# PBF PROJECT DOCUMENT

(Length : Max. 12 pages plus cover page and annexes)

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| **Country (ies):** Somalia |
| **Project Title:** Dhulka Nabaada (The Land of Peace): Supporting Land Reform in Somalia <br> **Project Number from MPTF-O Gateway (if existing project):** |

| **PBF project modality:** | **If funding is disbursed into a national or regional trust fund:** |
|---|---|
| ☐     IRF <br> ☒     PRF | ☐         Country Trust Fund <br> ☐         Regional Trust Fund <br> **Name of Recipient Fund:** |

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| **List all direct project recipient organizations (starting with Convening Agency), followed type of organization (UN, CSO etc):** <br> The United Nations Human Settlements Programme (UN-Habitat) <br> The International Organization for Migration (IOM) <br> The United Nations Development Programme (UNDP) <br> United Nations High Commissioner for Refugees (UNHCR) <br><br> **List additional implementing partners, Governmental and non-Governmental:** <br> Federal Government of Somalia: Ministry of Interior, Federal Affairs and Reconciliation and the Ministry of Justice <br> South-West State: Ministry of Public Works, Ministry of Justice, Ministry of Interior, Ministry of Planning and district commissioners (once confirmed), Governor's Office and Office of the Mayor <br> Jubbaland State: Ministry of Public Works, Ministry of Justice, Ministry of Interior, Ministry of Planning and district commissioners (once confirmed) <br> Hirshabelle: Ministry of Public Works, Ministry of Justice and district commissioners once confirmed. <br> Galmudug: Ministry of Public Works, Ministry of Justice and district commissioners once confirmed. <br> Norwegian Refugee Council (NRC) <br> United Nations Assistance Mission in Somalia (UNSOM) |

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| **Expected project commencement date[1]:** September 2018 <br> **Project duration in months:[2]** 24 <br> **Geographic zones for project implementation:** <br> Jubbaland <br> South-West State <br> Hirshabelle <br> Galmudug |

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[1] Note: actual commencement date will be the date of first funds transfer.

[2] Maximum project duration for IRF projects is 18 months, for PRF projects – 36 months.

**Does the project fall under one of the specific PBF priority windows below:**
☐ Gender promotion initiative
☐ Youth promotion initiative
☐ Transition from UN or regional peacekeeping or special political missions
☐ Cross-border or regional project

**Total PBF approved project budget\* (by recipient organization):**
UNDP: $958,831.12
UNHCR: $308,117.20
UN-Habitat: $ 597,681
IOM: $708,460.91

*\*The overall approved budget and the release of the second and any subsequent tranche are conditional and subject to PBSO's approval and subject to availability of funds in the PBF account*

Any other existing funding for the project (amount and source):

Project total budget: $2,573,090.23

| PBF 1st tranche: | PBF 2nd tranche* | PBF 3rd tranche*: | __ tranche |
|---|---|---|---|
| IOM: $ 495,922.64 | IOM: $ 212,538.27 | XXXX: $ XXXXXX | XXXX: $ XXXXXX |
| UNDP: $ 672,082.78 | UNDP: $ 286,748.34 | XXXX: $ XXXXXX | XXXX: $ XXXXXX |
| UNHCR: $ 215,682.04 | UNHCR: $ 92,435.16 | XXXX: $ XXXXXX | XXXX: $ XXXXXX |
| UN-Habitat: $418,376.70 | UN-Habitat: $179,304.30 | Total: | Total: |
| Total: 1,802,064.16 | Total: 771,026.07 | | |

**Two-three sentences with a brief project description and succinct explanation of how the project is time sensitive, catalytic and risk-tolerant/ innovative:**

This project will support four Federal Member States with land reform initiatives and integration of land dispute resolution mechanisms. Through high-level capacity building and policy development this project hopes to address the pressing land issues across Somalia and develop state and community led initiatives for peaceful conflict transformation and right protection. Land disputes are currently a pervasive issue and are contributing to small and large-scale conflicts in the region.

**Summarize the in-country project consultation and endorsement process prior to submission to PBSO, including through any PBF Steering Committee where it exists:**
The project has been developed through a consultative process involving members of the UN Country Team and UN leadership in Somalia, and in dialogue with government counterparts at the federal and federal member state levels. It was endorsed by the steering committee of the Somalia Development and Reconstruction Facility (SDRF), the primary coordination body for international development assistance to Somalia, chaired by the Deputy Prime Minister. The project is aligned with the priorities of the National Development Plan, as well as the National Stabilisation Strategy and the Peacebuilding Priority Plan (2016-2019), which provides the framework for PBF support to Somalia.

**Project Gender Marker score: _2__[3]**
30% of project budget allocated to activities in direct pursuit of gender equality and women's empowerment:
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[3] **Score 3** for projects that have gender equality as a principal objective
**Score 2** for projects that have gender equality as a significant objective
**Score 1** for projects that contribute in some way to gender equality, but not significantly (less than 15% of budget)

| | |
|---|---|
| **Project Risk Marker score:** _1____[4] | |

**Select PBF Focus Areas** which best summarizes the focus of the project *(select ONLY one)*:
(4.1) Strengthening of essential national state capacity[5]

If applicable, **UNDAF outcome(s)** to which the project contributes:
Strategic priority 2: Supporting institutions to improve Peace, Security, Justice, the Rule of Law and safety of Somalis
Strategic priority 3: Strengthening accountability and supporting institutions that protect
Strategic priority 4: Strengthening resilience of Somali institutions, society and population

If applicable, **Sustainable Development Goal** to which the project contributes:
SDG16: Peace, justice and strong institutions

| Type of submission: | If it is a project amendment, select all changes that apply and provide a brief justification: |
|---|---|
| ☒ **New project**<br>☐ **Project amendment** | **Extension of duration:** ☐ Additional duration in months:<br>**Change of project outcome/ scope:** ☐<br>**Change of budget allocation between outcomes or budget categories of more than 15%:** ☐<br>**Additional PBF budget:** ☐ Additional amount by recipient organization: USD XXXXX<br><br>**Brief justification for amendment:**<br><br>*Note: If this is an amendment, show any changes to the project document in RED colour or TRACKED CHANGES, ensuring a new result framework and budget tables are included with clearly visible changes. Any parts of the document which are not affected, should remain the same. New project signatures are required.* |

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[4] **Risk marker 0** = low risk to achieving outcomes
**Risk marker 1** = medium risk to achieving outcomes
**Risk marker 2** = high risk to achieving outcomes
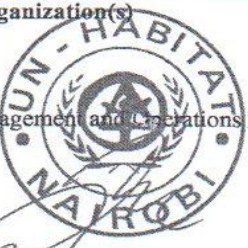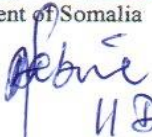[5] **PBF Focus Areas** are:
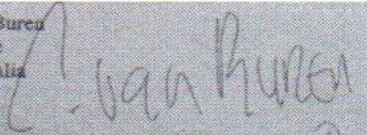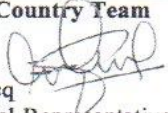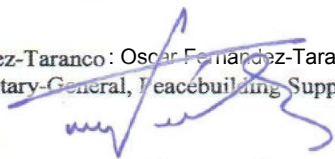(1.1) SSR, (1.2) Rule of Law; (1.3) DDR; (1.4) Political Dialogue;
(2.1) National reconciliation; (2.2) Democratic Governance; (2.3) Conflict prevention/management;
(3.1) Employment; (3.2) Equitable access to social services
(4.1) Strengthening of essential national state capacity; (4.2) extension of state authority/local administration; (4.3) Governance of peacebuilding resources (including PBF Secretariats)

# PROJECT SIGNATURES:

| Recipient Organization(s) | Representative of National Authorities |
|---|---|
| Joerg Weich<br>Director, Management and Operations Division<br>UN-Habitat<br><br>Date & Seal<br><br>30/XI/2018 | H.E. Abdi Mohamed Sabriye<br>Minister of Interior, Federal Affairs and Reconciliation<br>Federal Government of Somalia<br><br>Date & Seal<br>11 Dec. 2018 |
| **Recipient Organization(s)** | **Recipient Organization(s)** |
| George Conway<br>Country Director<br>UNDP Somalia<br><br>Date & Seal | Caroline van Buren<br>Representative<br>UNHCR Somalia<br><br>Date & Seal<br>9 DECEMBER, 2018 |
| **Recipient Organization(s)** | |
| Rainer Gonzalez for<br>Dyane Epstein<br>Chief of Mission<br>IOM Somalia<br><br>Date & Seal    26/11/2018 | |
| **Head of UN Country Team** | **Peacebuilding Support Office (PBSO)** |
| Peter de Clercq<br>Deputy Special Representative of the Secretary-General, Resident and Humanitarian Coordinator for Somalia<br>United Nations in Somalia<br><br>Date & Seal | Oscar Fernandez-Taranco : Oscar Fernandez-Taranco<br>Assistant Secretary-General, Peacebuilding Support Office<br>United Nations<br><br>Date& Seal    14 December 2018 |

## I.      Peacebuilding Context and Rationale for PBF support (4 pages max)

After decades of insecurity and political instability, Somalia currently stands at a critical juncture for stabilization, peacebuilding and development. The prolonged conflict, in conjunction with the slow rise of political and state legitimacy, leaves the country with almost no functioning institutions and or rule of law. In 2012, the reestablishment of the Federal Government of Somalia (FGS), marked progress towards more permanent governance structure.

Despite the considerable progress made in the last few years, the country still faces many challenges regarding political stability, peace and economic progress. One of those key challenges relates to land issues and how to address them in a systemic way in order to contribute to overall peacebuilding efforts.

Land becomes intertwined with conflicts in various ways, primarily when dispossession takes place, or when rights to ownership, land use, access and transferability are consistently and arbitrarily violated. Any disruptive or forcefully imposed change on how groups and individuals connect to their land usually produces contentions, which may – and in Somalia has - resulted in various forms of organized violence and community disruption. Clan dynamics have also been a contributing factor to land conflict when there has been competition for the control of resources[6]. With little to no effective state control of land or its administration, management and governance; armed groups and individuals can illegally acquire land, dispossess people, and forcibly evict the most vulnerable without due process. Those with access to social, economic and political power, coupled with the ability to use violence, have been able to illegally gain titles or control over land. The insecurity of tenure is also a significant barrier to the integration and economic development of displaced persons and communities. With the constant threat of forced evictions, displaced and vulnerable groups do not invest in the land, which impacts their ability to seek a livelihood.

Political and socio-economic elites, and terrorist groups such as Al-Shabaab, and the public at large including displaced populations are all current actors when it comes to land issues in Somalia. The State, due to political stagnation, insecurity and lack of institutional capacity has not been able to assert control over land management and governance or produce adequate land policies and legislation. An important role for the State will be to reclaim all public property and develop a cohesive land system that can produce policy or regulatory frameworks that govern land and land use in accordance with the rule of law. Elite groups with access to militia and financial resources are another actor whose unregulated actions disproportionately impact land markets and fuel land disputes and conflicts.

Al-Shabaab remains a significant threat to the state and communities in many parts of the country and in most of the regions proposed for this programme. Different sources also assert that because of lack of trust in the formal justice system which is perceived as corrupt and clan based, people will prefer to go to Al-Shabaab courts to ensure protection of their land rights rather than to the formal court system.

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[6] Bonn International Center for Conversion. (2009). The Scarcity of Land in Somalia: Natural Resources and their Role in the Somali Conflict. Occasional Paper.

The public, including both host communities and displaced persons, is also another actor and the end-users this programme seeks to reach. Most often, the weakest and most vulnerable groups, they often face legal uncertainty, lack of protection and consistence violations to their housing, land and property rights.

Another contributing factor to the land conflict dynamic in Somalia, which has only become more pronounced in recent years is migration and displacement. Due to years of conflict and natural disasters, millions of Somalis have been displaced and dispossessed of their land. Recent trends of returning refugees from neighboring countries and those who have been in a state of protracted displacement has resulted in large communities of internally displaced persons (IDPs) and vulnerable groups living in informal settlements with little to no access to tenure security. Because of the current trends, it is predicted that this dynamic will continue, and programs must account for the reality that not only will rapid urbanization rates require urban resilience measures, but also promoting social cohesion is vital to peacebuilding initiatives. Protective measures for vulnerable groups through safeguarding basic human rights and enhancing security of tenure is not only important for land tenure purposes, but it also facilitates reintegration and economic development that can help stabilize and develop the region.

Land disputes and conflict have disproportionate impacts on different groups within society. Women and youth are amongst the most disenfranchised when it comes to equal access to land use and ownership. With little formal recognition of rights to land and a male dominated customary land adjudication process, the rights of women are often periphery in land discussions. Ownership of land for Somali women is often linked to male relatives for greater protection. Such a reliance however limits their agency and poses a significant disadvantage to women-headed households. This programme will work towards enhancing women's access to justice as end-users and encouraging their participation in land governance and adjudication systems.

Youth make up much of the Somali population, approximately 81.5% of the population is under the age of 35.[7] Despite the high number, this does not translate into proportionate political or social representation. They face numerous systemic barriers and require targeted advocacy to ensure that their rights are enforced. This project will benefit from, and work collaboratively with the PBF-funded *Youth Political Empowerment* project currently being implemented in Jubbaland and South West State. This program will aim to incorporate and integrate youth and their experiences, it will encourage their participation and ensure protection mechanisms are in place for them. Other vulnerable groups, including clan minorities are also marginalized when it comes to land access and rights. Using a human right centered approach to land management and supporting governments to standardize and promote land rights is key to a fair and equitable land reform process. By encouraging the participation of women and youth in land dispute resolution mechanisms we can begin to appropriately reflect the diversity of the communities in judicial and quasi-judicial processes.

This project intersects on each of the five strategic priority areas from the UN Strategic Framework, and will directly support the realization of three of them:

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[7] UNFPA Population Estimation Survey for Somalia

1. Supporting institutions to improve Peace, Security, Justice, the Rule of Law and Safety of Somalis
2. Strengthening accountability and supporting institutions that protect
3. Strengthening resilience of Somali institutions, society and population[8]

By enabling governments to address land conflicts in a meaningful way, this project will establish land dispute resolution mechanisms to enhance access to justice, improve security and contribute to overall peace and adherence to rule of law. To ensure full national ownership this project hopes to create enabling dynamics that allow national, state and local governments to take the lead and institutionalize these efforts. This project will not only contribute to the UN's strategic priorities, but also supports and aligns with several of the pillars of the Somali National Development Plan[9] and the priority areas for each region. By working to improve land governance at local and national levels, this project contributes to enhancing Rule of Law, building effective and efficient institutions, supporting economic growth and safeguarding gender and human rights. Supporting customary and formal legal mechanisms that can address land disputes will work towards re-establishing the rule of law. A focus on land governance and management will also help build effective and efficient institutions that are better able to serve the public needs.

The project is aiming at capacitating approximately 500 direct beneficiaries (local authorities and community members) to information management system to register land, as well as approximately a total of 200,000 indirect beneficiaries (50,000 per target location) benefiting from improved justice mechanism and land information management systems.

Target Locations

The proposed interventions of this project aim at the capitals of the four Federal Member States, Kismayo, Baidoa, Jowhar, and Dhusamareb in Jubbaland, South West State, Hirshabelle, Galmudug respectively. While the scope may seem extensive relative to the timeline and funding limitations, this programme aims to build off and collaborate with existing programmes in the regions, primarily the Joint Justice Programme, an EU-Stabilization program[10], along with Midnimo I & II to maximize impact and provide comprehensive to local authorities.

**Jubbaland,** is in the process of stabilization and is incrementally developing, it is beginning to formulate its institutional response to land disputes. Jubbaland has enjoyed a degree of coherence (though district by district there remains variation) it had begun the stabilization process in the late 90s, owing largely to its proximity to both Kenya and Ethiopia.

Land disputes are rife in the region and are exacerbated by the reality that urban centers have been inundated with growing numbers of displaced persons and returning refugees. Posing a challenge for local and State authorities to absorb the high numbers and manage increasing land disputes and tenure insecurity. These issues however, are not only limited to the urban

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[8] United Nations. 2017-2020. UN Strategic Framework Somalia.
[9] Somalia National Development Plan.
[10] The EU-Stabilization programme is being jointly implemented by IOM and UN-Habitat in Jubbaland, South-West State, Hirshabelle and Galmudug. With a budget of 2.3 million Euro and implementation over 18 months from July 2018, it has activities related to land conflict that will primarily focus on legislative development and a land conflict study in local districts.

centers such as Kismayo, there are also growing numbers of land disputes and land conflict in peri-urban and rural areas. In the Jubba Valley, original landowners displaced from their land due to conflict, insecurity, droughts and famine will eventually upon liberation from Al-Shabaab return to claim their land. This will inevitably lead to an increase in land disputes[11]. There is currently no comprehensive State response to land dispute resolution. In the Jubba Valley, Al-Shabaab has been able to build legitimacy in the eyes of local populations by providing arbitration for land disputes[12]. The judiciary is overwhelmed with the onslaught of land disputes and under-capacitated to deal with them. This has led to increased reliance on customary and traditional methods of dispute resolution in both urban and rural centers.

**South West State (SWS)**, South West administration has been grappling with the recovery of territory from Al-Shabaab which currently retains control over most the rural areas. Land in South West is slightly different to Jubbaland, as it is mostly privately owned. Moreover, dominant clans control land including the previous land owned by the first Government (private entities have claimed through land grabbing) but the Government of SWS is making effort to regain all the Government properties including land and properties. Lack of access to land and insecurity of tenure are major obstacles to long term and durable solutions to the urban and displacement crisis. In Baidoa town where there are many IDPs and expansion of the town, evictions of IDPs and land disputes are common and likely to increase as the security situation stabilizes, urbanization continues, and foreign and domestic investment increases[13]. Rural-urban migration and growing urbanization add their own complexity to the situation, as these are global phenomena in developing countries that need to be considered. Price of land has doubled significantly for the last five years making it a commodity to trade for land brokers and individuals. In SWS, official land management falls under the office of the President, but this mandate is limited to public land. Private land on the other hand, which represents a vast majority of the land is managed by individuals primarily through customary and traditional laws. This however, does not always solve issues and recent incidents of land disputes becoming violent have been reported with involved parties seeking to use armed militias.

Having in place mechanisms to protect formal and customary rights to access, use and transferability of land and regulate land use and allocation is central to reconciliation, state-formation, administrative enhancement and conflict transformation processes. Implementing effective dispute resolution measures is therefore necessary to support not only the stabilization of liberated areas, but also urban areas.

**Galmudug,** was established from the amalgamation of Galgaduud and Mudug regions of Somalia after a series of attempts to reconcile smaller rival administrations that included *Himan* and *Heeb* administration and the Ahlu Sunna Wal Jamaa Islamic faction. The region is relatively homogenous with the majority of the population belonging to the Hawiye clan, with marginal representation from the Dir, Rahanweyn and Darood clans. Because pastoralism is the mainstay of the economy in Galmudug, conflict has centred primarily over land. In the countryside, conflict arises mainly from access to water and grazing lands while in Galkayo the conflict, relates mainly to territorial control over Galkayo between Puntland and

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[11] USAID. (2017). Land and Conflict in Somalia's Lower and Middle Jubba Valley.
[12] USAID. (2017). Land and Conflict in Somalia's Lower and Middle Jubba Valley. However, the arbitration for land disputes are in the favour of AS affiliated individuals and communities. Communities in conflict with Al-Shabaab remain disenfranchised by the arbitration process, moreover these decisions are nullified once these territories are recovered by state and AMISOM forces.
[13] Core Facilitation Team

Galmudug. The tension between these two regions has historical roots, and the fight for territorial control has been a cause of great conflict in recent years. In November 2015, Puntland's decision to construct a road that run through contested territory and Galmudug's resistance to it, ignited a tense conflict. Again, in October 2016, further conflict broke out after Puntland began the construction of a livestock market in Galkayo[14]. The territorial dispute with Puntland over Galkayo town has, in addition to causing three conflicts in four years, led to the displacement of close to 100,000 persons after each conflict. These conflicts intensify during periods of droughts, which have increased in intensity over the last few years.

**Hirshabelle,** was the last state to be formed, completing Somalia's new federal governance model. Formed in 2016, many parts of the region remain occupied by Al-Shabaab, however, key urban centres are now under the control of the government. Trade routes link the towns, but extortions, abductions and extrajudicial killings have been rampant making the region still very volatile and insecure. The conflict has resulted in large numbers of displaced persons with most them being housed in the Shabelle River Corridor (Middle Shabelle region).[15] Land conflict in Hirshabelle is the most common type intra and inter-clan conflict between two of the local clans, the majority Abgaal clan and the Somali Bantu clan which prompted the Federal Member States (FMS) authorities to call for a reconciliation conference. Land is of importance especially in the Middle Shabelle region due its status as a bread basket region. Most people in Hirshabelle rely on community elders to resolve land conflicts due to limited formal justice mechanisms available[16]. Within Hirshabelle state, several towns that face similar conflict challenges in Middle Shabelle; Warsheikh, Adale and Jowhar are a few that have been liberated in recent years, have all struggled with insurgency and insecurity. In Hiraan, there are several towns that remain under the control of Al Shabab (AS), but as with Middle Shabelle, there are potential areas of engagement, including Bulo Burte, Jalalaqsi, Maxaas, Halgan. Because of the highly politicized nature of land and land reform initiatives, this project will directly work towards strengthening institutional mechanisms that manage and adjudicate land ensuring national ownership of the process. Partner agencies will provide technical and infrastructure support to areas already identified by Federal Member States and local governments and in line with their own development or strategic plans.

## II.    Project content, strategic justification and implementation strategy (4 pages max Plus Results Framework Annex)

*Project Content*

This programme aims to address land issues in a comprehensive way, using a two-pronged approach. UNDP and UN-Habitat will work closely to support strengthening state capacity to lead on land policy development and strengthening dispute resolution mechanisms. Complementing these efforts, IOM and UNHCR will respectively lead on infrastructure support and development of information management systems to support the development of land tenure databases. The programme will have two primary outcomes. Maintaining a symbiotic relationship, the two outcomes will work together towards the overall objective of finding a sustainable and institutional response to land disputes in the regions identified:

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[14] Heritage Institute for Policy Studies (HIPS). (2016). Gaalkacyo Conflict: Drivers, Contributors and Potential Solutions.
[15] IOM Displacement Tracking Matrix; 2017
[16] Conflict Assessment Report. (2017). Hirshabelle State, Somalia. Abass Kassim Sheikh.

**Outcome 1:**
*Increased access to justice, remedial and adjudication on land issues through an integrated framework of the various legal mechanisms guided by clear policy and legislation, to ensure coherence in resolution of disputes.*

This outcome is seeking to address the root causes of land disputes and discriminatory practices as well as enhance the justice system's ability to respond. By utilizing this approach, this project works directly to mitigate some of the root causes of land disputes and enhance the peaceful resolution of land conflict, through a solution-based approach. The outputs include; capacitating government officials on policy formulation and development, improving dialogue processes between communities and state officials, developing appropriate infrastructure for land administration and the establishment of land tenure databases.

This focuses on 'bottom-up', community driven land reform and land dispute initiatives. The intention of this Outcome is to work in a community driven way; to be partnering with communities to jointly seek solutions to land and land disputes matters to promote peace and stability in the communities.

Community dispute resolution centers comprising of a women's community center and an alternative dispute resolution house have been established in Kismayo and Baidoa and new ones will be set up in other Federal Members States as part of the implementation of the *Joint Justice Programme*. The establishment of those centers are combined with activities aimed at supporting societal changes through transformational training and dialogue between religious, traditional and women leader. A grass root training on advancing women's rights within an Islamic framework and aimed at challenging common assumptions the interpretation of Islam. It will provide a platform for leaders to build support for fairer inheritance and land rights to women and their greater participation in traditional justice mechanisms. This programme will target enhancing gender equality by focusing on mitigating barriers to women's access to justice. Simultaneously, the programme will also support women in increasing their participation in both formal and informal decision-making processes. This will be achieved through different ways, primarily working with traditional elders on sensitization on women's land rights and inclusivity of women in trainings to prepare them to participate in adjudication process that hopefully will also lead to more women accessing the legal system.

**Outcome 2:** *Improved delivery of land administration and land rights services through institutionalization of appropriate infrastructure and information management systems, thus rebuilding the community's confidence in local authorities.*

One of the challenges to reasserting functional Public land management processes is the lack of or rapid deterioration of infrastructure and services related to land administration, land management, civil and administrative adjudication. Minimal allocations of expenditure are made for the provision of public goods such as infrastructure and social services in this area at both the Federal Government of Somalia level and Federal Member States level. The situation is worsened by lack of functional formal and community systems for proper information management on land cases to improve effective delivery of services on land disputes. Strengthening land tenure security also requires developing integrated justice mechanisms that can appropriately and effectively respond to land disputes. This output will support the development of infrastructure and enhance existing information management systems that will allow for streamlined land administration processes and procedures.

*Strategic Justification and Implementation Strategy*

Good governance in land management and administration processes is recognized as an essential part of peacebuilding and economic development in Somalia. An effective land administration system will need to provide the infrastructure and appropriate information management system to manage land and mitigate and prevent related conflicts. On the other hand, the land administration infrastructure will be critical for the implementation of any sustainable development and is the foundation for more credible land management, civil and administrative adjudication.

Citizen participation on land issues including reform policy, dispute resolution mechanisms will be done through community conversations at sub-village level. Community conversations on security and justice are already included in the Joint Justice Programme and the project will ensure the inclusion of land related matters in the process. Community conversations follows a project cycle and allow for communities to participate in situation analysis, identification or priorities, policy formulation, action and finally review/reflection stage before engaging into a new cycle.

Community conversations will take place at sub-village level and will feed into the planning and policy making process at higher levels. The project will support the consultation process at the different levels up to the Federal level where high-level policy forum between the FGS and FMS will be organized and feed into the constitutional review process. Simultaneously, capacities of government officials within the FGS and FMS will be strengthened to enable them to translate community aspirations into high level policies and strategic reforms. A more detailed breakdown can be found in Annex B, Results Framework.

Strengthening governments ability to respond to and manage land conflict is essential not only in protecting individual and communal rights, but also to reassert principles of good governance, rebuild public trust and contribute to the actualization of peace. Enhancing land tenure security, establishing legal frameworks and implementing effective dispute resolution mechanisms is an essential element to manage the inevitable influx of returning refugees, internally displaced persons and investors.

On a national level, the ongoing constitutional review process is yet to clarify key roles and responsibilities when it comes to the overall governance of land, and formal legal frameworks for institutions that are responsible for the administration and management of land in Somalia remains largely unclear. The current information management system for land transactions, including transfers of ownership and titling, is largely a paper-based system. Besides the manual record system, there are two other functional challenges of particular relevance: i) the templates for the various land documentations are not consistently standardized making them susceptible to falsification, and ii) structures within local government at district levels that were given land management responsibilities are still evolving, under-resourced, mandates are inadequately articulated and those responsible for the application of policy and procedures are very often experienced. The net effect is a system of land administration with unclear legal protections for land use, ownership and tenure security, thus leaving local residents, particularly IDPs and refugee returnees, highly vulnerable to evictions; where people are uncertain of applicable land rights and where the application of existing procedures varies from one local authority to another. There are currently no funds available for the creation of cadastral systems, standards for surveying and land boundary demarcation - vital for the

formalization of land rights. Part of this project will directly support participatory land boundary demarcation exercises.

Traditional justice mechanisms are the main provider of justice services and will continue to play a significant role in the future, particularly as formal courts are still in a very nascent state, capacities of justice personnel are very low, and enforcement of court decisions remains weak. Initiatives have been taken to formalize and ease the access to traditional justice mechanisms through the establishment of community disputes resolution centers in Baidoa and Kismayo. In the meantime, Federal Member States are currently establishing and developing their formal justice system at least in Federal Member States capitals. Traditional justice mechanisms are being formalized through community dispute resolution centers and linked to the courts to ensure better oversight and compliance with human rights standards. A focus on land disputes is important as it represents a large proportion of the disputes brought to the formal justice system. The land committees established by UN-Habitat through *Midnimo*, which are meant to mediate land disputes, will be integrated in the Community Dispute Resolution Centers currently being established in Baidoa and Kismayo under the *Joint Justice Programme* and linked to the formal court system in two different ways: Cases will be referred to the formal court in case mediation has failed, in case of success, decisions from the land committee will be submitted to the court for formalization. This programme will complement the work of *Midnimo* by replicating the Midnimo approach to community engagement.

This project will support the development of an integrated framework between the different mechanisms to ensure better coherence in the resolution of land disputes and avoid having multiple decisions on cases which will ultimately only exacerbate conflicts. UNDP, through the *Joint Rule of Law Programme*, has supported the establishment of Community Dispute Resolution Centers (CDRC) in Puntland (since 2013), Jubbaland and Southwest (since 2017). Land committees will be integrated in CDRCs and alternative dispute resolution (ADR) centers as a subsection of the center mandated with solving land disputes. In Puntland, the CDRC are operational in 4 districts: Bossaso, Garowe, Dhahar, and Burtinle. In Jubbaland, the CDRC are established in Kismayo and Garbahaarey, while in South West State the centers operate in Baidoa and Hudur. A considerable percentage of the cases that the Community Dispute Resolution Centers deal with are related to land disputes. Therefore, the project will link good governance, land administration and access to justice initiatives undertaken by UNDP and UN-Habitat. The CDRCs' central role in managing land dispute cases will be strengthened through complimentary activities that include trainings for different groups and support to the effective functioning of the CDRCs.

Any land dispute submitted to the ADR center shall be directed to the land committee where appropriate data will be collected and shared accordingly to avoid duplication and redundancy. The court system will only process cases that have previously been submitted to the land committee for mediation and for which no agreement could be reached. The land committee will issue a decision stating that no solution to the dispute (certificate of no agreement) has been found and inform them of their right to file a claim to the court. Any party wishing to seize the court on this matter will be required to submit the certificate of no agreement. If no certificate is submitted to the court, the latter will refer the party to the land committee. If a solution has been found for the dispute, parties will be required to register it with the court in exchange of a small fee. The court will issue a decision formalizing the agreement of the land committee. This decision will be enforceable and will enable the party to request forced execution if needed.

These CDRCs and other legal mechanisms do not function in isolation, but are closely linked to the broader initiatives under the new Somalia Joint Justice programme, which focuses on the delivery of basic services to the communities to increase access to justice, particularly for women, children and IDPs, guarantee better protection of individuals' rights and those at higher risk of insecurity, and provide a credible alternative to Al-Shabaab courts as part of the P/CVE strategy.

The programme will focus on strengthening the capacities of members of the land committee and judges to solve land disputes and ensure coordination among the different institutions through the development of an integrated justice framework. This normative work will be led by UN-Habitat and UNDP with support from UNSOM to increase access to justice and provide better clarity to end-users. As there is no effective remedy if court decisions cannot be enforced, the programme will support a study on the execution of court decisions as a basis to develop a pilot project in two locations in Baidoa and Kismayo on enforcement mechanisms.

Additionally, there are numerous dimensions to rebuilding efficient land systems in Somalia. Of critical importance in Somalia is instituting functional formal and community systems, with proper land title registries for land administration, land management, civil and administrative adjudication. IOM and UNHCR will collaborate on carrying out a mapping of existing systems and infrastructure, followed by the development of – or operationalization of existing – land tenure databases in in target districts. In doing so, they will build on experiences and lessons learned from a Land Tenure Database System developed by NCR in Galkayo.

The institutionalization of infrastructure and land tenure database is anticipated to rebuild the community's confidence in local authorities' land governance capacity, and to reduce tensions between communities. Land governance is "the rules, processes and structures through which decisions are made regarding access to, and the use [and transfer] of land, the manner in which those decisions are implemented and the way that conflicting interests in land are managed" (FAO & UN-Habitat: 2011). This definition highlights three important dimensions for this proposed project: (1) institutions and infrastructure; (2) quality of decision-making and the translation into action; and (3) managing conflicting interests. Thus, good governance within land administration and land management institutions is essential for Somalia's sustainable peace and development.

A key complementary output will be the development of a land tenure database to increase tenure security and contribute to the prevention of forced eviction in target areas by building the capacity of the local administration to better manage land resources. In part, evictions are occurring because occupancy and/or tenancy agreements are either not in place or are not properly negotiated, recorded and respected by the different justice mechanisms. UNHCR will support field teams to register land tenure documents and facilitate negotiations for persons seeking assistance on tenure security, including facilitating the issuance of land documents, targeting vulnerable populations in IDP settlement and peri-urban spaces, including IDPs, refugee returnees, and marginalized groups within the host community.

To also help share lessons learned and enhance information sharing and coordination, this project will also help Federal Member States in conjunction with the Federal Government of Somalia will host two yearly high-level forums on land, state building and conflict prevention in Mogadishu.

To ensure the sustainability of the broader land reform objectives this project will also have dedicated components to ensure infrastructure and data support to land dispute resolution. By constructing and providing equipment for land dispute tribunals the community will have long-term access to legal mechanisms and public ownership. By creating information management systems and collecting data to record land disputes at administrative and civil levels, the project will benefit from easier impact and evaluation assessments. The collected data can then be used to not only track progress and identify barriers, but to also inform government initiatives and future program design. By linking this work to the policy and legislative role of the local government, land-based financing systems can be established to generate revenue and financially support the sustainability of these initiatives.

a) **Project result framework**, outlining all project results, outputs, activities with indicators of progress, baselines and targets (must be gender- and age- sensitive). Use **Annex B**; no need to provide additional narrative here.

b) Provide a **project-level** '**theory of change'** – i.e. how do you expect these interventions to lead to results and why have these interventions been selected. Specify if any of these interventions are particularly risky.

*If we facilitate development of an integrated justice framework that links the various land actors (CDRCs, ADRs, land tribunal and courts) guided by a clear land rights policy and build capacity of the relevant institutions on policy formulation and implementation, **then** communities will have better access to land resolutions mechanisms within a system that is more coherent **because** they will have legal options to attain dispute resolution and enforcement allowing them to not rely on extrajudicial measures. This **assumes** that state officials will have capacity to advocate for land rights policy, and there will be improved dialogue between local communities and state officials on land governance issues.*

*If we put in place infrastructure for land administration processes, land tenure database and build capacity of local authorities on management and coordination of land issues, **then** there will be improved land administration service delivery by the local authorities to communities, **because** citizens can rely on predictable public services that provide protection of tenure security hence reducing land conflicts. This **assumes** that local communities will be better sensitized on the available mechanisms and process for land dispute thus renewing communities' confidence in state authority.*

With these theories of change, there is an underlying assumption that the mere existence of integrated legal frameworks and enhanced capacity of local governments to implement information management systems will lead to public use and engagement. In all the proposed regions there is broad governance work that needs to be addressed for the state to rebuild legitimacy and have members of the public rely on and engage with them meaningfully. As such, this programme will ensure at all levels that appropriate community awareness campaigns are paired with the major outputs to ensure inclusivity and acceptance. Making the shift to not only strengthening government capacity to deliver, but also encouraging civic engagement cannot be done overnight. This proposed programme uses a forward looking and long-term approach to land reform that requires the setting of appropriate foundations that can lead to sustainable results. The UN however, has reason to believe that such an approach can be successful despite the challenges and underlying assumptions. Past joint-programmes, particularly those focused on local governance service delivery and peacebuilding have shown results and success. The work this project is proposing is not only technical but also requires

much political support and willingness. Land issues and the lack of capacity to manage and govern land in an appropriate way is an issue of great concern in each of the proposed regions. The state governments and political actors have all stressed the importance of addressing land issues and its criticality to stabilization, peacebuilding and conflict prevention. Some of the next steps that this programme proposes is to now help governments with the capacity to develop frameworks, whether at the policy or legislative level that will help push forward the reforms necessary.

c) **Project implementation strategy** – explain **how** the project will undertake the activities to ensure most effective and efficient achievement of results, including justification for geographic zones, criteria for beneficiary selection, timing among various activities, coherence between results and any other information on implementation approach (must be gender- and age-sensitive). No need to repeat all outputs and activities from the Result Framework.

Drawing on the complementary expertise of the participating UN agencies, this project will specifically target communities in areas impacted by different forms of land disputes and conflict (including tenure security, displacement, return and other migratory movements) and where local governments are struggling to implement adequate responses. This will include improving information management, rehabilitation and/or development of key public and information management infrastructure that supports good land management and land administration processes. By having these systems in place not only will these efforts complement and support the adjudication of land disputes in the judicial system, but it will also strengthen local government's capacity to prevent and mitigate further land disputes. This will also include a disaggregation by age and gender, taking into consideration the different experiences of land disputes between men, women, girls and boys. The selection of target districts will be confirmed in the framework of unified state coordination meetings which will be called by the Federal Member States in conjunction with the Federal Ministry of Interior, Federal Affairs and Reconciliation. The coordination meeting will identify Wadajir programme packages at the Federal Member State level for the international community to engage in.

### III.    Project management and coordination (4 pages max)

A Programme Technical Steering Committee will be established to oversee the implementation of the project. The Steering Committee will be composed of:

- The Chief Technical Advisor or Head of Programmes of UN-Habitat and by the Federal Ministry of Interior, Federal Affairs and Reconciliation, on behalf of the Federal Government of Somalia as co-chairs
- Representative of the Federal Ministry of Justice
- Representative of Federal Ministry of Public Works
- Representatives from the Ministry of Interior, Ministry of Justice and Ministry of Public Works at the Federal Member State level
- Heads of Implementing Agencies and
- The PBF Secretariat Coordinator

The Joint Steering Committee will meet bi-annually to:

- Make decisions regarding amendments to budget and work plan for the Project in relation to changes in the political and peacebuilding context of the country and provide strategic guidance.
- Ensure that the implementation of the project contributes to the achievement of the Peacebuilding Priority Plan at Federal and Federal Member State level;
- Make managerial decisions as to any amendments or changes to the implementation of the workplan

This mechanism will be aligned with the overall management structure for the PBF portfolio and the aid coordination architecture in Somalia. The day to day management of the coordination and the implementation of the project will be done by the RUNOs implementing the project, supported by the PBF Secretariat. The PBF Secretariat is composed of one PBF Coordinator and one M&E Specialist. The PBF Secretariat is also supported by the Integrated Office of the DSRSG/RC/HC, namely the MPTF Risk Manager, the Communication Officer, and the Finance Officer.

With reference to the RUNOs teams UN-Habitat will play a role of thematic lead for this specific project. The overall responsibility for the management of the UN-Habitat activities lie with the UN-Habitat Head of Programmes, and, ultimately the UN Habitat Chief Technical Advisor for the Somalia Programme. Two land officers and a legal expert will support the implementation of the UN-Habitat activities. The team will benefit from field presence in Mogadishu, Garowe, Baidoa and Kismayo.

UN-Habitat's country portfolio hinges on different areas of work that include water infrastructure, local governance, durable solutions, youth employment and youth political engagement. UN-Habitat is also a member of the Shelter Cluster and the Housing Land and Property Working Group of the Protection Cluster. Given these areas of expertise, UN-Habitat will implement on the policy development and integration of justice framework relating to land.

The integrated UNDP UNSOM JJCS and ROLSIG team will bring best practices on federalism, justice, police and security sector development using a gender-responsive approach supporting dispute-resolution and prevention of violence through inclusion and integrated coordination mechanisms between traditional and formal justice systems. They will play a key role in enhancing land dispute resolution mechanisms and contributing to the development of an integrated justice framework.

IOM Somalia country programme provides support to Government, Federal Member States and Somaliland on issues related to migration, displacement and durable solutions, as outlined in the National Development Plan. IOM works closely with UN agencies and NGO partners to ensure timely effect delivery with a high focus on district level outcomes. They will bring their best practices to develop and enhance information management systems and construct necessary infrastructure to appropriately house dispute resolution centers.

UNHCR and provides support to Government, Federal Member States and Somaliland on issues related to refugees and returnees, IDPs, and Stateless persons, including as related to durable solutions. Supporting the implementation of the Comprehensive Refugee Response Framework through the National Action Plan, aligned with the NDP, UNHCR pursues a community-based, multi-partner and comprehensive approach to the attainment of durable solutions, addressing social-cultural, economic, legal and civil-political aspects.

a) **Risk management** – assess the level of risk for project success (low, medium and high) and provide a list of major project specific risks and how they will be managed, including the approach to updating risks and making project adjustments. Include any Do No Harm issues and project mitigation.

| Risks to the achievement of PBF outcomes | Likelihood of occurrence (high, medium, low) | Severity of risk impact (high, medium, low) | Mitigating Strategy (and Person/Unit responsible) |
|---|---|---|---|
| Limited capacity of local governments to make firm decisions on land allocation for project use | Medium | Medium | All participating agencies will ensure early dialogue with appropriate and relevant authorities. The agencies will support in coordination efforts to ensure that Ministries and local offices with the relevant mandate are empowered with decision-making capacity. Entering into clear agreements at the onset of project implementation and hosting roundtable meetings with all relevant government stakeholders will allow for a development of an agreed upon roadmap for implementation with commitments from the government. |
| Deteriorating security conditions hindering access to project sites and implementation of the planned activities as well as jeopardizing staff's physical safety | Medium | High | All actions will be carried out within the parameters of the security guidelines set forth by the UN Department of Safety and Security (UNDSS). UNDSS has established local field structures as well as tailored protocols for Somalia and oversight at the country level by the Security Management Team (SMT). Further, IOM works with staff on a third-party contract in areas with access restrictions by UNDSS. The project team will also monitor the security situations constantly. Should any project areas become inaccessible to IOM or UN-Habitat, the donor and the Government entities will be consulted on possible revisions in the target locations. |
| Conflict and dynamics superseding the influence of local authorities over the project | Medium | High | UNDP/UNSOM, UNHCR, IOM and UN-Habitat will carry out a series of sensitizations prior to and at the onset of the programme launch with clan leaders on the benefits of the programme for their clan and involve them in the implementation process as |

| | | | members of the community action groups or community-based monitoring and evaluation groups whenever possible. |
|---|---|---|---|
| Disputes and contentions arise between private and public land stakeholders. | Medium | Low | By strengthening government capacity to deal with land management issues and provide incentives for appropriate administration mechanisms the project will mitigate this risk. UNHCR will develop information management systems that will record data and provide objective evidence. |
| The high turnover and flow of senior officials and staff among Somali partner institutions may impede implementation of programme activities | Medium | Medium | The project will prioritize capacity development of departments and units of partner institutions rather than individuals. |
| Corruption and weak quality delivery | Medium | High | UNHCR, IOM and UN-Habitat have adopted competitive bidding to select competent contractors. Field staff, together with local authority staff, will undertake regular monitoring and evaluation of services provided to take corrective action. In cases where the performance of third party providers is unsatisfactory, the provider will be given further training to meet agreed standards of service and performance. If performance remains sub-standard, the provider will be replaced. |

b) **Monitoring and evaluation**

To measure and evaluate the project results at outcome and output level, the proposed intervention will put in place a monitoring and evaluation system that ensures relevant data is captured and made available for tracking progress of the expected results. A results framework which outlines the key indicators to be tracked including the baselines and targets, their respective data sources and frequency of reporting is provided (see Annex B). This framework shall guide data collection, analysis and reporting from which the project will be measured, tracked and improved. Multiple data sources (both routine and non-routine) will be utilized to objectively inform measurement, keep track of key milestones and assess the effectiveness of the project. Routine data will be gathered through day to day implementation of activities such as persons reached/trained, dialogue forums conducted, policy development process etc. The project shall also rely on data from the justice system/local authorities such as land dispute cases reported/resolved, land registration etc. The non-routine data will be gathered through periodic assessments as part of monitoring progress of results these will include assessment

surveys to gauge community perception on land dispute resolutions, service delivery by local authorities among others as per the results framework. Appropriate data collection tools will be developed to capture the expected data intended to inform the indicators on monthly basis. Some of these tools will include attendance registers for events/activities, field monitoring reports, justice system records and the information management system that the project will set up will form part of the tools for gathering and recording information.

To promote accountability of results, the project will apply a participatory approach to monitoring by working closely with the government coordinating structures, and the local communities within the intervention areas. The project will organize and conduct semi-annual performance reviews of indicators to track progress against the set targets and provide potential reasons for deviations from the targets. This will help to re-plan, course correct and accelerate achievement towards actualization of the overall targets. The overall M&E budget of $175,290 will be used to finance the specific activities under the M&E workplan such as; a baseline study, collection of routine and non-routine data, monitoring visits and the final evaluation. The budget will be further divided to cover costs of used to monitor and evaluate at outcome and output level the work of each agency throughout the four regions. 10% of the M&E budget will go directly to collecting and analyzing the disaggregated data for gender to see if considerable impact has been made for women in accessing and participating in justice mechanisms.

In accordance with PBF's M&E guidelines prior to implementation, the project will undertake a baseline study to not only establish benchmarks for target setting but to also inform operationalization of the project activities. A final, independent evaluation of this project will be conducted to ultimately assess achievement of the project objectives as well as document relevance and effectiveness of the strategies applied for possible/future scale up and replicability. For ease of efficiency and overall management UNDP will be the fund administer for the M&E component, while UN-Habitat will lead on the coordination.

c) **Project exit strategy/ sustainability**

This project will work in conjunction with and continue synergies of other related programs in the selected regions. Ensuring sustainability of initiatives commenced during the project is always a key challenge facing this work.

This project is developing a new approach to enhancing land dispute resolution mechanisms, by not only focusing on how to better manage cases but by developing an integrated legal framework. The integrated justice framework will have significant added value as it will restructure the legal landscape and make land adjudication processes much more streamlined. The project will achieve a mapping of existing justice mechanisms, current gaps, and areas of improvement for connecting synergies. At the end of the project life-cycle the regions will benefit from a coherent and collaborative justice system that can effectively address land disputes. This programme will test out if the integration of the justice system in relation to land disputes will enhance access to justice for the average citizen. This integration will require development of tools and processes that ensure clarity and easy access, it is an effort that can be sustainable as it won't be a resource intensive initiative. Once it is set-up, and the appropriate personnel are trained it will only require oversight and implementation.

At the project start-up phase, the agencies will be able to work closely with partners, stakeholders and authorities to identify the context-specific barriers to sustainability and

propose mitigation measures. One of the key challenges for sustainability across Somalia that will also impact this project is that of resource mobilization and capacity. To ensure that the objectives and outcomes of this project continue beyond its life cycle, the programme must work with authorities to ensure better coordination and mobilization of resources. Some of the issues surrounding lack of financial capacity can be addressed by better coordination efforts that reduce redundancy and can direct support to current areas of investment. Particular to this programme, the sustainability of these efforts and full national ownerships depends partly on the development of land-based financing systems that can sustain the tribunals, alternative dispute resolution centers and upkeep of information management systems. By charging nominal fees for the registration of land, transfer of title deed and resolution mechanisms the state can collect revenue that can be used to enhance those systems. However, the programme remains cognizant that due to the populations this programme targets, primarily vulnerable groups, IDPs and those disenfranchised by the formal legal system, revenue generation cannot compromise access. At its core, this programme will enhance access to justice and this requires a balance between not hindering that access while also promoting the State's capacity to charge fees to generate revenue. This issue can be solved by developing land-based financing schemes that are progressive and discretionary, collecting fees from those who can afford it while subsidizing access for those who cannot.

Another important element that can support sustainability is to strategically initiate fundraising efforts. Currently, the durable solutions portfolio is garnering interest from various donors and is in a position where upon successful implementation it can leverage and raise more funds. By testing out some of these new initiatives, such as developing an integrated justice framework that can better handle land disputes and establishment of information management systems, the programme can seek further funding from other donors to advance this work. Similar success has been seen with Midnimo where the activities have sparked interest from other donors wanting to continue this line of work. Furthermore, the programme will have the strategic advantage of being able to coordinate new partners and actors who want to work in this area by guiding their efforts and funds.


## IV.    Project budget

Attached Annex D- Project Budget

In the attached budget annex, each agency's budget allocation should be used proportionately in each region. If possible, an equal share of 25% should go to each of the four targeted regions. In special cases, where operating costs are higher or a certain region has relatively more need, the budget can be reallocated to ensure equity of distribution.

To release the second tranche, the agencies must have at least completed 75% of the outputs under outcome 1 in all the regions.

<u>**Annex A.1**</u>**: Project Administrative arrangements for UN Recipient Organizations**

*(This section uses standard wording – please do not remove)*

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

**AA Functions**

On behalf of the Recipient Organizations, and in accordance with the UNDG-approved "Protocol on the Administrative Agent for Multi Donor Trust Funds and Joint Programmes, and One UN funds" (2008), the MPTF Office as the AA of the PBF will:

- Disburse funds to each of the RUNO in accordance with instructions from the PBSO. The AA will normally make each disbursement within three (3) to five (5) business days after having received instructions from the PBSO along with the relevant Submission form and Project document signed by all participants concerned;

- Consolidate the financial statements (Annual and Final), based on submissions provided to the AA by RUNOS and provide the PBF annual consolidated progress reports to the donors and the PBSO;

- Proceed with the operational and financial closure of the project in the MPTF Office system once the completion is completed by the RUNO. A project will be considered as operationally closed upon submission of a joint final narrative report. In order for the MPTF Office to financially closed a project, each RUNO must refund unspent balance of over 250 USD, indirect cost (GMS) should not exceed 7% and submission of a certified final financial statement by the recipient organizations' headquarters. );

- Disburse funds to any RUNO for any costs extension that the PBSO may decide in accordance with the PBF rules & regulations.

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

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

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

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

| Type of report | Due when | Submitted by |
|---|---|---|
| Semi-annual project progress report | 15 June | Convening Agency on behalf of all implementing organizations and in consultation with/ quality assurance by PBF Secretariats, where they exist |

| | | |
|---|---|---|
| Annual project progress report | 15 November | Convening Agency on behalf of all implementing organizations and in consultation with/ quality assurance by PBF Secretariats, where they exist |
| End of project report covering entire project duration | Within three months from the operational project closure (it can be submitted instead of an annual report if timing coincides) | Convening Agency on behalf of all implementing organizations and in consultation with/ quality assurance by PBF Secretariats, where they exist |
| Annual strategic peacebuilding and PBF progress report (for PRF allocations only), which may contain a request for additional PBF allocation if the context requires it | 1 December | PBF Secretariat on behalf of the PBF Steering Committee, where it exists or Head of UN Country Team where it does not. |

Financial reporting and timeline

| Timeline | Event |
|---|---|
| 30 April | Annual reporting – Report **Q4 expenses** (Jan. to Dec. of previous year) |
| *Certified final financial report to be provided by 30 June of the calendar year after project closure* | |

UNEX also opens for voluntary financial reporting for UN recipient organizations the following dates

| | |
|---|---|
| 31 July | Voluntary Q2 expenses (January to June) |
| 31 October | Voluntary Q3 expenses (January to September) |

Unspent Balance exceeding USD 250, at the closure of the project would have to been refunded and a notification sent to the MPTF Office, no later than six months (30 June) of the year following the completion of the activities.

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

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

**Public Disclosure**

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

**Annex A.2: Project Administrative arrangements for Non-UN Recipient Organizations**

*(This section uses standard wording – please do not remove)*

**Accountability, transparency and reporting of the Recipient Non-United Nations Organization:**

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

The Recipient Non-United Nations Organization will have full responsibility for ensuring that the Activity is implemented in accordance with the signed Project Document;

In the event of a financial review, audit or evaluation recommended by PBSO, the cost of such activity should be included in the project budget;

Ensure professional management of the Activity, including performance monitoring and reporting activities in accordance with PBSO guidelines.

Ensure compliance with the Financing Agreement and relevant applicable clauses in the Fund MOU.

**Reporting:**

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

| Type of report | Due when | Submitted by |
|---|---|---|
| Bi-annual project progress report | 15 June | Convening Agency on behalf of all implementing organizations and in consultation with/ quality assurance by PBF Secretariats, where they exist |
| Annual project progress report | 15 November | Convening Agency on behalf of all implementing organizations and in consultation with/ quality assurance by PBF Secretariats, where they exist |
| End of project report covering entire project duration | Within three months from the operational project closure (it can be submitted instead of an annual report if timing coincides) | Convening Agency on behalf of all implementing organizations and in consultation with/ quality assurance by PBF Secretariats, where they exist |
| Annual strategic peacebuilding and PBF progress report (for PRF allocations only), which may contain a request for additional PBF allocation if the context requires it | 1 December | PBF Secretariat on behalf of the PBF Steering Committee, where it exists or Head of UN Country Team where it does not. |

Financial reports and timeline

| Timeline | Event |
|---|---|
| **28 February** | Annual reporting – Report **Q4 expenses** (Jan. to Dec. of previous year) |
| **30 April** | Report **Q1 expenses** (January to March) |
| **31 July** | Report **Q2 expenses** (January to June) |
| **31 October** | Report **Q3 expenses** (January to September) |
| ***Certified final financial report to be provided at the quarter following the project financial closure*** ||

Unspent Balance exceeding USD 250 at the closure of the project would have to been refunded and a notification sent to the Administrative Agent, no later than three months (31 March) of the year following the completion of the activities.

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

Matters relating to the transfer of ownership by the Recipient Non-UN Recipient Organization will be determined in accordance with applicable policies and procedures defined by the PBSO.

**Public Disclosure**

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

**Final Project Audit for non-UN recipient organization projects**

An independent project audit will be requested by the end of the project. The audit report needs to be attached to the final narrative project report. The cost of such activity must be included in the project budget.

**Special Provisions regarding Financing of Terrorism**

Consistent with UN Security Council Resolutions relating to terrorism, including UN Security Council Resolution 1373 (2001) and 1267 (1999) and related resolutions, the Participants are firmly committed to the international fight against terrorism, and in particular, against the financing of terrorism. Similarly, all Recipient Organizations recognize their obligation to comply with any applicable sanctions imposed by the UN Security Council. Each of the Recipient Organizations will use all reasonable efforts to ensure that the funds transferred to it in accordance with this agreement are not used to provide support or assistance to individuals or entities associated with terrorism as designated by any UN Security Council sanctions regime. If, during the term of this agreement, a Recipient Organization determines that there are credible allegations that funds transferred to it in accordance with this agreement have been used to provide support or assistance to individuals or entities associated with terrorism as designated by any UN Security Council sanctions regime it will as soon as it becomes aware of it inform the head of PBSO, the Administrative Agent and the donor(s) and, in consultation with the donors as appropriate, determine an appropriate response.

**Non-UN recipient organization (NUNO) eligibility:**

In order to be declared eligible to receive PBF funds directly, NUNOs must be assessed as technically, financially and legally sound by the PBF and its agent, the Multi Partner Trust Fund Office (MPTFO). Prior to submitting a finalized project document, it is the responsibility of each NUNO to liaise with PBSO and MPTFO and provide all the necessary documents (see below) to demonstrate that all the criteria have been fulfilled and to be declared as eligible for direct PBF funds.

The NUNO must provide (in a timely fashion, ensuring PBSO and MPTFO have sufficient time to review the package) the documentation demonstrating that the NUNO:

➢ Has previously received funding from the UN, the PBF, or any of the contributors to the PBF, in the country of project implementation
➢ Has a current valid registration as a non-profit, tax exempt organization with a social based mission in both the country where headquarter is located and in country of project implementation for the duration of the proposed grant. (**NOTE**: If registration is done on an annual basis in the country, the organization must have the current registration and obtain renewals for the duration of the project, in order to receive subsequent funding tranches)
➢ Produces an annual report that includes the proposed country for the grant
➢ Commissions audited financial statements, available for the last two years, including the auditor opinion letter. The financial statements should include the legal organization that will sign the agreement (and oversee the country of implementation, if applicable) as well as the activities of the country of implementation. (**NOTE**: If these are not available for the country of proposed project implementation, the CSO will also need to provide the latest two audit reports for a program or project based audit in country.) The letter from the auditor should also state whether the auditor firm is part of the nationally qualified audit firms.
➢ Demonstrates an annual budget in the country of proposed project implementation for the previous two calendar years, which is at least twice the annualized budget sought from PBF for the project[17]
➢ Demonstrates at least 3 years of experience in the country where grant is sought
➢ Provides a clear explanation of the CSO's legal structure, including the specific entity which will enter into the legal agreement with the MPTF-O for the PBF grant.

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[17] Annualized PBF project budget is obtained by dividing the PBF project budget by the number of project duration months and multiplying by 12.

**Annex B: Project Results Framework (MUST include sex- and age disaggregated data)**

| Outcomes | Outputs | Indicators | Means of Verification/ frequency of collection | Indicator milestones |
|---|---|---|---|---|
| **Outcome 1:** Increased access to justice, remedial and adjudication on land issues through an integrated framework of the various mechanisms guided by clear policy and legislation ensuring coherence in resolution of disputes. | | Outcome Indicator 1 a: Land tenure and property rights policy developed and approved<br><br>Baseline:0<br>Target:1 | Policy<br>Progress reports | Year 1: Draft policy<br><br>Year 2: Complete |
| | | Outcome Indicator 1 b: Proportion of land dispute cases in the target communities successfully resolved. (Disaggregated by gender and age)<br><br>Baseline: 0<br>Target:50% | Land dispute tribunal records | Year 1: 25%<br><br>Year 2: 50% |
| | | Outcome Indicator 1 c: Percentage of people who have confidence in the state land management system (Disaggregated by gender and age)<br><br>Baseline: TBD<br>Target: 70% | Perception survey[18] | Year 1: 50%<br><br>Year 2: 70% |

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[18] The perception survey shall include question on people's perception on if the state land management laws are clear, fair and transparent.

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| | **Output 1.1:**<br>Capacity of federal government and member states to advocate and influence policy on Land rights is enhanced.<br><br>List of activities under this<br>1. Organization of two high level forums on land, conflict and state building<br>2. Sponsor the participation of Federal Government and Federal Member States Delegates to participate in bilateral study tours in relevant and similar context States.<br>3. Conduct training to government officials on policy development | Output Indicator 1.1.1:<br>No. of high level forums held on land, conflict and state building<br><br>Baseline: 0<br>Target: 2(1 per target location) | Forum attendance lists, Forum reports | Year 1: 1 Forum<br><br>Year 2: 2 Forums |
| | | Output Indicator 1.1.2:<br>No. of stakeholders engaged in the high-level forums on land, conflict and state building<br><br>Baseline: 0<br>Target: 10 (5 per target location) | Forum attendance lists, Forum reports | Year 1: 5 stakeholders<br><br>Year 2: 10 Stakeholders |
| | | Output Indicator 1.1.3:<br>No. of government officials trained on policy development. (Disaggregated by gender)<br><br>Baseline: 0<br>Target: 25 | Training attendance lists, Activity report | Year 1: 2 forums<br><br>Year 2: 4 forums |
| | **Output 1.2:**<br>Improved citizen participation on land issues dialogue processes with communities and state officials on land dispute resolutions<br><br>List of activities under this<br>  1. Organization of Community conversations on land issues including training of communication | Output Indicator 1.2.1<br>No. of community dialogue forums between government officials and community on land dispute held<br><br>Baseline: 0 | Dialogue forum records, attendance lists, activity reports | Year 1: 2 forums<br><br>Year 2: 4 forums |

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| | facilitators and development of a facilitator's handbook<br>2. Organization specific community conversations for women groups<br>3. Development of district's action plans including land issues | Target: 4 | | |
| | | Output Indicator 1.2.2<br>Number of community facilitators trained<br>Numbers of community conversations hold<br>Number of specific women only community conversations held<br>Number of actions plan including land issues at district level<br>Community led dispute resolution toolkit developed<br><br>Baseline: 0<br>Target: 1 | Resolution toolkit, Activity reports | Year 1: Draft toolkit<br><br>Year 2: Complete & validated toolkit |
| | Output 1.3:<br>Established an integrated justice system capacitated to address land disputes with increased compliance with women's rights<br><br><br>List of activities under this<br>1. Integration of land related issues into the curricula on women's rights within Islam developed under the Joint Justice Programme and support for the establishment of a network of religious, traditional and women leaders able to disseminate alternative interpretations of sharia regarding women's access to land and inheritance rights,<br>2. Exchange sessions among religious, traditional and women leaders on sensitization activities<br>3. Establish and capacitate land dispute committees (training on the following areas: advancing women | Output Indicator 1.3.1:<br>Land dispute tribunal and committee established and functional.<br><br>Baseline: 0<br>Target: 2 (One Per location) | Land dispute tribunal records, field monitoring reports | Year 1:1 Committee<br><br>Year 2: 2 committees |
| | | Output Indicator 1.3.2:<br>Training curricula, number of religious, traditional and women leaders trained<br>Number of exchange sessions<br>No. of land dispute committee members | Training attendance lists, Activity reports | Year 1: 5 persons<br><br>Year 2:10 persons |

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| | rights within an Islamic framework,statutory law, conflict resolution)<br>4. Research/action on disputes resolution process on land within the community dispute resolution center including participation of women in the process within the land dispute committee<br><br>5. Development of SOP between mediation committee and formal justice system and support to coordination mechanisms between the two<br>6. Mobile outreach including mobile courts, mobile mediation committee's session and legal aid (Vulnerable groups and IDPs settlements)<br>7. Research action on execution of decisions related to land dispute<br>8. Support to capacitating and formalizing land dispute commissions<br>9. Development of training manuals for training session on grass-root negotiations, district level negotiations and FMS negotiations: | trained on management of disputes cases (Disaggregated by gender)<br><br>Baseline:0<br>Target: 10 (5 Persons per committee) | | |
| | | Output Indicator 1.3.3: No. of administrative staff trained on grass-root, district level and FMS negotiations (Disaggregated by gender)<br><br>Baseline: 0<br>Target: 25 | Training records, attendance lists, field monitoring reports | Year 1: Training manual developed<br><br>Year 2: 25 administrative staff |
| **Outcome 2:**<br>*Improved delivery of land administration and land rights services through institutionalization of appropriate infrastructure and* | | Outcome Indicator 2 a: Proportion of vulnerable and disadvantaged people effectively utilizing justice and remedial | Assessment survey | Year 1:40%<br><br>Year 2: 70% |

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| *information management systems, thus rebuilding the community's confidence in local authorities.* | | systems on land tenure issues<br><br>Baseline: 0<br>Target: 70% | | |
| | | Outcome Indicator 2 b: % of court decisions related to land disputes executed<br><br>Baseline:0<br>Target: 50% | Judicial/court records | Year 1: 30%<br><br>Year 2: 50% |
| | | Outcome Indicator 2 c: % of cases on land disputes addressed through the formal justice system;<br><br>Baseline: 0<br>Target: 60% | Judicial reports on land cases; | Year 1:30%<br><br>Year 2: 60% |
| | **Output 2.1**<br>Functional formal and community system, with proper information management on land cases to improve effective delivery of services on land disputes.<br><br>List of activities under this Output:<br>1. Train district and community stakeholders on the core concepts, principles and methodologies for land and land disputes information management leveraging on the existing IOM Displacement Tracking Matrix system.<br>2. Provide information technology equipment (laptops, data storage devices, printer/scanner etc.) to local authorities as institutional capacity building for improved information management on land cases. | Output Indicator 2.1.1 Functional information management systems in place<br><br>Baseline: 0<br>Target: 2 | - Deed of donation | Year 1: 1 System<br><br>Year 2: 2 Functional systems |
| | | Output Indicator 2.1.2 Number of district and community stakeholders trained on the core concepts, principles and methodologies for land | - Training reports.<br>- Attendance sheets. | Year 1: Training manual developed<br><br>Year 2: 12 district and community stakeholders |

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| | 3. Provide support for registration, management and archiving of land cases<br>4. Strengthen evidence based case referral systems on land disputes to formal land adjudication systems. | and land disputes information.<br><br>Baseline: 0<br>Target: 12 | | |
| | | Output Indicator 2.1.3: Number of community identified land dispute cases effectively referred to formal land adjudication systems.<br><br>Baseline: 0<br>Target: 10 | - Referral forms<br>- Court records | Year 1: 5 cases<br><br>Year 2: 10 Cases |
| | | Output indicator 2.1.4 Improved trust in the management of titles.<br><br>Baseline: Low<br>Target: Moderate | - Perception survey | |
| | **Output 2.2:**<br>Appropriate infrastructure for land administration, land management, civil and administrative adjudication is established or upgraded.<br><br>List of activities under this Output:<br>1. Conduct participatory infrastructural capacity assessment. | Output Indicator 2.2.1 Number of infrastructural capacity assessment reports generated.<br><br>Baseline: 0<br>Target: 2 | Assessment reports | Year 1: 2 Assessments<br><br>Year 2: Assessment reports in Use |
| | 2. Develop architectural designs and costed bills of quantity to facilitate rehabilitation or development of infrastructure.<br>3. Facilitate selection and profiling of cash for work beneficiaries.<br>4. Rehabilitate and/or develop key public infrastructure for land administration, land management, civil and administrative adjudication in target districts. | Output Indicator 2.2.2: Number of buildings with proper designs and costed BOQs agreed upon rehabilitated/developed and fully functional.<br><br>Baseline: 0 | - Architectural blueprints/designs<br>- Costed bills of quantity<br>- Certificate of completion; Field monitoring reports | Year 1: 3 Buildings<br><br>Year 2: 6 Buildings |

| | | 6. Participatory land boundary demarcation exercises | Target: 6 | | |
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| | | | Output Indicator 2.2.3: Number of persons benefiting from "cash for work" opportunities (disaggregated by gender)<br><br>Baseline: 0<br>Target: 60 (10 Persons per building rehabilitated) | Cash for work records; Field monitoring reports | Year 1: 30 persons<br><br>Year 2: 60 persons |
| | | | Output Indicator 2.2.4: No. of administrative staff trained on grass-root, district level and FMS negotiations (Disaggregated by gender)<br><br>Baseline: 0<br>Target: 25 | Training records, attendance lists, field monitoring reports | Year 1: Training manual developed<br><br>Year 2: 25 administrative staff |
| | | | Output Indicator 2.2.5: Improved trust in the adjudication of land disputes.<br><br>Baseline: Low<br>Target: Moderarte | Perception surveys | |

**Annex C: Checklist of project implementation readiness**

| Question | Yes | No | Comment |
|---|---|---|---|
| 1. Have all implementing partners been identified? | x | | |
| 2. Have TORs for key project staff been finalized and ready to advertise? | | X | |
| 3. Have project sites been identified? | | x | Most of the project sites have been identified but not all. |
| 4. Have local communities and government offices been consulted/ sensitized on the existence of the project? | x | | |
| 5. Has any preliminary analysis/ identification of lessons learned/ existing activities been done? | X | | |
| 6. Have beneficiary criteria been identified? | | X | |
| 7. Have any agreements been made with the relevant Government counterparts relating to project implementation sites, approaches, Government contribution? | X | | |
| 8. Have clear arrangements been made on project implementing approach between project recipient organizations? | X | | |
| 9. What other preparatory activities need to be undertaken before actual project implementation can begin and how long will this take? | N/A | | |
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