national dialogue and provide technical expertise to mediate and facilitate the negotiations whenever requested.

In this context, the project envisages the following indicative activities:

- Support to negotiation and development of Workplan endorsed by all political stakeholders
- Facilitate planning, logistical arrangements, travel, accommodation, facility management, security
- Develop information and communications material to be used and distributed during the Convention
- Manage public information and media recording facilities

- Facilitate planning, logistical arrangements, travel, accommodation, facility management, protocol management and coordination of national dialogue events for the key political role players to meet, debate and negotiate
- Technical advice available, including for developing schedule of consultative workshops and agenda of issues under consideration
- Provide substantive and process expert support to mediate and facilitate the negotiations national dialogue events, as per request
- Support compilation of results and reporting on Political Consultations between Federal Government and FMS and the Banadir Region
- Facilitate planning, logistical arrangements and coordination of National Finalization Convention
- Support drafting of final review report and incorporation of results from the national dialogue into the final draft constitutional amendments

***Activity Result 1.5: Harmonization of Federal Constitution and FMS Constitutions.***

Clarification and delineation of federal and state powers also has to be enshrined in the respective Constitutions. Article 142 of the Provisional Constitution thus provides for the harmonization of the FMS constitutions with the Federal Constitution. This process is politically highly sensitive and requires both technical and mediation/negotiation capacity-development support. UNDP will further the process by planning and implementing dialogue forums that seek to build consensus around contentious issues between key players from the federal and regional level and in convening spaces for consultation among several actors wherein mutual trust and confidence can be built outside the formal space of the constitutional dialogue, and wherein ideas can be developed which the actors themselves can then carry to the formal process. UNDP will specifically leverage its previous support from the Project Initiation Phase to the Ministries of Constitutional Affairs of Federal Member States, where technical experts are already working to support organizational development and capacity development.

In this context, the project envisages the following indicative activities:

- Support harmonization of FMS Constitutions and Federal Constitutions through facilitating national roundtables and consensus-building workshops, including the development of an Action Plan
- Provide constitutional expertise and technical advice throughout harmonization process to mediate and facilitate the negotiations
- Provide technical and issues-based support to Ministries of Constitutional Affairs of Federal Member States, FMS MoCAs

***b. Provide support to civic education campaigns and public consultations and other outreach activities, particularly envisaging the inclusion of women, youth, minorities, and other marginalized groups, to build awareness, understanding of and support for the federal constitutional review process.***

**Output 2: General population knowledge on the constitutional review process is enhanced.**

UNDP supports inclusive constitutional review processes. If this process is to be perceived and accepted as legitimate by the broader public, it is crucial that the people of Somalia have the possibility to understand and engage in it. An informative and inclusive civic education process that is conducted in partnership with civil society is an essential element of maximizing participation in the constitutional review process. Constitutional awareness raising furthermore provides long-term benefits for the acceptance and implementation of the final Constitution.

***Activity Result 2.1: An inclusive and transparent civic education process led by all mandated key players to lend legitimacy and credibility to the process developed and implemented.***

The MoCA, ICRIC and OC<sup>17</sup> are mandated to facilitate the public awareness and other civic education programmes in coordination with the Ministries of Constitutional Affairs of Federal Member States FMS MoCAs to educate the public on issues arising from the process of constitutional review.

The first task is to inform the public about the process going forward – the bodies conducting the review, the steps, the time lines, and the opportunities the public will have to provide inputs. Civic education helps inform people about the scope and limitations of their engagement in the constitutional review process and thus helps them to hold the bodies accountable to meaningful participation. A second step in this task is to make transparent the technical reports produced during the 9<sup>th</sup> Parliament and provide role players and stakeholders with issues that require their consideration. Following on this will be the partnership established with Civil Society to make sure that there is a continuing programme of public education. The objective is a public that is informed about the review process and educated about the Constitution. In a last step, MoCA, in cooperation with the Ministries of Constitutional Affairs of Federal Member States FMS MoCAs and prior to the Constitutional Referendum, will organize and conduct a Public Awareness Campaigns about the final draft amendments. UNDP will work with the MoCA, and civil society to develop a civic education implementation plan to ensure consistent government messaging and avoid confusion. Support will also be provided to the development of civic education materials such as pamphlets, booklets and posters.

In this context, the project envisages the following indicative activities:

- Recruit and build the capacity of a civic education team of experts fluent in English and the Somali language to support MoCA
- Support counterparts in conducting a civic and legal awareness baseline survey
- Identify and reach out to CSOs to conduct civic education
- Support MoCA, OC and ICRIC to develop conflict and gender-sensitive civic education strategy and programme
- Support in preparing, printing and distributing civic education materials, including the technical reports produced during the 9<sup>th</sup> Parliament (brochures, branded items, illustrations, etc.) and materials on the revised Provisional Constitution
- Design of website and conduct of web based consultations/dissemination of civic education materials

***Activity Result 2.2: CSO capacities to lead civic education process in the future strengthened.***

UNDP will foster partnerships with selected CSOs, both to tap their technical expertise and knowledge of constituency issues, and to engage in more effective outreach to the provinces, where many CSOs have strong networks and credibility amongst the public. Working with civil society on important civic education activities also has longer-term benefits, in terms of assisting a core group of local counterparts to develop training capacities which they can use in future.

In this context, the project envisages the following indicative activities:

- Conduct training of trainers on civic education and public for MoCA, media and civil society
- Facilitate partnership mechanisms, coordination for a and relationships between relevant State players and selected CSOs
- Ongoing support to CSOs to conduct civic education on and disseminate amendment proposals

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<sup>17</sup> As noted above, OC will be supported within the framework of PSP II.



- Develop key materials to help guide CSO education outreach
- Support to provision of opportunities (online-platforms, roundtables, etc.) for Somalis to freely and openly discuss issues of concern to them and the linkages to the Constitution

**Output 3: Key actors implement outreach strategy and civil society engagement in the constitutional review and implementation process.**

A major public consultation process will be undertaken to ensure that all role players and stakeholders are engaged in a consultative process in the review of the Constitution. This process will take two forms: regular consultations involving all political role players (s. Activity 1.4) and a public participation programme that is to be held at least once in each federal member state, involving stakeholders and representatives of civil society.

It is critical that marginalized voices are included in this process, particularly those of women, youth, rural and vulnerable groups. Civil society often has a unique capacity to access these groups of people or key geographic areas, particularly on conflict affected countries. UNDP will thus provide support to both public outreach activities by constitutional bodies, in particular the MoCA, the FMS MoCAs, CSOs and media in Somalia to engage in constitutional processes and related awareness-raising. UNDP will support the hosting of public consultations on the constitutional process, solicit public feedback and submit it to the OC and ICRC. In order to ensure sustainability of results, UNDP will support the establishment of long-term partnerships with civil society and media as well as the development of a civic education programme which can be put to further use in the implementation phase of the new Constitution.

***Activity Result 3.1: MoCA outreach and dialogue capacities are strengthened.***

A key task of MoCA is to engage all relevant actors and stakeholders on both the federal and regional levels in an effective political dialogue in order to ensure a broad societal buy-in for the constitutional review process. The Project will thus work with MoCA members to develop their capacity to effectively reach out to all significant stakeholders in order to ensure a consensus-based, participatory process. MoCA will be provided with the means to design and implement outreach plans in order build effective partnerships with CSOs and other regional and local actors; to enhance the trust of the broader public in the constitutional review process and to foster and promote public participation. UNDP will further provide assistance to MoCA in media and communications.

In this context, the Project envisages the following indicative activities:

- Recruit and build the capacity of stakeholder management, CSO engagement and public education programme teams of experts fluent in English and Somali language to support MoCA
- Conduct induction training for MoCA members on messaging/communications, public outreach and civic education
- Direct Support to marginalized groups women and youth with disabilities and IDPs to ensure effective direct engagement in the review process .
- Support to preparation of Draft Public Consultation Documents in cooperation with ICRC, OC and FMS MoCAs
- Support development of simple MoCA Communication & Messaging Strategy to explain the MoCA's work, manage public's expectation and ensure regular updates provided to public and stakeholders
- Support establishment and maintenance of the MoCA website and social media accounts

***Activity Result 3.2: Inclusive and transparent public consultation process developed and implemented.***

UNDP will provide technical assistance and expertise as needed to MoCA to support administration, procedures and modus operandi relating to public consultations. This will include both consultations with specific geographic constituencies and with key groups consisting of Somali citizens from all regions (e.g. women's rights groups, the business community, the legal community, etc.). Efforts will focus furthermore

on providing opportunities for Somali citizens to freely and openly discuss issues of concern to them and the linkages to proposed amendments and helping them to find appropriate ways to make submissions to the MoCA and, the OC and ICRIC.

The FMS MoCAs are a crucial element for the public consultation process outlined in the national vision. They are responsible for adjusting the Draft Public Consultation Documents prepared by MoCA, the OC and ICRIC on the FMS level to meet the regional moods and particularities. They are furthermore in charge of conducting the Public Consultations in the FMS and of presenting the results of these Consultations to MoCA and to relevant FMS Institutions. The Project will work with the FMS MoCA members to develop their capacity to ensure a participatory public consultation process on the FMS level. The FMS MoCA members will be provided with technical and issues based support on messaging and communications, public outreach and civic education. UNDP will furthermore lend assistance to document and review the public contributions and opinions, and help develop platforms for recording and analyzing public input.

In this context, the project envisages the following indicative activities:

- Recruit and build the capacity of an experts' team fluent in English and Somali language for communications, research and legal advice to support the consultation process
- Conduct induction training for FMS MoCAs members on messaging/communications, public outreach and civic education
- Technical advisory support on key topics such as women's participation and youth participation other marginalized groups (IDPs, special persons with disabilities and poor) to support MoCA and FMS MoCAs in their outreach to marginalized populations of Somalia
- Provide additional technical assistance and expertise as needed to MoCA and FMS MoCAs to support administration, procedures and modus operandi relating to public consultations as per request
- Develop public consultation strategy and programme
- Prepare, print and disseminate public consultation materials (including non-written materials)
- Conduct public consultations at all levels in all Regions at least once (interviews, public hearings, focus group discussions, community leaders and religious leaders meetings)
- Conduct public consultations with key groups and consultations based on specific thematic issues.
- Analyse public consultation data and prepare report – collate and synthesize views and draft reports from public consultations

***Activity Result 3.3: Capacities of journalists and media to analyze and inform about constitutional issues enhanced and strategic partnerships established between the key players and media.***

To ensure greater outreach of information related to the constitutional review process, the Project will facilitate closer partnerships between the key players and the media, to ensure that the media can responsibly, regularly accurately report on the review bodies work and to motivate MoCA, OC and ICRIC members to develop better information-sharing. Trainings for journalists will be provided to ensure enhanced understanding of the constitutional review process and substantial issues

In this context, the project envisages the following indicative activities:

- Provide constitution making training to central and regional media entities, journalists, editors, media house executives with a focus on ethical, objective and conflict sensitive reporting and conduct media monitoring
- Develop partnerships with radio and TV to run MoCA, OC and ICRIC outreach activities
- Support journalists and media to serve as intermediaries between the review bodies and the population in order to allow for broad public dialogue and to make people's voices heard by the constitution-making bodies

***Activity Result 3.4: CSOs are equipped with the necessary tools, instruments and capacity to effectively engage and participate in the constitutional review and implementation process.***

The Project will also support capacity-development workshops for CSOs to develop their skills to facilitate community outreach and participation for the constitution-making process. Small grants will be provided to support civil society in efforts that encourage the active and peaceful participation of the broader public in the constitution-making process. An additional role CSOs can and should play is monitoring and reporting on the constitutional review process so as to hold the formal actors accountable. Respective trainings will be provided to develop the monitoring capacities of CSOs.

In this context, the project envisages the following indicative activities:

- Prepare detailed proposals pertaining to CSO involvement in the constitutional review process
- Trainings for CSOs on constitutional matters to enhance capacity for engaging in the constitutional review process
- Trainings for CSOs on monitoring and reporting on the constitutional review process
- Support exchange with civil society actors from the region to identify tools available to civil society during the constitutional review process
- Small grants programme for community based activities relating to constitutional awareness raising, outreach and participation for the constitution-making process

***Activity Result 3.5: Women’s participation and engagement in the constitutional review process strengthened.***

It is essential to include the voices of marginalized populations of Somalia, to ensure that these people also feel part of the federal Somali state that is being formed. In particular, special efforts will be made to include the voices of women and young people (s. also Activity 3.6), whose contribution to sustainable state- and peacebuilding in Somalia must be recognized at the highest political levels. If women are supported during the constitutional review process, they will be able to play larger roles in the political, social and economic life of their country after the adoption of the constitution. Enabling Somali women to advocate for a constitution that promotes gender equality and reflects women’s aspirations is thus an essential component of the roadmap to a more inclusive Somali society and peace. UNDP will support Women’s groups and Women’s advocates throughout the constitutional review process *inter alia* by supporting independent research on gender related issues, sharing best practices and developing the capacity of Women’s advocates to participate in the review process. Tailored workshops will be run with Women’s groups, e.g. on different approaches to making a submission.

In this context, the project envisages the following indicative activities:

- Develop and implement a programme to promote gender equality issues in throughout the constitutional process and content, including providing capacity support and technical advice to women’s advocates (Women’s NGOs/CSOs) for engaging in the constitutional review process
- Provide grants to Women’s groups
- Support independent research on specific interests by interest and marginalized groups (gender, vulnerability)
- Share best practices through exchange of information, support exchange of knowledge with women’s advocates from the region
- Support women’s advocates in prepare and making submissions to OC and ICRIC
- Draft amendments reviewed from inclusion and gender perspectives

***Activity Result 3.6: Youth’s participation and engagement in the constitutional review process strengthened.***

Youth in Somalia face high levels of unemployment, disenfranchisement and disaffection with governance processes that excludes them. That said, their engagement in the nation’s future development is critical to building a peaceful, inclusive and prosperous Somalia. Efforts are intended to provide youth with space to

participate in and have access to the constitutional review process, and to have access to information on this process via civic education materials. Social media can be another effective way to communicate with youth and to develop opportunities for young people to ask questions or give input on the constitutional review process. Tailored workshops and training will be run with Youth groups to develop their capacities to engage in the constitutional review process and advocate for a Constitution that reflects their aspirations. In this context, the project envisages the following indicative activities:

- Develop and implement a programme including an awareness-raising campaign to engage youth in the constitutional reform process, including outreach with Universities and through social media
- Work with Youth groups to deliver training on advocacy and other skills for engaging in the constitutional review process to ensure safeguarding their political and socio-economic rights in a revised Constitution
- Provide grants to Youth groups
- Support independent research on specific interests by interest and marginalized groups (age, vulnerability)
- Share best practices through exchange of information
- Support Youth advocates in preparing and making submissions to OC and ICRC

***Activity Result 3.7: Revised constitution is published and distributed in all Regions.***

- Constitution will be published, printed and widely circulated in Somalia and to all stakeholders.

***B. Resources Required to Achieve the Expected Results***

Constitutional-review support is highly politically sensitive and complex. The political nature of constitutional review, and the level of national officials involved, means that engagement is needed at very senior levels of the organization to broker the space for UNDP to engage and to ensure the ongoing health of the relationship, as well as the continuous management of risks and trade-offs. The level of direct attention and involvement by senior management is often a determinant of success. Close coordination with SRSB and UNDP Country Director will be required.

UNDP will draw on the existing Chief Technical Advisor and Operations Specialist to take responsibility for overseeing this Project and for responsively addressing challenges as they present themselves. Regular review of priorities will be required, considering the limited absorption capacity of national counterparts to date, and this will be done in close coordination with other partners on the ground. Using the existing staff from the UNDP Parliamentary Support Project and their experience will also ensure that the work of this Project with MPs leverages that work for better impact and avoids duplication.

Although the Project is primarily a capacity development vehicle, nonetheless, the limited budget of the Federal Government and emerging administrations make it likely that some funding will need to be provided to support basic infrastructure development, equipment procurement and possible staff supplementation.

***C. Partnerships***

One of the guiding principles of project implementation will be to maximise scarce resources in a restricted operating environment by focusing on developing effective partnerships, based on comparative advantages and close coordination of activities in a coherent and complementary way. Within the framework of other Projects, the UN mission in Somalia (UNSOM) and UNDP have been providing technical advice and support to the Somali Government on implementing the Provisional Constitution, including the establishment of constitutionally mandated institutions. Considerable capacity has been built within national institutions and civil society to support democratic dialogue and engagement. This Project envisages leveraging the

considerable expertise already developed within Somalia particularly during the PIP phase, for the benefit of the constitutional process.

During the PIP implementation phase, important partnerships have been established with key national and regional role players in the constitutional review process, including, *inter alia*, MoCA, the NFP, the OC, ICRIC and the Puntland Ministry for Constitution, Federal Affairs and Democratisation. These partnerships are expected to continue during the implementation of the CRSP. Furthermore, fruitful relationships have been developed with other beneficiaries and target groups from civil society, including women's and youth groups, which will be nurtured and expanded during the Project. Partnerships with other third parties from the PIP implementation phase include the Max Planck Institute.

UNDP will furthermore leverage its existing institutional-strengthening support to Somalia's parliamentary institutions (PSP), which focuses on the NFP, State and Regional Parliaments and Civil Society stakeholders through an integrated approach that furthermore seeks to achieve progress towards SDG 16 implementation. The Project involves activities that aim at strengthening the NFP's role in the Constitution-review, including the provision of support to the establishment of the CRC, support to consultations with the Regions within the Constitutional Framework and the organization of the National Consultative Conference. It furthermore involves several activities aimed at harmonizing the relationships between the two Houses of the NFP. These efforts will be coordinated accordingly with the here presented Project to avoid duplication and to ensure that the Projects can build on and complement each other.

In addition to working with key parliamentary support partners, UNDP also has a range of existing national and regional programmes which could be drawn on to support the Project. UNDP Somalia has a range of other projects which can be tapped for expertise, most notably in the area of rule of law, human and women rights, and security reforms, but also in relation to stabilization, state formation, local governance, poverty reduction and environmental protection. Likewise, UNDP is part of the One UN family in Somalia and intends to continue to work closely with other agencies to coordinate efforts to deliver on policy reform as well as to harness their expertise for the benefit of an inclusive constitutional review process.

The Project Team will draw on global expertise in the area of constitutional support, including expertise from other UN agencies. For example, the UNDP headquarters Constitutional Assistance and Political Dialogue Specialist and DPA Constitutional Advisor will provide quality assurance and advice in relation to constitutional issues, as well as supporting the Country Office to source swiftly experts from within the system and with other partners. The Project will also draw on the UN Standby Team mechanism, a roster of constitutional and subject-matter experts who can be deployed in-country within 72 hours as required. This Project will also coordinate closely with the other UNDP Projects and UN agencies which have technical advisors in place with key Federal Ministries who can provide technical advice on key constitutional legislation, for example, in relation to public financial management, civil service reform and anti-corruption measures. The UNSOM/UNDP Somalia Rule of Law and Security Programme also has considerable relevant expertise that will be drawn on to inform the efforts of stakeholders to develop constitutional options regarding federal approaches to the security sector, community security, police and militia reform, as well as the transitional justice elements of the Provisional Constitution.

#### ***D. Risks and Assumptions***

Somalia is a complex operating environment due to the security and political situation. The constitutional review process is highly politically sensitive and touches upon core contentious issues in Somalia that will take time to be fully worked through. Designing and delivering a Project in this environment – particularly a constitutional support process, where the nature of risks and trade-offs involves high stakes and crucial issues – requires a proper analysis of risks and assumptions in order to ensure that strategies for prioritization, implementation and partnership are properly grounded.

At the outset then, this Project recognizes certain critical assumptions about the overall political and security context, as well as the operational basis for implementation. Many of these assumptions relate to the broader political context within which the constitution-review bodies will be operating, and as such are

beyond the control of the Project. That said however, the Project will work very closely with UNSOM and other development partners to track these issues closely and offer technical advice on possible mitigation strategies where these assumptions look like veering off course. Specifically:

### **Overarching political and security context**

- The security context will not substantially deteriorate in Mogadishu and the state capitals
- The constitutional review bodies will be willing to work with each other;
- All key role players and political stakeholders will have a genuine democratic commitment to an inclusive, transparent and effective constitution-review process and will interact to build consensus positions;
- The workplan presented by the constitutional review bodies is realistic and well-planned;
- The constitutional review bodies and the FMS legislatures will be willing to work with UNDP and other implementing partners (if need be) as a constitutional support partners;
- Donors and implementing partners will work together to technically and financially support an inclusive constitution-review process and the actors involved in it and will coordinate so that efforts reinforce critical political priorities.
- Political commitment to drive the constitutional review process within the agreed timelines.

Intersecting with the assumptions above, there remain considerable risks to the overall ability of the parliaments of Somalia to operate effectively in support of an inclusive, transparent and accountably constitutional review process. While many of these risks are beyond the scope of the Project to mitigate, nonetheless it is important to recognize them when assessing the realistic ability of the Project to achieve meaningful and sustainable transformation of parliamentary institutions. A fuller set of risks is included at Annex X and will be continually updated through the life of the Project. Critical high-level risks include:

- The political situation in Somalia becomes more divided and tense and destabilizes the operations of the constitutional review bodies and the FMS
- Key role players boycott the constitutional review process due to political differences.
- The constitutional review process could stall leading to conflict between different levels of government including the legislative branches
- The constitutional review process is being monopolized by influential interest groups or individuals
- The capacity of the key constitutional review bodies is limited due to lack of subject-matter expertise, personnel and technical skills
- The mandated institutions lose credibility with the political actors and/or public, impacting the effectiveness of their work with regards to inclusivity
- Needs for the civic education / public consultation components are greater than anticipated in terms of material and financial assistance
- Potential mistrust of Civil Society partners in government institutions, such as the MoCA
- Limited capacity of Somali CSOs to deliver programmes in an effective and timely manner
- The ongoing crisis may impact on the quality of public dialogue and broad participation
- Security situation does not allow outreach to all partners in the country
- Gender interventions/gender mainstreaming risk being 'add on' where Tyranny of urgency and limited resources applies

For further details on these risks, Annex X can be referenced.

### ***E. Stakeholder Engagement***

The Project's focus is on strengthening the capacities of constitution-review bodies on both the federal and the State levels and on facilitating consultative processes between key role players and stakeholders. Key

stakeholders are respectively the MoCA, ICRIC, the CO, FMS legislatures and executives and other political stakeholders that play a key role in the constitution-review process, such as NFP, MPs and CSOs.

More broadly it is recognized that all project activities aim at benefitting the public, for whom an inclusive, transparent and accountable constitutional review process is critical. The process provides the ideal platform for the commencement of a process of robust civic education which will lay the foundations for a more politically educated and informed populace, capable of selecting good leadership, demanding enforcement and implementation of constitutional rights and provisions, and promoting peaceful and democratic conflict resolution. The Project considers civic education not just as a means to preparing the citizenry for public consultations, but as an end unto itself. In this regard, Output 2 and 3 are specifically designed to raise constitutional awareness amongst the public and create a “culture of constitutionalism” that fosters the courage and enthusiasm of citizens in pushing to ensure that the promises of the constitution are kept.

Other key stakeholders include:

**Women and women’s interest groups:** Since women’s participation and representation in political processes is low and often peripheral in Somalia, it is important to engage with women and women’s interest groups. Women and women’s interest organizations must be given the space to participate in the constitutional review process, and support will be provided to develop and implement a programme to promote gender equality issues in throughout the constitutional process and content, including providing capacity support and technical advice to women’s advocates to actively participate in the review process. It is also important to support independent research and disseminate information on gender-related constitutional provisions and that the draft amendments will be reviewed from inclusion and gender perspectives.

**Civil Society Organizations:** It is of critical importance that civil society is empowered and capacitated to participate in the constitutional review process to ensure the genuine buy-in of all Somali citizens in all Regions of the country. As with women’s interest groups, it is important to disseminate information on constitutional-making processes and opportunities for participation in the constitutional review process.

**Youth and youth organizations:** Youth engagement and inclusion in the constitutional review process is essential. Efforts are intended to provide youth with space to participate in and have access to the constitutional review process to ensure the revised Constitution adequately safeguards their political and socio-economic rights, and to have access to information on this process via civic education materials, social media channels and outreach activities in partnership with universities.

#### ***F. South-South and Triangular Cooperation (SSC/TrC)***

UNDP is very cognizant of the critical importance of offering Somali constitution-review bodies locally-appropriate advice and allowing for knowledge exchange across countries and regions.

- Regional Consultation on Constitutional Dialogue with international experts
- Support exchange with civil society actors/women’s groups/Youth groups to identify tools available to civil society during the constitutional review process / after the adoption of the constitution to support the enforcement of constitutional protections

Furthermore, UNDP’s network of regional centres and country offices will be essential, allowing the facilitation of exchanges of knowledge and experience across globe. Through UNDP’s Regional Hub in Amman, Somalia will be engaged in technical and substantive exchanges, including on topics such as the SDGs, anti-corruption and promoting social cohesion during political transitions.

#### ***G. Knowledge***

While the focus of the Project remains primarily on capacity and skills development of key role players and stakeholders involved in the constitutional review process, civic education and public consultation are critical elements of the Project’s objective to foster inclusive processes and its approach of broad based public

participation. UNDP plans to provide support on the development and distribution of civic education materials and public consultation materials (brochures, branded items, illustrations and etc). Platforms (websites, social media accounts) for recording and analysing public input will be created and will further serve as spaces for knowledge-sharing and the dissemination of information. A manual to facilitate CSOs outreach and training activities on constitutional issues in line with the developed Outreach Strategy will be developed and distributed. The Project will furthermore conduct and publish a civic and legal awareness baseline survey and facilitate research and analysis on the inclusion of and constitutional issues related to key groups (women, youth), including a review of the final draft amendments from inclusion and gender perspectives. Knowledge on the constitutional process will furthermore be developed in several workshops with all relevant stakeholders, including civil society and media. UNDP will produce regular reports to document knowledge and lessons learned generated by the Project.

## ***H. Sustainability and Scaling Up***

Due to the highly insecure operating context in Somalia, it has been necessary for UNDP to utilize national administrative and financial systems more than is usual when directly executing a Project. Challenges faced as a result of the attacks on the UN and the inability of its officers to work in Somalia directly with the partners led to the development of a hybrid approach. UNDP would implement the project directly with the partner, but the partner would have to abide by the UN Accepted methodology of Harmonized Approach to Cash Transfers (HACT). HACT is a detailed process that is challenging to implement and cumbersome to some of the institutions, however, it is a necessary process to ensure that UNDP resources, ultimately donors' money, is protected through carefully applying procedures and checks and balances." Similar to UNDP support to MOCA during Project Initiation Plan (PIP) during the period from Jul 2015 to Jun 2016 and 2<sup>nd</sup> PIP from May-Sep 2017, Project will continue to build on HACT implementation, with a view to continuing to strengthen internal financial and administrative systems to a point where they are efficient, fully transparent and accountable. HACT relies on the Project working closely with the different parliaments to develop strategies, action-plans and AWP's together. These critical documents be conceived, developed and adopted with and by national counterparts and this approach should ensure their institutional sustainability.

More generally, UNDP's entire approach through this project is to consolidate initial skills development gains with a view to strengthening the sustainability of gains in human and institutional capacity. While MOCA staff skills development will be critical, these efforts will be balanced by capacity development of the Secretariat staff in recognition of the fact that it is these permanent staff who will be responsible for providing services over the longer-term to MOCA.

The approach of participatory constitutional review employed by the Project seeks to create sustainable ownership of the revised Constitution and to build broad constitutional awareness in order to provide long-term benefits for the acceptance and implementation of the constitutional political order after the conclusion of the review process. Cooperation with political and civil society stakeholders at the regional and local levels seeks to ensure that public participation and constitutional education is continually encouraged beyond the review phase.

By supporting the establishment of a clear assignment of mandates, functions and duties between the federal and State levels and by facilitating dialogue between key role players on contentious issues, national-regional-local linkages will be strengthened, thus supporting the transformation of power and administrative structures in support of federalism, state- and peacebuilding.

By supporting MoCA to achieving long-term sustainability, the project will promote ownership and capacity development of relevant actors and institutions in order to ensure sustainability of results. Currently MoCA depends on substantial external support from donors, both with regard to supporting their basic running costs, but also to implement their mandates of the constitutional review process in collaboration with the Parliamentary Oversight Committee and the Independent Constitutional Review and Implementation Commission. The long-term goal is that costs of MoCA will be fully covered from the State budget. The Project will contribute to providing transparency on what is covered by local and external resources, in order to maintain a clear focus on efficiency and value for money. With this in mind, provision of technical assistance



and advice will also be designed to promote long-term sustainability and will make every effort to encourage this within a reasonable timeframe.

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## **IV. PROJECT MANAGEMENT**

### **Cost Efficiency and Effectiveness:**

The Project has been designed with value for money as a key priority, recognizing the multitude of needs in Somalia and the limited funding envelope of Somali governments at all levels and of donors. That said, a fundamental underpinning of parliamentary development is skills transfer based on the use of high-quality technical specialists capable of working with local partners to provide highly reliable, complex technical advice as needed, as well as more systematic longer-term capacity development. As such, the Project has been designed to enable UNDP to deploy both long-term Somali capacity development staff, complemented by international advisors and consultants with capacities to provide specialist technical inputs upon demand. Experience during PIP from Jul-2016 to Jun 2017, MoCA demonstrated the importance of both approaches – accompaniment based on relationships of trust build over time between Somalis will be crucial, but it is also necessary for UNDP to be able to offer MoCA technical advice on complex constitutional and subject-matter issues.

UNDP as the Implementing Agency will carry out some administrative-related work including procurement of goods and services. Where appropriate, the project will prepare Letters of Agreements (LoAs) with national counterparts in order to rely on national implementation capacities. With reference to recent capacity assessments conducted for all parliaments, the project will implement adequate capacity development, mitigation and monitoring measures in order to safeguard the proper use of funds. The LoA methodology responds to the difficult operating environment which makes it more challenging to deliver responsive, flexible support within the fluid Somali political environment by enabling the quick disbursement of funds for the delivery of basic activities. At the same time, UNDP uses the LoA approach as a means for building financial management and procurement capacity within counterparts, as well as to ensure stronger local ownership. LoAs were a relatively efficient and effective mechanisms for implementation during the previous PIP period from Jul 2015 to Jun 2016 and also the current PIP from May-Sep 2017 as they enable timely delivery in a highly insecure environment, while their oversight by external third parties has strengthening accountability and reduced the risk of mismanagement. That said, the CTA and head of the Accountability, Oversight & Operations Management (AOOM) Unit working for the Parliamentary Support Project will also be responsible for close monitoring of these LOAs and ensuring that LoAs and the work plans that underpin them operate to progress real results and impacts.

For the programme, UNDP is required to recover the cost for providing Implementation Support Services (ISS) on the basis of actual costs or transaction fee and direct shared cost (DPC). These costs are an integral part of programme delivery, and hence should be charged to the same budget line as the programme input itself. In determining costs the approach is to use actual costs for clearly identifiable transactions and when this is not possible, UNDP will use the Universal Price List for services (transaction fee), as reference. Fundamentally, the percentage fee for GMS is not intended to recover the cost of ISS, which instead are recovered based on a transaction fee, as described above and shared cost (DPC).

### **Project Management:**

UNDP has adopted an “Inclusive Politics” portfolio approach in support of this Project, with the Constitutional Review Support Project (CRSP) operating as part of the broader UNDP Programme Oversight and Quality Assurance. UNDP Deputy Country Director provides strategic direction to the entire portfolio, and will be supported by a Chief Technical Advisor (CTA) responsible for both Parliamentary Support Project (PSP-II) and also the Constitution Review Support Project (CRSP) with technical and management responsibilities for the entire project. With regard to the latter, the Project will also include an Accountability, Oversight and Operations Management Unit (AOOM Unit), responsible for ensuring accountable financial, procurement, logistics, administrative, reporting and monitoring & evaluation business processes for both PSP-II and CRSP. This unit will be staffed with the requisite expertise for project management services and

technical advisory services in the agreed areas. Such support is a critical investment in the high-risk environment of Somalia, where corruption remains a key problem. By focusing staff on individual outputs, UNDP will be able to dedicate more specialist expertise to achieving each output, while also empowering staff to take more responsibility for delivery and conversely, becoming more accountable for delivery or lack thereof. This is intended to improve results-based management.

The Project will be based in Mogadishu, with the CTA and AOOM Unit situated there, as well as core staff working in the area of technical constitution review, public outreach, civic education and technical legal advisory services. Other national staff supporting at the federal and State constitutional ministries will be based in each State. A regional Project Officer posted in Puntland and other regional states under Parliamentary Support Project including Jubaland State Assembly, Galmudug State Assembly, South-West State Assembly and HirShabelle State Assembly. Capacity development through mentoring will also be explored where staff numbers and openness to such approaches make this possible.

### ***Project technical and AOOM teams***

As noted above, the Project Technical Team will be headed by a Chief Technical Advisor supported by small teams with responsibilities to implement both PSP-II and CRSP. The CTA has the authority to run the Project on a day-to-day basis, under the overall supervision of the UNDP Programme Team Leader, on behalf of the UNDP within the constraints laid down by the Board. The CTA's prime responsibility is to ensure that the programme produces the results specified in the Project Document, to the required standard of quality and within the specified constraints of time and cost. The CTA will have substantial experience in political processes in transitional setting support and support for political institutions, including constitution review, ideally with experience in Africa. The CTA will be supported by a core team of full-time technical specialists, as well as having a substantial budget to bring in expert consultants. The consultancy budget recognizes that a wide range of expert skills will be needed to implement the Project, which can more easily be sourced as short-term high level experts. In addition to CTA, the Project technical team members are:

- **National Project Officer (NPO):** While the MoCA has developed basic capacities, nonetheless, there is considerable work still to be done to ensure that the MoCA has capable organizational capacities, including in relation to merit-based human resources management, financial management, internal administration and strategic support to MoCA. A national Officer will have the lead in focusing on capacity development of MoCA and State ministries of constitutional affairs.
- **National Outreach and Civic Education Officer (NOCEO):** A substantial budget has been provided to undertaken civic education activities, with a particular emphasis on building relationships with CSOs and engaging in specific outreach with women, young people and marginalized groups. The NOCEO will be responsible for designing and implementing a programme of work with CSOs to build civic commitment to the Constitution.
- **National Legal Officer** –A dedicated national officer will be focused to support the constitution review working closely with MOCA at Federal level as well as at regional level.
- **Regional Project Officer (RPO) for Puntland:** Puntland Ministry of Constitutional Affairs will be supported by a national officer based in Garowe to manage the implementation of a specific programme of work agreed with the leadership of Puntland Ministry of Constitutional Affairs. This Officer will be responsible for delivery on all aspects of the relevant Activity Results, and will be supported by the CTA and Operations Specialist;
- **Regional Project Officers:** As the different regional ministries of constitutional affairs start to become more active, national officers working under PSP-II will also support to manage the delivery of organizational development and other basic support services. These Officers will be managed by the CTA who will provide them with technical guidance and oversight and Operations Specialist as they take the lead on delivering results on the ground.

### ***Pool of Short Term Experts:***

- Under PIP (2015-16), Project has already successfully developed a small group of quick deploy, high level constitution specialists, who can quickly deliver short-term injections of technical advice, training and/or guidance upon demand by partners. This pool of experts will be developed in this new phase of project to grow the breadth of their expertise and their ability to deliver to more institutions. They will be put on long-term retainers to enable their rapid deployment and more efficient use of resources.

### **Accountability, Oversight & Operations Management (AOOM) Unit**

The AOOM ensures appropriate implementation of project operations, according to standard operating procedures and compliance of operations with UNDP rules, regulations and policies, as well as implementation of corporate operational strategies in the following areas:

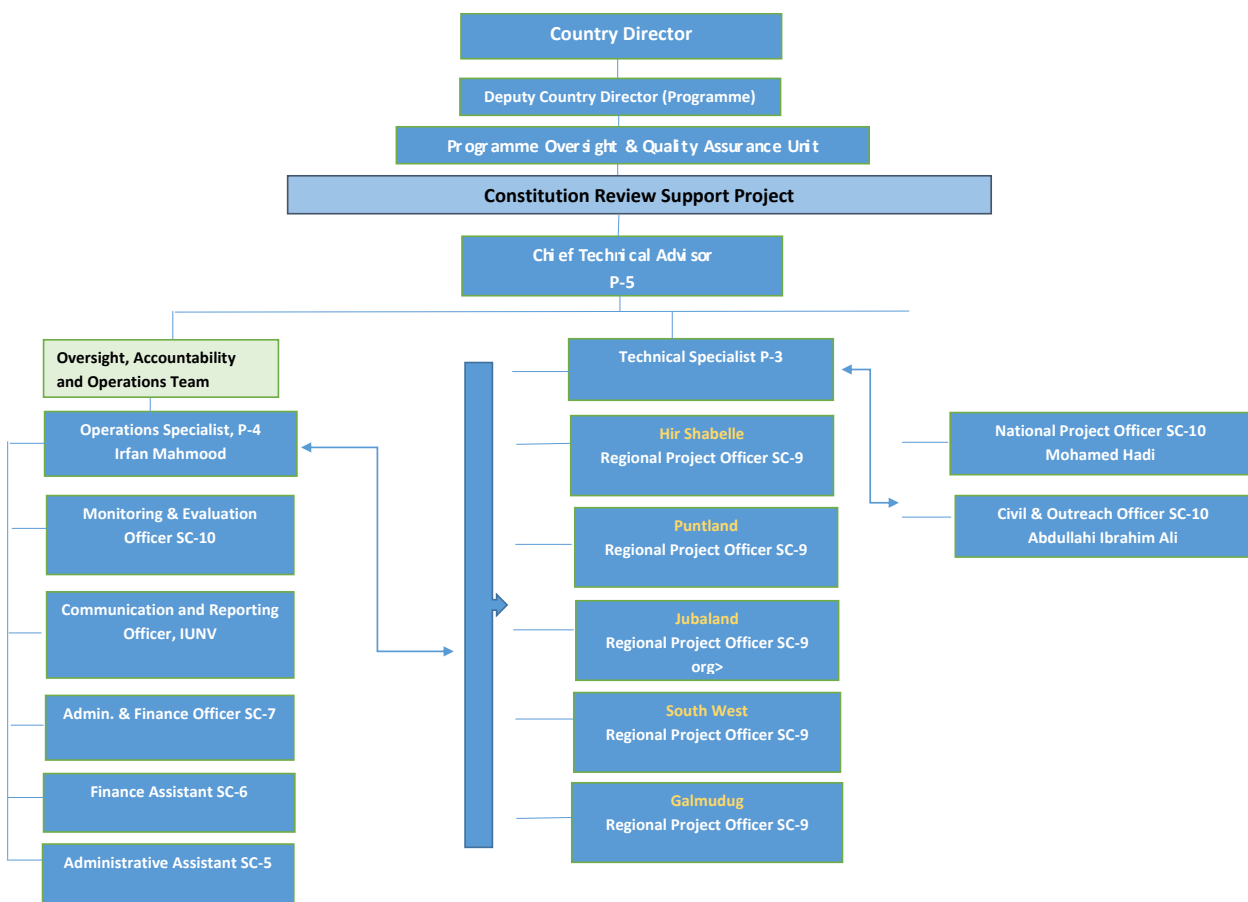
- **Financial Resources Management:** Proper planning, expenditures tracking and audit of financial resources in accordance with UNDP rules and regulations, organization and oversight of project cash management processes and timely accounting and reconciliation of all transactions. Also providing guidance and technical advisory on electoral budget and finance and capacitating the Budget and Finance departments of parliaments in sustainable management of its resources.
- **Human Resources Management:** Strategic human resource management focusing on Parliament's compliance with its human resources policies and strategies; improved oversight of recruitment processes and performance management systems of Parliaments.
- **Efficient Procurement, Logistical Services and Assets Management:** Delivery in accordance with UNDP rules and regulations focusing on procurement strategies; sourcing strategy; supplier selection and evaluation; quality management; and overall proper management of UNDP assets, facilities and logistical services; also provision of technical advice to Parliaments on improvement of its procurement capacity for procurement of goods, services and civil works and its effective management.
- **Monitoring and Evaluation:** Monitoring and evaluation will be integral part of project implementation. The management team will monitor progress by tracking outputs and activity results against indicators and benchmarks for each planned activity. Qualitative measurements and assessments will include compliance with human rights principles, aid effectiveness principles. A Monitoring Plan shall be developed annually in line with the activities and also including the monitoring and spot check missions.
- **Communication and Reporting:** Regular Communication and Reporting will strengthen the relationships with national Government counterparts, bilateral donor partners and other stakeholders. This includes monthly information sharing in the form of newsletters, quarterly and annual progress reporting. Quarterly project reporting will provide on-going activity updates and inform stakeholders in real time, about issues arising. Annual Progress Reports will focus on the extent to which progress has been made towards programme objectives and outcomes. Donor and stakeholder involvement in this process will be encouraged. The annual progress report will be produced during the fourth quarter of each year as a basis for assessing the performance of the programme. This review will involve all key stakeholders and focus on the extent, to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes. Internal reporting within the project will help track activities and progress thereof.

Together with the UNDP Country Office's overall accountability structures, the AOOM Unit under PSP-II will also provide support to CRSP to ensure efficient and effective management of the project resources, in particular (but not limited) the proper execution of the budget, the full compliance with monitoring and evaluation plans, and a maintained unqualified audit report, as well as the implementation of the project as foreseen in the governance arrangements.

- **International Operations Specialist (P-4):** The Operations Specialist PSP-II will also manage the AOOM Unit and provide direct support to the CTA on planning, project management and implementation, reporting, M&E and donor relations. Project support will be managed by the Operations Specialist who will be supported by a national team and IUNVs.

- **National Monitoring and Evaluation Officer (M&E):** National Officer of PSP II will also be responsible for managing M&E for the CRSP, recognizing how important this is to ensuring the project manages its risks and is responsive to the fluid working environment. This Officer will support the Operations Specialist with project reporting, through active collection of data, activity reports, success stories and lessons learned, as well as supporting the various M&E activities regularly undertaken by the Project;
- **Communication and Reporting Officer (CRO) (IUNV):** CRO of PSP II will also be responsible for communication and reporting for the CRSP. The CRO will work to ensure the public understand and are supported to engage with the constitution review process.
- **National Administration & Finance Officer (AFO):** AFO under PSP II will also support the Operations Specialist to undertake various functions in relation to financial management, procurement, human resources, administration and logistics of CRSP.
- **National Finance Assistant (NFA):** The NFA under PSP II will also support the Operations Specialist and AFO to ensure proper administration and management of all aspects of the CRSP.

**Project Organogram:**



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## V. RESULTS FRAMEWORK

**Intended Outcome as stated in the Country Programme Document (CPD):**

**Outcome 2 “Somali women and men, girls and boys benefit from more inclusive, equitable and accountable governance, improved services, human security, access to justice and human rights”**

**Outcome indicators as stated in the CPD:**

- Output .1: “Mechanisms for the transition to democratic and accountable structures and systems of governance designed and implemented.”
- Output 2.3: The capacities of parliamentary and civil society actors strengthened for effective and accountable Government oversight.

Output 4.2: Women’s participation in peace-building, representation, civil service and public life increased at all levels.

**Applicable Output(s) from the UNDP Strategic Plan: Output 2.1.** Parliaments, constitution making bodies and electoral institutions enabled to perform core functions for improved accountability, participation and representation, including for peaceful transitions

**Project title and Atlas Project Number: Constitution Review Support Award/ Project ID: 00099032**

EXPECTED OUTPUTS & OUTPUT INDICATORS	ACTIVITY RESULTS	DAT A SOU RCE	BASELINE		<i>TARGETS (by frequency of data collection)</i>		DATA COLLECTION METHODS & RISKS
			Value	Year	Year 1 (Jan 2018 – Dec 2018)	Year 2 (Jan 2019 – Dec 2019)	

<p><b>Output 1: Effective participation on the constitutional review process resolves key contentious issues on all levels.</b></p> <p><b>Indicators:</b></p> <p><b>1.1: # of thematic issues raised and discussed in consultative and inclusive forums.</b></p> <p><b>1.2 : Legislative roles defined for federal and state level parliaments within the new parameters defined by new revised constitution</b></p>	<p><b>Activity Result 1.1: Capacity of MoCA members and staff to effectively manage the process of consultations and negotiations strengthened.</b></p> <ul style="list-style-type: none"> <li>Recruit and build the capacity of a team of constitutional experts fluent in English and Somali language to support MoCA</li> <li>Conduct induction training for MoCA members on the goals and principles of constitution-making and the Somali constitutional process</li> <li>Conduct trainings and thematic sessions with MoCA members on process issues and technical/substantive issues of constitution-making</li> <li>Conduct induction training for MoCA members on negotiation, dialogue, mediation and conflict resolution</li> <li>Conduct specific mediation trainings with respect to sensitive and contentious issues constitutional issues with a view to MoCA's role in different negotiation fora</li> <li>Conduct specific trainings on budget management and resource mobilization</li> <li>Support to soliciting of public feedback during consultative processes</li> <li>Support preparation/collection of reports during various stages of consultative processes</li> <li>Support to preparation and enactment of national referendum law</li> <li>Support to preparation and holding of a public referendum on the constitution</li> <li>Conduct induction training on constitutional review process for Secretariat staff</li> <li>Provide ongoing capacity development to Secretariat staff to provide support to MoCA with a view to public outreach and communications</li> <li>Provide ongoing capacity development to Secretariat staff to provide quality research, logistics and administrative services to members of MoCA</li> </ul>	<p><i>Govt reports from consultation forums</i></p> <p><i>Legal framework work</i></p> <p><i>Third party monitoring</i></p>	<p>1.1: There is no formal mechanism for discussion on thematic areas for constitutional review process.</p> <p>1.2: Legislative competencies for regional parliaments not defined.</p>		<p>1.1a: Mechanism for national dialogue on thematic areas established.</p> <p>1.1b: At least 2 thematic issues raised and discussed in consultative and inclusive forums.</p> <p>1.2: the competencies of the legislative institutions at regional level discussed vis-à-vis federal level</p>	<p>1.1a: Mechanism for national dialogue on thematic areas established.</p> <p>1.1b: At least 4 thematic issues raised and discussed in consultative and inclusive forums, with at least two issues resolved.</p> <p>1.2: Legislative competencies for federal regional parliaments defined.</p>	<p><i>Risks:</i></p> <p><i>-Lack of political will and support to conclude the constitution review process.</i></p> <p><i>Government doesn't regularize and legalize the federal member states.</i></p> <p><i>No consensus reached on the allocation of powers.</i></p>
	<p><b>Activity Result 1.2: Capacity of ICRC members and staff to effectively provide technical support to the ICRC strengthened.</b></p>				<p>•</p>	<p>•</p>	

<ul style="list-style-type: none"> <li>Recruit and build the capacity of a team of constitutional experts fluent in English and Somali language to support ICRIC</li> <li>Conduct induction training for new ICRIC members and staff on the goals and principles of constitution-making and the Somali constitutional process</li> <li>Provide ongoing support to preparation of draft amendments/proposals and reports throughout the various stages of the review process Provide ongoing support to establishing a procedure to record, organize, analyze, and review submissions made by all role players and stakeholders, and translate them into draft constitutional text</li> <li>Provide ongoing capacity development to staff to provide legislative drafting and technical advice and reporting to OC</li> <li>Provide ongoing capacity development to staff with a view to public outreach, communications and consultations</li> </ul>						
<p><b><i>Activity Result 1.3: The capacities of the FMS and the Banadir Regional Administration to effectively contribute to the constitutional review process are strengthened.</i></b></p> <ul style="list-style-type: none"> <li>Conduct seminars/workshops in each FMS and the Banadir Region on the constitutional review process, including the development of respective Action Plans and the selection of new members of ICRIC from the Regional States</li> <li>Provide support to the establishment of Committees/Working Groups in each FMS and the Banadir Region responsible for the constitutional review process</li> <li>Conduct targeted trainings / seminars tied to critical chapters of the Constitution and contentious issues</li> </ul>				•		
<p><b><i>Activity Result 1.4: Political dialogue, negotiations and broad-based consensus building between all key players and relevant stakeholders involved in the constitutional review and implementation process enhanced.</i></b></p>			•	•		



	<ul style="list-style-type: none"> <li>• Support to negotiation and development of Workplan endorsed by all political stakeholders</li> <li>• Facilitate planning, logistical arrangements, travel, accommodation, facility management, security and coordination of National Convention,</li> <li>• Develop information and communications material to be used and distributed during the Convention</li> <li>• Manage public information and media recording facilities</li> <li>• Facilitate planning, logistical arrangements, travel, accommodation, facility management, protocol management and coordination of national dialogue events for the key political role players to meet, debate and negotiate</li> <li>• Technical advice available, including for developing schedule of consultative workshops and agenda of issues under consideration</li> <li>• Provide substantive and process expert support to mediate and facilitate the negotiations national dialogue events, as per request</li> <li>• Support compilation of results and reporting on Political Consultations between Federal Government and FMS and the Banadir Region</li> <li>• Facilitate planning, logistical arrangements and coordination of National Finalization Convention</li> <li>• Support drafting of final review report and incorporation of results from the national dialogue into the final draft constitutional amendments</li> </ul>						
	<p><b><u>Activity Result 1.5: Harmonization of Federal Constitution and FMS Constitutions.</u></b></p> <ul style="list-style-type: none"> <li>• Support harmonization of FMS Constitutions and Federal Constitutions through facilitating national roundtables and consensus-building workshops, including the development of an Action Plan</li> </ul>				•	•	

	<ul style="list-style-type: none"> <li>• Provide constitutional expertise and technical advice throughout harmonization process to mediate and facilitate the negotiations</li> <li>• Provide technical and issues-based support to FMS MoCAs</li> </ul>						
<p><b>Output 2: General population knowledge on the constitutional review process is enhanced.</b></p> <p>Indicator 2.1: Civic Education plan is implemented at regional and federal level in partnership with civil society.</p> <p>Indicator 2.2: # of Civil society (include vulnerable groups) partners engaged in the civil education activities.</p>	<p><b>Activity Result 2.1: An inclusive and transparent civic education process led by all mandated key players to lend legitimacy and credibility to the process developed and implemented.</b></p> <ul style="list-style-type: none"> <li>• Recruit and build the capacity of a civic education team of experts fluent in English and the Somali language to support MoCA</li> <li>• Conduct a civic and legal awareness baseline survey</li> <li>• Identify and reach out to CSOs to conduct civic education</li> <li>• Support MoCA, CO and ICRC to develop conflict and gender-sensitive civic education strategy and programme</li> <li>• Prepare, print and distribute civic education materials, including the technical reports produced during the 9th Parliament (brochures, branded items, illustrations, etc.) and materials on the revised Provisional Constitution</li> <li>• Design of website and conduct of web based consultations/dissemination of civic education materials</li> </ul>	Civic education plan, Reports from civil education forums (including picture, list of participants); Community submissions to the constitutional review process.	<p>2.1. A civic education plan has not been implemented at regional and federal levels in partnership with civil society</p> <p>2.2. civil society currently not engaged in the civic education activities for the the constitutional review process.</p>	2016	<p>2.1: Civic education forums organized in 3 regions with participation of communities including vulnerable groups.</p> <p>2.2: At least five CSOs participate in networks carrying out civic education activities in each region.</p>	<p>2.1: Inputs from communities including vulnerable groups submitted as contribution to the constitution review process.</p> <p>2.2: At least five CSOs participate in networks carrying out civic education activities in each region.</p>	<p><i>Constitutional review process politicized. Security situation does not allow mobility of civil society.</i></p> <p><i>No consensus reached on the allocation</i></p>
	<p><b>Activity Result 2.2: CSO capacities to lead civic education process in the future strengthened.</b></p> <ul style="list-style-type: none"> <li>• Conduct training of trainers on civic education and public for MoCA, media and civil society</li> <li>• Ongoing support to CSOs to conduct civic education on and disseminate amendment proposals</li> <li>• Develop key materials to help guide CSO education outreach</li> <li>• Support to provision of opportunities (online-platforms, roundtables, etc.) for Somalis to freely and openly discuss issues of concern to them and the linkages to the Constitution</li> </ul>						

<p><b>Output 3: key actors implement outreach strategy and civil society engagement in the constitutional review and implementation process.</b></p> <p><i>OP indicator 3.1: Strategy on public consultations with special focus on marginalized groups (women, IDPs, youth, persons with disabilities) drafted</i></p> <p><i>OP indicator 3.2: Key players lead # of public consultation in all regions.</i></p>	<p><b>Activity Result 3.1: MoCA outreach and dialogue capacities are strengthened.</b></p> <ul style="list-style-type: none"> <li>Recruit and build the capacity of stakeholder management, CSO engagement and public education programme teams of experts fluent in English and Somali language to support MoCA</li> <li>Conduct induction training for MoCA members on messaging/communications, public outreach and civic education</li> <li>Direct Support to marginalized groups women and youth with disabilities and IDPs to ensure effective direct engagement in the review process .</li> <li>Support to preparation of Draft Public Consultation Documents in cooperation with ICRIC, OC and FMS MoCAs</li> <li>Support development of simple MoCA Communication &amp; Messaging Strategy to explain the MoCA’s work, manage public’s expectation and ensure regular updates provided to public and stakeholders</li> <li>Support establishment and maintenance of the MoCA website and social media accounts</li> </ul>	<p><i>Strategy on public consultations ; Report s/pictures from public consultations Intern atak and third party monitoring reports.</i></p>	<p>3.1: Strategy on public consultations with special focus on marginalized groups (women, IDPs, youth, persons with disabilities) is not drafted</p> <p>3.2: No public consultation held in any region.</p>	<p>2016</p>	<p>3.1: Strategy on public consultations with special focus on marginalized groups (women, IDPs, youth, persons with disabilities) is drafted</p> <p>3.2: At least 1 public consultation held in each region.</p>	<p>3.1: Strategy on public consultations with special focus on marginalized groups (women, IDPs, youth, persons with disabilities) is under implementation.</p> <p>3.2: At least 2 public consultation held in each region.</p>	<p>Risks</p> <p>Politicization of the constitutional review process.</p> <p>Lack of coordination between key players</p> <p>Lack of political support from the government at federal and regional level.</p>
	<p><b>Activity Result 3.2: Inclusive and transparent public consultation process developed and implemented.</b></p> <ul style="list-style-type: none"> <li>Recruit and build the capacity of an experts’ team fluent in English and Somali language for communications, research and legal advice to support the consultation process</li> <li>Conduct induction training for FMS MoCAs members on messaging/communications, public outreach and civic education</li> <li>Technical advisory support on key topics such as women’s participation and youth</li> </ul>				<ul style="list-style-type: none"> <li># public consultation experts recruited</li> <li># experts on key topics recruited</li> <li>Induction training held for members of # FMS MoCAs</li> <li>Public consultation strategy and programme developed</li> <li>Consultation materials prepared and adjusted to regional circumstances and needs, and distributed</li> <li># public consultation fora held in # Regions</li> </ul>	<ul style="list-style-type: none"> <li># public consultation fora held in # regions</li> <li># interviews with selected representatives in all Regions</li> <li>Records / transcripts of all public discussions and dialogues</li> <li># reports from public consultations</li> </ul>	

<p>participation other marginalized groups (IDPs, special persons with disabilities and poor) to support MoCA and FMS MoCAs in their outreach to marginalized populations of Somalia</p> <ul style="list-style-type: none"> <li>• Provide additional technical assistance and expertise as needed to MoCA and FMS MoCAs to support administration, procedures and modus operandi relating to public consultations as per request</li> <li>• Develop public consultation strategy and programme</li> <li>• Prepare, print and disseminate public consultation materials (including non-written materials)</li> <li>• Conduct public consultations at all levels in all Regions at least once (interviews, public hearings, focus group discussions, community leaders and religious leaders meetings)</li> <li>• Conduct public consultations with key groups and consultations based on specific thematic issues.</li> <li>• Analyse public consultation data and prepare report – collate and synthesize views and draft reports from public consultations</li> </ul>				<ul style="list-style-type: none"> <li>• # interviews with selected representatives in all Regions</li> <li>• Records / transcripts of all public discussions and dialogues</li> <li>• # reports from public consultations</li> </ul>		
<p><b><i>Activity Result 3.3: Capacities of journalists and media to analyze and inform about constitutional issues enhanced and strategic partnerships established between the key players and media.</i></b></p> <ul style="list-style-type: none"> <li>• Provide constitution making training to central and regional media entities, journalists, editors, media house executives with a focus on ethical, objective and conflict sensitive reporting and conduct media monitoring</li> <li>• Develop partnerships with radio and TV to run MoCA, OC and ICRIC outreach activities</li> <li>• Support journalists and media to serve as intermediaries between the review bodies and the population in order to allow for broad public dialogue and to make people’s voices heard by the constitution-making bodies</li> </ul>		<p>Limited capacity of journalists and media on the constitutional making process and constitutional issues</p>		<ul style="list-style-type: none"> <li>• Resource material and training to journalists on the constitutional review process and constitutional issues developed (focus: gender and social inclusion issues)</li> <li>• # media representatives trained on constitution making process and reporting,</li> <li>• Partnerships with # channels / radio stations</li> </ul>	<ul style="list-style-type: none"> <li>• # media representatives trained on constitution making process and reporting</li> <li>• Partnerships with # channels / radio stations</li> <li>• Level of public/media debate on review and issues increased (e.g. # of radio episodes, # of talkshows)</li> </ul>	
<p><b><i>Activity Result 3.4: CSOs are equipped with the necessary tools, instruments and capacity to effectively engage and participate in the</i></b></p>		<p>Very limited capacity and engagement of CSOs on constitutional matters.</p>		<ul style="list-style-type: none"> <li>• # proposals pertaining to CSO involvement in the constitutional process</li> <li>• Training module developed</li> </ul>	<ul style="list-style-type: none"> <li>• 4 trainings delivered to CSOs</li> </ul>	

<p><b>constitutional review and implementation process.</b></p> <ul style="list-style-type: none"> <li>• Prepare detailed proposals pertaining to CSO involvement in the constitutional review process</li> <li>• Trainings for CSOs on constitutional matters to enhance capacity for engaging in the constitutional review process</li> <li>• Trainings for CSOs on monitoring and reporting on the constitutional review process</li> <li>• Support exchange with civil society actors from the region to identify tools available to civil society during the constitutional review process</li> <li>• Small grants programme for community based activities relating to constitutional awareness raising, outreach and participation for the constitution-making process</li> </ul>				<ul style="list-style-type: none"> <li>• 3 trainings delivered to CSOs</li> <li>• # capacity strengthening seminars offered to # CSOs</li> <li>• # exchange events for CSOs with civil society actors from the region</li> <li>• # CSOs receive small grants</li> </ul>	<ul style="list-style-type: none"> <li>• # capacity strengthening seminars offered to # CSOs</li> <li>• # public consultations receive civil society input</li> <li>• # proposals drafted by CSOs for CRC consideration</li> <li>• Report on community based activities and results from CSOs in the small grants programme</li> </ul>	
<p><b>Activity Result 3.5: Women's participation and engagement in the constitutional review process strengthened.</b></p> <ul style="list-style-type: none"> <li>• Develop and implement a programme to promote gender equality issues in throughout the constitutional process and content, including providing capacity support and technical advice to women's advocates (Women's NGOs/CSOs) for engaging in the constitutional review process</li> <li>• Provide grants to Women's groups</li> <li>• Support independent research on specific interests by interest and marginalized groups (gender, vulnerability)</li> <li>• Share best practices through exchange of information, support exchange of knowledge with women's advocates from the region</li> <li>• Support women's advocates in prepare and making submissions to OC and ICRC</li> <li>• Draft amendments reviewed from inclusion and gender perspectives</li> </ul>				<ul style="list-style-type: none"> <li>• # specialist / research analysis with focus on women's participation in the constitutional review process</li> <li>• # women's groups receive training on advocacy and other skills for engaging in the constitutional review process</li> <li>• 2 women's groups are provided with grants to conduct community outreach</li> <li>• # exchange meetings between Somali women's groups and women's advocates from the region</li> </ul>	<ul style="list-style-type: none"> <li>• 4 Women's groups provided grants.</li> <li>• # exchange meetings between Somali women's groups and women's advocates from the region</li> <li>• # public consultations receive women's group input</li> <li>• # proposals developed by women's groups for OC/ICRC consideration</li> <li>• 1 independent review of draft amendments from inclusion and gender perspectives for OC/ICRC consideration</li> </ul>	
<p><b>Activity Result 3.6: Youth's participation and engagement in the constitutional review process strengthened.</b></p>				<ul style="list-style-type: none"> <li>• # specialist / research analysis with focus on youth participation</li> </ul>	<ul style="list-style-type: none"> <li>• # specialist / research analysis with focus on youth participation in</li> </ul>	

	<ul style="list-style-type: none"> <li>• develop and implement a programme including an awareness-raising campaign to engage youth in the constitutional reform process, including outreach with Universities and through social media</li> <li>• Work with Youth groups to deliver training on advocacy and other skills for engaging in the constitutional review process to ensure safeguarding their political and socio-economic rights in a revised Constitution</li> <li>• Provide grants to Youth groups</li> <li>• Support independent research on specific interests by interest and marginalized groups (age, vulnerability)</li> <li>• Share best practices through exchange of information</li> <li>• Support Youth advocates in preparing and making submissions to OC and ICRC</li> </ul>			<p>in the constitutional review process</p> <ul style="list-style-type: none"> <li>• 3 youth groups receive training on advocacy and other skills for engaging in the constitutional review process</li> <li>• Grants to # youth groups to conduct community outreach activities</li> <li>• Partnerships with # universities established, education programme on youth engagement developed</li> </ul>	<p>the constitutional review process</p> <ul style="list-style-type: none"> <li>• 4 youth groups receive training on advocacy and other skills for engaging in the constitutional review process</li> <li>• Grants to # youth groups to conduct community outreach activities</li> <li>• # public consultations receive youth group input</li> <li>• # proposals developed by youth groups for OC/ICRC consideration</li> </ul>	
	<p><b>Activity Result 3.7: Revised constitution is published and distributed in all Regions.</b></p> <ul style="list-style-type: none"> <li>• Constitution will be published, printed and widely circulated in Somalia and to all stakeholders.</li> </ul>				<ul style="list-style-type: none"> <li>• Revised Constitution printed and distributed in all Regions and to all stakeholders</li> </ul>	

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## **VI. MONITORING AND EVALUATION**

Monitoring and evaluation will be integral part of project implementation. The Project Board will assess progress and risks on a twice per a year basis. The Accountability, Oversight and Operations management team will monitor progress by tracking outputs and activity results against indicators and benchmarks for each planned activity. Qualitative measurements and assessments will include compliance with human rights principles, aid effectiveness principles, and the Parliaments’ Codes of Conduct as appropriate.

Monitoring and evaluation of the project will involve the following processes:

### **Within the annual project cycle**

- Project Progress Reports shall be submitted to the Project Board through the UNDP Programme Unit and Planning and Partnership Unit (PPU) of UNDP Country Office. As part of its obligation to quality assure all programming funded through UNDP, the UNDP Country Office will continually review project planning documents and undertake periodic monitoring and spot check missions in partnership with parliament and donors as appropriate. The results of these quality assurance exercises will be used to support continuous strengthening of UNDP support to parliaments and will be reflected in the project reporting.
- Monthly Newsletters shall be submitted to all stakeholders, national counterparts, implementing partners, donors and UNDP CO.
- A Monitoring Plan shall be developed annually in line with the activities and also including the monitoring and spot check missions.
- Monthly or fortnightly project reporting will provide on-going activity updates and inform stakeholders in real time, about issues arising.
- Internal reporting within the project will help track activities and progress thereof.
- An Issue Log shall be activated in Atlas and updated by the project management support unit to facilitate tracking and resolution of potential problems or requests for change.
- A Risk Log, based on the generalized risk assessment provided in this document, shall also be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation.
- A Lessons Learnt Log shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons Learnt Report.
- Financial Analysis will accompany all project progress reports that will include delivery rates to ensure all UNDP and donor resources are being utilized in accordance with the project document and annual work plans/budgets. Further, the project shall be subject exclusively, to the internal and external-auditing procedures provided for in the financial regulations, rules and directives of UNDP.

### **Internal Assessments**

- Quarterly Assessments shall be undertaken, based on quarterly work plans, to determine progress.
- Annual Project Review shall be conducted internally during the fourth quarter of each year, or soon after, to assess the performance of the project, and appraise the Annual Work Plan for the following year. In the last year of the project, this review will be a Final Assessment. This review will be 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 CPD outcomes.

### **Independent Reviews and Evaluations**

- A final evaluation of the project will be conducted in 2019. The structure of this evaluation will be determined by UNDP but based on the interests, concerns and inputs of stakeholders. This evaluation should inform objective, independent reports on project progress towards stated objectives, issues arising, lessons learned, and include recommendations to improve future implementation.

In accordance with UNDP’s programming policies and procedures, the project will be monitored through the following monitoring and evaluation plans:

## Monitoring Plan

Monitoring Activity	Purpose	Frequency	Expected Action	Partners (if joint)	Cost (if any)
<b>Track results progress</b>	Progress data against the results indicators in the RF will be collected and analyzed to assess the progress of the project in achieving the agreed outputs.	Quarterly, or in the frequency required for each indicator.	Slower than expected progress will be addressed by project management.		None – CTA to take action as necessary
<b>Third Party Monitoring</b>	External third party agencies will be contracted by the Partnerships and Planning Unit to verify activities and outputs, and undertake assurance on project results.	Dependent on partner risk rating. Recommended once a month		Third party contractors	1.5% of the cost will go into third party monitoring and its management
<b>Monitor and Manage Risk</b>	Identify specific risks that may threaten achievement of intended results. Identify and monitor risk management actions using a risk log. This includes monitoring measures and plans that may have been required as per UNDP's Social and Environmental Standards. Audits will be conducted in accordance with UNDP's audit policy to manage financial risk.	Quarterly	Risks are identified by project management and actions are taken to manage risk. The risk log is actively maintained to keep track of identified risks and actions taken.		None – Project Team to undertake and CTA to review and recommend action
<b>Learn</b>	Knowledge, good practices and lessons will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project.	At least annually	Relevant lessons are captured by the project team and used to inform management decisions.		None – Project Team to undertake
<b>Annual Project Quality Assurance</b>	The quality of the project will be assessed against UNDP's quality standards to identify project strengths and weaknesses and to inform management decision making to improve the project.	Annually	Areas of strength and weakness will be reviewed by project management and used to inform decisions to improve project performance.		None – Project Team and Project Board to undertake
<b>Annual Project Report</b>	A progress report will be presented to the Project Board and key stakeholders, consisting of progress data showing the results achieved against pre-defined annual targets at the output level, the	Annually, and at the end of the project (final report)	To be reviewed by the Project Board (see below) and recommendations made for action. Performance data, risks, lessons and quality will be discussed by the project board and		None



	annual project quality rating summary, an updated risk long with mitigation measures, and any evaluation or review reports prepared over the period.		used to make course corrections.		
<b>Project Review (Project Board)</b>	The project's governance mechanism (i.e., project board) will hold regular project reviews to assess the performance of the project and review the Multi-Year Work Plan to ensure realistic budgeting over the life of the project. In the project's final year, the Project Board shall hold an end-of project review to capture lessons learned and discuss opportunities for scaling up and to socialize project results and lessons learned with relevant audiences.	Twice a year	Any quality concerns or slower than expected progress should be discussed by the project board and management actions agreed to address the issues identified.		\$20,000 (cost of hosting, flights to different regions)

### Evaluation Plan<sup>18</sup>

Evaluation Title	Partners (if joint)	Related Strategic Plan Output	UNDAF/CPD Outcome	Planned Completion Date	Key Evaluation Stakeholders	Cost and Source of Funding
End of Project Evaluation	Project donors, UNSOM	2.1		Aug 2019	MoCA and States MoCAs, CSOs, donors, UNSOM	Project funding

<sup>18</sup> Optional, if needed

## VII. MULTI-YEAR WORK PLAN

EXPECTED OUTPUTS	PLANNED ACTIVITIES	Planned Budget by Year (in USD)		RESPONSIBLE PARTY	PLANNED BUDGET		
		2018	2019		Funding Source	Budget Description	Amount (in USD)
<p><b>Output 1: Effective participation on the constitutional review process resolves key contentious issues on all levels.</b></p>	<p><b>Activity Result 1.1: Capacity of MoCA members and staff to effectively manage the process of consultations and negotiations strengthened.</b></p> <ul style="list-style-type: none"> <li>Recruit and build the capacity of a team of constitutional experts fluent in English and Somali language to support MoCA</li> <li>Conduct induction training for MoCA members on the goals and principles of constitution-making and the Somali constitutional process</li> <li>Conduct trainings and thematic sessions with MoCA members on process issues and technical/substantive issues of constitution-making</li> <li>Conduct induction training for MoCA members on negotiation, dialogue, mediation and conflict resolution</li> <li>Conduct specific mediation trainings with respect to sensitive and contentious issues constitutional issues with a view to MoCA's role in different negotiation fora</li> <li>Conduct specific trainings on budget management and resource mobilization</li> <li>Support to soliciting of public feedback during consultative processes</li> <li>Support preparation/collection of reports during various stages of consultative processes</li> <li>Support to preparation and enactment of national referendum law</li> <li>Support to preparation and holding of a public referendum on the constitution</li> <li>Conduct induction training on constitutional review process for Secretariat staff</li> <li>Provide ongoing capacity development to Secretariat staff to provide support to MoCA with a view to public outreach and communications</li> <li>Provide ongoing capacity development to Secretariat staff to provide quality research, logistics and administrative services to members of MoCA</li> </ul>	450,000	450,000	UNDP MOCA	Donors	71600- Travel 71800-Contractual Services-Imp Partners 72100- Contractual Services-Companies 72200- Equipment & Furniture 72400- Communication 72800- Information Technology Equipmt 73200- Premises Alternations 73400- Rental & Maint of Other Equip 72500- Office Supplies 74200 Audio Visual and Printing Production Costs 75700- Training, Workshops and Conferences	900,000

	<p><b>Activity Result 1.2: Capacity of ICRIC members and staff to effectively provide technical support to the ICRIC strengthened.</b></p> <ul style="list-style-type: none"> <li>Recruit and build the capacity of a team of constitutional experts fluent in English and Somali language to support ICRIC</li> <li>Conduct induction training for new ICRIC members and staff on the goals and principles of constitution-making and the Somali constitutional process</li> <li>Provide ongoing support to preparation of draft amendments/proposals and reports throughout the various stages of the review process Provide ongoing support to establishing a procedure to record, organize, analyze, and review submissions made by all role players and stakeholders, and translate them into draft constitutional text</li> <li>Provide ongoing capacity development to staff to provide legislative drafting and technical advice to OC</li> <li>Provide ongoing capacity development to staff with a view to public outreach, communications and consultations</li> </ul>	250,000	250,000	UNDP MOCA	Donors	71600- Travel 71800-Contractual Services-Imp Partners 72100- Contractual Services-Companies 72200- Equipment & Furniture 72400- Communication 72800- Information Technology Equipmt 73400- Rental & Maint of Other Equip 72500- Office Supplies 74200 Audio Visual and Printing Production Costs 75700- Training, Workshops and Conferences	500,000
	<p><b>Activity Result 1.3: The capacities of the FMS and the Banadir Regional Administration to effectively contribute to the constitutional review process are strengthened.</b></p> <ul style="list-style-type: none"> <li>Conduct seminars/workshops in each FMS and the Banadir Region on the constitutional review process, including the development of respective Action Plans and the selection of new members of ICRIC from the Regional States</li> <li>Provide support to the establishment of Committees/Working Groups in each FMS and the Banadir Region responsible for the constitutional review process</li> <li>Conduct targeted trainings / seminars tied to critical chapters of the Constitution and contentious issues</li> </ul>	200,000	200,000	UNDP MOCA	Donors	71600- Travel 71800-Contractual Services-Imp Partners 72100- Contractual Services-Companies 72200- Equipment & Furniture 72400- Communication 74200 Audio Visual and Printing Production Costs 75700- Training, Workshops and Conferences	400,000

	<p><b><i>Activity Result 1.4: Political dialogue, negotiations and broad-based consensus building between all key players and relevant stakeholders involved in the constitutional review and implementation process enhanced.</i></b></p> <ul style="list-style-type: none"> <li>• Support to negotiation and development of Workplan endorsed by all political stakeholders</li> <li>• Facilitate planning, logistical arrangements, travel, accommodation, facility management, security</li> <li>• Develop information and communications material to be used and distributed during the Convention</li> <li>• Manage public information and media recording facilities</li> <li>• Facilitate planning, logistical arrangements, travel, accommodation, facility management, protocol management and coordination of national dialogue events for the key political role players to meet, debate and negotiate</li> <li>• Technical advice available, including for developing schedule of consultative workshops and agenda of issues under consideration</li> <li>• Provide substantive and process expert support to mediate and facilitate the negotiations national dialogue events, as per request</li> <li>• Support compilation of results and reporting on Political Consultations between Federal Government and FMS and the Banadir Region</li> <li>• Facilitate planning, logistical arrangements and coordination of National Finalization Convention</li> <li>• Support drafting of final review report and incorporation of results from the national dialogue into the final draft constitutional amendments</li> </ul>	500,000	500,000	UNDP MOCA	Donors	75700- Training, Workshops and Conferences 74200 Audio Visual and Printing Production Costs 71800-Contractual Services-Imp Partners	1,000,000
	<p><b><i>Activity Result 1.5: Harmonization of Federal Constitution and FMS Constitutions.</i></b></p> <ul style="list-style-type: none"> <li>• Support harmonization of FMS Constitutions and Federal Constitutions through facilitating national roundtables and consensus-building workshops, including the development of an Action Plan</li> <li>• Provide constitutional expertise and technical advice throughout harmonization process to mediate and facilitate the negotiations</li> <li>• Provide technical and issues-based support to FMS MoCAs</li> </ul>	150,000	150,000	UNDP MOCA	Donors	71800-Contractual Services-Imp Partners 72200- Equipment & Furniture 72400- Communication 73200- Premises 72500- Office Supplies 74200 Audio Visual and Printing Production Costs 75700- Training, Workshops and Conferences	300,000
MONITORING		10,000	10,000	UNDP	Donors	71600- Travel	20,000
	Deployment of technical expertise	592,225	592,225	UNDP	Donors	61300- Salary Staff 71200- International Consultants 71400- Contractual Services – Individual 71800-Contractual Services-Imp Partners	1,184,450
	<b>Sub-Total for Output 1</b>	<b>2,152,225</b>	<b>2,152,225</b>		<b>Donors</b>		<b>4,304,450</b>

	<b>General Management Support (GMS)</b>	172,178	172,178	UNDP	Donors	75100-Facilities and Administration	344,356
	<b>Total for Output 1</b>	<b>2,324,403</b>	<b>2,324,403</b>		<b>Donors</b>		<b>4,648,806</b>
<b>Output 2</b>  <b>General population knowledge on the constitutional review process is enhanced.</b>	<b><u>Activity Result 2.1: An inclusive and transparent civic education process led by all mandated key players to lend legitimacy and credibility to the process developed and implemented.</u></b>	3,00,000	200,000	UNDP MOCA	Donors	71800-Contractual Services-Imp Partners 74200 Audio Visual and Printing Production Costs 75700- Training, Workshops and Conferences	500,000
	<ul style="list-style-type: none"> <li>Recruit and build the capacity of a civic education team of experts fluent in English and the Somali language to support MoCA</li> <li>Conduct a civic and legal awareness baseline survey</li> <li>Identify and reach out to CSOs to conduct civic education</li> <li>Support MoCA, CO and ICRC to develop conflict and gender-sensitive civic education strategy and programme</li> <li>Prepare, print and distribute civic education materials, including the technical reports produced during the 9th Parliament (brochures, branded items, illustrations, etc.) and materials on the revised Provisional Constitution</li> <li>Design of website and conduct of web based consultations/dissemination of civic education materials</li> </ul>						
	<b><u>Activity Result 2.2: CSO capacities to lead civic education process in the future strengthened.</u></b>	300,000	50,000		Donors	74200 Audio Visual and Printing Production Costs 75700- Training, Workshops and Conferences 72600- Grants	350,000
	<ul style="list-style-type: none"> <li>Conduct training of trainers on civic education and public for MoCA, media and civil society</li> <li>Ongoing support to CSOs to conduct civic education on and disseminate amendment proposals</li> <li>Develop key materials to help guide CSO education outreach</li> <li>Support to provision of opportunities (online-platforms, roundtables, etc.) for Somalis to freely and openly discuss issues of concern to them and the linkages to the Constitution</li> </ul>						
	MONITORING	10,000	10,000	UNDP	Donors	71600- Travel	20,000
	Deployment of technical expertise	109,317	109,317	UNDP	Donors	71200- International Consultants 71400- Contractual Services	218,634
	<b>Sub-Total for Output 2</b>	<b>719,317</b>	<b>369,317</b>				<b>1,088,634</b>
<b>General Management Support (GMS)</b>	57,546	29,545	UNDP		75100-Facilities and Administration	87,091	
<b>Total for Output 2</b>	<b>776,863</b>	<b>398,862</b>				<b>1,175,725</b>	

<b>Output 3</b>  <b>Key actors implement outreach strategy and civil society engagement in the constitutional review and implementation process.</b>	<b>Activity Result 3.1: MoCA outreach and dialogue capacities are strengthened.</b> <ul style="list-style-type: none"> <li>Recruit and build the capacity of stakeholder management, CSO engagement and public education programme teams of experts fluent in English and Somali language to support MoCA</li> <li>Conduct induction training for MoCA members on messaging/communications, public outreach and civic education</li> <li>Direct Support to marginalized groups women and youth with disabilities and IDPs to ensure effective direct engagement in the review process .</li> <li>Support to preparation of Draft Public Consultation Documents in cooperation with ICRIC, OC and FMS MoCAs</li> <li>Support development of simple MoCA Communication &amp; Messaging Strategy to explain the MoCA's work, manage public's expectation and ensure regular updates provided to public and stakeholders</li> <li>Support establishment and maintenance of the MoCA website and social media accounts</li> </ul>	200,000	100,000	UNDP/ MOCA		71800-Contractual Services-Imp Partners 74200 Audio Visual and Printing Production Costs 75700- Training, Workshops and Conferences	300,000
	<b>Activity Result 3.2: Inclusive and transparent public consultation process developed and implemented.</b> <ul style="list-style-type: none"> <li>Recruit and build the capacity of an experts' team fluent in English and Somali language for communications, research and legal advice to support the consultation process</li> <li>Conduct induction training for FMS MoCAs members on messaging/communications, public outreach and civic education</li> <li>Technical advisory support on key topics such as women's participation and youth participation other marginalized groups (IDPs, special persons with disabilities and poor) to support MoCA and FMS MoCAs in their outreach to marginalized populations of Somalia</li> <li>Provide additional technical assistance and expertise as needed to MoCA and FMS MoCAs to support administration, procedures and modus operandi relating to public consultations as per request</li> <li>Develop public consultation strategy and programme</li> <li>Prepare, print and disseminate public consultation materials (including non-written materials)</li> <li>Conduct public consultations at all levels in all Regions at least once (interviews, public hearings, focus group discussions, community leaders and religious leaders meetings)</li> <li>Conduct public consultations with key groups and consultations based on specific thematic issues.</li> <li>Analyse public consultation data and prepare report – collate and synthesize views and draft reports from public consultations</li> </ul>	200,000	100,000	UNDP/ MOCA		71800-Contractual Services-Imp Partners 74200 Audio Visual and Printing Production Costs 75700- Training, Workshops and Conferences	300,000
	<b>Activity Result 3.3: Capacities of journalists and media to analyze and inform about constitutional issues enhanced and strategic partnerships established between the key players and media.</b> <ul style="list-style-type: none"> <li>Provide constitution making training to central and regional media entities, journalists, editors, media house executives with a focus on ethical, objective and conflict sensitive reporting and conduct media monitoring</li> <li>Develop partnerships with radio and TV to run MoCA, OC and ICRIC outreach activities</li> <li>Support journalists and media to serve as intermediaries between the review bodies and the population in order to allow for broad public dialogue and to make people's voices heard by the constitution-making bodies</li> </ul>	150,000	50,000	UNDP/ MOCA		74200 Audio Visual and Printing Production Costs 75700- Training, Workshops and Conferences	200,000

	<p><b>Activity Result 3.4: CSOs are equipped with the necessary tools, instruments and capacity to effectively engage and participate in the constitutional review and implementation process.</b></p> <ul style="list-style-type: none"> <li>• Prepare detailed proposals pertaining to CSO involvement in the constitutional review process</li> <li>• Trainings for CSOs on constitutional matters to enhance capacity for engaging in the constitutional review process</li> <li>• Trainings for CSOs on monitoring and reporting on the constitutional review process</li> <li>• Support exchange with civil society actors from the region to identify tools available to civil society during the constitutional review process</li> <li>• Small grants programme for community based activities relating to constitutional awareness raising, outreach and participation for the constitution-making process</li> </ul>	100,000	50,000	UNDP/ MOCA		75700- Training, Workshops and Conferences 72600- Grants	150,000
	<p><b>Activity Result 3.5: Women’s participation and engagement in the constitutional review process strengthened.</b></p> <ul style="list-style-type: none"> <li>• Develop and implement a programme to promote gender equality issues in throughout the constitutional process and content, including providing capacity support and technical advice to women’s advocates (Women’s NGOs/CSOs) for engaging in the constitutional review process</li> <li>• Provide grants to Women’s groups</li> <li>• Support independent research on specific interests by interest and marginalized groups (gender, vulnerability)</li> <li>• Share best practices through exchange of information, support exchange of knowledge with women’s advocates from the region</li> <li>• Support women’s advocates in prepare and making submissions to OC and ICRIC</li> <li>• Draft amendments reviewed from inclusion and gender perspectives</li> </ul>	100,000	50,000	UNDP/ MOCA	Donors	71800-Contractual Services-Imp Partners 72600- Grants 74200 Audio Visual and Printing Production Costs 75700- Training, Workshops and Conferences	150,000
	<p><b>Activity Result 3.6: Youth’s participation and engagement in the constitutional review process strengthened.</b></p> <ul style="list-style-type: none"> <li>• Develop and implement a programme including an awareness-raising campaign to engage youth in the constitutional reform process, including outreach with Universities and through social media</li> <li>• Work with Youth groups to deliver training on advocacy and other skills for engaging in the constitutional review process to ensure safeguarding their political and socio-economic rights in a revised Constitution</li> <li>• Provide grants to Youth groups</li> <li>• Support independent research on specific interests by interest and marginalized groups (age, vulnerability)</li> <li>• Share best practices through exchange of information</li> <li>• Support Youth advocates in preparing and making submissions to OC and ICRIC</li> </ul>	100,000	50,000	UNDP/ MOCA	Donors	71800-Contractual Services-Imp Partners 72600- Grants 74200 Audio Visual and Printing Production Costs 75700- Training, Workshops and Conferences	150,000

	<b>Activity Result 3.7: Revised constitution is published and distributed in all Regions.</b> <ul style="list-style-type: none"> <li>Constitution will be published, printed and widely circulated in Somalia and to all stakeholders.</li> </ul>	0	1,000,000	UNDP	Donors	74200- 74200 Audio Visual and Printing Production Costs	1,000,000
	MONITORING	10,000	10,000	UNDP	Donors	71600- Travel	20,000
	Deployment of technical expertise	137,041	137,041	UNDP		61300- Salary Staff 71200- International Consultants 71800-Contractual Services- Imp Partners	274,082
	<b>Sub-Total for Output 3</b>	<b>997,041</b>	<b>1,547,041</b>				<b>2,544,082</b>
	<b>General Management Support (GMS)</b>	79,763	123,764	UNDP		75100-Facilities and Administration	203,527
	<b>Total for Output 3</b>	<b>1,076,804</b>	<b>1,670,805</b>				<b>2,747,609</b>
<b>Output 4</b> <b>Project effectively managed</b>	<b>Activity Result 4.1</b> Project Staff Recruited Oversight through project boards Efficient project and operations support provided	302,561	302,561	UNDP	Donors	61300- Salary Staff 71400- Contractual Services 71500- UN Volunteers	605,122
	<b>Operations Management</b>	63,516	63,515	UNDP	Donors	71600- Travel 72200- Equipment & Furniture 72400- Communication 72500- Supplies 74500- Misc. Expenses	127,031
	<b>Evaluation</b>	0	25,000	UNDP	Donors	71200- International Consultant 71600- Travel	25,000
	<b>Direct Project Cost</b> <ul style="list-style-type: none"> <li>Security Support (@4%)</li> <li>Monitoring, Evaluation and Oversight (@1%)</li> <li>Communication Support (@1%)</li> <li>Operations (Finance, HR, Procurement, ICT etc. (@4%)</li> <li>Programme Oversight(@3%)</li> </ul>	567,921	597,172	UNDP	Donors	64300- Misc. Exp (DPC) 74500- Misc. Exp (DPC)	1,165,093
	<b>Premises Cost</b>	133,967	133,967	UNDP	Donors	73100- Premises	267,934
	<b>Sub-Total for Output 4</b>	<b>1,067,965</b>	<b>1,122,215</b>				<b>2,190,180</b>
	<b>General Management Support (GMS)</b>	85,437	89,777	UNDP	Donors	75100-Facilities and Administration	175,214
	<b>Total for Output 4</b>	<b>1,153,402</b>	<b>1,211,992</b>				<b>2,365,394</b>
<b>GRAND TOTAL</b>		<b>5,331,472</b>	<b>5,606,062</b>				<b>10,937,534</b>



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## VIII. GOVERNANCE AND MANAGEMENT ARRANGEMENTS

UNDP Somalia will be the Executing Agency for the project. UNDP will manage and implement the project using the UNDP standards for project management. UNDP will engage implementing partners through the UNDP procurement process and based on UNDP guidelines and procedures. In the spirit of ensuring national ownership and inclusive participation, the programme implementation will be done in close partnership with MoCA, as well as with other national political institutions, civil society and community organizations and actors. The programme will promote ownership and capacity development of relevant actors and institutions in order to ensure sustainability of results.

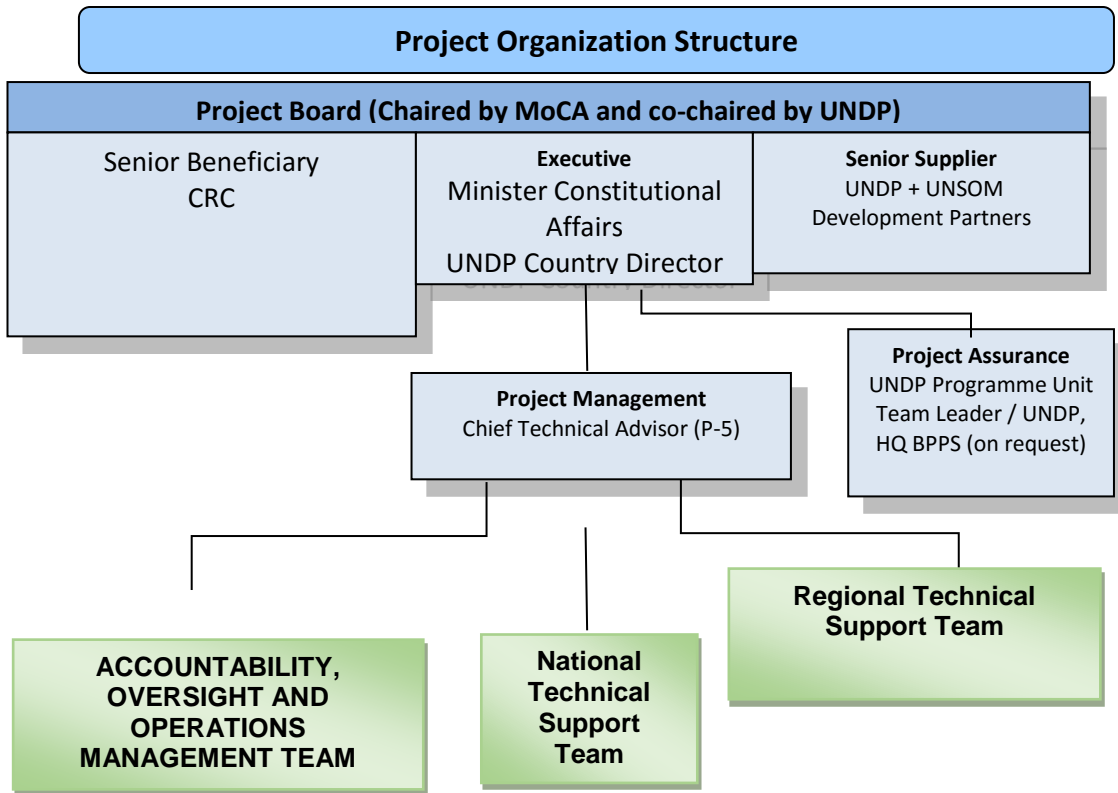
### *Project Board*

The Project Board is the group responsible for making by consensus, management decisions for a programme when guidance is required by the Programme Manager and CTA, including recommendations for UNDP approval of project plans and revisions. The main role of the Project Board is to oversee that the project remains on track vis-à-vis the goals, objectives, results defined in the project document, approve the project annual work plans and budgets and to provide strategic guidance to the implementation of the project. UNDP has ultimate accountability for progressing the Project and accounting for donor funding, and Project Board decisions should thus be made in accordance with standards that shall ensure management for development results, best value for money, fairness, integrity, transparency and effective international competition.

The Project Board plays a critical role in UNDP commissioned evaluations by quality assuring the evaluation process and products, and using evaluations for performance improvement, accountability and learning. Project reviews by this group are made at designated decision points during the duration of the Project or as necessary when raised by the CTA. The Board is consulted by the CTA for decisions when his or her tolerances (normally in terms of time and budget) have been exceeded. Based on the approved annual work plan (AWP), the Project Board may also review and approve quarterly plans when required and authorize any major deviation from these agreed quarterly plans. The objective is to create a mechanism for effective programme management.

The Board contains three roles:

- **Executive:** The Minister of Constitutional Affairs (or his nominee), in cooperation with the UNDP Country Director (or his/her nominee) are the individuals representing the project ownership and will chair the group;
- **Supplier:** This group includes UNDP as the core provider of technical services to the Project, as well as UN MISSION and the donors providing funding to the Project. The Board can decide to include additional technical providers as appropriate during the period of implementation;
- **Beneficiary Representative:** This group represents the interests of those who will ultimately benefit from the programme, and needs to include Chairperson of CRC.



**The Project Board will be responsible for the following:**

- Provide general, high-level, strategic oversight to the project activities including financial oversight;
- Provide project and policy implementation oversight;
- Provide overall guidance and direction to the project, ensuring it remains within specified constraints;
- Approve annual work plans and budgets; and based on the approved annual work plans (AWP) authorize any major deviation from the approved work plans and budgets;
- Conduct meetings at least twice a year to review Project Progress Reports and provide direction and recommendations to ensure agreed deliverables are produced satisfactorily according to plans;
- Approve changes and amendments to the existing project document;
- Consider recommendations from the Technical Working Group (if any);
- Monitor progressive achievement of project objectives and provide guidance on long term sustainability of the project's achievements;
- Provide high-level quality assurance for project results and input and advice to on-going risk analysis;
- Undertake mobilization of funding for the project and consider funding for emerging issues;
- Review and approve the Final Project Review Report, including lessons learned;
- Commission project evaluation when required;

- Invite representatives of other project beneficiaries to inform on their specific activities and needs.

The Project Board will convene at least once every six months. Should there be an urgent requirement for a Board decision, it may be convened as and when necessary on an ad hoc basis including virtually. The Co-chairs of the Project Board may establish sub-committees to deal with specific tasks or needs. The Project Board will make decisions on the basis of consensus and in case of any disagreements only then issues will be put to the Board members for a decision, which will be governed by majority vote. All board members will strive for representation in board meetings at a level appropriate for political guidance and decision-making. Membership of the Project Board includes:

**Voting Members:**

1. Chair Minister Ministry of Constitutional Affairs and co-chair UNDP Country Director
2. Representatives from 2 donors at Ambassador or Head of Aid levels

**Non-Voting Members:**

1. Director General MOCA
2. UNDP Programme Team Leader
3. UNDP CTA for the Project

**Observers:**

The Project Board may decide to invite key stakeholders to participate in the meetings as observers.

MOCA secretariat, with support from UNDP CTA and Operations Specialist, will provide secretariat services for the Project board by coordinating meetings, producing documentation and meeting minutes, managing correspondence, information management / dissemination and related tasks. Documents will be made available to Project Board members at least five working days before the meeting. Minutes of the meetings will be circulated by MOCA Secretariat or by UNDP CTA.

***Constitution Review Support Technical Working Group***

The Technical Working Group will meet at least once every six months to discuss high level, strategic project issues, but experience has shown that it is also useful to hold more regular coordination meetings at an operational level. To this end, the Project if needed will help facilitate the organization of a quarterly Technical Working Group meeting, which will bring together the leadership of MOCA, with the UNDP Project team, UNSOM and other constitution review support service providers (e.g. Max Planck Institute, Chemonix and ). The meetings will be chaired by the Director General of the MOCA or by the Minister MOCA if meetings are called at a high level.

***Programme Assurance***

Project Assurance is the responsibility of each Project Board member; however the role can be delegated to UNDP Programme unit. The UNDP Programme Unit will support the Programme Board by carrying out objective and independent programme oversight and monitoring functions. This role ensures appropriate programme management milestones are managed and completed. Programme assurance has to be independent of the Project Manager; therefore, the Project Board cannot delegate any of its assurance

responsibilities to the Project Manager. The UNDP Country Office Partnerships and Planning Unit supports the quality of oversight provided by project and programme teams, and in addition supports internal reporting and compliance. It will also lead the third party monitoring of all activities under the project. The UNDP Regional Hub for Amman and the headquarters Bureau for Policy and Programme Support will also support the UNDP Somalia Country Office to ensure project assurance, upon request.

### *Audit Arrangements*

The audit of the programme will be organized as a part of the UNDP office audit. An external audit firm will be employed if more frequent audit (annual audit) is required.

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## **IX. LEGAL CONTEXT AND RISK MANAGEMENT**

### **LEGAL CONTEXT**

This project document shall be the instrument referred to as such in Article 1 of the Standard Basic Assistance Agreement between the Government and UNDP, signed on (date). All references in the SBAA to “Executing Agency” shall be deemed to refer to “Implementing Partner.”

### **RISK MANAGEMENT: UNDP (DIM)**

UNDP as the Implementing Partner shall comply with the policies, procedures and practices of the United Nations Security Management System (UNSMS).

UNDP agrees to undertake all reasonable efforts to ensure that none of the [project funds]<sup>19</sup> [UNDP funds received pursuant to the Project Document]<sup>20</sup> are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via [http://www.un.org/sc/committees/1267/aq\\_sanctions\\_list.shtml](http://www.un.org/sc/committees/1267/aq_sanctions_list.shtml). This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.

Consistent with UNDP’s Programme and Operations Policies and Procedures, social and environmental sustainability will be enhanced through application of the UNDP Social and Environmental Standards (<http://www.undp.org/ses>) and related Accountability Mechanism (<http://www.undp.org/secu-srm>).

**The Implementing Partner shall:** (a) conduct project and programme-related activities in a manner consistent with the UNDP Social and Environmental Standards, (b) implement any management or mitigation plan prepared for the project or programme to comply with such standards, and (c) engage in a constructive and timely manner to address any concerns and complaints raised through the Accountability Mechanism. UNDP will seek to ensure that communities and other project stakeholders are informed of and have access to the Accountability Mechanism.

All signatories to the Project Document shall cooperate in good faith with any exercise to evaluate any programme or project-related commitments or compliance with the UNDP Social and Environmental Standards. This includes providing access to project sites, relevant personnel, information, and documentation.

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<sup>19</sup> To be used where UNDP is the Implementing Partner

<sup>20</sup> To be used where the UN, a UN fund/programme or a specialized agency is the Implementing Partner

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## X. RISK MANAGEMENT

1. UNDP as the Implementing Partner will comply with the policies, procedures and practices of the United Nations Security Management System (UNSMS.)
2. UNDP as the Implementing Partner will undertake all reasonable efforts to ensure that none of the [project funds]<sup>21</sup> [UNDP funds received pursuant to the Project Document]<sup>22</sup> are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via [http://www.un.org/sc/committees/1267/aq\\_sanctions\\_list.shtml](http://www.un.org/sc/committees/1267/aq_sanctions_list.shtml). This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.
3. Social and environmental sustainability will be enhanced through application of the UNDP Social and Environmental Standards (<http://www.undp.org/ses>) and related Accountability Mechanism (<http://www.undp.org/secu-srm>).
4. UNDP as the Implementing Partner will: (a) conduct project and programme-related activities in a manner consistent with the UNDP Social and Environmental Standards, (b) implement any management or mitigation plan prepared for the project or programme to comply with such standards, and (c) engage in a constructive and timely manner to address any concerns and complaints raised through the Accountability Mechanism. UNDP will seek to ensure that communities and other project stakeholders are informed of and have access to the Accountability Mechanism.
5. All signatories to the Project Document shall cooperate in good faith with any exercise to evaluate any programme or project-related commitments or compliance with the UNDP Social and Environmental Standards. This includes providing access to project sites, relevant personnel, information, and documentation.
6. UNDP as the Implementing Partner will ensure that the following obligations are binding on each responsible party, subcontractor and sub-recipient:
  - a. Consistent with the Article III of the SBAA [*or the Supplemental Provisions to the Project Document*], the responsibility for the safety and security of each responsible party, subcontractor and sub-recipient and its personnel and property, and of UNDP's property in such responsible party's, subcontractor's and sub-recipient's custody, rests with such responsible party, subcontractor and sub-recipient. To this end, each responsible party, subcontractor and sub-recipient shall:
    - i. put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;
    - ii. assume all risks and liabilities related to such responsible party's, subcontractor's and sub-recipient's security, and the full implementation of the security plan.
  - b. UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as

required hereunder shall be deemed a breach of the responsible party's, subcontractor's and sub-recipient's obligations under this Project Document.

- c. Each responsible party, subcontractor and sub-recipient will take appropriate steps to prevent misuse of funds, fraud or corruption, by its officials, consultants, subcontractors and sub-recipients in implementing the project or programme or using the UNDP funds. It will ensure that its financial management, anti-corruption and anti-fraud policies are in place and enforced for all funding received from or through UNDP.
- d. The requirements of the following documents, then in force at the time of signature of the Project Document, apply to each responsible party, subcontractor and sub-recipient: (a) UNDP Policy on Fraud and other Corrupt Practices and (b) UNDP Office of Audit and Investigations Investigation Guidelines. Each responsible party, subcontractor and sub-recipient agrees to the requirements of the above documents, which are an integral part of this Project Document and are available online at [www.undp.org](http://www.undp.org).
- e. In the event that an investigation is required, UNDP will conduct investigations relating to any aspect of UNDP programmes and projects. Each responsible party, subcontractor and sub-recipient will provide its full cooperation, including making available personnel, relevant documentation, and granting access to its (and its consultants', subcontractors' and sub-recipients') premises, for such purposes at reasonable times and on reasonable conditions as may be required for the purpose of an investigation. Should there be a limitation in meeting this obligation, UNDP shall consult with it to find a solution.
- f. Each responsible party, subcontractor and sub-recipient will promptly inform UNDP as the Implementing Partner in case of any incidence of inappropriate use of funds, or credible allegation of fraud or corruption with due confidentiality.

Where it becomes aware that a UNDP project or activity, in whole or in part, is the focus of investigation for alleged fraud/corruption, each responsible party, subcontractor and sub-recipient will inform the UNDP Resident Representative/Head of Office, who will promptly inform UNDP's Office of Audit and Investigations (OAI). It will provide regular updates to the head of UNDP in the country and OAI of the status of, and actions relating to, such investigation.

- g. UNDP will be entitled to a refund from the responsible party, subcontractor or sub-recipient of any funds provided that have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of this Project Document. Such amount may be deducted by UNDP from any payment due to the responsible party, subcontractor or sub-recipient under this or any other agreement. Recovery of such amount by UNDP shall not diminish or curtail any responsible party's, subcontractor's or sub-recipient's obligations under this Project Document.

Where such funds have not been refunded to UNDP, the responsible party, subcontractor or sub-recipient agrees that donors to UNDP (including the Government) whose funding is the source, in whole or in part, of the funds for the activities under this Project Document, may seek recourse to such responsible party, subcontractor or sub-recipient for the recovery of any funds determined by UNDP to have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of the Project Document.

Note: The term "Project Document" as used in this clause shall be deemed to include any relevant subsidiary agreement further to the Project Document, including those with responsible parties, subcontractors and sub-recipients.

- h. Each contract issued by the responsible party, subcontractor or sub-recipient in connection with this Project Document shall include a provision representing that no fees, gratuities, rebates, gifts, commissions or other payments, other than those shown in the proposal, have been given, received, or promised in connection with the selection process or in contract execution, and that the recipient of funds from it shall cooperate with any and all investigations and post-payment audits.
- i. Should UNDP refer to the relevant national authorities for appropriate legal action any alleged wrongdoing relating to the project or programme, the Government will ensure that the relevant national authorities shall actively investigate the same and take appropriate legal action against all individuals found to have participated in the wrongdoing, recover and return any recovered funds to UNDP.
- j. Each responsible party, subcontractor and sub-recipient shall ensure that all of its obligations set forth under this section entitled "Risk Management" are passed on to its subcontractors and sub-recipients and that all the clauses under this section entitled "Risk Management Standard Clauses" are adequately reflected, *mutatis mutandis*, in all its sub-contracts or sub-agreements entered into further to this Project Document

## XI. ANNEXES

### ANNEX 1: PROJECT QUALITY ASSURANCE REPORT (PROJECT DESIGN STAGE)

<b>PROJECT QA ASSESSMENT: DESIGN AND APPRAISAL</b>					
<b>OVERALL PROJECT</b>					
EXEMPLARY (5) ●●●●●	HIGHLY SATISFACTORY (4) ●●●●○	SATISFACTORY (3) ●●●○○	NEEDS IMPROVEMENT (2) ●●○○○	INADEQUATE (1) ●○○○○	
At least four criteria are rated Exemplary, and all criteria are rated High or Exemplary.	All criteria are rated Satisfactory or higher, and at least four criteria are rated High or Exemplary.	At least six criteria are rated Satisfactory or higher, and only one may be rated Needs Improvement. The SES criterion must be rated Satisfactory or above.	At least three criteria are rated Satisfactory or higher, and only four criteria may be rated Needs Improvement.	One or more criteria are rated Inadequate, or five or more criteria are rated Needs Improvement.	
<b>DECISION</b>					
<ul style="list-style-type: none"> <li>• <b>APPROVE</b> – the project is of sufficient quality to continue as planned. Any management actions must be addressed in a timely manner.</li> <li>• <b>APPROVE WITH QUALIFICATIONS</b> – the project has issues that must be addressed before the project document can be approved. Any management actions must be addressed in a timely manner.</li> <li>• <b>DISAPPROVE</b> – the project has significant issues that should prevent the project from being approved as drafted.</li> </ul>					
<b>RATING CRITERIA</b>					
<b>STRATEGIC</b>					
1. Does the project's Theory of Change specify how it will contribute to higher level change? (Select the option from 1-3 that best reflects the project):				3	2
				1	



<ul style="list-style-type: none"> <li>• <b>3:</b> The project has a theory of change with explicit assumptions and clear change pathway describing how the project will contribute to outcome level change as specified in the programme/CPD, backed by credible evidence of what works effectively in this context. The project document clearly describes why the project’s strategy is the best approach at this point in time.</li> <li>• <b>2:</b> The project has a theory of change. It has an explicit change pathway that explains how the project intends to contribute to outcome-level change and why the project strategy is the best approach at this point in time, but is backed by limited evidence.</li> <li>• <b>1:</b> The project does not have a theory of change, but the project document may describe in generic terms how the project will contribute to development results, without specifying the key assumptions. It does not make an explicit link to the programme/CPD’s theory of change.</li> </ul> <p>*Note: Management Action or strong management justification must be given for a score of 1</p> <p>The Theory of Change states that: “Effective, open and accountable parliamentary institutions, at all levels, will foster inclusive politics. Inclusive politics contributes to national peacebuilding, state-building and development.”</p> <p>The strengthening of accountability and representative through inclusive and participatory democratic assemblies can positively impact social cohesion, peaceful transition, and sustainable political settlement. The 2030 Agenda offers a defined, relevant and integrated framework for building such inclusive and participatory processes, and enabling open institutions to function more effectively. In particular, SDG 16 resolves to: “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.” As such, the project aligns with SDGs and aims for higher level change.</p>	<p><b>Evidence</b></p> <p>pp. 8-9</p>								
<p><b>2. Is the project aligned with the thematic focus of the UNDP Strategic Plan? (select the option from 1-3 that best reflects the project):</b></p> <ul style="list-style-type: none"> <li>• <b>3:</b> The project responds to one of the three areas of development work<sup>23</sup> as specified in the Strategic Plan; it addresses at least one of the proposed new and emerging areas<sup>24</sup>; an issues-based analysis has been incorporated into the project design; and the project’s RRF includes all the relevant SP output indicators. <i>(all must be true to select this option)</i></li> <li>• <b>2:</b> The project responds to one of the three areas of development work<sup>1</sup> as specified in the Strategic Plan. The project’s RRF includes at least one SP output indicator, if relevant. <i>(both must be true to select this option)</i></li> <li>• <b>1:</b> While the project may respond to one of the three areas of development work<sup>1</sup> as specified in the Strategic Plan, it is based on a sectoral approach without addressing the complexity of the development issue. None of the relevant SP indicators are included in the RRF. This answer is also selected if the project does not respond to any of the three areas of development work in the Strategic Plan.</li> </ul> <p>The project aligns with one of the three priority areas at the global level for the 2014-2017 Strategic Plan: strengthening inclusive and effective democratic governance. This has resulted in an integrated global, regional, and country-level approach to policy development and programme implementation for inclusive political processes that reflects UNDP’s substantial experience and capacity in providing support to parliaments, the electoral cycle, civic engagement, constitutional reform, local governance, and</p>	<table border="1"> <tr> <td>3</td> <td>2</td> </tr> <tr> <td colspan="2">1</td> </tr> <tr> <td colspan="2"><b>Evidence</b></td> </tr> <tr> <td colspan="2">pp. 8-9</td> </tr> </table>	3	2	1		<b>Evidence</b>		pp. 8-9	
3	2								
1									
<b>Evidence</b>									
pp. 8-9									

<sup>23</sup> 1. Sustainable development pathways; 2. Inclusive and effective democratic governance; 3. Resilience building  
<sup>24</sup> sustainable production technologies, access to modern energy services and energy efficiency, natural resources management, extractive industries, urbanization, citizen security, social protection, and risk management for resilience

<p>social inclusion in political decision-making. The Fostering Inclusive Politics in Somalia Project is also in line with the New Deal Compact for Somalia (2012-16), the new Somalia National Development Plan (2017-20), UNDP Country Programme Document (CPD) and the UN SCR calling for supporting peace and reconciliation process and to support establishing federal structure.</p>		
<b>RELEVANT</b>		
<p><b>3. Does the project have strategies to effectively identify, engage and ensure the meaningful participation of targeted groups/geographic areas with a priority focus on the excluded and marginalized? (select the option from 1-3 that best reflects this project):</b></p> <ul style="list-style-type: none"> <li>• <b>3:</b> The target groups/geographic areas are appropriately specified, prioritising the excluded and/or marginalised. Beneficiaries will be identified through a rigorous process based on evidence (if applicable.)The project has an explicit strategy to identify, engage and ensure the meaningful participation of specified target groups/geographic areas throughout the project, including through monitoring and decision-making (such as representation on the project board) (<i>all must be true to select this option</i>)</li> <li>• <b>2:</b> The target groups/geographic areas are appropriately specified, prioritising the excluded and/or marginalised. The project document states how beneficiaries will be identified, engaged and how meaningful participation will be ensured throughout the project. (<i>both must be true to select this option</i>)</li> <li>• <b>1:</b> The target groups/geographic areas are not specified, or do not prioritize excluded and/or marginalised populations. The project does not have a written strategy to identify or engage or ensure the meaningful participation of the target groups/geographic areas throughout the project.</li> </ul> <p>*Note: Management Action must be taken for a score of 1</p> <p>The project aims to improve inclusion, and focuses strongly on women and youth. Youth in Somalia face high levels of unemployment, disenfranchisement and disaffection with governance processes that excludes them. That said, their engagement in the nation’s development is critical to building a peaceful, inclusive and prosperous Somalia. The NDP specifically expresses a commitment to addressing the needs and grievances of young people, and all development support would do well to integrate this aspiration.</p> <p>The Project will prioritize work to dialogue with citizens and CSOs and to communicate, including through partnerships with the media and CSOs. Effort will be made to echo the voices of the citizens especially the most marginalized, including women, youth, rural and vulnerable groups.</p>	3	2
	1	
	<p><b>Evidence</b></p> <p>pp. 16-17 p. 19 p. 23</p>	
<p><b>4. Have knowledge, good practices, and past lessons learned of UNDP and others informed the project design? (select the option from 1-3 that best reflects this project):</b></p> <ul style="list-style-type: none"> <li>• <b>3:</b> Knowledge and lessons learned (gained e.g. through peer assist sessions) backed by credible evidence from evaluation, corporate policies/strategies, and monitoring have been explicitly used, with appropriate referencing, to develop the project’s theory of change and justify the approach used by the project over alternatives.</li> </ul>	3	2
	1	
	<p><b>Evidence</b></p> <p>p. 10</p>	

<ul style="list-style-type: none"> <li>• <b>2:</b> The project design mentions knowledge and lessons learned backed by evidence/sources, which inform the project’s theory of change but have not been used/are not sufficient to justify the approach selected over alternatives.</li> <li>• <b>1:</b> There is only scant or no mention of knowledge and lessons learned informing the project design. Any references that are made are not backed by evidence.</li> </ul> <p>*Note: Management Action or strong management justification must be given for a score of 1</p> <p>The project is based on the experiences and lessons learned and is structured to continue to document lessons learned in implementation. UNDP has developed experience and knowledge in its programmes in support of institutional and capacity development in the Somali Federal Republic and its member states. UNDP has also considered lessons learned from its global work on governance and peacebuilding in conflict-affected countries.</p> <p>Further, as part of monitoring and evaluation, there will be a Lessons Learnt Log to ensure there is continuous learning and adaptation when appropriate.</p>		
<p><b>5. Does the project use gender analysis in the project design and does the project respond to this gender analysis with concrete measures to address gender inequities and empower women? (select the option from 1-3 that best reflects this project):</b></p> <ul style="list-style-type: none"> <li>• <b>3:</b> A <u>participatory</u> gender analysis on the project has been conducted. This analysis reflects on the different needs, roles and access to/control over resources of women and men, and it is fully integrated into the project document. The project establishes concrete priorities to address gender inequalities in its strategy. The results framework includes outputs and activities that specifically respond to this gender analysis, with indicators that measure and monitor results contributing to gender equality. <i>(all must be true to select this option)</i></li> <li>• <b>2:</b> A gender analysis on the project has been conducted. This analysis reflects on the different needs, roles and access to/control over resources of women and men. Gender concerns are integrated in the development challenge and strategy sections of the project document. The results framework includes outputs and activities that specifically respond to this gender analysis, with indicators that measure and monitor results contributing to gender equality. <i>(all must be true to select this option)</i></li> <li>• <b>1:</b> The project design may or may not mention information and/or data on the differential impact of the project’s development situation on gender relations, women and men, but the constraints have not been clearly identified and interventions have not been considered.</li> </ul> <p>*Note: Management Action or strong management justification must be given for a score of 1</p> <p>The project includes activities focused on gender empowerment and mainstreaming.</p>	3	2
	1	
	Evidence p. 17 p. 19	
<p><b>6. Does UNDP have a clear advantage to engage in the role envisioned by the project vis-à-vis national partners, other development partners, and other actors? (select from options 1-3 that best reflects this project):</b></p> <ul style="list-style-type: none"> <li>• <b>3:</b> An analysis has been conducted on the role of other partners in the area where the project intends to work, and credible evidence supports the proposed engagement of UNDP and partners through the project. It is clear how results achieved by relevant partners will contribute to outcome level change complementing the project’s intended results. If relevant, options for south-south and triangular cooperation have been considered, as appropriate. <i>(all must be true to select this option)</i></li> </ul>	3	2
	1	
	Evidence p.5 p. 7 pp. 20-21	

<ul style="list-style-type: none"> <li>• <b>2:</b> Some analysis has been conducted on the role of other partners where the project intends to work, and relatively limited evidence supports the proposed engagement of and division of labour between UNDP and partners through the project. Options for south-south and triangular cooperation may not have not been fully developed during project design, even if relevant opportunities have been identified.</li> <li>• <b>1:</b> No clear analysis has been conducted on the role of other partners in the area that the project intends to work, and relatively limited evidence supports the proposed engagement of UNDP and partners through the project. There is risk that the project overlaps and/or does not coordinate with partners’ interventions in this area. Options for south-south and triangular cooperation have not been considered, despite its potential relevance.</li> </ul> <p>*Note: Management Action or strong management justification must be given for a score of 1</p> <p>UNDP comes with expertise developed under UNDP Somalia. It also is the leading multilateral organization in the field of constituion making and review. UNDP will also work with other UN agencies in Somalia to deliver on policy reform and to further harness expertise to benefit MOCA. UNDP has already worked with UNODC in Phase 1, and plans to work with UNSOM/UNDP Rule of Law Programme to support the development of legislative drafting units in the Ministries of Justice.</p> <p>UNDP has also created strategic partnerships with Max Planck, Chemonics, NDI, and AWEPA during Phase 1 with plans to continue these partnerships in Phase 2 to better ensure its work does not duplicate existing efforts and builds on the partners’ expertise. Further, UNDP plans to work with other UN agencies to utilize their expertise to better develop and strengthen parliament.</p>									
<b>SOCIAL &amp; ENVIRONMENTAL STANDARDS</b>									
<p><b>7. Does the project seek to further the realization of human rights using a human rights based approach? (select from options 1-3 that best reflects this project):</b></p> <ul style="list-style-type: none"> <li>• <b>3:</b> Credible evidence that the project aims to further the realization of human rights, upholding the relevant international and national laws and standards in the area of the project. Any potential adverse impacts on enjoyment of human rights were rigorously identified and assessed as relevant, with appropriate mitigation and management measures incorporated into project design and budget. <i>(all must be true to select this option)</i></li> <li>• <b>2:</b> Some evidence that the project aims to further the realization of human rights. Potential adverse impacts on enjoyment of human rights were identified and assessed as relevant, and appropriate mitigation and management measures incorporated into the project design and budget.</li> <li>• <b>1:</b> No evidence that the project aims to further the realization of human rights. Limited or no evidence that potential adverse impacts on enjoyment of human rights were considered.</li> </ul> <p>*Note: Management action or strong management justification must be given for a score of 1</p> <p>As part of capacity development, there will be seminars on constitutional review. Further, under monitoring and evaluation the Accountability, Oversight and Operations management team will monitor progress by tracking outputs and activity results against indicators and benchmarks for each planned activity. This will ensure compliance with human rights principles, aid effectiveness principles, and the Parliaments’ Codes of Conduct as appropriate.</p>	<table border="1"> <tr> <td style="text-align: center;">3</td> <td style="text-align: center;">2</td> </tr> <tr> <td colspan="2" style="text-align: center;">1</td> </tr> <tr> <td colspan="2" style="text-align: center;"><b>Evidence</b></td> </tr> <tr> <td colspan="2" style="text-align: center;">pp. 12-13 p. 39</td> </tr> </table>	3	2	1		<b>Evidence</b>		pp. 12-13 p. 39	
3	2								
1									
<b>Evidence</b>									
pp. 12-13 p. 39									

<p><b>8. Did the project consider potential environmental opportunities and adverse impacts, applying a precautionary approach? (select from options 1-3 that best reflects this project):</b></p> <ul style="list-style-type: none"> <li>• <b>3:</b> Credible evidence that opportunities to enhance environmental sustainability and integrate poverty-environment linkages were fully considered as relevant, and integrated in project strategy and design. Credible evidence that potential adverse environmental impacts have been identified and rigorously assessed with appropriate management and mitigation measures incorporated into project design and budget. (<i>all must be true to select this option</i>).</li> <li>• <b>2:</b> No evidence that opportunities to strengthen environmental sustainability and poverty-environment linkages were considered. Credible evidence that potential adverse environmental impacts have been identified and assessed, if relevant, and appropriate management and mitigation measures incorporated into project design and budget.</li> <li>• <b>1:</b> No evidence that opportunities to strengthen environmental sustainability and poverty-environment linkages were considered. Limited or no evidence that potential adverse environmental impacts were adequately considered.</li> </ul> <p>*Note: Management action or strong management justification must be given for a score of 1</p> <p>UNDP Somalia has a range of projects that cover key development topics, including environmental protection. Coordinating with UNDP Somalia will help to ensure environmental sustainability is protected. Further, the communications materials that will be produced to improve the communicative capacities of the assemblies will be printed and created with consideration to sustainability. Communications efforts focus beyond printed materials and include radio spots. The purchase of materials will be considerate of potential environmental impacts. The focus of the project should also limit any adverse impacts, as capacity developments and trainings will strongly utilize human resources.</p>	3	2
	1	
	<p><b>Evidence</b></p> <p>p. 53</p>	
<p><b>9. Has the Social and Environmental Screening Procedure (SESP) been conducted to identify potential social and environmental impacts and risks?</b> The SESP is not required for projects in which UNDP is Administrative Agent only and/or projects comprised solely of reports, coordination of events, trainings, workshops, meetings, conferences and/or communication materials and information dissemination. [if yes, upload the completed checklist. If SESP is not required, provide the reason for the exemption in the evidence section.]</p> <p>Consistent with UNDP’s Programme and Operations Policies and Procedures, social and environmental sustainability will be enhanced through application of the UNDP Social and Environmental Standards (<a href="http://www.undp.org/ses">http://www.undp.org/ses</a>) and related Accountability Mechanism (<a href="http://www.undp.org/secu-srm">http://www.undp.org/secu-srm</a>).</p>	Yes	No
	<p>p. 53</p>	
<b>MANAGEMENT &amp; MONITORING</b>		
<p><b>10. Does the project have a strong results framework? (select from options 1-3 that best reflects this project):</b></p>	3	2
	1	

<ul style="list-style-type: none"> <li>• <b>3:</b> The project’s selection of outputs and activities are at an appropriate level and relate in a clear way to the project’s theory of change. Outputs are accompanied by SMART, results-oriented indicators that measure all of the key expected changes identified in the theory of change, each with credible data sources, and populated baselines and targets, including gender sensitive, sex-disaggregated indicators where appropriate. <i>(all must be true to select this option)</i></li> <li>• <b>2:</b> The project’s selection of outputs and activities are at an appropriate level, but may not cover all aspects of the project’s theory of change. Outputs are accompanied by SMART, results-oriented indicators, but baselines, targets and data sources may not yet be fully specified. Some use of gender sensitive, sex-disaggregated indicators, as appropriate. <i>(all must be true to select this option)</i></li> <li>• <b>1:</b> The results framework does not meet all of the conditions specified in selection “2” above. This includes: the project’s selection of outputs and activities are not at an appropriate level and do not relate in a clear way to the project’s theory of change; outputs are not accompanied by SMART, results-oriented indicators that measure the expected change, and have not been populated with baselines and targets; data sources are not specified, and/or no gender sensitive, sex-disaggregation of indicators.</li> </ul> <p>*Note: Management Action or strong management justification must be given for a score of 1</p> <p>The project has a strong results framework.</p>	<p><b>Evidence</b></p> <p>pp. 29-38</p>	
<p><b>11. Is there a comprehensive and costed M&amp;E plan in place with specified data collection sources and methods to support evidence-based management, monitoring and evaluation of the project?</b></p> <p>The Project has developed a very detailed and comprehensive M&amp;E plan that lists the methods to support evidence based management, monitoring and evaluation and monitoring has been costed as part of the project activities.</p>	<p>Yes (3)</p>	<p>No (1)</p>
<p><b>12. Is the project’s governance mechanism clearly defined in the project document, including planned composition of the project board? (select from options 1-3 that best reflects this project):</b></p> <ul style="list-style-type: none"> <li>• <b>3:</b> The project’s governance mechanism is fully defined in the project composition. Individuals have been specified for each position in the governance mechanism (especially all members of the project board.) Project Board members have agreed on their roles and responsibilities as specified in the terms of reference. The ToRs of the project board has been attached to the project document. <i>(all must be true to select this option).</i></li> <li>• <b>2:</b> The project’s governance mechanism is defined in the project document; specific institutions are noted as holding key governance roles, but individuals may not have been specified yet. The ProDoc lists the most important responsibilities of the project board, project director/manager and quality assurance roles. <i>(all must be true to select this option)</i></li> <li>• <b>1:</b> The project’s governance mechanism is loosely defined in the project document, only mentioning key roles that will need to be filled at a later date. No information on the responsibilities of key positions in the governance mechanism is provided.</li> </ul> <p>*Note: Management Action or strong management justification must be given for a score of 1</p> <p>The project’s governance mechanism (the Project Board) will hold regular project reviews at least once every six months (it can convene as and when necessary on an ad hoc basis including virtually as urgent need arises) to assess the performance of the project and review the Multi-Year Work Plan to ensure realistic budgeting over the life of the project. In the project’s final year, the Project Board shall hold an end-of project review to capture lessons learned and discuss opportunities for scaling up and to socialize project results and lessons learned with relevant audiences. The Board will ensure the project remains on track with its goals and work plans.</p>	<p>3</p>	<p>2</p>
<p>1</p> <p><b>Evidence</b></p> <p>pp. 25-28 pp. 50-52</p>		

The Project Board will be responsible for the following:

- Provide general, high-level, strategic oversight to the project activities including financial oversight;
- Provide project and policy implementation oversight;
- Provide overall guidance and direction to the project, ensuring it remains within specified constraints;
- Approve annual work plans and budgets; and based on the approved annual work plans (AWP) authorize any major deviation from the approved work plans and budgets;
- Conduct meetings at least twice a year to review Project Progress Reports and provide direction and recommendations to ensure agreed deliverables are produced satisfactorily according to plans;
- Approve changes and amendments to the existing project document;
- Consider recommendations from the Technical Working Group (if any);
- Monitor progressive achievement of project objectives and provide guidance on long term sustainability of the project's achievements;
- Provide high-level quality assurance for project results and input and advice to on-going risk analysis;
- Undertake mobilization of funding for the project and consider funding for emerging issues;
- Review and approve the Final Project Review Report, including lessons learned;
- Commission project evaluation when required;
- Invite representatives of other project beneficiaries to inform on their specific activities and needs.

The Co-chairs of the Project Board may establish sub-committees to deal with specific tasks or needs. The Project Board will make decisions on the basis of consensus and in case of any disagreements only then issues will be put to the Board members for a decision, which will be governed by majority vote. All board members will strive for representation in board meetings at a level appropriate for political guidance and decision-making. The Board will have the following membership:

Voting Members:

3. Co-chairs Minister MOCA and the UNDP Country Director
4. Representatives from 2 donors at Ambassador or Head of Aid levels
5. Chairperson of OC
6. Chairperson ICRIC

Non-Voting Members:

4. Director General MOCA
5. UNDP Programme Manager
6. UNDP CTA for the Project

<p><u>Observers</u>: The Project Board may decide to invite key stakeholders to participate in the meetings as observers.</p> <p>The Project Board plays a critical role in UNDP commissioned evaluations by quality assuring the evaluation process and products, and using evaluations for performance improvement, accountability and learning. Project reviews by this group are made at designated decision points during the duration of the Project or as necessary when raised by the CTA. The Board is consulted by the CTA for decisions when his or her tolerances (normally in terms of time and budget) have been exceeded. Based on the approved annual work plan (AWP), the Project Board may also review and approve quarterly plans when required and authorise any major deviation from these agreed quarterly plans. The objective is to create a mechanism for effective programme management. The Board contains three roles:</p> <ul style="list-style-type: none"> <li>• Executive: The Minister MOCA (or his nominee) and the UNDP Country Director (or his/her nominee) will chair the group;</li> <li>• Supplier: UNDP as the core provider of technical services to the Project, UN MISSION, and the donors can decide to include additional technical providers as appropriate during the period of implementation;</li> <li>• Beneficiary Representative: This group needs to include a representative group of MPs (including a women and a youth representative) and representatives from civil society and the media.</li> </ul>		
<p><b>13. Have the project risks been identified with clear plans stated to manage and mitigate each risks? (select from options 1-3 that best reflects this project):</b></p> <ul style="list-style-type: none"> <li>• <b>3:</b> Project risks related to the achievement of results are fully described in the project risk log, based on comprehensive analysis drawing on the theory of change, Social and Environmental Standards and screening, situation analysis, capacity assessments and other analysis. Clear and complete plan in place to manage and mitigate each risk. <i>(both must be true to select this option)</i></li> <li>• <b>2:</b> Project risks related to the achievement of results identified in the initial project risk log with mitigation measures identified for each risk.</li> <li>• <b>1:</b> Some risks may be identified in the initial project risk log, but no evidence of analysis and no clear risk mitigation measures identified. This option is also selected if risks are not clearly identified and no initial risk log is included with the project document.</li> </ul> <p>*Note: Management Action must be taken for a score of 1</p> <p>The project has been designed with all reasonable efforts to manage risks. Further, a risk log will be entered in and updated in Atlas.</p> <p>The project recognizes critical assumptions about the overall political and security context, as well as the operational basis for implementation. The Project will work very closely with UNSOM and other development partners to track these issues and mitigate risks, specifically:</p> <p><b><u>Overarching political and security context</u></b></p> <ul style="list-style-type: none"> <li>➤ The 2016 indirect electoral process and subsequent election of the President took place as a peaceful transition of power, generally following constitutional timelines;</li> <li>➤ There will be no significant challenge (legal or political) made to the indirect process of the MOCA, including in relation to the FMS MOCAs;</li> </ul>	3	2
	1	
	<p><b>Evidence</b></p> <p>pp. 21-22 pp. 52-55</p>	



<ul style="list-style-type: none"> <li>➤ Somalia’s institutions will continue to work towards developing a federal legal framework and supporting institutions, including in cooperation with the Federal MOCA and FMS MOCAs.</li> <li>➤ The security context will not substantially deteriorate in Mogadishu and the state capitals;</li> </ul> <p><u>Operating context</u></p> <ul style="list-style-type: none"> <li>➤ Donors and implementing partners will work together to support the legislatures to respect the Constitution, uphold the rule of law and will coordinate so that efforts reinforce critical political priorities.</li> </ul> <p>A fuller set of risks is included at Annex X and will be continually updated through the life of the Project. Critical high-level risks include:</p> <ul style="list-style-type: none"> <li>➤ The constitutional review process could stall leading to conflict between different levels of government including the legislative branches.</li> <li>➤ Insufficient funds to support MOCA at Federal level and FMS MOCAs could undermine the role of these MOCAs for constitution review.</li> <li>➤ Lack of trust of citizens and communities in the constitution review process will impact as platform for inclusiveness, social cohesion and reconciliation.</li> </ul>		
<b>EFFICIENT</b>		
<p><b>14. Have specific measures for ensuring cost-efficient use of resources been explicitly mentioned as part of the project design? This can include: i) using the theory of change analysis to explore different options of achieving the maximum results with the resources available; ii) using a portfolio management approach to improve cost effectiveness through synergies with other interventions; iii) through joint operations (e.g., monitoring or procurement) with other partners.</b></p> <p>One of the guiding principles of project implementation will be to maximize scarce resources in a restricted operating environment by focusing on developing effective partnerships, based on comparative advantages and close coordination of activities in a coherent and complementary way. Already, during PIP (2015-16) partnerships were developed with Max Planck, Chemonics, EISA, NDI and AWEPA.</p>	Yes (3)	No (1)
<p><b>15. Are explicit plans in place to ensure the project links up with other relevant on-going projects and initiatives, whether led by UNDP, national or other partners, to achieve more efficient results (including, for example, through sharing resources or coordinating delivery?)</b></p>	Yes (3)	No (1)

UNDP has ensured that it has an advantage in the design of the project. In designing the project, UNDP considered other experts and organizations working in the field to ensure it did not duplicate efforts.		
<p><b>16. Is the budget justified and supported with valid estimates?</b></p> <ul style="list-style-type: none"> <li>• <b>3:</b> The project’s budget is at the activity level with funding sources, and is specified for the duration of the project period in a multi-year budget. Costs are supported with valid estimates using benchmarks from similar projects or activities. Cost implications from inflation and foreign exchange exposure have been estimated and incorporated in the budget.</li> <li>• <b>2:</b> The project’s budget is at the activity level with funding sources, when possible, and is specified for the duration of the project in a multi-year budget. Costs are supported with valid estimates based on prevailing rates.</li> <li>• <b>1:</b> The project’s budget is not specified at the activity level, and/or may not be captured in a multi-year budget.</li> </ul> <p>The Project has been designed with value for money as a key priority, recognizing the multitude of needs in Somalia and the limited funding envelope of Somali governments at all levels and of donors. As such, the Project has been designed to enable UNDP to deploy both long-term Somali capacity development staff, complemented by international advisors and consultants with capacities to provide specialist technical inputs upon demand. Experience during PIP (2015-16) for constituion review demonstrated the importance of both approaches – accompaniment based on relationships of trust build over time between Somalis will be crucial, but it is also necessary for UNDP to be able to offer MOCA technical advice on complex constitutional and subject-matter issues.</p> <p>UNDP as the Implementing Agency will carry out some administrative-related work including procurement of goods and services. Where appropriate, the project will prepare Letters of Agreements (LoAs) with national counterparts in order to rely on national implementation capacities. With reference to recent capacity assessments conducted for all parliaments, the project will implement adequate capacity development, mitigation and monitoring measures in order to safeguard the proper use of funds. The LOA methodology responds to the difficult operating environment that makes it more challenging to deliver responsive, flexible support within the fluid Somali political environment by enabling the quick disbursement of funds for the delivery of basic activities. At the same time, UNDP uses the LOA approach as a means for building financial management and procurement capacity within counterparts, as well as to ensure stronger local ownership. During PIP (2015-16), LOA with MOCA, MOCFAD, OC and ICRIC were a relatively efficient and effective mechanisms for implementation, as they enable timely delivery in a highly insecure environment, while their oversight by external third parties has strengthening accountability and reduced the risk of mismanagement. That said, the CTA and head of the Accountability, Oversight &amp; Operations Management (AOOM) Unit will be responsible for close monitoring of these LOAs and ensuring that LOAs and the work plans that underpin them operate to progress real results and impacts.</p>	3	2
	1	
	<b>Evidence</b>	p. 25 pp. 42-48
<p><b>17. Is the Country Office fully recovering the costs involved with project implementation?</b></p>	3	2
	1	

<ul style="list-style-type: none"> <li>• <b>3:</b> The budget fully covers all project costs that are attributable to the project, including programme management and development effectiveness services related to strategic country programme planning, quality assurance, pipeline development, policy advocacy services, finance, procurement, human resources, administration, issuance of contracts, security, travel, assets, general services, information and communications based on full costing in accordance with prevailing UNDP policies (i.e., UPL, LPL.)</li> <li>• <b>2:</b> The budget covers significant project costs that are attributable to the project based on prevailing UNDP policies (i.e., UPL, LPL) as relevant.</li> <li>• <b>1:</b> The budget does not adequately cover project costs that are attributable to the project, and UNDP is cross-subsidizing the project.</li> </ul> <p>*Note: Management Action must be given for a score of 1. The budget must be revised to fully reflect the costs of implementation before the project commences.</p> <p>For the programme, UNDP is required to recover the cost for providing Implementation Support Services (ISS) on the basis of actual costs or transaction fee. These costs are an integral part of programme delivery, and hence should be charged to the same budget line as the programme input itself. In determining costs the approach is to use actual costs for clearly identifiable transactions and when this is not possible, UNDP will use the Universal Price List for services (transaction fee), as reference. Fundamentally, the percentage fee for GMS is not intended to recover the cost of ISS, which instead are recovered based on a transaction fee, as described above.</p>	<b>Evidence</b>								
<b>EFFECTIVE</b>									
<p><b>18. Is the chosen implementation modality most appropriate? (select from options 1-3 that best reflects this project):</b></p> <ul style="list-style-type: none"> <li>• <b>3:</b> The required implementing partner assessments (capacity assessment, HACT micro assessment) have been conducted, and there is evidence that options for implementation modalities have been thoroughly considered. There is a strong justification for choosing the selected modality, based on the development context. <i>(both must be true to select this option)</i></li> <li>• <b>2:</b> The required implementing partner assessments (capacity assessment, HACT micro assessment) have been conducted and the implementation modality chosen is consistent with the results of the assessments.</li> <li>• <b>1:</b> The required assessments have not been conducted, but there may be evidence that options for implementation modalities have been considered.</li> </ul> <p>*Note: Management Action or strong management justification must be given for a score of 1</p> <p>UNDP will use direct implementation given the nature and goals of the project. UNDP as the Implementing Partner shall comply with the policies, procedures and practices of the United Nations Security Management System (UNSMS).</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">3</td> <td style="width: 50%; text-align: center;">2</td> </tr> <tr> <td colspan="2" style="text-align: center;">1</td> </tr> <tr> <td colspan="2" style="text-align: center;"><b>Evidence</b></td> </tr> </table>	3	2	1		<b>Evidence</b>			
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<p><b>19. Have targeted groups, prioritizing marginalized and excluded populations that will be affected by the project, been engaged in the design of the project in a way that addresses any underlying causes of exclusion and discrimination?</b></p> <ul style="list-style-type: none"> <li>• <b>3:</b> Credible evidence that all targeted groups, prioritising marginalized and excluded populations that will be involved in or affected by the project, have been actively engaged in the design of the project. Their views, rights and any constraints have been analysed and incorporated into the root cause analysis of the theory of change which seeks to address any underlying causes of exclusion and discrimination and the selection of project interventions.</li> </ul>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">3</td> <td style="width: 50%; text-align: center;">2</td> </tr> <tr> <td colspan="2" style="text-align: center;">1</td> </tr> <tr> <td colspan="2" style="text-align: center;"><b>Evidence</b></td> </tr> <tr> <td colspan="2" style="text-align: center;">p. 16 pp. 18-20 p- 23</td> </tr> </table>	3	2	1		<b>Evidence</b>		p. 16 pp. 18-20 p- 23	
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<b>Evidence</b>									
p. 16 pp. 18-20 p- 23									

<ul style="list-style-type: none"> <li>• <u>2:</u> Some evidence that key targeted groups, prioritising marginalized and excluded populations that will be involved in the project, have been engaged in the design of the project. Some evidence that their views, rights and any constraints have been analysed and incorporated into the root cause analysis of the theory of change and the selection of project interventions.</li> <li>• <u>1:</u> No evidence of engagement with marginalized and excluded populations that will be involved in the project during project design. No evidence that the views, rights and constraints of populations have been incorporated into the project.</li> </ul> <p>The Project will prioritize work to dialogue with citizens and CSOs and to communicate, including through partnerships with the media and CSOs. Effort will be made to echo the voices of the citizens especially the most marginalized, including women, youth, rural and vulnerable groups.</p> <p>The Project will also select target locations according to the needs assessment, with consideration to conflict analysis and community consultations to ensure it can be more inclusive in its process.</p>		
<p><b>20. Does the project conduct regular monitoring activities, have explicit plans for evaluation, and include other lesson learning (e.g. through After Action Reviews or Lessons Learned Workshops), timed to inform course corrections if needed during project implementation?</b></p> <p>Monitoring and evaluation of the project will involve the following processes:</p> <p><u>Within the annual project cycle</u></p> <ul style="list-style-type: none"> <li>• Project Progress Reports shall be submitted to the Project Board through the UNDP Programme Unit and Planning and Partnership Unit (PPU) of UNDP Country Office. As part of its obligation to quality assure all programming funded through UNDP, the UNDP Country Office will continually review project planning documents and undertake periodic monitoring and spot check missions in partnership with parliament and donors as appropriate. The results of these quality assurance exercises will be used to support continuous strengthening of UNDP support to parliaments and will be reflected in the project reporting.</li> <li>• Monthly Newsletters shall be submitted to all stakeholders, national counterparts, implementing partners, donors and UNDP CO.</li> <li>• A Monitoring Plan shall be developed annually in line with the activities and also including the monitoring and spot check missions.</li> <li>• Monthly or fortnightly project reporting will provide on-going activity updates and inform stakeholders in real time, about issues arising.</li> <li>• Internal reporting within the project will help track activities and progress thereof.</li> <li>• An Issue Log shall be activated in Atlas and updated by the project management support unit to facilitate tracking and resolution of potential problems or requests for change.</li> </ul>	<p>Yes (3)</p>	<p>No (1)</p>

<ul style="list-style-type: none"> <li>• A Risk Log, based on the generalised risk assessment provided in this document, shall also be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation.</li> <li>• A Lessons Learnt 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 Learnt Report.</li> <li>• Financial Analysis will accompany all project progress reports that will include delivery rates to ensure all UNDP and donor resources are being utilised in accordance with the project document and annual work plans/budgets. Further, the project shall be subject exclusively, to the internal and external-auditing procedures provided for in the financial regulations, rules and directives of UNDP.</li> </ul> <p><u>Internal Assessments</u></p> <ul style="list-style-type: none"> <li>• Quarterly Assessments shall be undertaken, based on quarterly work plans, to determine progress.</li> <li>• Annual Project Review shall be conducted internally during the fourth quarter of each year, or soon after, to assess the performance of the project, and appraise the Annual Work Plan for the following year. In the last year of the project, this review will be a Final Assessment. This review will be 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 CPD outcomes.</li> </ul> <p><u>Independent Reviews and Evaluations</u></p> <ul style="list-style-type: none"> <li>• A final evaluation of the project will be conducted in 2019. The structure of this evaluation will be determined by UNDP but based on the interests, concerns and inputs of stakeholders. This evaluation should inform objective, independent reports on project progress towards stated objectives, issues arising, lessons learned, and include recommendations to improve future implementation.</li> </ul>										
<p><b>21. The gender marker for all project outputs are scored at GEN2 or GEN3, indicating that gender has been fully mainstreamed into all project outputs at a minimum.</b></p> <p><i>*Note: Management Action or strong management justification must be given for a score of “no”</i></p>	<table border="1"> <tr> <td>Yes (3)</td> <td>No (1)</td> </tr> <tr> <td colspan="2"><b>Evidence</b></td> </tr> </table>	Yes (3)	No (1)	<b>Evidence</b>						
Yes (3)	No (1)									
<b>Evidence</b>										
<p><b>22. Is there a realistic multi-year work plan and budget to ensure outputs are delivered on time and within allotted resources? (select from options 1-3 that best reflects this project):</b></p> <ul style="list-style-type: none"> <li>• <b>3:</b> The project has a realistic work plan &amp; budget covering the duration of the project <i>at the activity</i> level to ensure outputs are delivered on time and within the allotted resources.</li> <li>• <b>2:</b> The project has a work plan &amp; budget covering the duration of the project at the output level.</li> <li>• <b>1:</b> The project does not yet have a work plan &amp; budget covering the duration of the project.</li> </ul> <p>The project has a two-year timeline. The specific activities and budgets are outlined in the project document for the duration of the project.</p>	<table border="1"> <tr> <td>3</td> <td>2</td> </tr> <tr> <td colspan="2">1</td> </tr> <tr> <td colspan="2"><b>Evidence</b></td> </tr> <tr> <td colspan="2">pp. 42-28</td> </tr> </table>	3	2	1		<b>Evidence</b>		pp. 42-28		
3	2									
1										
<b>Evidence</b>										
pp. 42-28										

SUSTAINABILITY & NATIONAL OWNERSHIP		
<p><b>23. Have national partners led, or proactively engaged in, the design of the project? (select from options 1-3 that best reflects this project):</b></p> <ul style="list-style-type: none"> <li>• <b>3:</b> National partners have full ownership of the project and led the process of the development of the project jointly with UNDP.</li> <li>• <b>2:</b> The project has been developed by UNDP in close consultation with national partners.</li> <li>• <b>1:</b> The project has been developed by UNDP with limited or no engagement with national partners.</li> </ul> <p>UNDP will utilize local consultations and perceptions studies to determine what public needs, views and priorities are with regard to policing and justice to ensure the programme reflects local needs and expectations.</p> <p>Another important aspect of this phase of the project is to build ownership of the MOCA and regional MOCA work amongst broader society. To this end, a substantial budget has been provided to undertaken civic education activities, with a particular emphasis on building relationships with CSOs and engaging in specific outreach with women, young people and marginalised groups.</p>	3	2
	1	
	<p><b>Evidence</b></p> <p>pp. 17-20 p. 45</p>	
<p><b>24. Are key institutions and systems identified, and is there a strategy for strengthening specific/ comprehensive capacities based on capacity assessments conducted? (select from options 0-4 that best reflects this project):</b></p> <ul style="list-style-type: none"> <li>• <b>3:</b> The project has a comprehensive strategy for strengthening specific capacities of national institutions based on a systematic and detailed capacity assessment that has been completed. This strategy includes an approach to regularly monitor national capacities using clear indicators and rigorous methods of data collection, and adjust the strategy to strengthen national capacities accordingly.</li> <li>• <b>2.5:</b> A capacity assessment has been completed. The project document has identified activities that will be undertaken to strengthen capacity of national institutions, but these activities are not part of a comprehensive strategy to monitor and strengthen national capacities.</li> <li>• <b>2:</b> A capacity assessment is planned after the start of the project. There are plans to develop a strategy to strengthen specific capacities of national institutions based on the results of the capacity assessment.</li> <li>• <b>1.5:</b> There is mention in the project document of capacities of national institutions to be strengthened through the project, but no capacity assessments or specific strategy development are planned.</li> <li>• <b>1:</b> Capacity assessments have not been carried out and are not foreseen. There is no strategy for strengthening specific capacities of national institutions.</li> </ul> <p>Needs assessments will be utilized to ensure:</p> <ol style="list-style-type: none"> <li>1) that the programme’s work is for the benefit of people in need, not the interests of any one conflict actors;</li> <li>2) that target locations are selected strategically and consider conflict analysis and community consultations to identify potential ‘dividers’ and ‘connectors’;</li> <li>3) that beneficiaries and partners are selected to avoid creating or fuelling divisions within target communities and with neighbours.</li> </ol>	3	2.5
	2	1.5
	1	
<p><b>Evidence</b></p> <p>pp. 11-13</p>		

<p>Further, the project considers what is critical to success. It will work with selected key actors and institutions to ensure that the effectiveness and accountability of the constitutional review bodies and assemblies is strengthened.</p>		
<p><b>25. Is there is a clear strategy embedded in the project specifying how the project will use national systems (i.e., procurement, monitoring, evaluations, etc.,) to the extent possible?</b></p> <p>UNDP as the Implementing Agency will carry out some administrative-related work including procurement of goods and services. Where appropriate, the project will prepare Letters of Agreement (LoA) with national counterparts in order to rely on national implementation capacities. UNDP uses the LOA approach as a means for building financial management and procurement capacity within counterparts, as well as to ensure stronger local ownership. LOAs under PIP (2015-16) were a relatively efficient and effective mechanisms for implementation, as they enable timely delivery in a highly insecure environment, while their oversight by external third parties has strengthening accountability and reduced the risk of mismanagement. That said, the CTA and head of the AOP Unit will be responsible for close monitoring of these LOAs and ensuring that LOAs and the work plans that underpin them operate to progress real results and impacts.</p>	<p>Yes (3)</p>	<p>No (1)</p>
<p><b>26. Is there a clear transition arrangement/ phase-out plan developed with key stakeholders in order to sustain or scale up results (including resource mobilisation strategy)?</b></p> <p>Efforts will be made for the sustainability of the project and the development of stronger capacity that can outlive the project timeframe.</p>	<p>Yes (3)</p>	<p>No (1)</p>

## ANNEX 2. SOCIAL AND ENVIRONMENTAL SCREENING

### Project Information

<b>Project Information</b>	
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1. Project Title	Constitution Review Support Project (CRSP-II)
2. Award/Project Number	00099032
3. Location	Somalia- Mogadishu (MOCA Federal level, OC, ICRC), FMS MOCAs (Puntland, Galmudug, Jubaland, South West State and Hir Shabelle)

**Part A. Integrating Overarching Principles to Strengthen Social and Environmental Sustainability**

<b>QUESTION 1: How Does the Project Integrate the Overarching Principles in order to Strengthen Social and Environmental Sustainability?</b>
<i>Briefly describe in the space below how the Project mainstreams the human-rights based approach</i>
<i>Briefly describe in the space below how the Project is likely to improve gender equality and women's empowerment</i>
The project will promote gender equality through capacity development activities in gender elements, with trainings
<i>Briefly describe in the space below how the Project mainstreams environmental sustainability</i>
N/A



**Part B. Identifying and Managing Social and Environmental Risks**

<p><b>QUESTION 2: What are the Potential Social and Environmental Risks?</b>  <i>Note: Describe briefly potential social and environmental risks identified in Attachment 1 – Risk Screening Checklist (based on any “Yes” responses). If no risks have been identified in Attachment 1 then note “No Risks Identified” and skip to Question 4 and Select “Low Risk”. Questions 5 and 6 not required for Low Risk Projects.</i></p>	<p><b>QUESTION 3: What is the level of significance of the potential social and environmental risks?</b>  <i>Note: Respond to Questions 4 and 5 below before proceeding to Question 6</i></p>			<p><b>QUESTION 6: What social and environmental assessment and management measures have been conducted and/or are required to address potential risks (for Risks with Moderate and High Significance)?</b></p>
<p><b>Risk Description</b></p>	<p><b>Impact and Probability (1-5)</b></p>	<p><b>Significance (Low, Moderate, High)</b></p>	<p><b>Comments</b></p>	<p><b>Description of assessment and management measures as reflected in the Project design. If ESIA or SESA is required note that the assessment should consider all potential impacts and risks.</b></p>
<p>Risk 1: Duty-bearers do not have the capacity to meet their obligations in the Project</p>	<p>I=1 P=2</p>	<p>Moderate</p>	<p>The project will enhance and strengthen operational and technical capacity of the duty bearers.</p>	<p>The project will provide capacity development activities to all duty bearers as they are the core of the project activities and goals.</p>
<p>Risk 2: Rights-holders do not have the capacity to claim their rights</p>	<p>I=2 P=1</p>	<p>Low</p>	<p>This will be done through capacity building of the right holders on key principles, strategies, mechanisms and to claim their rights.</p>	<p>The project will include capacity building activities in promoting the right holders to have the skills and knowledge to advocate for their rights and carry out awareness campaigns and outreach activities.</p>
<p>Risk 3: The proposed Project would have adverse impacts on gender equality and/or the situation of women and girls</p>	<p>I=2 P=1</p>	<p>Low</p>	<p>The project will mainstream gender into all activities.</p>	<p>Project will ensure that gender is mainstreamed across all of its activities.</p>
<p>[add additional rows as needed]</p>				

QUESTION 4: What is the overall Project risk categorization?		
Select one (see <a href="#">SESP</a> for guidance)		Comments
<i>Low Risk</i>	<input checked="" type="checkbox"/>	
<i>Moderate Risk</i>	<input type="checkbox"/>	
<i>High Risk</i>	<input type="checkbox"/>	
QUESTION 5: Based on the identified risks and risk categorization, what requirements of the SES are relevant?		
Check all that apply		Comments
<i>Principle 1: Human Rights</i>	<input checked="" type="checkbox"/>	The project will closely work with its stakeholders to bring together MOCA and CSOs to promote protection of human rights. The project will support capacity building training activities in the areas of gender analysis of legislation, gender budgeting and collection of sex-disaggregated data.
<i>Principle 2: Gender Equality and Women's Empowerment</i>	<input checked="" type="checkbox"/>	The project will pay special attention to identifying women's groups for engagement. These groups can be supported with advocacy training to enable them to more effectively lobby and the project can also facilitate connecting up these women's groups and relevant constitution review committees.
<i>1. Biodiversity Conservation and Natural Resource Management</i>	<input type="checkbox"/>	
<i>2. Climate Change Mitigation and Adaptation</i>	<input type="checkbox"/>	
<i>3. Community Health, Safety and Working Conditions</i>	<input type="checkbox"/>	
<i>4. Cultural Heritage</i>	<input type="checkbox"/>	
<i>5. Displacement and Resettlement</i>	<input type="checkbox"/>	
<i>6. Indigenous Peoples</i>	<input type="checkbox"/>	
<i>7. Pollution Prevention and Resource Efficiency</i>	<input type="checkbox"/>	

## Final Sign Off

<i>Signature</i>	<i>Date</i>	<i>Description</i>
QA Assessor		UNDP staff member responsible for the Project, typically a UNDP Programme Officer. Final signature confirms they have “checked” to ensure that the SESP is adequately conducted.
QA Approver		UNDP senior manager, typically the UNDP Deputy Country Director (DCD), Country Director (CD), Deputy Resident Representative (DRR), or Resident Representative (RR). The QA Approver cannot also be the QA Assessor. Final signature confirms they have “cleared” the SESP prior to submittal to the PAC.
LPAC Chair		UNDP chair of the LPAC. In some cases PAC Chair may also be the QA Approver. Final signature confirms that the SESP was considered as part of the project appraisal and considered in recommendations of the LPAC.

**SESP Attachment 1. Social and Environmental Risk Screening Checklist**

<b>Checklist Potential Social and Environmental Risks</b>		<b>Answer (Yes/No)</b>
<b>Principles 1: Human Rights</b>		
1.	Could the Project lead to adverse impacts on enjoyment of the human rights (civil, political, economic, social or cultural) of the affected population and particularly of marginalized groups?	No
2.	Is there a likelihood that the Project would have inequitable or discriminatory adverse impacts on affected populations, particularly people living in poverty or marginalized or excluded individuals or groups? <sup>25</sup>	No
3.	Could the Project potentially restrict availability, quality of and access to resources or basic services, in particular to marginalized individuals or groups?	No
4.	Is there a likelihood that the Project would exclude any potentially affected stakeholders, in particular marginalized groups, from fully participating in decisions that may affect them?	No
5.	Is there a risk that duty-bearers do not have the capacity to meet their obligations in the Project?	Yes
6.	Is there a risk that rights-holders do not have the capacity to claim their rights?	Yes
7.	Have local communities or individuals, given the opportunity, raised human rights concerns regarding the Project during the stakeholder engagement process?	No
8.	Is there a risk that the Project would exacerbate conflicts among and/or the risk of violence to project-affected communities and individuals?	No
<b>Principle 2: Gender Equality and Women’s Empowerment</b>		
1.	Is there a likelihood that the proposed Project would have adverse impacts on gender equality and/or the situation of women and girls?	Yes
2.	Would the Project potentially reproduce discriminations against women based on gender, especially regarding participation in design and implementation or access to opportunities and benefits?	No
3.	Have women’s groups/leaders raised gender equality concerns regarding the Project during the stakeholder engagement process and has this been included in the overall Project proposal and in the risk assessment?	No
4.	Would the Project potentially limit women’s ability to use, develop and protect natural resources, taking into account different roles and positions of women and men in accessing environmental goods and services?  <i>For example, activities that could lead to natural resources degradation or depletion in communities who depend on these resources for their livelihoods and well being</i>	No
<b>Principle 3: Environmental Sustainability:</b> Screening questions regarding environmental risks are encompassed by the specific Standard-related questions below		
<b>Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management</b>		
1.1	Would the Project potentially cause adverse impacts to habitats (e.g. modified, natural, and critical habitats) and/or ecosystems and ecosystem services?  <i>For example, through habitat loss, conversion or degradation, fragmentation, hydrological changes</i>	No
1.2	Are any Project activities proposed within or adjacent to critical habitats and/or environmentally sensitive areas, including legally protected areas (e.g. nature reserve, national park), areas proposed for protection, or recognized as such by authoritative sources and/or indigenous peoples or local communities?	No

<sup>25</sup> Prohibited grounds of discrimination include race, ethnicity, gender, age, language, disability, sexual orientation, religion, political or other opinion, national or social or geographical origin, property, birth or other status including as an indigenous person or as a member of a minority. References to “women and men” or similar is understood to include women and men, boys and girls, and other groups discriminated against based on their gender identities, such as transgender people and transsexuals.

1.3	Does the Project involve changes to the use of lands and resources that may have adverse impacts on habitats, ecosystems, and/or livelihoods? (Note: if restrictions and/or limitations of access to lands would apply, refer to Standard 5)	No
1.4	Would Project activities pose risks to endangered species?	No
1.5	Would the Project pose a risk of introducing invasive alien species?	No
1.6	Does the Project involve harvesting of natural forests, plantation development, or reforestation?	No
1.7	Does the Project involve the production and/or harvesting of fish populations or other aquatic species?	No
1.8	Does the Project involve significant extraction, diversion or containment of surface or ground water? <i>For example, construction of dams, reservoirs, river basin developments, groundwater extraction</i>	No
1.9	Does the Project involve utilization of genetic resources? (e.g. collection and/or harvesting, commercial development)	No
1.10	Would the Project generate potential adverse transboundary or global environmental concerns?	No
1.11	Would the Project result in secondary or consequential development activities which could lead to adverse social and environmental effects, or would it generate cumulative impacts with other known existing or planned activities in the area? <i>For example, a new road through forested lands will generate direct environmental and social impacts (e.g. felling of trees, earthworks, potential relocation of inhabitants). The new road may also facilitate encroachment on lands by illegal settlers or generate unplanned commercial development along the route, potentially in sensitive areas. These are indirect, secondary, or induced impacts that need to be considered. Also, if similar developments in the same forested area are planned, then cumulative impacts of multiple activities (even if not part of the same Project) need to be considered.</i>	No
<b>Standard 2: Climate Change Mitigation and Adaptation</b>		
2.1	Will the proposed Project result in significant <sup>26</sup> greenhouse gas emissions or may exacerbate climate change?	No
2.2	Would the potential outcomes of the Project be sensitive or vulnerable to potential impacts of climate change?	No
2.3	Is the proposed Project likely to directly or indirectly increase social and environmental vulnerability to climate change now or in the future (also known as maladaptive practices)? <i>For example, changes to land use planning may encourage further development of floodplains, potentially increasing the population's vulnerability to climate change, specifically flooding</i>	No
<b>Standard 3: Community Health, Safety and Working Conditions</b>		
3.1	Would elements of Project construction, operation, or decommissioning pose potential safety risks to local communities?	No
3.2	Would the Project pose potential risks to community health and safety due to the transport, storage, and use and/or disposal of hazardous or dangerous materials (e.g. explosives, fuel and other chemicals during construction and operation)?	No
3.3	Does the Project involve large-scale infrastructure development (e.g. dams, roads, buildings)?	No
3.4	Would failure of structural elements of the Project pose risks to communities? (e.g. collapse of buildings or infrastructure)	No
3.5	Would the proposed Project be susceptible to or lead to increased vulnerability to earthquakes, subsidence, landslides, erosion, flooding or extreme climatic conditions?	No
3.6	Would the Project result in potential increased health risks (e.g. from water-borne or other vector-borne diseases or communicable infections such as HIV/AIDS)?	No
3.7	Does the Project pose potential risks and vulnerabilities related to occupational health and safety due to physical, chemical, biological, and radiological hazards during Project construction, operation, or decommissioning?	No
3.8	Does the Project involve support for employment or livelihoods that may fail to comply with national and international labor standards (i.e. principles and standards of ILO fundamental conventions)?	No
3.9	Does the Project engage security personnel that may pose a potential risk to health and safety of communities and/or individuals (e.g. due to a lack of adequate training or accountability)?	No
<b>Standard 4: Cultural Heritage</b>		

<sup>26</sup> In regards to CO<sub>2</sub>, 'significant emissions' corresponds generally to more than 25,000 tons per year (from both direct and indirect sources). [The Guidance Note on Climate Change Mitigation and Adaptation provides additional information on GHG emissions.]

4.1	Will the proposed Project result in interventions that would potentially adversely impact sites, structures, or objects with historical, cultural, artistic, traditional or religious values or intangible forms of culture (e.g. knowledge, innovations, practices)? (Note: Projects intended to protect and conserve Cultural Heritage may also have inadvertent adverse impacts)	No
4.2	Does the Project propose utilizing tangible and/or intangible forms of cultural heritage for commercial or other purposes?	No
<b>Standard 5: Displacement and Resettlement</b>		
5.1	Would the Project potentially involve temporary or permanent and full or partial physical displacement?	No
5.2	Would the Project possibly result in economic displacement (e.g. loss of assets or access to resources due to land acquisition or access restrictions – even in the absence of physical relocation)?	No
5.3	Is there a risk that the Project would lead to forced evictions? <sup>27</sup>	No
5.4	Would the proposed Project possibly affect land tenure arrangements and/or community based property rights/customary rights to land, territories and/or resources?	No
<b>Standard 6: Indigenous Peoples</b>		
6.1	Are indigenous peoples present in the Project area (including Project area of influence)?	No
6.2	Is it likely that the Project or portions of the Project will be located on lands and territories claimed by indigenous peoples?	No
6.3	Would the proposed Project potentially affect the human rights, lands, natural resources, territories, and traditional livelihoods of indigenous peoples (regardless of whether indigenous peoples possess the legal titles to such areas, whether the Project is located within or outside of the lands and territories inhabited by the affected peoples, or whether the indigenous peoples are recognized as indigenous peoples by the country in question)?  <i>If the answer to the screening question 6.3 is “yes” the potential risk impacts are considered potentially severe and/or critical and the Project would be categorized as either Moderate or High Risk.</i>	No
6.4	Has there been an absence of culturally appropriate consultations carried out with the objective of achieving FPIC on matters that may affect the rights and interests, lands, resources, territories and traditional livelihoods of the indigenous peoples concerned?	No
6.5	Does the proposed Project involve the utilization and/or commercial development of natural resources on lands and territories claimed by indigenous peoples?	No
6.6	Is there a potential for forced eviction or the whole or partial physical or economic displacement of indigenous peoples, including through access restrictions to lands, territories, and resources?	No
6.7	Would the Project adversely affect the development priorities of indigenous peoples as defined by them?	No
6.8	Would the Project potentially affect the physical and cultural survival of indigenous peoples?	No
6.9	Would the Project potentially affect the Cultural Heritage of indigenous peoples, including through the commercialization or use of their traditional knowledge and practices?	No
<b>Standard 7: Pollution Prevention and Resource Efficiency</b>		
7.1	Would the Project potentially result in the release of pollutants to the environment due to routine or non-routine circumstances with the potential for adverse local, regional, and/or transboundary impacts?	No
7.2	Would the proposed Project potentially result in the generation of waste (both hazardous and non-hazardous)?	No
7.3	Will the proposed Project potentially involve the manufacture, trade, release, and/or use of hazardous chemicals and/or materials? Does the Project propose use of chemicals or materials subject to international bans or phase-outs?  <i>For example, DDT, PCBs and other chemicals listed in international conventions such as the Stockholm Conventions on Persistent Organic Pollutants or the Montreal Protocol</i>	No
7.4	Will the proposed Project involve the application of pesticides that may have a negative effect on the environment or human health?	No

<sup>27</sup> Forced evictions include acts and/or omissions involving the coerced or involuntary displacement of individuals, groups, or communities from homes and/or lands and common property resources that were occupied or depended upon, thus eliminating the ability of an individual, group, or community to reside or work in a particular dwelling, residence, or location without the provision of, and access to, appropriate forms of legal or other protections.

7.5 Does the Project include activities that require significant consumption of raw materials, energy, and/or water?	No
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### ANNEX 3: RISK ANALYSIS: RISK LOG

Project Title: Constitution Review Support Project (CRSP)					Award/ Project ID: 00099032		Date: Aug 2017- Sep 2019		
#	Description	Date Identified	Type	Impact & Probability	Countermeasures / Mngt response	Owner	Submitted, updated by	Last Update	Status
1	Absence of adequate parliamentary record-keeping to monitor indicators.		Operational	P = 2 I = 3	The project focuses on building capacities for national actors to fulfil oversight duties. If capacities are weak, UNDP brings its own expertise and previous experiences and will remain flexible to adapt to existing capacities.	CTA	Project Developer		
2	Provincial legislatures not established.		Organizational	P = 2 I = 3	To mitigate this risk, there are regular support meetings to foster solidarity and knowledge exchange. The project will also remain flexible and adapt to challenges to mitigate this risk.	CTA	Project Developer		
3	Regional assemblies are not fully established or lack capacity to be operationalized.		Organizational	P = 4 I = 3	If this risk is fulfilled, the capacities of the emerging assemblies will not be adequately built. Regional assemblies are understaffed and rely largely on volunteers, so UNDP will consider these limited capacities in their programming. There will be targeted trainings and monitoring of progress.	CTA	Project Developer		
4	Project funds are not entirely mobilized.		Financial	P = I =	If this risk occurs, it would decrease the number of activities envisioned in the project. The UNDP CO and the Project Team will pursue funding opportunities.	CTA	Project Developer		
5	Providing slow or inaccurate advice.		Organizational	P = I =	To mitigate the risk of slow or inaccurate advice and support, the Project has dedicated resources for adequate staffing. There will be two international specialists heading the national team of officers with	CTA	Project Developer		



					capacities to support institutional change. There will also be a Quick Deployment Unit of a team of constituion experts on retainer.				
6	The constitutional review process could stall leading to conflict between different levels of government including the legislative branches.		Political	P = I =	The project will be flexible and responsible to the emerging needs of the country and the parliamentary institution given the country context and capacity of institutions. To mitigate this risk, the Provisional Constitution and Implementation Oversight Committee was established and will be supported by the Independent Provisional Constitution Review and Implementation Commission, which can provide advice and reviews.	CTA	Project Developer		
7	Lack of trust of citizens and communities in the legislative institutions will impact the effectiveness of the Parliament as platform for inclusiveness, social cohesion and reconciliation.		Political	P = I =	The project acknowledges that a lack of trust can limit any success of the work, and so focuses on having parliamentarians use their representational mandates to build trust in the country's new institutions; demonstrating a commitment to transparency, accountability and the rule of law will be important in this respect.	CTA	Project Developer		

Environmental	Financial	Organizational	Political	Operational	Regulatory	Strategic	Other
Natural Disasters: storms, flooding, earthquakes	EXTERNAL economic factors: interest rates, exchange rate fluctuation, inflation	Institutional Arrangements	Corruption	Complex Design (size: larger/multi-country project; technical complexity; innovativeness, multiple funding sources)	New unexpected regulations, policies	Partnerships failing to deliver	Other risks that do not fit in an of the other categories
Pollution incidents	INTERNAL:	Institutional/ Execution Capacity	Government Commitment	Project Management	Critical policies or legislation fails to pass or progress in the legislative process	Strategic Vision, Planning and Communication	Might refer to socioeconomic factors such as: population pressures; encroachment – illegal invasions; poaching/illegal hunting or fishing
Social and Cultural	Co-financing difficulties	Implementation arrangements	Political Will	Human Error/Incompetence		Leadership and Management	
Security/Safety	Use of financing mechanisms	Country Office Capacity (specific elements limiting CO capacity)	Political Instability	Infrastructure Failure		Programme Alignment	
Economic	Funding (Financial Resources)	Governance	Change in Government	Safety being compromised		Competition	
	Reserve Adequacy	Culture, Code of Conduct and Ethics	Armed Conflict and Instability	Poor monitoring and evaluation		Stakeholder Relations	
	Currency	Accountability and Compensation	Adverse Public opinion/media intervention	Delivery		Reputation	
	Receivables	Succession Planning and Talent Management		Programme Management		UN Coordination	
	Accounting/Financial Reporting	Human resources Processes and Procedures		Process Efficiency		UN Reform	
	Budget Allocation and Management			Internal Controls			
	Cash Management/Reconciliation			Internal and External Fraud			
	Pricing/Cost Recovery			Compliance and Legal			
				Procurement			
				Technology			
				Physical Assets			

## ANNEX 4: THEORY OF CHANGE DIAGRAM

