

# Final Narrative Progress Report

of the

Trust Fund to Support the Initiatives of States Countering Piracy  
Off the Coast of Somalia



*Photo credit: UN Photo/Stuart Price*

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## PARTICIPATING ORGANIZATIONS



Food and Agriculture Organization



International Maritime Organization



United Nations Development Programme



United Nations Department of Political and Peacebuilding Affairs



United Nations Office for Drug and Crime



United Nations Office for Legal Affairs

## CONTRIBUTORS



BELGIUM



DP World



FRANCE



GERMANY



ITALY



JAPAN



KUWAIT



NETHERLANDS



NORWAY



PHILIPPINES



QATAR



REPUBLIC OF KOREA



SAUDI ARABIA



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UNITED KINGDOM



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## ABBREVIATIONS AND ACRONYMS

AIS	Automatic Identification System
CGPCS	Contact Group on Piracy off the Coast of Somalia
DOALOS/OLA	Division for Ocean Affairs and Law of the Sea of the United Nations Office of Legal Affairs
EEZ	Exclusive Economic Zone
ExFac	Expedited Facility
EU NAVFOR	European Union Naval Forces
FAO	Food and Agriculture Organization of the United Nations
GMCP	Global Maritime Crime Programme (implemented by UNODC)
IUU	Illegal, Unreported and Unregulated fisheries
IMO	International Maritime Organization
IMC	International Monitoring Committee
INTERPOL	International Criminal Police Organization
IOC	Indian Ocean Commission
LoA	Letter of Agreement
LETF	Law Enforcement Task Force
MFMRP	Ministry of Fisheries and Marine Resources of Puntland
MoMTPaMCP	Ministry of Maritime Transport, Ports and Maritime Crime Prevention of Puntland
MoU	Memorandum of Understanding
MPTFO	Multi-Partner Trust Fund Office
MPS	Model Police Stations
SMA	Somali Maritime Administration Department
UNCLOS	United Nations Convention on the Law of the Sea
UNDP	United Nations Development Programme
UN DPPA	United Nations Department of Political and Peacebuilding Affairs
UNODC	United Nations Office on Drugs and Crime
UNSOM	United Nations Assistance Mission in Somalia
USD	United States Dollars
USG	Under-Secretary-General
WFA	Wadajir Fisheries Association

## Introduction

1. In January 2010, at the request of the Contact Group on Piracy off the Coast of Somalia (henceforth “the Contact Group”), the United Nations (UN) Secretary-General established the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia (henceforth “the Trust Fund”). The Trust Fund’s Terms of Reference were agreed upon in January 2010, establishing that the objective of the Trust Fund should be to “help defray the expenses associated with prosecution of suspected pirates, as well as other activities related to implementing the Contact Group’s objectives regarding combating piracy in all its aspects”. The Trust Fund Terms of Reference were revised on 11 December 2012 to enable the United Nations Development Programme (UNDP), through its Multi-Partner Trust Fund Office (MPTFO), to administer the Trust Fund, and the United Nations Department of Political Affairs (as of 1 January 2019, the United Nations Department of Political and Peacebuilding Affairs (UN DPPA)) to act as Chair and Secretariat to the Trust Fund.

2. Guided by the objectives set forth in the Terms of Reference, the Trust Fund has enabled the implementation of projects to strengthen the capacity of the Federal Government of Somalia (FGS) as well as other countries in the region to combat piracy, including through capacitating the prosecution of persons suspected of acts of piracy, training law enforcement agencies, developing a maritime legal framework in accordance with applicable international law, and targeting illicit financial flows. In addition, the Trust Fund supported the refurbishing of correctional facilities in line with the relevant human rights framework, in Somalia and countries in the region, as well as facilitated the transfer of acquitted and convicted Somali pirates to Somalia to serve their sentences and supported their re-entry into communities. Through its projects, the Trust Fund has also contributed to addressing the root causes of piracy, including by providing at-risk youth with vocational training. Projects funded by the Trust Fund have further supported hostages of piracy incidents. The Trust Fund’s capacity-building efforts to strengthen regional capacity to combat piracy have been repeatedly recognized by the Security Council in related resolutions, including resolution 2608 (S/RES/ 2608 (2021)).

3. Over the course of the Trust Fund's operation, from its establishment on 1 January 2010 to its closure on 31 December 2021, donors have contributed to a total of USD 15,351,560 to the Trust Fund. Contributions were received from the following donors, from the largest contribution onwards: The United Kingdom, Germany, Norway, Japan, the Republic of Korea, the Netherlands, Italy, the United Arab Emirates, France, the United States of America, Kuwait, Qatar, Saudi Arabia, Spain, Turkey, Dubai Ports World, Belgium, and the Philippines.

4. The projects supported by the Trust Fund have been implemented by United Nations agencies, funds, and programmes, including the United Nations Office on Drugs and Crime (UNODC), UNDP, the Food and Agricultural Organization (FAO) and the International Maritime Organization (IMO) as well as the United Nations Secretariat, namely the Division of Ocean Affairs and Law of the Sea (DOALOS) of the Office of Legal Affairs (OLA) and UN DPPA.

5. In line with the Memorandum of Understanding of January 2012, this Final Narrative Report is submitted to the Trust Fund Board and to donors. The report has been compiled by UN DPPA in its capacity as the Trust Fund Secretariat and covers the period from January 2010 to December 2021. The report offers a final overview of the activities supported by the Trust Fund, with detailed narratives on the project, their implementation and impact in curbing piracy off the coast of Somalia. The information on the projects contained in the report has been provided by the recipient organizations, namely the UNODC, UNDP, UN DPPA, FAO, IMO, DOALOS/OLA, and their implementing partners. A final financial statement of the projects financed by the Trust Fund will be separately submitted to the Trust Fund Board by UNDP MPTFO following the financial closure of all projects.

## **Report Structure**

6. The report is organized in four sections. Section 1 provides an overview of the trajectory of piracy activities off the coast of Somalia throughout the decade of the Trust Fund's operation. Section 2 outlines the structure and modality of the Trust Fund and the discussions leading to its

closure on 31 December 2021. Section 3 offers a narrative summary of the Trust Fund Board-approved projects that were administered under the UN MPTFO, their major achievements, and challenges. Section 4, based on inputs from the UN agencies implementing the projects resourced by the Trust Fund, provides a detailed account of activities and results of each project administered under the UN MPTFO.

## **1. Overview of piracy and efforts to combat acts of piracy off the coast of Somalia from 2010 - 2021**

### **The State of piracy off the coast of Somalia**

7. Recorded piracy incidents off the coast of Somalia have declined dramatically over the period of the Trust Fund's operation. From 2007 to 2010, piracy incidents rose steadily, and the Trust Fund was established at the height of recorded incidents off the coast of Somalia. In the first nine months of 2011 alone, 185 reported attacks against ships in the waters off the coast of Somalia were recorded, resulting in the hijacking of 28 ships (S/2011/662). Furthermore, apprehended pirates were often released due to a lack of host State capable or willing to prosecute them, leading to the phenomenon of repeat offenders.

8. Joint efforts to combat piracy off the coast of Somalia by the FGS, international naval forces and Member States have proven successful, with a significant decline in piracy incidents observed in the early years of the Trust Fund's operation. In the first nine months of 2012, the number of recorded attacks against ships in the waters off the coast of Somalia and hijacking attempts dropped to 99 cases. The figure further decreased to 17 in the first nine months of 2013 (S/2013/623). Off the coast of Somalia, the presence of the European Union Naval Forces (EUNAVFOR), the Combined Maritime Forces and the naval forces of individual Member States, contributed to curbing incidents of piracy. The Contact Group further facilitated and strengthened regional and international cooperation on counter-piracy efforts. The Report of the Secretary-General pursuant to Security Council resolution 2020 (2011) (S/2012/783) attributed the decline in piracy incidents to the increased presence of naval forces, adoption of self-

protection measures by the shipping industry, the prosecution and the imprisonment of convicted pirates, and improved cooperation on counter-piracy efforts.

9. In 2021, the Secretary-General reported the absence of piracy incidents off the coast of Somalia for two consecutive years (S/2021/920). However, the report noted that while piracy has been suppressed, the progress achieved remained fragile. The Security Council, in its resolution 2608 in December 2021, underlined that piracy off the coast of Somalia has been repressed but not eradicated (S/RES/2608). Combined threat assessments by the EUNAVFOR, North Atlantic Treaty Organization (NATO) and the Combined Maritime Forces on September 2021 furthermore suggested that piracy networks remained active but had shifted their focus to less risky activities, such as smuggling. Long-term success will require sustained capacity-building efforts to address the root causes of piracy. In his latest report to the Security Council on piracy and armed robbery off the coast of Somalia (S/2015/776), the Secretary-General reiterated the criticality of continuing to address the root causes of piracy, called on strengthening cooperation on curbing illegal, unreported and unregulated (IUU) fishing in the exclusive economic zone (EEZ) of Somalia, highlighting that multiple threats to maritime security persist.

### **The Contact Group on Piracy Off the Coast of Somalia ('The Contact Group')**

10. The Contact Group was established on 14 January 2009, pursuant to Security Council resolution 1851 (2008) as a voluntary, ad hoc international forum to facilitate discussions and coordinate international efforts in the fight against piracy off the coast of Somalia (S/2011/662). Since its establishment, the Contact Group has convened 24 times for the annual Plenary sessions, with the last Plenary meeting held in January 2022 with Member States, international naval forces, shipping industry and non-governmental organizations in attendance.

11. In order to enhance cooperation, the Contact Group has established various working groups, with the most recent ones focused on capacity-building, maritime counter-piracy and mitigation operations, maritime law enforcement, and legal fora on matters related to piracy



issues. The Contact Group has played a key role in the Trust Fund, including in its establishment as well as through its membership to the Board of the Trust Fund. In addition, Contact Group members have actively participated in the regional coordination activities on investigations, prosecution and legal frameworks under the projects financed by the Trust Fund.

12. Against the backdrop of the decline in piracy incidents off the coast of Somalia, the Contact Group's name, mandate and future priorities are currently under deliberation. The 23<sup>rd</sup> Plenary meeting of the Contact Group in December 2020 established the Strategic Planning Steering Group (SPSG) to review the future direction of the Contact Group. Based on the SPSG's briefing in the 24th Contact Group Plenary meeting held in January 2022, there was a general consensus among members that maritime crimes were dominant in the Western Indian Ocean and that, although Somali piracy still remained a threat, it was not sufficient to warrant a single-focus Contact Group.

## **2. Overview of the Trust Fund to counter piracy off the coast of Somalia**

### **Structure and modalities of the Trust Fund**

13. Guided by the Terms of Reference agreed to in January 2010, the Trust Fund's governance has been provided through a Board consisting of UN DPPA as the chair and the Secretariat; a maximum of ten members of the Contact Group on a voluntary, rotating basis; and three participating United Nations organizations which include UNODC, IMO and the United Nations Country Team in Somalia. Since November 2021, the Trust Fund Board consists of five Member States, namely Kenya, Japan, the Republic of Korea, Seychelles, and Turkey. The Trust Fund's administration and management has been undertaken by the MPTFO as the Administrative Agent.

14. The Trust Fund was used to finance projects carried out by the United Nations system organizations (or "recipient United Nations organizations"), which became party to the Trust Fund through the signing of a Memorandum of Understanding with the Administrative Agent. In accordance with the Terms of Reference of the Trust Fund, the United Nations system

organizations submitted project proposals which were reviewed during the Contact Group's annual Plenary meeting. Once adopted, the recipient United Nations organizations assumed full programmatic and financial accountability for the funds disbursed to them, in accordance with their respective regulations, rules, directives and procedures, including the allocation of funds to their implementing partners.

15. The Trust Fund was established with two domains designed in such a way that donors could contribute to specific categories of activities, and that it reflected the nature of expenses incurred when addressing piracy. Reflecting the Trust Fund's priority on the jurisdictional and correctional challenges in addressing piracy, the first domain, 'Window A', enabled the payments of expenses associated with investigating or prosecuting suspected pirates and imprisoning those convicted of piracy. It also provided financial support to capacity-building efforts and to the provision of supplies for national and regional jurisdiction, maritime law enforcement and correction services. The other domain, 'Window B', enabled contributions to other activities related to implementing the objectives of the Contact Group in combating piracy in all its aspects. 'Window B' has allowed the Trust Fund to address the multifaceted causes of piracy, ranging from IUU, youth unemployment to illicit financial flows.

16. Separately, the Trust Fund created a unique mechanism, the Expedited Facility (ExFac). ExFac was a fast-track mechanism which enabled the Board to delegate authority of approval to UNODC in circumstances where immediate action was required to pay or reimburse short-term, prosecution-related expenses, or any other activities deemed urgent by the Board, such as the deployment of prosecutors and interpreters in support of legal activities. Governments, international naval forces, Trust Fund implementing partners, the private sector and other stakeholders were eligible to benefit from the reimbursement of costs for activities related to piracy trials, including the travel of key witnesses.

## **Closure of the Trust Fund**

17. As recorded piracy incidents declined off the coast of Somalia, contributions to the Trust Fund also decreased. The Trust Fund did not meet the United Nations MPTFO's yearly threshold contribution of USD 2 million since receiving USD 2.58 million in 2014. Following a series of consultations during the first half of 2019, Trust Fund Board met on 19 June 2019 in Mauritius and decided that if the Trust Fund did not meet the threshold requirement in 2019, and if there were no commitments from the donors to increase their contributions in 2020, the Board would close the Trust Fund on 31 December 2021.

18. No new contributions were made to the Trust Fund after the Board decision in 2019 and, as a result, the balance of the Trust Fund remained below the required threshold in 2020. In its meeting on 15 December 2020, the Board reaffirmed its decision to close the Trust Fund by 31 December 2021. Two options regarding the residual balance are under deliberation, namely the potential transfer of the residual funds to the United Nations Somalia Multi-Partner Trust Fund or the return of the residual funds to the respective donors. The destination of the residual funds will be determined during the final meeting of the Trust Fund Board, and in consultation with donors.

## **3. Project implementation and impact of the Trust Fund in countering piracy off the coast of Somalia**

19. This section assesses the scope and impact of the Trust Fund in its ten years of operation. Detailed information on the individual projects which were resourced through the Trust Fund is provided in Section 5 below.

### **Implementation overview**

20. Since UNDP MPTFO assumed the role as Administrative Agent in 2012, the Trust Fund supported a total of 43 projects. Of these 43 projects, UNODC implemented 31 projects, IMO five,

FAO four, UN DOALOS/OLA and UNDP two projects each and UN DPPA one project (the numbers include jointly implemented projects). The projects had all operationally closed by the end of 2021.

### **Support to piracy prosecution, detention and correctional facilities, maritime law enforcement and legal frameworks**

21. As outlined above, the Trust Fund was established when piracy activities off the coast of Somalia were at their peak and capacities to prosecute and imprison apprehended suspects were limited. In his report to the Security Council pursuant to resolution 2020 (2012) (S/2012/783), the Secretary-General identified the successful prosecution and detention of pirates as an important contributor to the eradication of piracy and related crimes.

22. Against this backdrop, the Trust Fund Board placed high priority on funding projects in support of prison and judicial systems, developing maritime legal frameworks and strengthening the rule of law through capacity building in Somalia as well as other countries in the region. More than half of the funds were allocated to projects which enhanced the Somali and regional judicial capacity to conduct piracy prosecutions and trials, improved the management and conditions of Somali and regional prison facilities, and enhanced maritime law enforcement capacity.

23. In regard to building the capacity of the Somali authorities and countries in the region to conduct piracy prosecutions and trials, the Trust Fund supported activities to train prosecutors, investigators and law enforcement in Somalia and Seychelles and reimbursed costs pertaining to ongoing piracy prosecutions. For example, project 91 ran mock piracy trials for senior Somali prosecutors and convened senior prosecutors from the Western Indian Ocean region to discuss regional information-sharing and best practices on prosecuting maritime crimes, using piracy as a model case (Project 51, 87). The ExFac (Project 51) provided critical support to facilitate the travel of prosecutors, procure equipment to enable remote testimonies and deploy interpreters for the piracy suspects, thereby ensuring the trials met international standards.

24. To enhance the standards of Somali prison and detention facilities, projects under the Trust Fund contributed to improving the prison infrastructure and provided supplies for prisoners in key coastal areas and piracy hotspots. This included refurbishing the only detention center in Galmudug, which was heavily damaged by floods (Project 60), providing prisons in Bosaso, Garowe and Hargeisa with food, medical supplies as well as supplying vocational training equipment (Projects 63, 64, 65). In addition, prison staff from Baidoa, Beletweyne, Galkayo, Kismayo, Garowe and Hargeisa received training (Project 74) from 2015 to 2021. Similar support was provided in Seychelles and Kenya (Projects 81 and 83). Experts were also deployed through the ExFac (Project 51) to assess human rights compliance of prisons holding suspected and convicted pirates. These efforts enabled regional states to transfer Somali convicted of piracy to serve their prison sentences in Somalia. A hundred-twenty-five convicted Somalis, with support from the Trust Fund, were repatriated from Seychelles and Kenya to Somalia from 2013 to 2017 to serve the remainder of their sentences in Somalia (Project 49).

25. The Trust Fund contributed to the enhancement of the maritime law enforcement capabilities in Somalia as well as in the States in the region. In January 2014, before the interventions by the Trust Fund projects (Projects 57, 82 and 87), there were no sea operations undertaken by the Somali maritime law enforcement authorities. However, through the deployment of mentors, procurement of boats, communication equipment and other supplies for the Mogadishu Maritime Police, Bosaso Port Police, and the “Somaliland” coastguard (Project 57), there was a marked increase in the number of sea patrols carried out. Similar support was provided to the Maritime Police Unit and coastguard from Hobyo, a former piracy hotspot (Project 86), as well as for maritime police units in Kenya (Project 82) and Seychelles (Project 87).

26. The Trust Fund further supported activities to assist the FGS in the establishment of a maritime legal framework in accordance with international law, in particular, the United Nations Convention on the Law of the Sea (UNCLOS). DOALOS/OLA supported Somali parliamentarians to further their understanding of the legal framework for combatting piracy under the UNCLOS

and related instruments (Project 61) in addition to conducting training on how to implement the piracy-related provisions of UNCLOS (Project 89). IMO also assisted with the drafting of the Somalia Maritime Code and the Shipping Code and sensitized Somali lawmakers for their eventual enactment (Projects 76 and 88).

27. Overall, these projects enhanced the capacity of maritime law enforcement and coastguards, strengthened legal frameworks, supported the prosecution of arrested pirates, aided legal proceedings and provided support to detention facilities.

**Other activities related to implementing the objectives of the Contact Group (Fisherfolk registration, curbing illicit financial flows and vocational training)**

28. The Secretary-General, in his annual reports to the Security Council on piracy off the coast of Somalia, has reiterated on multiple occasions the critical importance of continuing to tackle the root causes of piracy. The Secretary-General further highlighted in his 2015 report (S/2015/776) that root causes include, among others, youth unemployment, weak judicial capacity, and governance structures as well as IUU fishing in the EEZ of Somalia. Reflecting the diverse root causes, the projects financed by the Trust Fund also supported a range of activities, from providing vocational training to at-risk youths and detainees to resourcing projects aimed at curbing IUU.

29. The Trust Fund has supported achievements in addressing IUU fishing in Somali waters through supporting the registration of fisherfolk and fleets engaging in legitimate fisheries activities. Through the flagship Fishermen Identification Database System project (Project 55), the Trust Fund supported the registration of 4,468 fisherfolk and 1,470 fishing vessels in Puntland. The registration of legitimate fisherfolks and vessels helped international naval forces distinguish legitimate fishing from suspicious activities, thereby reducing interruption to fisheries activities. The identification cards, which were distributed as part of this project, have become a recognized feature within the Puntland fisheries sector. Following the success in Puntland, the model was

replicated in Galmudug and Jubaland, where a total of 2,086 fisherfolk and 486 vessels were registered and linked to local fisherfolk associations (Project 69), as well as in “Somaliland” where 1,097 fisherfolk and 391 vessels were registered (Project 70).

30. In the area of youth unemployment, the Trust Fund supported initiatives to provide vocational training to at-risk youth in Bosaso and prisoners in Berbera (Projects 54 and 72). Provision of vocational training equipment and support to training programs were also incorporated into projects which improved the standards of Somali prison and detention facilities in Bosaso, Garowe and Hargeisa, offering the prisoners livelihood skills and thereby contributing to their reintegration (Projects 63, 64, 65 and 74).

31. Furthermore, to ensure that the law enforcement authorities in regional states affected by piracy could effectively investigate illicit financial flows from piracy, the Trust Fund provided trainings to financial investigation and reporting entities in Ethiopia and Kenya (Project 56).

### **Challenges in the implementation of projects supported by the Trust Fund**

32. Security risks, delays in the electoral process and the impact of the COVID-19 pandemic have affected the implementation of projects under the Trust Fund. Insecurity inhibited United Nations agencies from accessing certain project sites and restricted the scope of the projects. Community conflicts along the coastline in Galmudug, for example, resulted in reduced coverage of targeted locations for the fisherfolk registration exercise (Project 69). In South Galkayo, security risks prohibited UNODC staff from visiting the project site to rehabilitate a detention facility (Project 74). Where possible, implementing agencies made adjustments to overcome limitations, such as by convening project beneficiaries in safer locations and overseeing projects through local staff and counterparts.

33. Electoral delays in 2016/17 have also impacted project timelines, for example, in a project that envisioned sensitizing members of Parliament on a new draft Maritime Code (Project 76).

Similarly, projects which sought to train the Somali prison management in Garowe and Hargeisa (Project 63, 64, 65) were put on hold until a new government was constituted, and new management of the prison sector was in place.

34. All of the projects which were operational in 2020 and 2021 were affected by the restrictions due to the COVID-19 pandemic, particularly where travel was important for project implementation. Planned in-person training programs for maritime law enforcement officers and prosecutors in Somalia (Projects 74 and 89) and Seychelles (Project 91), as well as a regional conference on maritime law enforcement (Project 90) were held remotely instead. In other cases, these in-person trainings were delayed until the easing of pandemic-related restrictions (Project 92). The shift to virtual modalities resulted in lower expenditures for some projects, affecting the execution of the project budgets.

#### 4. Review of projects during the Trust Fund’s administration by the UN MPTFO

##### PROJECT 47: Piracy Trials Programme: South Central Somalia Thematic / Focus Area: Prosecution and detention

<b>1. Project Information</b>	
a. Recipient UN Organization (Project Lead)	UNDP and UNODC
b. Project Duration (Starting and End Date)	28 February 2013 – 28 February 2015
c. Location of Project	South Central Somalia
d. Primary Project Objective (Summary)	(1) Increasing effective and efficient prosecution and adjudication of individuals suspected of criminal offences. (2) Delivering a piracy trials programme in Southern Central Somalia through training and the introduction of systems and infrastructure support.
e. Implementing Partner(s) (if applicable)	NA
<b>2. Financial Information (US\$)</b>	
a. Overall Budget	1,282,930



b. Trust Fund Contribution	1,282,930 (UNDP 710,680/ UNODC 572,250)
c. Expended Amount	876,530 (due to force majeure, refer to 3.c)

### 3. Assessment of implementation and monitoring of project activities

#### a. Activities carried out and outcomes achieved

##### Output 1.1. 20 Judges, Prosecutors and senior registers have passed a UNDP certified legal university diploma.

- Technical, advisory, and operational support was provided to the Attorney General Office to build the institutional capacity to prosecute piracy cases. This included recruitment of advisors, hiring of graduate interns, provision of office furniture and equipment and operational support.
- Support was provided at the Federal Level to the Attorney General Office for the creation of an inspection scheme. An assessment of the inspection scheme was completed, including a concept paper on the legality of establishing a special inspection scheme at the Attorney General Office, which outlined the legal challenges making it impossible for the Attorney General Office to have its own inspection.
- The Joint Implementation Support Unit and the Policy and Legal Drafting Unit (PLDU) were established and operationalized at the FGS Ministry of Justice. These two units represent an important milestone regarding the justice reform in Somalia which will ultimately lead to a legal framework and institutional environment for the handling of piracy and other serious crimes cases.
- PLDU continues to contribute to building the overall legal frameworks for the justice system while providing inputs for drafting new laws and policies, and reviewing, translating, or adding notes to old laws and policies. Various branches of government have benefited from this.
- PLDU senior legal drafters continue to coach and mentor junior legal drafters, and this will contribute to sustainability of UNDP interventions in the longer term with qualified professionals supporting the legislative processes. Twenty representatives of the justice sector became more knowledgeable of drafting techniques because of a training programme supported by the project between 23 September and 2 October. The PLDU team began developing a Somali Legal Glossary.
- In 2015, PLDU drafted and commented on seven laws. UNDP continued to assist the PLDU to develop laws, regulations, and policies in support of the justice sector.
- UNDP has supported the professionalization of the justice sectors with educational and scholarship opportunities. Training procedures are being enhanced to further develop the professionalization of the justice sector. An agreement was being negotiated with Mogadishu University to provide trainings on non-criminal related matters for judges and prosecutors, and court registers.
- The relationship between formal and informal justice actors was strengthened because of training facilitated by the project on the traditional and formals legal systems. The training enhanced the knowledge on these topics for sitting judges, prosecutors, and traditional elders. Elders have begun to register cases in which they intervene with the first instance court. This may contribute to a reduction in traditional intervention by elders on Sexual and Gender-Based Violence cases and other serious crimes.
- Training packages on non-criminal related matters for newly appointed judges are in the process of being finalized for judicial personnel in Mogadishu, Kismayo and Baidoa.

Procurement of equipment and vehicles in support of case management systems introduced in priority courts in Mogadishu. Capacities of the Attorney General Office were enhanced with UNDP's

infrastructure, equipment, and training support to permanent and mobile courts to better enable justice institutions to enhance service delivery.

- One vehicle was procured and delivered to the Attorney General Office to enhance its operational capacity to try piracy and other serious crimes.

The Judicial Service Council's capacity to oversee fair trials of those on trial for serious crimes including piracy is enhanced.

- The Law on the establishment of the Judicial Service Commission (JSC) was enacted by the federal parliament on 30 June 2014. However, the appointment of its members proved to be challenging. Therefore, no activities were undertaken in this regard.

Priority Courts adjudicating on piracy cases have facilities and equipment necessary to record proceedings, store and maintain written records and have current versions of the relevant laws.

- The Somali penal code does not include articles for the adjudication of piracy cases. It rather has articles that generally related to crimes that take place at sea. There was an effort to either enact a special law for the adjudication of piracy cases or review the penal code to include clear articles for the trial of piracy. However, no progress was made.
- Detailed site security survey and assessment as well as engineering assessment were completed for Banaadir Court Complex.
- Civil works for rehabilitation and security enhancement for Banaadir Court Complex were finalised.
- Ten-day training for Banaadir Court Complex teams (75 personnel) on judicial protection and security conducted.
- Equipment purchased and training conducted on the equipment for security staff at Banaadir Court Complex.
- At the federal level, with support from UNDP, the Attorney General Office hired a consultant to support the case management system. The consultant completed an assessment of case management system and provided recommendations for the areas in need of improvement. Further, the consultant trained dedicated staff to centrally manage the cases at the Attorney General Office. Case Management System is now fully functional at the Attorney General Office.

#### **b. Results achieved from the Project**

- The FGS Ministry of Justice PLDU reviewed three laws (Anti-Corruption Commission Establishment Law, Anti-Money Laundering and Terrorism Financing Act, and the Law on Juvenile Justice) and translated one law (Prison Law and Regulations) from English into Somali.
- The PLDU led and coordinated the drafting of seven laws and policies.
- The FGS Ministry of Justice continued outreach activities to the region and developed a training needs assessment for the justice sector.
- At the federal level, seven advisors and 10 law graduate interns were placed at the Ministry of Justice to provide technical and advisory support on several matters including judiciary affairs, corrections, planning and institutional capacity building, finance and accounting, human resources, and procurement. Also, the Ministry received operational support in the form of covering recurrent costs.
- The Attorney General Office also continued to receive similar support consisting of two advisors and three law graduate interns. They provided technical and advisory support on several matters including developing organizational structure and drafting establishment act, planning and

<p>institutional capacity building, provision of trainings for staff, finance and accounting, human resources, and procurement. Furthermore, the Attorney General Office also received operational support in the form of covering recurrent costs.</p> <ul style="list-style-type: none"> <li>• In 2015, there were five policies developed by the Attorney General Office (anti-fraud policy, travel policy, IT policy, training policy and whistle-blower policy).</li> <li>• At the federal level, 20 participants were trained on legal drafting processes, policy development and Nomo-technics. The training was held by the PLDU and the Ministry of Justice. This resulted in a better understanding for junior legal drafters on developing policies and laws.</li> <li>• Thirty-eight participants were trained on report writing, fair trail and legal rights for vulnerable groups. The FGS Attorney General Office received vital office equipment and furniture to furnish its key offices and departments. One vehicle was handed over to support the Attorney General Office at the federal level. The Supreme Court, the Banaadir Regional Court, the Banaadir Appeal Court, and the Hamarweyne District Court have been provided with office furniture for 26 judges and 28 registrars in these courts.</li> <li>• At the federal level, rehabilitation works have been completed for the Banaadir Court Complex and security enhancements have been made for the Banaadir Court Complex and Ministry of Justice, thereby contributing to the safety of the facilities from external security threats.</li> <li>• Assessment of piracy and maritime crime laws and regulations were carried out.</li> </ul>
<p><b>c. Major obstacles encountered when implementing the project</b></p>
<p>On April 14, 2013, Al-Shabaab carried out coordinated terrorist attacks against the Banaadir Court Complex. The attacks resulted in a significant loss of life, including a number of key members of the Somali judiciary and legal community, and left much of the Complex’s infrastructure unusable. High levels of insecurity in the area surrounding the Court Complex persisted throughout 2013, preventing UN officials from working at the site. UNODC determined that the security situation made it unfeasible to implement the project outputs on case management and mutual legal assistance. The associated funds have been returned to the Trust Fund. For similar reasons and in view of an unchanged security situation, part of the funds related to the development of legal frameworks related to piracy prosecutions have been returned in early 2015.</p>
<p><b>d. Partnerships and cooperation with other organizations formed while implementing the project</b></p>
<p>N/A</p>