



SOMALIA UN MPTF

PROGRAMME ANNUAL PROGRESS REPORT 2018

<b>Project Name</b>	Joint Justice Programme
Gateway ID	00112621
Start date	1 August 2018
Planned end date (as per last approval)	31 December 2020
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Participating UN entities	UNSOM Joint Justice and Corrections Section, UNDP, UN Women and UNICEF (and IDLO as non-UN agency)
NDP Pillar	<b>Pillar 2:</b> 'To achieve a stable and peaceful Federal Somalia through inclusive political processes, establishing unified, capable and accountable security institutions and establishing independent, accountable and efficient justice institutions.
UNSF Strategic Priority	<b>Strategic Priority 3:</b> All Somalis benefit from Peace, Security and the Rule of Law, including Justice. <b>Strategic Priority 4:</b> Effective and accountable institutions that respond to needs and rights of all Somalis.
Location(s)	Somalia: Benadir, Jubaland (Kismayo & Garbaharey), South West State (Baidoa & Hudur), Galmudug, Hirshabelle, Puntland and Somaliland.
Gender Marker	2

<b>Total Budget as per ProDoc</b>	USD 20,836,974.14
MPTF:	USD 20,836,974.14
Non-MPTF sources:	PBF: 0
	TRAC: 0
	Other:

PUNO	Total MPTF Funds Received			Total non-MPTF Funds Received		
	Semi Annual 2018 (2)	Cumulative	Annual 2018	Semi Annual 2018 (2)	Cumulative	Annual 2018
UNDP	873,454	873,454	873,454	834,904	834,904	834,904
UN Women	24,200	24,200	24,200	-	-	-
UNICEF	200,860	200,860	200,860	-	-	-
<b>Total</b>	<b>1,098,514</b>	<b>1,098,514</b>	<b>1,098,514</b>	<b>834,904</b>	<b>834,904</b>	<b>834,904</b>



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JP Expenditure of MPTF Funds <sup>1</sup>				JP Expenditure of non-MPTF Funds		
PUNO	Semi Annual 2018 (2)	Cumulative	Annual 2018	Semi Annual 2018 (2)	Cumulative	Annual 2018
UNDP	640,741	640,741	640,741	674,702	674,702	674,702
UN Women	7,915.61	7,915.61	7,915.61	-	-	-
UNICEF	-	-	-	-	-	-
<b>Total</b>	<b>827,393</b>	<b>827,393</b>	<b>827,393</b>	<b>674,702</b>	<b>674,702</b>	<b>674,702</b>

### ANNUAL HIGHLIGHTS (August – December 2018)

- During the period August-December 2018, 13 Community Dispute Resolution Houses in Benadir, Puntland, Jubaland and Southwest resolved 1,392 cases empowering communities especially women to realize their rights within the traditional justice system and in the process creating linkages between the informal and formal justice service providers. With the support of the programme, key government institutions and non-government stakeholders created an SGBV taskforce to address the challenges in responding to SGBV cases. Twenty permanent members were nominated to the taskforce and it was agreed to convene monthly taskforce meetings. Members of the SGBV taskforce were nominated by the Office of the Attorney General, the Somali Police Force (including the Criminal Investigations Division), the Somali Women's Development Centre and the government-run Medina Hospital.
- As part of the programme support to improve court administration, 1,531 cases were registered by the case recording system established in Mogadishu, Garowe and Gardo, facilitating the process for both users and providers of justice services to retrieve and access legal cases.
- As part of the wider programme efforts to improve access to justice for the people, 607 individuals received legal representation and 1,046 paralegals services during 2018. In addition, 152 SGBV survivors received legal representation and medical and psycho-social support in Puntland during this reporting period.
- With the aim of improving judicial processes and quality of justice services for the people, 43 judges, prosecutors and registrars (F: 4; M: 39) were trained in Kismayo and Mogadishu, using the standardised national judicial training curriculum.
- As part of the programme support to ensure future supply of legal professionals, 125 students from all parts of Somalia (Jubaland, Southwest, Galmudug, Hirshabelle, Puntland and Benadir) continued to benefit from the legal scholarship programmes at Mogadishu University and Puntland State University.

Since Somalia is shifting from unitary to federal state, the programme has supported institution building and legal reform development, and the Policy and Legal Drafting Unit at the Ministry of Justice of the Federal Government of Somalia drafted and updated 20 laws and policies, which are critical for the rule of law and protection of vulnerable people.

### HIGHLIGHTS OF KEY ACHIEVEMENTS

The Joint Justice Programme supports access to various justice initiatives, namely, legal aid, support to community dispute

<sup>1</sup> **Uncertified expenditures.** Certified annual expenditures can be found in the Annual Financial Report of MPTF Office (<http://mptf.undp.org/factsheet/fund/4SO00> )



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resolution mechanisms and mobile courts, and is aligned with several of the goals in the FGS's *Roadmap to Security and Justice 2017-2020*, most notably Goal 2.3 (facilitating access to justice) and 2.7 (empowering and training justice stakeholders). In Puntland, 607 individuals (F: 469, M: 138) were provided with legal representation, an additional 1,046 received paralegal services, and 152 SGBV survivors received legal representation of which 39 cases were provided with medical and psycho-social support. Moreover, traditional justice mechanisms continue to provide important justice-making alternatives due to the lack of capable formal justice institutions, especially outside main urban centres (albeit these mechanisms also can be found in the main centres). The Community Dispute Resolution Houses in Benadir (3), Puntland (6), Jubaland (2) and Southwest (2) resolved 1,392 cases during the reporting period, empowering communities, especially women, to realise their rights within the traditional system of justice. Moreover, these mechanisms also create linkages between informal and formal justice service providers by referring complicated cases. However, the traditional justice mechanisms tend to be discriminatory, particularly against women. Cognisant of this fact and to ensure human rights compliance and protect individual rights, the traditional elders adjudicating in the community dispute resolution houses received several trainings across all locations to enhance their knowledge and change their attitudes and behaviour, especially towards women and other vulnerable groups. The mobile courts also continued to be an important mechanism to bring justice services closer to communities and during this reporting period they handled a total of 256 cases (F:104; M:152) consisting of 165 civil cases and 91 criminal cases.

With the aim of improving judicial processes and increase quality of the justice services and ensure better uniformity across Somalia, 43 judges, prosecutors and registrars (M: 39, F: 4) were trained in Kismayo and Mogadishu, using the standardised national judicial training curriculum. The Joint Justice Programme's approach is to shift away from short-term, ad-hoc training programmes delivered by international experts, and rather embed the capacity to design, deliver and evaluate training programmes within institutions. The intention is to standardise and institutionalise training programmes. In 2019, the programme intends to support the establishment of the Judicial Training Institute, which will include support to the development of the legal framework, policies and procedures. Furthermore, supporting this Institute will also include assistance to establishing a governance structure, designing the training curricula, developing the training plan and evaluation system as well as creating a pool of national trainers. The Institute will use available training facilities such as universities or other training institutes.

In order to improve court administration, the programme supports case management reform in Mogadishu and Puntland, to enable the development of a case recording system. Mogadishu developed both manual and electronic case management systems, while Puntland only developed a manual case management system. Using the new systems, the courts in Mogadishu, Garowe and Gardo were able to generate case statistics and a total of 1,531 cases (civil: 1,018; criminal: 510; administrative: 3) was recorded. The case recording system is enabling both the users and providers of justice services in these locations to retrieve and access legal cases. In 2019, the plan is to expand the case recording system to Jubaland (Kismayo), South West State (Baidoa), Galmudug (Adado) and Hirshabelle (Jowhar) as well as district courts in Mogadishu.

To strengthen the capacity of traditional and religious leaders on women's rights in the context of Sharia law, a training on conscious communication and non-violent communication was conducted for 60 participants (F: 30, M: 30) in Kismayo in December 2018. A manual entitled "Stepping Stones to Peace" was developed for traditional authorities to assist in developing their capacities in reconciliation and dispute resolution.

### SITUATION UPDATE

During this reporting period, the previous Joint Rule of Law programme ended and a new phase started. Based on the experience of the Joint Rule of Law (RoL) Programme and the evaluation that was conducted, the UN's support to Rule of Law in Somalia is being realigned with a more robust role for the Rule of Law Global Focal Point. The purpose of this is to



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ensure a common vision and direction across the UN, better coherence and consistency in support and stronger, more efficient and effective decision making.

The previous Joint Rule of Law Programme has been divided into three separate programmes: The Joint Police Programme, The Joint Justice Programme and The Joint Corrections Programme. The Joint Justice Programme (JJP) is a 30-month programme supporting the National Development Plan 2017-2019 goal to ‘Establish independent, accountable and efficient justice institutions capable of addressing the justice needs of the people of Somalia’.

For the first time, the joint justice programme includes IDLO as non-UN participating agency due to its intergovernmental organisational status and its mandate to promote the rule of law in Somalia. Four UN agencies: UNSOM, UNDP, UN Women and UNICEF are participating in the programme. The programme was approved by the steering committee of the Somalia Development and Reconstruction Facility on the 23<sup>rd</sup> of May 2018 and subsequently endorsed by the Rule of Law Working Group on the 4<sup>th</sup> of July 2018. Finally, the programme was officially signed by the UN and Government on the 14<sup>th</sup> of August 2018. The duration of the programme is from the 1<sup>st</sup> of August 2018 to the 31<sup>st</sup> of December 2020. Geographically, the programme covers five federal member states (Puntland, Jubaland, South West State, Galmudug and Hirshabelle) and Mogadishu/Benadir. Somaliland is not part of the programme and will have its own separate programme.

**ANNUAL PROGRESS REPORT RESULTS MATRIX**

<b>OUTCOME STATEMENT 1: Formal Justice system and institutions framework is agreed and established to ensure presence across Somalia to provide increasingly equitable, transparent and professional basic justice services</b>			
Outcome 1 focuses on federalisation, state and institution building and support to the formal justice sector. Support will continue at the national level to build a federal architecture, policy and legislation and resources will also be allocated to developing new institutions and basic service delivery in the Federal Member States.			
Output 1.1: The Justice Model is rolled out through political dialogue and functional management structures at both FGS and FMS levels			
INDICATOR	TARGET	PROGRESS ON OUTPUT INDICATOR <sup>2</sup>	
		REPORTING PERIOD	CUMULATIVE
# of coordination and technical platforms established to develop and implement and Justice framework	A technical committee in at least 2 FMS exists	Justice and Correction Model (JCM) not yet agreed at political level; expected in early 2019	Justice and Correction Model (JCM) not yet agreed at political level; expected in early 2019
Roles and responsibilities of justice institutions at FG and FMS are clearly defined	JCM endorsed by NSC	JCM not yet endorsed by NSC; expected in early 2019	JCM not yet endorsed by NSC; expected in early 2019
# FMS and Federal Justice State Plans; # progress report on implementation of the plans	Consultation process initiated	Planned in 2019	Planned in 2019
UNDP ONLY: sources of evidence (as per current QPR)			
<b>Output 1.2: Output 1.2 Justice Institutions are increasingly transparent and accountable</b>			
# approved policies and SOPs to strengthen justice institutions and service delivery	Initiate process in 2018	JSC not yet established	JSC not yet established
# of information desks established	Put planning in	Establishment of	Establishment of

<sup>2</sup> Fill in only the numbers or yes/no; no explanations to be given here.



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	place in 2018	information desks planned at FL in 2019	information desks planned at FL in 2019
# of courts with case filing system and case management system	1 in Mogadishu and 1 in Garowe	3 (Mogadishu, Garowe and Gardo)  1,531 cases registered (1,018 civil, 510 criminal cases and 3 administrative)	3 (Mogadishu, Garowe and Gardo)  1,531 cases (registered (1,018 civil, 510 criminal cases and 3 administrative)
Judicial training institute established and functional in Mogadishu	Charter for judicial training Institute developed, training curricula developed, & pool of trainers identified.	Zero. Implementation of this activity will start in Q1, 2019.	Zero. Implementation of this activity will start in Q1, 2019
UNDP ONLY: sources of evidence (as per current QPR)			
<b>Output 1.3: Output 1.3 Justice institutions have increased capacity to standardise and deliver</b>			
# formally appointed judicial staff trained (M/F) with increase in knowledge	60 judicial staff in South West State, Jubaland & Mogadishu	43 (F: 4; M:39) judges, prosecutors and registrars trained in Kismayo and Mogadishu	43 (F: 4; M:39) judges, prosecutors and registrars trained in Kismayo and Mogadishu
# of special AGO units established;	Special SGBV and Juvenile justice units in AGO in Benadir with protocols established.	1 SGBV unit established at the AGO. Also, a taskforce to address the challenges in responding to SGBV cases created with 20 members representing the Office of the Attorney General, the Somali Police Force (including the Criminal Investigations Division), the Somali Women's Development Centre and the government-run Medina Hospital.	1 SGBV unit established at the AGO; Also, a taskforce to address the challenges in responding to SGBV cases created with 20 members representing the Office of the Attorney General, the Somali Police Force (including the Criminal Investigations Division), the Somali Women's Development Centre and the



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			government-run Medina Hospital.
# of SOPs developed and adopted on AGO and police on processing of criminal cases by type of cases (SGBV, juveniles)	Put planning in place in 2018	1 police-prosecutor coordination meeting attended by 35 CID police officers and prosecutors (F:9; M:26) in Kismayo	1 police-prosecutor coordination meeting attended by 35 CID police officers and prosecutors (F:9; M:26) in Kismayo
# annual colloquium for judges and annual conferences for prosecutors	1 prosecutor conference in 2018	A three-day retreat for federal prosecutors was held in Mogadishu with the aim of highlighting prosecutors' importance in the administration of justice in Somalia and strengthening the integrity and capacity of prosecutors.	1 conference held.
# of individuals that have received legal internship/graduate placement after completing professional/legal education (disaggregated by gender, institution and district)	60 individuals in 2018	45 (F:16; M:29) Federal level: 10 (F:2; M:8) Jubaland: 13 (F:4; M:9) South West State: 8 (F:3; M:5) Galmudug: 5 (F:2; M:3) Hirshabelle: 3 (F:1; M:2) Puntland: 6 (F:4; M:2)	45 (F:16; M:29) Federal level: 10 (F:2; M:8) Jubaland: 13 (F:4; M:9) South West State: 8 (F:3; M:5) Galmudug: 5 (F:2; M:3) Hirshabelle: 3 (F:1; M:2) Puntland: 6 (F:4; M:2)
# of individuals that have received scholarships for legal education (disaggregated by gender, district and university)	125 students in 2018	125 students (F:32; M:93)  Scholarship students at Mogadishu University are from South West, Galmudug, and Hirshabelle  Scholarship students at Puntland University are from Puntland and Jubaland	125 students (F:32; M:93)
# of high risk case load processed by civilian courts	Initiate transfer process in 2018	MoJ FGS is provided technical and human	MoJ FGS is provided technical and



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		capacity support (2 policy and legal officers) to coordinate with the relevant organs in the executive to develop a protocol on transferring the terrorism cases from military court to civilian courts.	human capacity support (2 policy and legal officers) to coordinate with the relevant organs in the executive to develop a protocol on transferring the terrorism cases from military court to civilian courts.
# of bar associations established and functional and # lawyers trained with increase in knowledge	Put planning in place in 2018	Process initiated in 2018 and expected to take place in the first half of 2019	Process initiated in 2018 and expected to take place in the first half of 2019
# of legal aid boards established and functional	Consultations initiated in 2018	Process initiated in 2018 and expected to take place in the first half of 2019	Process initiated in 2018 and expected to take place in the first half of 2019
UNDP ONLY: sources of evidence (as per current QPR)			
<b>Output 1.4: Key legislation, policies and guidelines pertaining to justice are operationalised, functioning and adopted</b>			
# of laws drafted/updated to implement and corrections model and the political roadmap and protection vulnerable people by the justice system	3 laws on improved access to justice developed and presented in Cabinet	20 laws and policies drafted and updated; 1 law translated	20 laws and policies drafted and updated; 1 law translated
# of published resources available to the public on laws of Somalia	Online resource designed, and documentation identified	0	0
UNDP ONLY: sources of evidence (as per current QPR)			
<b>OUTCOME STATEMENT 2</b>			
<b>Men, women and children are safer and accessing basic justice and human rights services</b>			
Outcome 2 focuses on 'bottom-up', community driven security and justice initiatives. This complements the work under Outcome 1, which predominantly is based on 'top-down' capacity building of state institutions to strengthen the operation of the formal justice system.			
<b>Output 2.1: The justice chain, including policing, is strengthened through community-oriented approaches</b>			
# of CSOs members trained on communication conversation with increase in knowledge; # local justice and security plans developed; SOPs developed	3 plans, 1 SOP on referral of cases	0	0
# of justice and police stakeholders' coordination meetings, # of public fora on justice and security	1 coordination meeting in 3 districts each and 1 public forum in three districts each	0	0



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UNDP ONLY: sources of evidence (as per current QPR)			
<b>Output 2.2 Improved access to justice and human rights through a multi-track approach</b>			
# people reached # legal messages developed for distribution	10,000 (50% women and 50% IDPs)	18,000 people reached by radio awareness programs conducted by PLAC in Garowe Puntland	18,000 people reached by radio awareness programs conducted by PLAC in Garowe Puntland
# people receiving legal aid services (F/M/IDP status); # number of legal aid centres	5,000	607 (F:469; M:138), 137 criminal cases, 470 civil cases  1,046 (F: 869; M:177) people received paralegal services 152 (F:152; M:0) SGBV cases supported (39 provided with medical and psycho-social support) 90% of beneficiaries were IDPs  5 legal aid centres in Puntland	607 (F:469; M:138), 137 criminal cases, 470 civil cases.  1,046 (F: 869; M:177) people received paralegal services 152 (F:152; M:0) SGBV cases supported (39 provided with medical and psycho-social support) 90% of beneficiaries were IDPs  5 legal aid centres in Puntland
# cases handled, civil/criminal (F/M); # victims treated and # cases referred to formal justice system	500 cases (50 cases referred)	1,286 cases (F:358; M:928)  Jubaland: 78 cases (F:29; M:49) South West State: 46 cases (F:16; M:30) Puntland: 1,162 cases (F:313; M:849)	1,286 cases (F:358; M:928)  Jubaland: 78 cases (F:29; M:49) South West State: 46 cases (F:16; M:30) Puntland: 1,162 cases (F:313; M:849)
# of active mobile courts # districts that have mobile courts # cases addressed by mobile courts	200 cases addressed	256 cases (F:104; M:152), 165 civil and 91 criminal  Puntland: 143 (F:57; M:86) Jubaland: 65 (F:24; M:41) South West State: 37 (F:20; M:17) Galmudug: 5 (F:1; M:4) Hirshabelle: 6 (F:2; M:4)	256 cases (F:104; M:152), 165 civil and 91 criminal  Puntland: 143 (F:57; M:86) Jubaland: 65 (F:24; M:41) South West State: 37 (F:20; M:17) Galmudug: 5 (F:1; M:4) Hirshabelle: 6 (F:2; M:4)



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Amount of court fees collected /month per location as recorded by court fees management board	Court fees management board established in 2 courts in two locations	0	0	
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### NARRATIVE

#### PSG 1: Justice

##### **Output 1.1 The Justice Model is rolled out through political dialogue and functional management structures at both FGS and FMS levels**

The Ministry of Justice of the Federal Government of Somalia is leading the national efforts to agree on a federated justice system, and a political agreement on the justice and corrections architecture was signed in Jowhar in January 2018 by all Ministers of Justice. However, progress on this crucial matter was hampered by political crisis between the federal government and federal member states over the past few months. Considering the complexity of the justice sector which involves numerous actors, many issues will need to be addressed as negotiations develop and the system takes shape. All stakeholders acknowledged that the road to achieve an agreed federated judiciary model is a long-term one and requires an inclusive process, in which all stakeholders participate. The political agreement signed in Jowhar in January 2018 triggered national interest and discussions around the subject. The issue is now being discussed at the highest levels in both federal and state levels. In 2019, the Ministry of Justice with the programme support will continue its efforts of coordinating justice sector stakeholders at both federal and state levels to ensure that an inclusive agreement is made on a viable federated justice system for the country.

##### **Output 1.3 Justice Institutions have increased capacity to standardise and deliver**

###### **Scholarship Programme**

There is a shortage of well-trained law professionals in Somalia. Judicial standards and practices are still below acceptable levels. By supporting law students, the number of talented law professionals increases, which consequently fills the current gap. The scholarship programme supported by the JJP seeks to encourage undergraduate students to pursue the legal profession as a way of addressing the shortage of well-trained law professionals within the justice sector. In this regard, 125 (F: 32; M: 93) students from all parts of Somalia (Jubaland, South West State, Galmudug, Hirshabelle, Puntland and Benadir) continue to benefit from the legal scholarship programme at Mogadishu University and Puntland State University. 84 (F: 27; M: 57) students study at Mogadishu University, while 41 (F: 6; M: 35) study at Puntland State University.

###### **Creation of SGBV Taskforce**

With the support of the programme, key government institutions and non-government stakeholders created an SGBV taskforce to address the challenges in responding to SGBV cases. 20 permanent members to the taskforce were nominated and it was agreed to convene the taskforce monthly to ensure there is standardized framework to combatting SGBV cases. Members of the SGBV taskforce were nominated by the Office of the Attorney General, the Somali Police Force (including the Criminal Investigations Division), the Somali Women's Development Centre and the government-run Medina Hospital. Challenges identified by the stakeholders therein included lack of transport for victims to the hospital, delayed reporting and the lack of a women's and children's desk in Police stations. Participants also noted that a major gap was the manner medical examinations were conducted at Medina Hospital and the insufficient information in medical reports and referral forms. The stakeholders agreed to have all SGBV suspects taken to CID for their fingerprints and photos. They also noted that collaboration among the chain institutions is key to enhance the efficiency of the process. Furthermore, an architect and Gender & SGBV expert were contracted to develop an interview room for SGBV victims at the AGO in a manner conducive for SGBV victims and witnesses' interviews. The Gender & SGBV expert is tasked to produce a manual for the Sexual and Gender Based Violence Prosecution Unit at the AGO to ensure a standardized process to conduct interviews for witnesses and victims of SGBV



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crimes. Additionally, equipment for the interview room including a car, VHF device and stationary support has been provided to the AGO's SGBV Unit.

### **Federal Prosecutors Retreat in Mogadishu**

A three-day retreat for federal prosecutors was held in Mogadishu with the aim of highlighting prosecutors' importance in the administration of justice in Somalia and strengthening the integrity and capacity of prosecutors. A total of 30 federal prosecutors and administrative staff, and other high-level officials including the Chief Justice of the Supreme Court, the Chief Judge of Benadir Regional Court, Commissioner of the Somali Police Force, the Director of the Criminal Investigations Division and the Commissioner of the Custodial Corps participated in the retreat. The objective of the retreat was to review the achievements and challenges of the Attorney General Office in 2018, develop internal office regulations to guide the work of prosecutors, approve the Code of Conduct, deliberate on current practices which cause delays and discuss methods of increasing efficiency, and discuss the draft Establishment Act of the Office of the Attorney General. The following were the key outcomes of the retreat:

- The Code of Conduct of the Attorney General's Office was approved, which sets out a clear framework to ensure accountability of prosecutors;
- To engage with the leadership of the Somali Police Force on the accountability of police officers and ensure rule of law;
- To re-establish the Police Monitoring Unit and Prisons Monitoring Unit in order to hold law enforcement accountable and introduce disciplinary procedures for misconduct;
- To require defendant fingerprints, defendant photos and witness lists in files submitted to the AGO by SPF investigators;
- To hold an inter-institutional meeting between the leadership of the AGO, SPF, CID, Custodial Corps and Police in each district to develop an in-depth framework for collaboration between these agencies and the AGO.

### **Output 1.4 Key legislation, policies and guidelines pertaining to justice are operationalised, functioning and adopted**

As part of the state building and federalisation process, the JJP focuses on establishing the foundations for the formal justice system, including a clear legal framework, particularly on judicial organisation and establishment of key justice institutions at FMS and FG levels. In this regard, the Policy and Legal Drafting Unit at the Ministry of Justice of the Federal Government of Somalia drafted and updated 20 laws and policies. The laws include the Law on the Establishment of the Attorney General Office, Criminal and Civil Codes and procedures, Juvenile Justice Act, National Electoral Bill and amendment of Political Parties' Law. These achievements support the priorities stated in the *Roadmap to Security and Justice 2017-2020*, in which reviewing and amending national laws based on the Federal System is goal (2.1).

### **2.2 Improved access to justice and human rights through a multi-track approach**

The Joint Justice Programme supports access to several justice initiatives, namely legal aid, support to community dispute resolution mechanisms and mobile courts, which contributes to Goal 2.3, facilitating access to justice, in FGS' *Roadmap to Security and Justice 2017-2020*. In Puntland, 607 (F: 469, M: 138) individuals received legal representation, 1,046 individuals received paralegals services and 152 SGBV cases received legal representations of which 39 cases were provided with medical and psycho-social support. Moreover, traditional justice mechanisms provide an important alternative to the lack of capable formal justice institutions especially outside main urban centres and remain the main providers of justice services even in the main urban centres. In this regard, eight Community Dispute Resolution Houses in Puntland (4), Jubaland (2) and South West State (2) resolved 1,286 cases (F:



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358; M:928), empowering communities, and especially women, to realise their rights within the traditional system of justice and in the process creating linkages between the informal and formal justice service providers.

However, the traditional justice mechanisms tend to be discriminatory, particularly against women. Cognisant of this fact and to ensure human rights compliance and protect individual rights, the traditional elders adjudicating in the community dispute resolution houses received several trainings across all locations to enhance their knowledge and change their attitudes and behaviour, especially towards women and other vulnerable groups. The mobile courts also continue to be an important mechanism to bring justice services closer to communities and during this reporting period they handled 256 cases (F:104; M:152) consisting of 165 civil cases and 91 criminal cases.

### Other key achievements

The Joint Justice Programme leads the way in terms of activating the coordination mechanism for the relevant pillar of the Somalia National Development Plan. Regular Rule of Law Working Group and Programme Steering Committee meetings are organised with the support of the UN and the leadership of the Ministry of Justice of the Federal Government of Somalia. In 2018, a working group meeting was organised quarterly with the participation of all stakeholders including the federal member states.

### Challenges (incl: delays or deviations) and lessons learnt:

1. **Programme Approval & Funding Delay:** Due to the delay in the approval process of the new joint Justice programme and disbursement of donor funds, the project was only able to support a limited number of activities, focusing on supporting a continuation of the functioning of the justice institutions and on the provision of essential services. For instance, the mobile courts and inspection missions were reduced from monthly to quarterly.
2. **Federalisation of the Justice Sector:** Limited progress on the national consultations to reach an agreement on a federated judiciary model means important objectives of the programme including reviewing the legal framework and establishment of key institutions are pending. Therefore, achievement of key programme goals will be difficult if Somali stakeholders can not reach a political agreement on the justice and corrections model.

### Peacebuilding impact

The Joint Justice Programme supports the expansion of justice services into districts and communities to promote peace within the communities. The programme supports both the expansion of formal justice institutions and the reform of informal dispute resolution mechanisms. Through the support to community dispute resolution houses, the programme supports existing community structures for conflict resolution and keeping harmony. During this reporting period, eight Community Dispute Resolution Houses in Puntland (4), Jubaland (2) and Southwest (2) resolved 1,286 cases empowering communities especially women to realise their rights within the traditional system of justice and in the process creating linkages between the informal and formal justice service providers. Legal awareness campaigns and mobile courts contribute to peace building by educating the public about the formal justice system and bringing justice services closer to the people, resulting in greater confidence of communities in the formal courts.

### Catalytic effects

Through a new Peacebuilding Fund supported joint project, Dulkha Nabaada, a unique intervention to deal with land dispute resolution mechanisms has launched. Land disputes are a key conflict driver among Somalia communities. Participating agencies in the joint project are UN-Habitat, UNDP and UNHCR. This project complements the JJP



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support towards Traditional Dispute resolution and intends to address the pressing land issues across Somalia; and develop state- and community led initiatives for peaceful conflict transformation and rights protection through high-level capacity building and policy development. Land disputes are currently a pervasive issue and are contributing to small- and large-scale conflicts in Somalia.

**Gender**

The Joint Justice Programme mainstreams gender throughout its activities, ensuring that gender concerns are articulated in the description of activities and that gender-sensitive indicators are in place. Specifically, the programme includes activities focusing on gender and women’s rights such as addressing SGBV cases. During this reporting period, 152 SGBV cases received legal representation in the courts in Puntland with 39 survivors receiving medical and psycho-social support. Through its support to community dispute resolution mechanisms, the programme enhances access to justice for women by increasing their participation in the alternative dispute resolution mechanisms.

Proportion of gender specific outputs in Joint Programme <sup>3</sup>	<b>Total no. of Joint Programme Outputs</b>	<b>Total no. of gender specific Outputs</b>
	7	6
Proportion of Joint Programme staff with responsibility for gender issues <sup>4</sup>	<b>Total no. of Staff</b>	<b>Total no. of staff with responsibility for gender issues</b>
	18	18

**Human Rights**

The Joint Justice Programme follows the human rights principles in programme implementation and follows a human rights-based approach. The programme is closely linked to the Human Rights Joint Programme since the role of the National Human Rights Commission is to provide oversight on all RoL institutions. In support of ensuring the human rights of the citizens, the programme supports provision of free legal representation to safeguard the rights of the accused- whether in police custody or in prison. Special attention is given to persons at pre-trial stage and waiting to be tried for periods longer than what the law provides. During this reporting period 607 individuals (F: 469; M: 138) received legal representation, 1,046 individuals received paralegals services and 152 SGBV cases received legal representations of which 39 were provided with medical and psycho-social support.

Has the Joint Programme included a protection risk assessment in its context analysis, including on gender issues, and taken measures to mitigate these risks to ensure they are not exacerbated or new risks created?	<b>Result (Yes/No)</b>
	Yes
No. of Joint Programme outputs specifically designed to address specific protection concerns.	<b>Result (No.)</b>
	2
No. of Joint Programme outputs designed to build capacity of duty bearers to fulfil their human rights obligations towards rights holders.	<b>Result (No.)</b>
	4

**Other**

<sup>3</sup> Gender Specific Outputs are those that are specifically designed to directly and explicitly contribute to the promotion of Gender Equality and Women’s Empowerment.

<sup>4</sup> Staff members are those contracted to undertaken work for the Joint Programme including full time staff, consultants, advisors, interns, etc. Staff members with responsibility for gender issues are those who have gender related activities included in their Terms of Reference.



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Does the Joint Programmes have a national cost-sharing component (i.e. funds and/or other resources provided by the FGS and/or FMS (including in-kind contributions)? (if 'Yes', describe below).	<b>Results (Yes/No)</b> Yes
Have FMS(s) been engaged in one or more of the following: design, planning, implementation, coordination and/or monitoring of the Joint Programme.	<b>Results (Yes/No)</b> Yes
<b>Describe nature of cost sharing:</b> For trainings, the national counterparts provide the venue.	
<p><b>Communications &amp; Visibility.</b></p> <p>On August 12<sup>th</sup>, 25 students following a UNDP scholarship programme were among those received a Bachelor in Law from Puntland State University  <a href="http://www.so.undp.org/content/somalia/en/home/presscenter/pressreleases/2018/08/12/law-students-sponsored-by-undp-graduate-from-puntland-state-university-.html">http://www.so.undp.org/content/somalia/en/home/presscenter/pressreleases/2018/08/12/law-students-sponsored-by-undp-graduate-from-puntland-state-university-.html</a>                  On Twitter: <a href="http://bit.ly/2P8wyqj">http://bit.ly/2P8wyqj</a>                  On Facebook: <a href="http://bit.ly/2P8wyqj">http://bit.ly/2P8wyqj</a></p> <p>On September 4<sup>th</sup>, the programme hands over two vehicles to the Ministry of Justice of the Federal Government of Somalia to enable the Ministry to better coordinate the justice sector especially consultations on the justice and correctios model <a href="https://twitter.com/UNDPSomalia/status/1036981088843952129">https://twitter.com/UNDPSomalia/status/1036981088843952129</a>.</p> <p>September 4<sup>th</sup>, Mobile Courts and Legal Aid in South West State  <a href="https://twitter.com/Doelm/status/103699422055415552">https://twitter.com/Doelm/status/103699422055415552</a></p> <p>On 14<sup>th</sup> October, the government and the UN sign the new Somalia Joint Justice Programme  <a href="https://twitter.com/UNDPSomalia/status/1031551362172116992">https://twitter.com/UNDPSomalia/status/1031551362172116992</a></p> <p>On 13<sup>th</sup> October, a UNDP delegation led by the Country Director visits Jowhar, the capital of Hirshabelle state meeting with the President and other officials <a href="https://twitter.com/gconway_UNDP/status/1051462630135787520">https://twitter.com/gconway_UNDP/status/1051462630135787520</a>  <a href="https://twitter.com/Doelm/status/1051186417458696196">/https://twitter.com/Doelm/status/1051186417458696196</a></p> <p>On 4<sup>th</sup> December, the programme steering committee approves the 2019 Joint Justice Programme Work Plan  <a href="https://twitter.com/Doelm/status/1069712108391202816">https://twitter.com/Doelm/status/1069712108391202816</a></p> <p>On December 12<sup>th</sup>, Rule of Law Working Group takes place in Mogadishu and approves the 2019 work plan of the Joint Justice Programme <a href="https://twitter.com/MOJ_FGSomalia/status/1072756085394718720">https://twitter.com/MOJ_FGSomalia/status/1072756085394718720</a>  <a href="https://twitter.com/MOJ_FGSomalia/status/1072799026930696192">/https://twitter.com/MOJ_FGSomalia/status/1072799026930696192</a></p>	
<p><b>Looking ahead</b></p> <p>Through an extensive consultation process, a comprehensive Joint Agency Annual Work Plan has been developed for 2019 and approved by the Programme Steering Committee and Rule of Law Working Group on the 3<sup>rd</sup> and 12<sup>th</sup> of December 2018, respectively. The total funding of the work plan is USD 10,822,625 shared among four agencies, i.e. UNDP, IDLO, UN Women and UNICEF. An equitable distribution of funds is ensured among the federal and federal member states. Specifically, it is worth noting that the newest states, Galmudug and Hirshabelle, will receive significant funding compared to previous years. This is crucial and will ensure a coherent and balanced approach towards rebuilding the justice institutions throughout Somalia. The justice institutions in newly established federal</p>	



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member states lack the minimum capacities, and justice personnel do not receive regular salaries, and therefore, their conditions are particularly dire and require special attention from the programme.

In 2019, the programme will ensure that necessary support is provided to the national counterparts to make a political agreement on the Justice and Corrections Model. The Ministry of Justice of the Federal Government of Somalia is leading the national efforts to agree on a model for a federated justice system. In 2019, the Ministry with the programme support, will continue its efforts of coordinating justice sector stakeholders at both federal and state level to ensure that an inclusive agreement is reached on a viable federated justice system for the country. Considering the complexity of the justice sector which involves numerous actors, many issues will need to be addressed as negotiations develop and the system takes shape. All stakeholders acknowledge that the road to achieve an agreed federated judiciary model is a long-term one and requires an inclusive process, in which all stakeholders participate.

In 2018, the programme expanded to Garbaharey and Hudur in Jubaland and South West State respectively and during 2019, the programme will make efforts to expand beyond state capitals and into new districts. In. A renewed push will be made to reach new districts in Galmudug and Hirshabelle, especially Dhusamareb and Beledweyne. These efforts will be coordinated with the security sector and especially the transition planning and police deployment to ensure a coordinated approach to peace and security in the country.



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**ANNEX 1. RISK MANAGEMENT**

Risk description	Programme Activities affected	Risk Impact & Probability		Mitigating Measures	Responsible Parties
		Likelihood	Potential Impact		
Elections	Potential of dramatic changes to the political landscape can impact the Joint Programme implementation. Depending on the preparations for 2020 elections the Joint Programme may have to realign its priorities especially the locations for the programme implementation	Medium	High	The Joint Programme may have to re-prioritize activities. Possible mitigation measures include a committed focus on technical capacity development of institutional counterparts. The programme shall be implemented with other programmatic interventions such as Transition, CRESTA, JPLG etc.	All UN partners
Tensions and conflicts in South-Central and Banadir	All activities in South-Central and Banadir might be affected if the Joint Programme is forced to suspend implementation due to increased security risks.	Medium	High	Through making extensive use of national coordination mechanisms, empowering national programme staff and continuing to build capacity with all programme counterparts, the Joint Programme will be able to continue implementation in key districts where other programmatic interventions of Transition, CRESTA and JPLG shall be undertaken.	All UN partners
Increase in internal political divisions	An increase in internal political divisions will have detrimental effect on all activities and interventions under the Joint Programme.	Medium	High	While keeping track of all political developments, the Joint Programme will continue to build strong relationships with all local and FMS partners, with a focus to support a harmonized approach to RoL development across Somalia.	All UN partners.
Difficulty in securing international expertise to come to Somalia	Delayed recruitment processes may impact on the implementation pace of the Programme	Medium	High	Experts from the roster will be recruited for short term consultancies	All UN partners



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Risk description	Programme Activities affected	Risk Impact & Probability		Mitigating Measures	Responsible Parties
		Likelihood	Potential Impact		
Limited commitment by RoL institutions for long-term mechanisms or priorities	In the event that sustainable mechanisms and priorities are not implemented by RoL institutions, the Joint Programme may be undermined in its scope	Medium	High	Regular follow up with RoL institutions on implementation of their strategic plans/action plans	All partners
Corruption in the public sector	UN RoL activities undermined as a result of corruption	Medium	High	Strengthen oversight mechanisms and M&E	All partners
Capacity needs outlast the Programme timelines	Programme fails in the long run to ensure that sustainable mechanisms and improved capacities are in place with the Government	Medium	High	Ensure programme and activities are in accordance to the need of the government in terms of resources and timeline.  Provide further support to the RoL institutions to develop a realistic capacity development strategy	All UN partners,
Insecurity at the FMS and district levels leading to inability for the Programme to deliver services and implement activities	The planned activities in the FMS and districts are delayed or interrupted	Medium	High	Develop alternative interventions jointly with other local stakeholders	All UN partners
Justice Institutions not established	The Programme intends to provide support to Justice Institutions that are not yet established by legislation.	Medium	Medium	The Programme is designed to provide support to enable the Justice Institutions to be established and will coordinate closely with justice sector stakeholders to monitor the progress.	All UN partners



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Risk description	Programme Activities affected	Risk Impact & Probability		Mitigating Measures	Responsible Parties
		Likelihood	Potential Impact		
Civil Service commission pay and reforms has limited impact on justice and judiciary	Civil Service commission pay and reforms process has limited impact on the justice and judiciary sector	High	Medium	Capacity Injection Manual guideline No 2 for pay and benefits management manual shall be applied uniformly across all non-line functions for experts, consultants and advisors.	All partners
Ensure limited independence of the executive and the judiciary	Ensure independence of the judiciary from the executive to enable proper functioning of the justice system without compromise or influence	Medium	Low	Ensure that agreements are signed separately between the MoJ's and judiciary at all FMS.	All partners
Low interest in women's empowerment interventions	Limited interest of justice and judiciary for women's empowerment interventions	Low	Medium	Efforts will be made so that there is an intense reflection and analysis on personal and collective beliefs and practices on GBV/SGBV and that communities have the capacity to make their own decisions based on identified concerns.	All UN partners
Quality of judicial documentation and work at FMS is compromised.	High quality of judicial documentation at FMS capitals needs to be ensured.	Medium	Medium	Engagement with donors and internationally supported justice programmes to ensure that technical support and mentoring is provided to the FMS judiciary in the capital cities	GFP Secretariat
Legal aid Model for Somalia is not adequately developed	Cost effective model based on JCM required	Low	Medium	A policy on legal aid exists which needs to be revised to ensure that a cost effective and sustainable legal aid model is developed.	All partners



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**ANNEX 2. MONITORING AND OVERSIGHT ACTIVITIES**

Monitoring Activity	Date	Description & Comments	Key Findings / Recommendations
Monitoring missions in Puntland	1 <sup>st</sup> -9 <sup>th</sup> October 2018	<p>A team led by the Ministry of Justice Puntland went to monitor Bossaso, Gardo and Burtinle districts. Duration of the mission was 9 days (1<sup>st</sup> to 9<sup>th</sup> October 2018).</p> <p>The purposes of the monitoring missions were as follows:</p> <ul style="list-style-type: none"> <li>• To monitor the ADR offices in Bossaso and Burtinle to observe their progress and provide guidance and consultations as requires;</li> <li>• To encourage the traditional elders to do referral to formal courts for any cases related to SGBV and not try to solve the case in traditional ways; and</li> <li>• To monitor and supervise Gardo Prosecutor’s office and courts to encourage them to apply the Rape Act and JJ Law and to ensure that victims get justice</li> </ul>	Elders play a critical role in ensuring observation of fundamental rights as well as ensuring referral of certain cases, such as rape, to the formal system. Hence, they are important in bringing the formal and informal justice system closer. During the visit judges and prosecutors in Gardo district were equipped with knowledge and awareness of existing policies and laws, including the Rape Act and JJ Law. This to prevent ignorance of these laws.
Field visit to Jowhar, Hirshabelle	13 <sup>th</sup> October 2018	This was a field visit led by the Country Director including the Rule of Law and Security Portfolio Manager and other team members. The aim of the visit was to assess the needs on the ground in the newest state and meet with the UNDP counterparts. During the visit, the UNDP team met with the President of the State and the governor of Middle Shabelle Region among other officials. The visit demonstrated the dire needs on the ground in Hirshabelle.	Make sure equitable support is provided to Hirshabelle in 2019 and increase UNDP presence in Jowhar. Rule of Law and Security Portfolio has one officer on the ground already.
Field visit to Hudur, Southwest	22 <sup>nd</sup> October 2018	This was a field visit led by the Country Director including the Rule of Law and Security Portfolio Manager and other team members. The aim was to assess the situation outside of state capitals and inform planning for 2019 UNDP support to Southwest State of Somalia. During the visit, the UNDP team met with the Minister of Justice of Southwest, the governor of Bakool Region and the Mayor of Hudur among other officials. The visit demonstrated the dire needs on the ground beyond state capitals.	<ol style="list-style-type: none"> <li>1. Expand mobile courts to Hudur based on the request of the judges and community leaders.</li> <li>2. Include judges training in the South West support package for the judiciary in 2019.</li> <li>3. Further, continue support of the Community Dispute Resolution House for Hudur in 2019.</li> </ol>
Spot check- Ministry of	7 <sup>th</sup> November	This was a regular spot check undertaken by UNDP programme	UNDP staff shall double their experience and



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Justice of the Federal Government of Somalia	2018	oversight and quality assurance unit (POQA) independently from the portfolio to review the IPs procedures and processes in terms of recruitment, procurement and financial transactions	knowledge sharing site-visits to the IP to improve project management, planning, implementation, and M&E capacities of the IP.
Spot check-Supreme Court of the Federal Republic of Somalia	15 <sup>th</sup> November 2018	This was a regular spot check undertaken by UNDP programme oversight and quality assurance unit (POQA) independently from the portfolio to review the IPs procedures and processes in terms of recruitment, procurement and financial transactions	UNDP staff shall double their experience and knowledge sharing site-visits to the IP to improve project management, planning, implementation, and M&E capacities of the IP.



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**ANNEX 3. TRAINING DATA**

#	Target Group		Dates	# of participants			Title of the training	Location of training	Training provider
	Ministry. District or UN staff	Others		M	F	Total			
2	Judges of the Benadir Appeal and Regional Courts		October 17 <sup>th</sup> - November 4 <sup>th</sup>	12	0	12	Basic Legal Training (Criminal and Civil Procedure Codes)	Supreme Court training hall in Mogadishu	The Supreme Court with the support of UNDP
	Judges, prosecutors, & registrars	Traditional elders	17 <sup>th</sup> -25 <sup>th</sup> November 2018	44	6	50	Basic Legal Training (Somali civil trial procedures -legal &administrative skills)	Kismayo (Jubaland)	Jubaland Ministry of Justice with the support of UNDP
		Traditional and religious leaders on women's rights on the perspective of Sharia	29th November to 8th December 2018.	30	30	60	A training on conscious communication and non-violent communication	Kismayo (Jubaland)	Jubaland Ministry of Justice with the support of UN Women
<b>Totals:</b>				<b>111</b>	<b>46</b>	<b>157</b>			