

Constitution Review Support Project (CRSP II)

Key achievements during the reporting period

- Ministry of Constitutional Affairs (MOCA), Parliamentary Oversight Committee (OC) and the Independent Constitution Review and Implementation Commission (ICRIC) finalized the hand over reports for the 11th Parliament and the forthcoming administration.
- 3rd revised version of the Constitution was agreed by the FMS, Banadir Region, South West State, Galmudug and Hirshabelle.
- Lessons learnt meeting on the CRSP was held, resulting in the identification of key issues and a set of measures for taking forward the constitution review process
- Political Strategy for taking forward the constitutional review process was developed and agreed.

Project data

MPTF Gateway ID	00109240
Geographical coverage	National and Regional (all Federal Member States and Banadir Region)
Project duration	01 January 2018 – 30 June 2021
Total approved budget	USD 13,451,779.00
Programme funding level	USD 12,590,366.55 – total funds received
Estimated delivery rate	USD 12,530,511.09 - 99.52%
Participating UN entities	UNDP and UNSOM
Implementing partners	Federal Ministry of Constitutional Affairs (MoCA), Independent Constitutional Review and Implementation Commission (ICRIC) and Ministries of Constitutional Affairs of the Federal Member States
Project beneficiaries	All citizens, CSOs, Women, Youth, Traditional and Religious groups.
NDP pillar	1
UNCF Strategic Priority	1
SDG	
Gender Marker	2
Related UN projects within/outside the SJF portfolio	Parliamentary Support Project, Reconciliation and Federalism Support Project
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2	UNSOM			
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Section 1: Executive summary

Brief introduction to the project

The objective of the project was to support an effective, transparent, and accountable constitutional review process through strengthening inclusive political processes at all levels to develop a new social contract that meets the needs of Somali women and men, reflects political realities and is of good technical quality to foster equitable and sustainable development and peace. With this overarching objective in mind, the Project revolved around four entry points for integrated support to constitution-making under the overarching framework of fostering inclusive processes, namely (1) for the coordination of the constitutional review process in line with the national vision, particularly by accompanying and advising the work of the Federal Ministry of Constitutional Affairs (MOCA), Joint Oversight Committee of the Federal Parliament of Somalia (OC) and Independent Constitutional Review and Implementation Commission (ICRIC), and the FMS, (2) support for an extensive civic education process, (3) support for the public consultation and outreach activities of all actors involved in the constitutional review process, (4) technical support for the drafting of the constitutional text. This approach sought to complement the constitutional work of elected representatives, government officials and technical experts with broad based public participation. The Project's outputs are:

Situation update / Context of the reporting period

Though important milestones have been achieved in the last quarter of 2020 which culminated in drafting of the 3rd version of the reviewed Constitution, the political dynamic between the Federal Government and some Federal Member States, notably Puntland and Jubaland, has continued being complex, which directly impacted completion of the constitutional review process. Namely, Puntland and Jubaland rejected to participate in the process during the current administration, particularly complaining about the composition of ICRIC and requesting quick resolution of the Gedo issue, among other matters. In addition, FGS President Faarmajo issued a decree on 24 December 2020 deferring review of the Constitution and the procedure of approving the Constitution and adoption of the Constitution to the 11th Parliament.

During the reporting period, a lessons learnt session was organized with the UN and the international partners aiming to discuss key challenges during the implementation of the Constitutional Review Support Project (CRSP) and provide recommendations on how to move forward on constitutional reform. Facing further deterioration of the political situation in Somalia in 2021, challenges that the CRSP has faced and difficulties to complete the constitutional review process, the UN and the partners decided to close the project. UNDP revised the annual work plan and informed all national counterparts that the project will be closed by 31 March, providing one month notice (until 30 April) as stipulated in the Letters of Agreement. During the reporting period the team completed all the project closure-related activities. In the meantime, MOCA, OC and ICRIC have drafted their handover reports, the 3rd version of the Constitution was translated and commented upon, a political strategy to take forward the constitutional review process was developed, and the team started creating concept notes informed by the experiences of the CRSP, lessons learnt event and the political strategy and using the Parliamentary Support Project, funded by core resources (TRAC), as a vehicle for the programme development. In the meantime, against the political backdrop the National Consultative Council (NCC) meeting was organized from 22-26 May in Mogadishu and discussed at length how to find solutions for holding elections for the Federal Parliament and related contentious political issues. The Somali leaders agreed to organize the indirect election within 60 days after signing the agreement, highlighting 8-point agenda¹. The leaders also agreed to implement the mid- to long-term

¹ 1) Procedure for resolving the dispute on electoral management committees; 2) Resolving the dispute on the electoral management committee for Somaliland; 3) Mechanism for resolving the dispute on the conduct of elections in Gedo Region; 4) Election Security Protocol; 5) Implementation of the 30% women quota; 6) Timetable for Conducting the Election; 7) Maintaining Regular Cooperation of the National Consultative Council; 8) Roadmap for the completion of the state-building process of Somalia.

priorities of the Roadmap for crucial state-building in Somalia based on the federal system, highlighting that the completion of the Federal Constitution is a matter of key importance.²

Highlights of the project during the reporting period

During the reporting period, public consultations were organized in Mogadishu with Banadir Region, South West State, Galmudug, Hirshabelle and civil society to verify 3rd revised version of the Constitution. MOCA, OC and ICRIC prepared and finalized handover report to take forward the constitutional review process. The revised Constitution and the handover reports will be submitted to the 11th Parliament and the forthcoming government. Lessons learnt meeting was held in Nairobi on 9th March 2021 and was attended by the representatives of Norway, Sweden, Denmark, Switzerland, FCDO, EU, World Bank, UNSOM and UNDP. The participants discussed key CRSP issues, identified challenges in the constitutional review process and the implementation of the CRSP and recommended ways to overcome impediments. Finally, the political strategy to take forward the constitutional review process was developed and agreed by the UN.

Summary of key achievements during the reporting period

- Third round of public consultations with Hirshabelle, Southwest and Galmudug States and Banadir Region have been organized with all political role players and civil society, with the purpose to collect their opinion on the constitutional review process. The consultations resulted in reaching consensus among the consulted societal groups and with the three FMSs to finalize the third version of the revised Provisional Constitution.
- MoCA, OC and ICRIC have finalized handover reports to take forward the constitutional review process after consultation meetings with the civil society and three Federal Member States (Southwest, Hirshabelle and Galmudug). The reports will be submitted to the upcoming 11th Parliament and the new administration, which will be able to pick up from where the previous parliament and the government left off, safeguarding the achievements made thus far.
- The UN and the international partners organized a lesson learnt session in March 2021 stating critical lessons for the completion of the constitutional review process. The lessons will be considered while developing the new programmes that will take forward completion of the constitutional reform in Somalia.
- Political Strategy for taking forward the constitutional review process was developed and agreed by national and international actors. The Strategy intends to provide guidance how to progress state building ambitions in Somalia and establish constitutional democracy in the country.

Section 2: Progress Report Results Matrix

OUTCOME STATEMENT			
Support an effective, transparent, and accountable constitutional review process through strengthening inclusive political processes at all levels to develop a new social contract that meets the needs of Somali women and men, reflects political realities and is of good technical quality in order to foster equitable and sustainable development and peace.			
SUB-OUTCOME 1 STATEMENT			
Output 1.1: Effective participation on the constitutional review process resolves key contentious issues on all levels.			
INDICATOR	TARGET	PROGRESS ON OUTPUT INDICATOR	
		REPORTING PERIOD (YEAR)	CUMULATIVE
# of thematic issues raised and discussed in consultative and inclusive forums	Mechanism for national dialogue	4 ³	15

² Besides the completion of the federal Constitutions other priorities are: Completion of the process of building the army and strengthening security of the country; The Issue of Somaliland; Status of the Capital of Somalia; Reconciliation of the Somali Community; Donor funds and debt relief; Implementation of the one person one vote election.

³ Third round of consultations in Mogadishu and Hirshabelle, Southwest and Galmudug States.

	on thematic areas established		
	At least 4 thematic issues raised and discussed in consultative and inclusive forums, with at least two issues resolved.	1 ⁴	8
Legislative roles defined for federal and state level parliaments within the new parameters defined	Legislative competencies for federal regional parliaments defined.	No	Partially
Sources of evidence: Constitutional Review Process progress reports, meeting minutes, reports from MOCA, OC and ICRC, photos etc.			
Output 2: General population knowledge on the constitutional review process is enhanced			
Civic Education plan is implemented at regional and federal level in partnership with civil society	Inputs from communities including vulnerable groups submitted as contribution to the constitutional review process.	4 ⁵	11
# of civil society (including vulnerable groups) partners engaged in the civic education activities	At least five CSOs participate in networks carrying out civic education activities in each region.	Partially (linked to 2020)	6 (linked to 2019)
Sources of evidence: Constitutional Review Process progress reports, meeting minutes, reports from MOCA, OC and ICRC, photos etc.			
Output 3: Key actors implement outreach strategy and civil society engagement in the constitutional review and implementation process.			
Strategy on public consultations with special focus on marginalized groups (women, IDPs, youth, persons with disabilities) draft	Strategy on public consultations with special focus on marginalized groups (women, IDPs, youth, persons with disabilities) is under implementation.	1 ⁶	3

⁴ During the consultations in Mogadishu, Southwest, Galmudug and Hirshabelle States the participants agreed and disaggregated technical from controversial articles of the third draft of the Constitution. The consultations resulted in finalizing the 3rd revised version of the Constitution.

⁵MoCA, OC and ICRC organized third round of consultations in Mogadishu, Southwest, Galmudug and Hirshabelle states, involving representatives of the states' institutions and all segments of society, including the vulnerable groups

⁶ Third round of consultations in Mogadishu and Hirshabelle, Southwest and Galmudug States.

Key players lead # of public consultations in all regions	At least 2 public consultations held in each region.	4 ⁷	35
Sources of evidence: Constitutional Review Process progress reports, meeting minutes, reports from MOCA, OC and ICRC, photos etc.			

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

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

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

Output 4: Project effectively managed

Section 3: Narrative reporting on results

Progress towards outcomes

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

Finalization of the handover reports to take forward the Constitutional Review Process: MoCA, OC and ICRC have finalized handover reports about the constitutional review process after a consultation meeting with the civil society and three Federal Member States (South West, Hirshabelle and Galmudug) that was organized in Mogadishu on 16-18 March 2021. The meeting brought together 157 participants (Women: 18 and Men: 139). The handover reports contain information about the progress made so far, the achievements, the challenges encountered, proposed actions for the next government and the Parliament and the way forward. The reports will be submitted to the upcoming 11th Parliament and the new administration which will be able to pick up from where the previous parliament and the government left off, safeguarding the achievements made thus far, and on this way preventing the constitutional review process to start afresh, as it happened in 2016.

Support to the FMS MOCAs: During the reporting period, the project provided technical and operational support to the national counterparts in FMS. The ministries of constitutional affairs in South West, Galmudug and Hirshabelle organized consultative meetings on the 3rd draft of the reviewed Constitution, bringing together representatives from state ministries and civil society organizations, including women and youth, think-tanks etc. The consultations resulted in reaching consensus on this new draft version of the Constitution. A total of 326 Somalis participated in the consultations (South West- W: 29; M: 75; Hirshabelle - W: 38; M: 61; Galmudug: W: 53; M: 70). The planned consultation meetings for Jubaland and Puntland have not been organized due to the outstanding political disputes between FGS and these two FMS states, that has been elaborated in the introductory and lessons learnt and challenges sections.

In addition, representatives of Galmudug, Hirshabelle and South West MoCAs participated in dedicated discussions with ICRC, MoCA and OC to finalize the 3rd draft of the revised Constitution, to disaggregate technical from contentious articles and to ensure compliance of the proposed amendments to the international and regional conventions.

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

During the reporting period FGS MOCA, OC and ICRC actively communicated with the public, using electronic and social media (Facebook, Twitter, YouTube and Instagram), providing information about the

⁷ Third round of consultations in Mogadishu and Hirshabelle, Southwest and Galmudug States.

progress on the review of the Constitution, enabling the public to closely follow up on the tri-entire activities, achievements and challenges faced in the process. The relevant links can be found below.

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

Final round of consultation on the Provisional Constitution: MOCA, OC and ICRIC successfully organized final rounds of consultations in Mogadishu with 290 (W: 49; M: 241) representatives from Federal Member States (Hirshabelle Galmudug and South West) and Banadir regional administration, civil society organizations, women, youth, think-tanks etc. The aim of the consultations was to obtain feedback and inputs on the third revised version of the provisional constitution. As per the tri-entities the 3rd draft of the Constitution contains 157 articles, 14 articles (19%) require further political negotiation while the remaining 143 articles (81%) are of technical nature and do not bear political contention. MOCA, OC and ICRIC will submit the third revised version of the Provisional Constitution together with the hand over reports to the upcoming 11th Parliament and the new administration.

Output 4: Project effectively managed

During the reporting period the project team reviewed the annual work plan and completed all the programmatic, administrative and financial actions to close the project, following the agreement with the international partners. All national counterparts were informed about the closure of the project during the bilateral meetings and also in written. The final project board meeting will be organized to approve and endorse all the completed actions and provide recommendations for the future activities.

Internally, UNDP and UNSOM have had regular weekly coordination meetings chaired by the UNDP DRRP and the Chief of PAMG, to follow up and monitor on the implementation of the activities and provide additional directions towards closure of the project.

Lessons learnt event: The international partners and the UN initiated a work session (i) to consolidate lessons learnt and identify challenges and gaps in the constitutional review process and the implementation of the CRSP, (ii) deliberate on the objectives and components of a political strategy to address the identified challenges and gaps and (iii) formulate any joint positions and messages. The meeting was held at Sankara Hotel, Nairobi on 9th March 2021 and was attended by the representatives of Norway, Sweden, Denmark, Switzerland, FCDO, EU, World Bank, UNSOM and UNDP.

The meeting identified key issues and lessons learnt from the past years:

- **Political issues.** while constitutional making is inherently a political process, political roles and responsibilities have not been properly factored into the project implementation. Political risks and issues should have been regularly updated and the project ought to adapt to existing realities to ensure completion of the review. As a political process, constitutional review needs a collective voice or leverage. Thus, it was highlighted that the joint collaboration between the national partners, civil society, international partners and the UN is of critical importance. It is also imperative that the Somali leadership assumes responsibility for the process.
- **Inclusivity.** It was noted that while the project managed to ensure inclusivity of the review process to a limited extent, the main focus of the CRSP was, however, the provision of technical support. The tri-entire was not able to retain their relationship with the FMS. It was highlighted that some informal networks and actors might be partnered with who could support the implementation of the activities to achieve more concrete results. Therefore, it was necessary to broaden the spectrum of partners focusing primarily on FMS, community leaders and civil society to provide the additional push to unblock the political impasse and ensure completion of the review process.
- **Technical assistance versus Political intervention.** The project successfully provided technical knowledge and strengthened the coordination between MOCA, OC and ICRIC. However, the partners highlighted that the constitutional review process has been quite costly and focused mainly on the

technical aspects. The CRSP did not receive the necessary support from either the political leadership at the FMS or the FGS level.

- **Lack of synergies between different political processes.** The review process was not linked to other important political processes such as federalism and election. Going forward, all those important processes should be considered complementary, to reinforce one another. Also, other platforms should be used to support the completion of the constitutional review process, such as REFS. Going forward, consideration should be given to merging existing projects supporting the state building such as REFS, CRSP, PSP etc. to provide a more comprehensive approach.
- **Sequential approach.** It was highlighted that there are outstanding constitutional issues that need particular political attention, such as power and resource sharing, fiscal federalism, governance structure, the status of the capital city, etc. Political dialogue is needed to advance the constitutional review process. The dialogue should be issue-based and focused on the sequencing of constitutional issues and a clear prioritization. This approach may safeguard the achievements made thus far and by tabling articles ready for adoption.
- **Analysis of project implementation methodology and Risk analysis (Do No Harm).** It was important to constantly update the risk matrix and conduct regular risk analysis (particularly political analysis) to identify mitigation measures. The project and the implementation methodology had to be objectively evaluated, with critical analysis of the activities being conducted, following the Do No Harm approach. Requests from the national counterparts should have been thoroughly examined before accepting them. A coordination mechanism should be established ensuring participation of relevant national and international actors and representatives of civil society, with the purpose of (i) Identifying risks and issues in the review process and recommending mitigation measures, (ii) identifying roles and responsibilities within this mechanism and (iii) task entities based on their comparative advantage.

Special attention was given to the relationship and connection between the constitutional review process, the rule of law, and political instability. Finalization of the constitutional review process has not been recognized as a critical priority. Neither has the respect of the constitution been regarded as fundamental to enhancing the rule of law. Finally, all the donors highlighted that the revised Constitution must be compliant with International Human Rights Standards and Conventions that Somalia is party to.

The lessons learnt meeting suggested following steps for taking the constitution review process forward, which is based on two phases:

1. Pre-election phase:

- Prepare for a post-election mapping exercise, including the analysis of stakeholders and other partners to be brought on board and how to engage with them. Also, define the sequencing of issues/timelines.
- Ensure that the constitutional review process is on the political radar by advocating with the FGS and the FMS leaders, keeping the actors engaged and widening partnerships in the review process.
- Use the existing platforms for deepening discussions on the review process and how other political processes such as elections and federalization can complement the constitutional review.
- Define roles of the different actors and partners engaged in the constitutional review process.

2. Post-election Phase:

- Advocate for the adoption and implementation of the MOCA, OC and ICRIC handover notes so that the 11th Parliament picks up where the 10th Parliament left off.
- Complete the analysis of risks and issues by the UN providing recommendations for mitigation measures and partnerships.
- Address key political issues that are currently blocking the constitutional review process such the ICRIC structure and membership issues
- Prioritize important issues such as adoption of the technical amendments, formalization of the FMS, fiscal federalism, Inter-Governmental relations structure etc.

- Tabling and adoption of the agreed articles of the Constitution (consider partial adoption of the Constitution, based on consensus and sequencing approach).
- Establish and broaden the spectrum and scope of partnerships engaged in the constitutional review process.
- Establish proper coordination mechanism with clearly defined roles of the different actors such as the UN, International and National Partners and civil society.

Development of the Political Strategy: During the reporting period a consultant was recruited to draft the political strategy, to take forward the constitutional review process, following the lessons learnt session. The Strategy highlights that in order to advance the state building ambitions in Somalia, and establish the country as a constitutional democracy, it is imperative that the constitutional review process is completed, guided by the principles of participation, inclusivity, negotiations, compromise and consensus building. This requires the building of synergies with other political and governance support processes, as well as an enhanced engagement by the international community with the political class and the Somali public at the national and sub-national levels. The strategy underlines eight principal imperatives. These are:

1. Effective political demand by expanding ownership and drivers of the process;
2. Inclusivity through establishment of a comprehensive mediation framework ensuring participation of all FMS and representatives of ICRC;
3. Ideological compromises encouraging plurality of voices to emerge and influence political processes and governance priority outcomes, into the constitutional review process;
4. Working in concert by international actors re-conceptualizing support/programme and inter-partner collaborative arrangements to influence political processes and outcomes;
5. Primacy of rule of law;
6. Safeguarding the gains achieved thus far ensuring that the 11th Parliament continues where the 10th Parliament left off;
7. Develop constitutional reform roadmap with milestones;
8. Interoperability by re-designing UN support/programming approach, highlighting the constitutional review process as super objective, ensuring synergies, sequencing of interventions and coordination

Programme development: Following the National Consultative Council’s agreement from 27 May 2021, UNDP jointly with the OSRSG and the PAMG developed a new project to support the OPM’s efforts to organize the election and prepare for the implementation of the state building road map, focusing particularly on reconciliation and constitutional reform. This new project is funded through the UN Peace Building Fund. The team started developing the project proposals addressing the issues of constitutionalism, parliamentarism and women’s political participation aligning them with the 27 May Agreement, lessons learnt in the constitutional review process and the PBF proposal. Once finalized, UNDP will share them with partners and organize a dedicated brainstorming sessions to take these efforts forward.

Number of beneficiaries and feedback from beneficiaries

During the reporting period, the project facilitated consultation meetings and reached a total of 483 Somalis (women: 138; men: 345) in the Southwest, Galmudug, Hirshabelle States and Banadir Region. A total of number 3,658 participants (women: 1,133 and men: 2,525) participated in the consultation meetings since the beginning of the project.

Section 4: Project implementation

COVID 19 Response

N/A

Key constraints and challenges and associated corrective actions

The political dynamic between the Federal Government and some Federal Member States, notably Puntland and Jubaland, has continued being complex, which directly impacted completion of the constitutional review process. Namely, Puntland and Jubaland have rejected to participate in the process since 2020,

particularly complaining about the composition of ICRC and requesting quick resolution of the Gedo issue, among other matters. In addition, FGS President Faarmajo issued a decree on 24 December 2020 deferring review of the Constitution and the procedure of approving the Constitution and adoption of the Constitution to the 11th Parliament. Finally, the year 2021 has been marked by the negotiation between the FGS and the FMS to secure the implementation of the indirect electoral framework and the election. In response, a lessons learnt session was organized with the UN and the international partners to inform future plans and programme development. Also, a political strategy to take forward the constitutional review process was developed, to guide future UNDP/UNSOM's engagement in the process. Going forward, UNDP/UNSOM will support the OPM to unpack the state building priorities, following the NCC May 2021 Agreement, which highlighted that the completion of the constitutional review process is one of the key state building priorities.

Risk management

Type of risk	Description of risk	Mitigating measures
Political	Political dynamic between the FGS and the FMS (particularly Puntland and Jubaland) that affects delay in completion of the constitutional review process.	Advocate for organization of the high-level summit between the FGS and the FMS leaders, focusing on constitutional review process and other major political issues. Create a joint platform for the international partners and the UN, to provide joint assistance to Somali leaders to reach settlements on the contentious issues.
Political, operational	The review of the Constitution was deferred to the 11 th Parliament, which may cause to commence the review process afresh.	Ensure that the 11 th Parliament picks from where the 10 th Parliament left off, by finalizing the hand over note and a road map for taking forward the constitutional review process and by advocating for safeguarding the gains achieved thus far. Provide technical assistance to the FGS and the FMS to prepare their constitutional position, that will contribute to reaching consensus around contentious issues and adoption of the Constitution. The UN and the international partners to agree on common messages while communicating with the Somali leaders.
Environmental, operational, financial	Outbreak and lasting effects of the COVID-19 pandemic may affect further postponement of completion of the constitutional review process	Provision of communication technology to national counterparts to ensure their continuity. Provide technical assistance to national counterparts to amend by-laws in order to be able to hold virtual sessions. Agree with the international partners to rephase some of the unspent funds for the actions aiming to mitigate consequences of the COVID-19 and ensure implementation of the original activities.
Financial	Donors' fatigue to support CRSP, due to lack of political will to	Prepare project extension focusing on political actions, to safeguard the gains. Organize regular joint

	finalize the constitutional review process.	meetings with international partners, UN, MOCA, OC and ICRC to follow up on the new project's strategy and achievements.
Financial (II)	Donors may re-programme resources to address COVID-19 threat.	Organize regular joint meetings with international partners, UN, MOCA, OC and ICRC to agree on the activities and follow up on the new project's strategy and achievements.
Social Risks (1)	Duty-bearers do not have the capacity to meet their obligations in the Project or claim their rights	The project is providing capacity development activities to all duty bearers to advocate for their rights as part of the core project activities and goals. This initiative is contributing to the project's goal to enhance operational and technical capacity of the duty bearers.
Social risks (2) – gender	The proposed Project would have adverse impacts on gender equality and/or the situation of women and girls	Project ensures that gender mainstreamed across all of its activities. CRSP coordinate activities with Women Political Participation Project and Parliamentary Support Project, focusing on inclusion of women leaders and activists and MPs in the constitutional review process. Women are involved and participate in the implementation of the project's activities. MOCA, OC and ICRC insists on inclusion of the women as partners in the implementation of the activities.

Learning impact

As stated, the UN and the international partners organized a lessons learnt session stating the following critical lessons for the completion of the constitutional review process:

1. **The natural point of departure is political will.** This is a critical requirement and depends on the joint efforts between the UN and the international partners. Consideration therefore has to be given to reaching agreements incrementally.
2. **The political role of national, international actors and the UN is critical.** Though the project enjoyed better political ownership by the FGS than ever before, it needs to be noted that FGS Cabinet needs to develop a perspective on the constitutional review and prioritize it as the key rule of law, democratization, and federalization tool. The international community should support UN efforts to bring in together the FGS and FMS leaderships and play an assertive role, albeit without being interventionist, continuing with the high-profile discussions with the Somali leadership to ensure that the constitutional review process stays as the top country priority.
3. **Technical Assistance vs. political engagement:** CRSP was successful in provision of technical exercise, strengthening coordination between the three entities, knowledge sharing and analyzing constitutional issues and providing recommendations on how to resolve these issues. However, constitutional making is a highly political process, therefore political dynamic should be factored in properly in the project implementation and proactive political engagement should be agreed to ensure success of the Strategy for taking forward the constitutional review process, while different political processes should be seen as complementary to the constitutional review process, such as election, federalization etc.
4. **Ensure inclusion of all segments of society through outreach and consultative process** in order to secure ownership, buy-in and create critical mass to support completion of the constitutional review process.

5. **Lack of synergies between different political processes.** The constitutional review process was not linked to other important political processes such as federalism and election. Going forward, all those important processes should be considered complementary, to reinforce one another. Also, other platforms should be used to support the completion of the constitutional review process, such as REFS.
6. **Sequential approach.** It was highlighted that there are outstanding constitutional issues that need particular political attention, such as power and resource sharing, fiscal federalism, governance structure, the status of the capital city, etc. Political dialogue is needed to advance the constitutional review process.
7. **Analysis of project implementation methodology and Risk analysis (Do No Harm).** It was important to constantly update the risk matrix and conduct regular risk analysis (particularly political analysis) to identify mitigation measures. The project and the implementation methodology had to be objectively evaluated, with critical analysis of the activities being conducted, following the Do No Harm approach. As a way forward, it is of critical importance to conduct a risk analysis to guide the continuation of the review process and broaden spectrum of supporters.
8. **Safeguard the achievements of the constitutional review process:** a joint action between the FGS, the FMS, the UN and the international partners is of key importance to ensure that the 11th Parliament picks up where the 10th left off.

Coordination with other UN entities including UNSOM/UNSOS within and outside the SJF Portfolio

UNDP and UNSOM have had regular weekly coordination meetings chaired by the UNDP DRRP and the Chief of PAMG, to follow up on and monitor the implementation of the activities and provide additional directions towards closure of the project. UNDP and UNSOM jointly made every decision, keeping the spirit of the joint programme.

Role of the UN Somalia Joint Fund

During the reporting period the project team implemented project closure related activities, however the MPTF leadership organized a couple of sessions with the CRSP partners on how MPTF should play more active role in supporting the joint programmes. This new role will be integrated while creating the new programmes.

Synergies with other funds (UN and non-UN) working on similar issues

One of the guiding principles of project implementation is to maximize scarce resources in a restricted operating environment by focusing on developing effective partnerships, based on comparative advantages and close coordination of activities in a coherent and complementary way. Hence, CRSP closely coordinated with other UNDP projects from the UNDP Inclusive Politics Portfolio, such as PSP and REFS and UNDP ROLS and UNSOM ROLSIG teams to get additional capacities to ensure successfulness of the project.

Partnerships

The project has further strengthened partnership with the constitutional review bodies at the FGS level and with the three FMS (Southwest, Hirshabelle and Galmudug) and Banadir Regional Administration by provision of adequate technical assistance that enabled their participation in the constitutional review process, which contributed to consensus building on the 3rd version of the Constitution. The project closely collaborated with the international partners, namely FCDO, Switzerland, Norway, Sweden, Denmark, World Bank and Max Planck Foundation, for better coordination and maximization of knowledge. Although the civil society organizations have been consulted on the constitution review, the project has not made any formal partnership with civil society organizations, private sector, etc.

Monitoring and oversight activities

Monitoring activity	Date	Description	Comments & Recommendations
Independent evaluation	Started in December 2021	Thematic evaluation on good governance, covering constitutionalism,	The evaluation will be used to guide future programming and

		parliamentarism, reconciliation and federalism.	implementation methodologies.
Coordination meetings with UNSOM	Weekly	Weekly follow up on the implementation of the project's activities	UNDP and UNSOM agreed on the activities and responsibilities and how to approach to international partners and national counterparts. UNDP and UNSOM were jointly changing implementation strategy depending on the political dynamic.
Regular follow up with MOCA, OC and ICRC	Daily	Provision of technical and administrative support for the implementation of the Master Plan.	Strengthened relationship with the national counterparts ensured achievements of the project's goals despite challenging political environment and COVID-19.
Coordination meeting with UN senior leadership	Monthly	Strategic meetings with UNDP RR and DSRSG, to mitigate political challenges and decide on strategic approaches.	Follow up meetings with UN leaders provided guidance on how to respond to donors' requirements, create joint strategies with the international partners and ensure neutrality of UN facing challenging political dynamics.
Lessons learnt meeting	9 March 2020	Meeting to discuss lessons learnt from the Constitutional Review Process	The international partners and the UN agreed on the set of recommendations that were mentioned in the body of the text

Communication activities

The FGS and the FMS MOCAs, OC and ICRC have conducted an extensive communication campaign through local radio and TV channels, websites and social media, raising awareness of Somalis on the constitutional review process. The relevant links are inserted.

Facebook

<https://www.facebook.com/468010099926454/posts/4062446717149423/?sfnsn=mo>

<https://www.facebook.com/watch/?v=218194606662262>

<https://www.facebook.com/watch/?v=285846376315617>

<https://www.facebook.com/watch/?v=115923270451945>

<https://www.facebook.com/HornCableTv/videos/461471005283950/>

<https://www.moca.gov.so/kulanka-gabagabada-wadatashiyada-bulshada-rayidka-ee-qabyo-qoraalka-3aad-ee-dib-ueegista-dastuurka-oo-muqdisho-ka-furmay/>

<https://www.facebook.com/watch/?v=718844012126697>

<https://www.facebook.com/KulmiyeOffical/videos/259305469069194/>

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<https://www.facebook.com/DastuurkaSoomaaliyaBFS/posts/3884388911630577>

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Website

<https://www.moca.gov.so/hayadaha-dastuurka-oo-maanta-ka-shiray-dhammaystirka-nuqulka-3aad-ee-dastuurk/>

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<https://twitter.com/MoCASomalia/status/1369614007158595585>

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YouTube Media Links

https://www.youtube.com/channel/UCirBZExF_8DYHyvLiA6tk7w

Section 5: Project management

Number of project board meetings held	3
Number of UN staff (international/national) funded by the project	2 International staff and 6 National staff
Number of government personnel funded by the project. What are their functions and where do they work?	Functions: Legal consultants/Policy advisors (9) Capacity development (2) Admin & finance (4) ICT (2) Coordination/Outreach specialist (2) Interns (31) Locations: 1. Mogadishu 2. Jubaland State (Kismayo) 3. Galmudug State (Dusamareb) 4. Southwest State (Baidoa) 5. Puntland State (Garowe) 6. Hirshabelle State (Jowhar)
How has the project ensured the visibility of SJF donors during the reporting period?	The information about the project and its achievements have been published and broadcasted on TVs, Radios, social media etc. (see above)
Projected funding needs for next year	Project was closed in June 2021. A new programme covering constitutionalism and parliamentarism is underway.

Section 6: Cross-cutting issues

Gender equality and women empowerment

During the reporting period, the project has ensured participation of women in all implemented activities. Women representatives have participated in the consultations on the review of the constitution, advocating

for gender equality, women empowerment, addressing interests of women that have been integrated in the 3rd draft of the Constitution, for instance the articles 11 on equality and article 23 regarding fair labor relations. The project coordinated with constitutional review bodies (MOCA, OC and ICRIC) and emphasized the importance on women’s engagement on every occasion and include women voices in all discussions and consultations on the review of the Constitution.

Proportion of gender specific outputs in the project	Total number of project outputs	Total number of gender specific outputs
	3	1
Proportion of project staff with responsibility for gender issues	Total number of staff	Total number of staff with responsibility for gender issues
	3	3

Human-rights based approach

Joint programme contributed to promoting human rights and protection of vulnerable groups by supporting MOCA, OC and ICRIC to organize inclusive consultation on the constitutional review process, gathering all societal groups, who were advocating for their rights and inclusion of their specific interests in the revised text of the Constitution. This is particularly linked to women, youth and persons with disabilities, but also to other groups.

MOCA, OC and ICRIC expressed their full commitment to the requirement to ensure that the 3rd version of the constitution is compliant to human rights conventions. UN jointly analyzed human rights compliance of the 3rd revised version of the Constitution. It is important to highlight that the 3rd version of the Constitution ensures 18 years as the age of maturity. UN provided other comments on the human rights chapter (chapter 2), which was submitted to the tri-entities.

Has the 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?	Result
	Yes
Number of programme outputs specifically designed to address specific protection concerns	Result
	0
Number pf programme outputs designed to build capacity of duty bearers to fulfil their human rights obligations towards rights holders.	Result
	2

Leave no one behind

During the reporting period, public consultations have been organized in Mogadishu, Hirshabelle, Galmudug and Southwest State, collecting opinion of the states’ institutions, leadership and citizenry that led to drafting of the 3rd version of the Constitution. The consultations have been inclusive of all societal groups, including women, youth, persons with disabilities, minorities, and others to ensure the revised Constitution adequately safeguards their political and socio-economic rights. This approach contributed to securing inclusivity and ownership over the process in those FMS. The planned consultations for Jubaland and Puntland States have not been organized due to political disputes between the two FMS and the FGS, hence the citizens of those two FMS have not participated in the constitutional review process since 2020. However, following the NCC May 2021 Agreement on the key state building priorities, the UN and international partners will contribute to facilitation of the political mediation between the FGS and Puntland and Jubaland to ensure their participation in the state building processes.

Social contract and legitimacy

Since the FMS input and engagement is of crucial importance for an inclusive and participatory constitutional review process, the project has tried to ensure participation of all societal groups in the process. CRSP has been successful with Banadir Region and Galmudug, South West in Hirshabelle states. However, as highlighted, Puntland and Jubaland refused to participate in the process since 2020 due to political disputes with the FGS. Following the NCC May 2021 agreement on the state building priorities, it is

of key importance to ensure participation of all FMS in the process, to ensure social contract and legitimacy. The continuous efforts to secure inclusivity and transparency of the process will be the guiding principles of UNDP and UNSOM while collaborating with the national counterparts.

Humanitarian-development-peace nexus

N/A

Environment and climate security

The project’s activities have not been directly linked to the environment and climate security. However, during the consultations on the 3rd revised version of the Constitution, the participants were providing their opinion on the articles that are linked to environment. The review process has not been finalized and the process will recommence after formation of the new parliament and the government, hence new suggestions may come up during the forthcoming consultations on issues related to environment, as well. In this way, the future programmes will make sure that such provisions are included in the final text of the Constitution, also ensuring alignment of subsequent policy and regulatory framework with the Constitution.

Prevention of corruption

The project activities were implemented with the partner through signed letters of agreements. However, UNDP organized HACT (Harmonized Approach to Cash Transfers) assessment in order to check the ability of the national counterparts to utilize the resources following the agreements. The project organized training for the partners to enhance their knowledge and competency about financial and administrative management, procurement, monitoring & evaluation etc. in order to enable them to effectively manage their operations and ensure that the resources are utilized following the rules and regulations. The project continued to build on HACT assessments, with a view to continue strengthening internal financial and administrative systems of the national counterparts, to a point where they are efficient, fully transparent, and accountable.

Project sustainability

In order to ensure sustainability, the project established partnerships with national counterparts at federal and state level and civil society organizations. By supporting the constitutional review bodies and other relevant institutions at all levels of the government and CSOs, the project intended to promote ownership over the process, and consolidate skills development with a view of strengthening the sustainability of gains in human and institutional capacity.

The long-term goal is that costs of the relevant national institutions, which are involved in the constitutional review process, are fully covered by the FGS/FMS budgets. However, currently the constitutional review bodies and other relevant institutions at all levels of the government significantly depend on external assistance, with regards to covering their basic running costs but also to implement their mandates. Since the project was closed on 30 June 2021, there is a risk that the capacity built over the years may be lost. Hence, UNDP/UNSOM coordinate with the national counterparts and the donors to ensure political engagement and financial support to safeguard the gains achieved. At the same time, UNDP/UNSOM are preparing programmes for continuous assistance to state building priorities, following the NCC May 2021 agreement, to achieve sustainability in near future.

Section 7: Looking ahead: Focus on the future

The political differences between the FGS and some FMSs and lack of clear commitment from the Somali institutions to complete the constitutional review process caused a major setback. The lessons learnt session was conducted providing recommendations for the programme development. The thematic evaluation on good governance is underway, covering constitutionalism, parliamentarism and reconciliation and federalism. A political strategy document to take the constitution review process forward was developed. The recommendations from the lessons learnt session, project evaluation and the political strategy will inform the development of the new programmes for the long-term engagement ensuring sustainability of the intervention, inclusivity and transparency, which will be also aligned to the state building road map, following the NCC’s 27 May agreement.

Section 8: Human interest story: Voices from the field

N/A – during the reporting period the team mostly implemented the project closure related activities.