

Independent Evaluation of UNDG ITF Project C9-20

Facilitating Reconciliation in Iraq through Constitutional Review and National Dialogue

Produced by Jessica Taublib-Kiriat
UNOPS Programme Evaluation Consultant
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List of Acronyms

| | |
|----------|--|
| CoR | Council of Representatives |
| CRC | Constitutional Review Committee |
| CSO | Civil Society Organization |
| GoI | Government of Iraq |
| ITF | Iraq Trust Fund |
| NGO | Non-Governmental Organization |
| OCS | Office of Constitutional Support |
| UNAMI | United Nations Assistance Mission to Iraq |
| UNDG ITF | United Nations Development Group Iraq Trust Fund |
| UNOPS | United Nations Office of Project Services |

I. Executive Summary

A multitude of United Nations (UN) agencies have implemented projects from the multi-donor United Nations Development Group Iraq Trust Fund (UNDG ITF) over the last six years. The United Nations Office for Project Services (UNOPS) has received more than \$224 million in approved projects from the UNDG ITF since 2004. With the closing of the ITF, UNOPS, along with other UN agencies was tasked to conduct evaluations of specific ITF-funded projects. These evaluations are expected to generate lessons that will feed into the overall UNDG ITF lessons learned initiative for broader international and external information sharing. IT will also aid in the design of future programme and similar engagements. These evaluations should be undertaken in 2009-2010 in a participatory, objective, credible, and impartial manner.¹

The following report is an independent evaluation of the UNDG ITF project “Facilitating Reconciliation in Iraq through Constitutional Review and National Dialogue,” project number C9-20. This project was a joint initiative of UNOPS and the United Nations Assistance Mission in Iraq – Office of Constitutional Support (UNAMI-OCS), with an original timeframe of 12 months (October 2006 – September 2007), and a budget of \$6,033,807. This project was selected for evaluation based as per the UNDG ITF criteria, as it had submitted more than three budget revision requests for project revision either for extension of duration, and /or change of scope. The end date of C9-20 now stands at September 30, 2010.

This project was evaluated over a one-month period using a combination of primary and secondary data collection. The consultant recruited to provide an independent evaluation utilised an evaluation approach that was considered feasible given the timeframe and resources available, but also allowed for meaningful project analysis and gathering of lessons learned. The main sources of data used for this evaluation include key informant interviews with project management and partners, a systematic review of all relevant project documents and literature review on relevant articles and published papers on Iraq, constitutional review, governance and other related topics.

This report seeks both to provide recommendations and lessons learned to UNOPS and UNAMI on this specific project’s design and implementation, as well as to the overall UNDG ITF on larger funding mechanism issues. There are project successes that are unique to the Iraq context, but also lessons that can be utilised in future post-conflict programmes. These lessons learned can be found on pages 27-28 under Findings (Section V) and well as in Lessons and Generalisations (Section VI.)

¹ Criteria for the Selection of UNDG ITF Projects to Be Evaluated, September 2009

II. Introduction: Background and Context of the Programme

This project was designed in 2006, three years after the fall of Saddam Hussein's regime in Iraq. Iraq in 2006 was marked by a severe deterioration in security, an increase in sectarian violence, and the tenuous creation of a new government in May of that year after intense political negotiations, within the discussions surrounding the set up of the new government, there were serious disagreements on the roles that the various sub-groups (ethnic, sectarian, regional) would play. This ranged from formal administrative issues such as powers of the governorates and ministerial appointments, as well as what constitutes an appropriate Iraqi national identity.

This programme specifically was developed against the backdrop of the newly drafted Iraqi constitution. On-going violence and the short timeframe given to the drafting of the constitution meant the final outcome was not fully accepted by the various political, ethnic, and religious groups in Iraq, and in particular did not satisfy the influential Sunni Arab community. The new constitution failed to resolve a number of key divisive constitutional issues, such as federalism / governance and natural resource management. Many of these topics were very controversial and spoke to the very issue of how the Iraqi government would rule. In addition to national concerns, the draft constitution also required additional amendments to bring it in line with international standards.

The Government of Iraq (GoI) mandated the creation of a Constitutional Review Committee (CRC) to help determine how these issues would be addressed. The CRC was created as it was presumed that solving these key constitutional issues through the legislation would be harmful (as the different threshold for agreement through the legislative process could lead to non-participatory decision-making). A lack of buy-in on the final constitution would almost certainly lead to feelings of alienation from the differing Iraqi groups, and potentially cause further instability in the country.

The CRC was to be formed in late 2006, and was to provide input and recommendation on the unresolved constitutional topics (there were at least 60 issues to be reviewed when this project was designed). It was critical for the CRC to work through an open and transparent process to try and bring the conflicting parties to an accepted agreement. Consensus on the constitution could have a major impact on the functionality of the new government, as well as help to foster stability and the spirit of national reconciliation for the average Iraqi citizen. If the concerns of all Iraq's ethnicities, religions, and political affiliations were not effectively addressed and represented by the CRC, the constitutional process and the final constitution would never be fully accepted by the Iraqi people.

UNAMI-OCS had already been supporting constitutional activities since 2005. They saw the urgent need to ensure that the CRC had the necessary technical and operational support to deal with its highly controversial mandate. The underlying logic was that supporting Iraqi initiatives on reconciliation (such as achieving consensus on the constitution) would help to promote stability and mitigate potential conflict.

III. Description of the Project / Programme

a. Logic Theory

This project had a multi-pronged design, seeking to provide support to political processes that would help to contribute towards national reconciliation (through a finalized and inclusive Iraqi constitution). Its while simultaneously supported civil society groups to conduct community-based projects on constitutional review, as well as advocate with their representatives.

The provision of support to the Constitutional Review Committee (CRC) sought to assist with the development of a high-quality constitution that addressed outstanding political issues. In addition to building the capacity of the CRC (and other key officials), it was hoped that the final constitution (addressing all controversial issues) could potentially be seen as a social contract between all of Iraq's people. The project's justification was that if the CRC and parliament members were not adequately supported, this would almost certainly lead to future serious political problems in Iraq, and potentially further conflict. This support included technical experts in areas such as rule of law, human rights, federalism, governance and identity-based issues. The project also sought to complement the technical support with events to facilitate dialogue between dissenting political parties on divisive constitutional issues. This would be done through international study tours as well as workshops and roundtables.

Finally, the project sought to complement its political interventions with i) a grant fund for civil society organizations (CSOs) to raise community awareness on the constitution and the constitution review process and ii) providing opportunities for civil society to meet with the GoI and share their opinions / recommendations. It was hoped that the provision of direct technical and financial assistance to civil society initiatives would both help to ensure that the government was hearing its citizen's voices, but also more broadly help to foster national reconciliation within the divisions of Iraqi society.

There was a large element of flexibility built into project implementation to allow the project team to respond to the changing circumstances on the ground. As with most post-conflict countries in transition, it would be impossible to predict how Iraq would function (or not) during the project's initial 12-month timeframe.

b. External Factors Affecting Success

The project conducted a thorough analysis of the various factors that would have the potential to affect the successful realization of project objectives and activities. As the project planned to operate in a volatile environment with a nascent government and a divided population, it is no surprise that the list of affecting factors is lengthy and complex. The following factors are adapted from page 33 of the original project proposal:

1. The most serious major risk factor militating against the successful implementation of the constitutional process in Iraq and, by extension, this project emanates from the continuing security concerns throughout the country.

2. If the political commitment on the part of the GoI to launch and advance the Constitution Review Process as planned falters, this will have a substantial impact on the project strategy.
3. An essential factor in ensuring the success of this project entails the receptiveness and openness of those positioned at the higher political levels, such as the Iraqi parliamentarians, towards the project's support in the areas of enhanced dialogue between different political groupings, and management of the constitutional review process and the CRC. Should there be a lack of sincere willingness on the part of the political leadership to genuinely address these issues, this would certainly have a negative impact on the potential of the project to realise its objectives and overall development goal.
4. The majority of the Iraqi public still remains convinced that reconciliation and national unity are paramount priorities for the country's future and therefore it is expected that they will provide full support to the project's activities. If this conviction gives way to a feeling of fatalism and hopelessness in the face of an increasing sectarianism, this will be additional challenge for the success of public outreach initiatives. However, current trends show that public support for national reconciliation is still running high and that many groups, both from the civil society as well as local community and religious leaders, are ready to take on reconciliation-related initiatives.
5. The possibility that with all the other concerns they face, that Iraqi politicians, intellectuals and other professionals involved in the Constitutional process might be either unable and/or unwilling to engage fully in this process. In such a situation, it is certain that the overall Constitutional process and the efforts of this project to ensure its success will be damaged.
6. Changes in the overall political environment and other unforeseen developments may require the reconsideration of Programme objectives. Similarly, political parties might not agree on eventual amendments and refuse to discuss these in an open and participatory manner.

c. *Logical Framework*

Please see the project's 11-page logical framework attached as Annex I at the end of this report.

IV. Evaluation Methodology and Approach

The consultant adhered to guidelines as outlined in the UNOPS ITF Evaluation Terms of Reference (attached as Annex II) in order to determine an evaluation approach that was feasible and realistic given the time and resources available, as well as allowed for meaningful project analysis and gathering of lessons learned.

Evaluation Purpose

The purpose of this evaluation is to generate lessons that will feed into the proposed United Nations Development Group Iraq Trust Fund (UNDG ITF) lessons learned initiative for broader internal and external information sharing. It will also aid into design of future programme and similar engagements.² This purpose is the same for all ITF project evaluations and has not been adjusted.

Evaluation Intent

This is a formative project evaluation, and as such will examine aspects of the delivery of the programme, the quality of its implementation, and assess the organizational context, personnel, procedures, inputs, etc. Given the resources available, it is not possible to conduct an investigation into concrete impact or causal linkages.

Evaluation Scope and Methodology

This project was evaluated over a one-month period through a combination of primary and secondary data collection. This included key informant interviews with project management and partners (please see Annex II for the complete list of interviews), a systematic review of all relevant project documents (including the original proposal, all quarterly and bi-annual reports, budget revision request, no-cost extension requests), as well as a literature review on relevant articles and published papers. Specifically the consultant utilized:

- Iraq's National Development Strategy 2005-2007
- The International Compact With Iraq, including its updated Joint Monitoring Matrices of 2007 and 2008
- World Bank's Governance Indicators, Country Data Report for Iraq, 1996-2008
- Report and Lessons Learned, UNAMI/OCS/UNOPS Support to the Iraqi Constitutional Review Process July 2006 – July 2007

Evaluation Objectives

The following are the objectives of all UNOPS ITF project evaluations. They were designed based on the common ITF guidelines³ and take into account evaluation scope, duration, and resources available.

- *Development Results:* To assess the achieved progress and results against stipulated programme / project results and objectives on all stakeholders, especially beneficiary groups

² Ibid

³ UNDG ITG Programme / Project Evaluations, Terms of Reference With Guidance

- *Efficiency and Effectiveness:* To assess the efficiency of the programme / project interventions and understand the effectiveness of programme / project interventions in addressing the underlying problem(s)
- *Relevance:* To assess the relevance of programme / project components in addressing the needs and issues of beneficiary groups
- *Partnership:* To understand the extent to which this programme / project has contributed to forging partnership at various levels with the Government of Iraq, Civil Society and UN/ donors
- *Lessons Learned:* To generate lessons on good practices based on assessment from the aforementioned evaluation objectives.

Evaluation Questions

The consultant was provided with fifteen questions that the project evaluation needed to answer and investigate. These questions are in the categories as listed in the above objectives: development results, efficiency and effectiveness, relevance, partnership, lessons learned, as well as the two additional areas of sustainability and operational effectiveness. These questions are listed in the TOR in Annex III and are addressed in section V of this report.

Key Challenges / Limitations

There were three principal constraints that affected the organization and results of this project evaluation.

- *Travel to Baghdad:* The upcoming COR Election scheduled for 7 March 2010 in Iraq has meant that travel to Baghdad has not been possible during the evaluation's allotted time period. This is due both to the UN country team ceiling as well as the fact that government officials are quite busy with election preparation. This meant that the consultant could not meet with UNAMI-OCS team, CRC members, or CSOs in person. Although electronic questions were sent three members of the CRC about the project (one Sunni, Shiite and Kurdish representative), they failed to reply as promised.
- *Evaluation Duration vs. Project Duration:* Four weeks is a limited period of time to properly evaluate a three and half year programme. To conduct a comprehensive evaluation would take anywhere from three to six months, and would likely require additional personnel / financial resources. It is noted that this project was selected for evaluation under the ITF as it had undergone both revision to its technical and financial components. This should have been weighed against the efforts and resources necessary to evaluate a programme of such length and scope.
- *Conducting an Evaluation in an Ongoing Project:* After numerous no-cost extensions and changes of scope, this project is now due to conclude at the end of September 2010 (with project management already thinking about another extension). This means that the evaluation was conducted while there is still at least nine months of implementation remaining, with final results yet to be achieved. However, as activities have been in progress since July 2006, there certainly are trends, outcomes, and lessons learned that can be generated.

V. Findings

This section of the evaluation report will first examine the extent to which this project has achieved its set outputs / outcomes as per its logical framework. As this project is not yet complete (combined with the limited amount of time available), the achievement of the development and immediate objectives cannot yet be fully examined. An assessment of output achievement is therefore a more appropriate barometer for this evaluation's purposes.

It should be noted that the term “outputs” and “outcomes” are oftentimes used interchangeably throughout the different reports and proposal, although the intentions and results remain the same. In addition, the indicators in the logical framework were specific to the entire output section and not disaggregated by specific output. Therefore the consultant used the indicators to guide the analysis on output progress / achievement but could not measure against them to determine actual achievement. This is illustrated in table one below.

Following an analysis of the outputs, the 15 questions as per the UNOPS ITF evaluation guidelines are addressed.

Table 1: Progress on Achievements Per Output

| Output | Progress / Achievement to Date |
|---|---|
| 1. Technical and logistical support to the Constitutional Review Committee | |
| 1.1 Iraqi governmental institutions involved in the Constitutional process are presented with an array of viable best practice options to guide the constitutional review and implementation process. | <ul style="list-style-type: none"> ▪ The project appears to have achieved this output. In the first year of implementation, OCS drafted six substantive papers on critical constitutional issues including federalism, judiciary, and human rights. The CRC then used these report to set their agenda and frame their constitutional discussions. Also during year one, a pool of 14 experts was available to provide supports to the CRC and OCS in a variety of fields. ▪ OCS met daily with CRC and officials during year one of the project to strengthen their working relationship as well as conduct advocacy on numerous political issues. ▪ Continued support has been provided to the CRC throughout the rest of the project implementation period, including access to experts and other technical support. The last year of reports (2009) are very vague about the type and nature of support provided, but the CRC appears to have had access to experts as needed.⁴ |
| 1.2 Improved management of the constitutional review process and implementation of constitutional mandated laws. | <ul style="list-style-type: none"> ▪ It is difficult to measure “improved management” as there were no indicators that specifically looked at this achievement. However, there are a number of examples where “improved management” can be demonstrated as a result of this project. ▪ In May 2007, CRC released their draft report on proposed constitutional amendments. This shows that the CRC was able to work together and come to some consensus as a committee (although not on all divisive issues) – which is an achievement in itself. Thus it can be assumed that the management of the review process certainly improved as a result of this project's interventions. ▪ It was reported that the review and input to the CRC's work involved a |

⁴ This is not surprising given there has been little progress made on the constitutional review process since 2008 (which is also the last time the CRC met).

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| | <p>larger number of political and ethnic groups, which was not the case in the drafting of the original constitution. This inclusiveness can also be seen as “improved management” of the review process.</p> <ul style="list-style-type: none"> ▪ At the same time however, the CRC was unable to finalize its recommendation report due factors beyond its control (including the lack of high-level political agreement / consensus on divisive issues, all the way up to the prime ministerial level.) The CRC’s mandate was extended, as was this project’s timeline. It again should be noted that the results of this output thus be attributed solely to the work of this project alone, and so output progress may not be the most appropriate measurement. ▪ Activities are still ongoing and planned for 2010 that may allow for progress to be reached on key constitutional issues (i.e. hydrocarbon and water resource management.) If agreements are reached or progress is made towards resolution, this could lead to a further realization of this output. |
| 1.3 Enhanced capacity, both operational and technical, of the Constitutional Review Committee in order to ensure optimal discharge of its responsibilities | <ul style="list-style-type: none"> ▪ From an operational perspective, there initially appeared to be significant delays in determining and procuring the required equipment asked for by the CRC. However, by spring 2008, all equipment had been procured and delivered. ▪ From a technical perspective, the CRC received significant support, advice and expertise on a variety of constitutional and legislative issues. Although there is no specific data to show an increase / change in knowledge or behaviour, it can be deduced that by producing draft CRC reports and working together to come to a consensus on divisive issues (still ongoing), the CRC has an enhanced capacity to implement its duties. |
| 2. Consensus-driven constitution review through the facilitation of a neutral environment for dialogue | |
| 2.1 Enhanced process of dialogue between political actors, based on an improved understanding, in and out of Parliament, of options available for the resolution of divisive issues, leads to real consensus-based constitution making process. | <ul style="list-style-type: none"> ▪ The study tours, dialogues, and seminars that were facilitated with the aims of achieving this output seem to be well organized, and have attendance from a large number of Iraqis across all divisions of society. But starting from the first mention of the outcomes of these events, <u>it is not clear what the real output of these trips and exchanges have been – beyond the actual organization of the event itself.</u> The consultant has found little tangible evidence of what these activities have actually achieved – other than anecdotes and general feelings from the project team that the activities had a positive impact. It would have been beneficial to conduct small surveys or questionnaires to have a sense of what (if any) new knowledge was gained, how the officials planned to use what they learned from the study tours, etc. Given that this project has been conducted for more than three years and still has another year remaining, there would have been enough time to look at how these study tours affected the work of the CRC in a statistically valid manner. ▪ For example, the report from January – July 2007 discusses an inter-party dialogue in Cairo, where “With the support of international experts, participants discussed Iraq’s judicial architecture as well as the constitutional amendments and implementing legislation necessary to create a fully functional federal judicial system”. However nothing is mentioned on what the different parties felt about these issues, how they planned to reach an agreement on their differences, action points that would be implemented once they return to Iraq, <u>or any tangible result other than conversation.</u> Therefore it is difficult to know exact how beneficial these discussion were, as well as if they could be improved or replicated elsewhere. Objective two is to nurture a consensus-based constitution review and implementation process, and while there has been lots of “review”, there has been much less “clear implementation.” ▪ That said, there is certainly value for exposing the newly-elected Iraqi politicians to different forms of functional governments or different ways |

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| | <p>that other countries manage political issues. This is particularly timely, as the Iraqi Government (and people) try to determine (and continue to try to determine) how to govern with different political, ethnic and religious groups; often with competing agendas. In addition, there is also value for creating safe environments that allow for open dialogue outside of the political spotlight. Therefore, it can be stated that events organized under this output contributed to enhancing dialogue and illustrating different political options available to the Iraq administration. However it is not possible to know the to the extent that dialogue was “enhanced” or that understanding has been “improved.” With regards to real consensus-based constitution making, while the CRC has been able to reach some agreements, the real result of this output can only be determined at the end of this project (the roundtables are held on resource management in 2010 and all activities are implemented.)</p> |
| 2.2 Secure the support of influential Iraqi and international actors towards the constitutional process through intense coordination, awareness raising and dialogue. | <ul style="list-style-type: none"> ▪ Throughout the life of this project, it has been clear that significant coordination with a variety of UN, Iraqi Government and other international stakeholders was facilitated. This has been through the cluster group on the constitution, as well as active participation in a variety of UN and government meetings. ▪ It appears that more intense efforts were made during the first year of the project, with tangible outcomes including co-chairing sessions on the International Legislative Roundtable, submitting papers on human reports, and presenting papers on freedom of expression at a conference on freedom of expression and media development in Iraq organized in France. ▪ There has been little reported on this output throughout 2009, however the project team continue to report regular liaising with relevant stakeholders throughout Iraq and in Amman. |
| 3. Iraqi society aware and involved in the review process and efforts towards national reconciliation | |
| 3.1 Greater visibility of the efforts carried out by the Iraqi Government to conduct a transparent, inclusive and consensus-based constitutional review process. | <ul style="list-style-type: none"> ▪ It was initially decided not to have significant media coverage of the CRC’s work as originally planned in the proposal. The members of the CRC felt given the highly polarized society in 2007 (more so than in 2010), it would be safer to have their sensitive discussions out of the limelight. ▪ There was some press coverage – especially regarding the various study tours and seminars within year one of the project. ▪ Publications were produced on the National Reconciliation Grant Fund and on the study trip to Northern Ireland. The Northern Ireland publication titled “Iraq-Learning Lessons from Northern Ireland” was released and disbursed to a number of stakeholders in autumn 2009. |
| 3.2 Multi-stakeholder and other initiatives working towards the resolution of divisive constitutional issues, the contribution to cessation of violence in order to provide an environment for constructive dialogue and the support to the national reconciliation plan. | <ul style="list-style-type: none"> ▪ This output focused on the NGO grant fund. For the initial round of grants, a total of 118 proposals were received, which is a significant number of applications for any call for proposals. A total of 19 projects were selected, plus one with a local NGO to act as a monitoring agency. Projects covered all 18 governorates in Iraq, an <u>important caveat</u> for a project aiming to support reconciliation across a range of differences. ▪ 215 events were organized under the grant fund in the first six months of implementation to support national reconciliation. This seems to be comprehensive, but there is little information on what was actually achieved as a result of these events in terms of qualitative data. ▪ Support to CSO activities have continued over the last two years, with additional activities implemented as a part of the Grant Fund mechanism. However, it is specifically unclear how they supported the output in providing “an environment for constructive dialogue” “or the national reconciliation plan.” There is only quantifiable evidence provided, such as number of participants, number of events held, number of posters and |

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|---|---|
| | publications distributed. |
| 3.3 Empowerment of civil society to advocate their constitutional and national reconciliation concerns. | <ul style="list-style-type: none"> ▪ 36 one-day workshops were organized for CSOs in 2006, with 76 CSO representatives participating. These sessions allowed for the sharing of opinions on divisive constitutional issues from a variety of community / religious / political figures. In addition to discussions, concrete recommendations concerning the constitution developed at the end of each workshop. A series of events followed these discussions providing space and venues for CSOs to talk with government officials on constitutional issues including 5 lobby meetings between CSO representatives and members of the main alliances in the CoR in Baghdad; a one-day conference for CSO representatives to discuss the latest development in the constitution review process and to finalize the CSOs' recommendations and a one-day conference "<i>Civil Society Input on the Constitutional Review Process</i>" in Baghdad, to help deliver the CSOs' recommendations to the MPs and the CRC members. ▪ The above indicates clear and substantive actions that resulted from the workshops, contributing to the overall achievement of the output. ▪ In addition there were also strong media coverage of the 36 workshops, including TV, and radio spots, also contributing to the achievement of output 3.1. ▪ New activities were implemented under this output in June 2008. Regional and national meetings were held to consolidate the recommendations from CSOs (which resulted from the first round of grant funds.) It is not entirely clear what the specific results of these meetings were other than the facilitation of the meetings as such. However, it can be assumed that as a minimum there was benefit from bringing together civil society, government, and academia in an open and neutral environment. |

Development Results

1. What have been the specific benefits of the project to different beneficiary groups, including men, women, children, youth, and marginalized population groups?

The original project proposal listed the project's beneficiaries as:

- 275 members of parliament (including the Constitution Review Committee)
- Iraqi politicians and public officials from various institutions, with a special focus on the Chief Justice Office, the HR Commission and the Civil Service Commission.
- Selected staff from the following ministries: Ministry of Justice, Ministry of Interior, State Ministry for Parliamentary Affairs, Ministry of Human Rights.
- 18 Governors and a number of regional politicians
- At least 25 NGOs / CSOs / academic institutions
- Opinion leaders and intellectuals
- Community and religious leaders participating in the national reconciliation process

However, more recent project reports state, "This project focuses on the support to the political processes, which can benefit the entire state of Iraq. Therefore it is not possible to distinguish particular categories and number of beneficiaries."⁵ Given the multiple changes in the project's scope, it appears that the original beneficiary list is no longer

⁵ These sentences are repeated throughout all four quarterly project reports in 2009.

valid. It is rather more meaningful to divide project beneficiaries into the CRC, CSOs, and more broadly, the general Iraqi population (as outlined in table two below).

In general it has been difficult to specifically measure the benefit that this project has achieved, as there were no specific targets (numerical or otherwise) in the original design of this project. Therefore this means there are few ways to objectively measure success, (as will be described more in questions 14 and 15 below.) The general benefits however to these three groups can be determined by broadly examining the overall progress made over three years of activity implementation.

Table 2: Beneficiary Overview

| Target Group | Benefits Resulting from this Project |
|--------------------|---|
| CRC Members / GoI | <ul style="list-style-type: none"> Increased technical and operational capacities Provided with safe environments to discuss varying political opinions Better working relationship between different political parties Increased knowledge of other models (governance, administration, finance) that worked in countries with similar problems |
| CSOs | <ul style="list-style-type: none"> 19 CSOs received funds to conduct local reconciliation projects, helping to serve their own communities as well as increase their own role in Iraqi society Developed / further developed CSO relationships with their national, regional, local government Strengthened their ability to advocate with their elected officials / voice their opinions in a safe environment |
| General population | <ul style="list-style-type: none"> Within a project targeting decision makers (such as the CRC), it critical to think of the benefits that investing in a government body will have on the population – the government literally being those that determine the fate of a country. It is less meaningful to look at the benefits from an individual citizen’s perspective. Based on the above, it can be stated that this project had a significant impact on the general population of Iraq. But the actual impact will take many more years if not decades to determine. This project has helped to encourage CSOs to play a larger and more active role in Iraqi affairs, engaging with their government and representing their community members. This will help to contribute to more accountable and participatory government in the longer term. The focus of activities for 2010 were narrowed down to two deadlocked key issues – hydrocarbon and water resource management. Although these have yet to be implemented, there is the potential for activities to the GoI reach some resolution – which would be of massive benefit to the general Iraqi population. |

2. How the project has contributed to national priorities as identified in the Iraq National Development Strategy (NDS), the International Compact with Iraq (ICI) and the Millennium Development Goals (MDGs)?

This project aimed to contribute to the following goals:

- MDG 8: “Develop a global partnership for Development”, point 1, which “...includes a commitment to good governance, development and poverty reduction
- NDS: “Strengthening good governance and security”
- ICI Benchmarks/Indicators: 4.2.1. Engaging with Civil Society

MDG: With regards to MDG 8, the indicators that the UN provides for measuring achievement of this goal are economically-focussed, and are measured in terms of official development assistance, market access, and debt sustainability⁶. Based on the nature and design of this project, it is obvious that these indicators cannot be an accurate measurement of this project's contribution. Therefore it would be more appropriate to look at how this project contributed towards good governance, which is described in more detail below.

NDS: There were no set indicators within the NDS that dictated how to measure "Strengthening good governance and security." In order to know whether this project contributed to this result, it is important to first define what good governance means. The World Bank states "Good governance is epitomized by predictable, open and enlightened policy-making, a bureaucracy imbued with a professional ethos acting in furtherance of the public good, the rule of law, transparent processes, and a strong civil society participating in public affairs."⁷ There is documented evidence that this project helped to bring together bureaucrats, oftentimes with very conflicting views, to join efforts and try come to a consensus within the CRC/GoI. While certainly not perfect, the project helped to provide the fora for open dialogue and learning. The project also helped to strengthen the participation of civil society in public affairs, especially with the organization of the constitutional review workshops, follow-up regional and national fora, as well as media and promotional activities. Based on the achievements as described above, it can definitely be said that this project helped to contribute towards strengthening good governance.

The strengthening of security in Iraq is based on a variety of complex factors, and it would be difficult to show any causal link between this project and an improvement (or not) in the security situation. In comparisons with 2006, it is certainly true that the security situation in Iraq has improved. From a theoretical perspective it may be assumed that the project's focus on national reconciliation efforts, from both political and community perspectives, may have been a contributing factor to the decrease in inter-ethnic violence over the last three years, although this is almost impossible to empirically prove.

ICI: For 4.2.1 of the ICI, the Joint Monitoring Matrix⁸ (used by Government and Development Partners to monitor the implementation of the ICI), has the following measurements:

- Benchmark: Adopt and carry out policies to stimulate civil society engagement in reforms
- Indicative Action: By 2008, introduce regulations to ensure an appropriate advisory and consultative role for civil society in legislative, administrative and policy making processes

This project has engaged civil society on reconciliation activities at both the local and national levels. It has organised space for the sharing / gathering of opinions on divisive

⁶ <http://mdgs.un.org/unsd/mdg/Host.aspx?Content=Indicators/OfficialList.htm>

⁷ World Bank in Governance: The World Bank's Experience, July 2004

⁸ http://www.iraqcompact.org/ici_document/AnnexIV_JMM_English2008.pdf

constitutional issues, as well as creating fora for civil society to meet/discuss with their elected representatives (and even refine their views as the constitutional process progressed.) Therefore it could be stated that this project has contributed to the realization of 4.2.1 and successfully engaged with civil society throughout the implementation of project activities.

Efficiency and Effectiveness

3. *Has the programme / project responded to the underlying development issues that provided rationale for the programme/project? How?*
4. *How have programme / project results contributed to improved access and utilization of services?*

Question #3 specifically deals with project effectiveness, and examines the degree to which project activities have actually met their targeted goals. Best practice dictates that this can be measured by asking “to what extent were the objectives achieved / are they likely to be achieved?”⁹

Question #4 is difficult to answer for this project because unlike many other development programmes, it was not designed specifically to increase access to, or utilization of, new or improved services. Instead, project activities sought to essentially provide support to the GoI as they undertook the massive task of reviewing and finalizing the constitution. At the same time, it aimed to complement the political work with activities at the grassroots level, encouraging discussion on constitutional review, and building linkages between civil society groups and with their government officials. While it can be argued that both the politicians and CSOs involved are providing a “service” to their communities, this cannot be quantitatively or qualitatively measured as a result of this project, especially as i) activities are still ongoing and ii) it will likely take years for the controversial issues that this project addresses to be resolved.

In order to answer both of these questions to the extent possible, it is helpful to conduct an analysis of progress reached towards the overall objectives, which should be understood as the achievable goals that resulted from this programme¹⁰ (see table three below). Overall objective progress can be measured by examining the achievement made as per their indicator (addressing question #4)¹¹, and then hypothesizing on the likelihood that these objectives will be achieved by the end of the project (addressing question #3). It is noted that measuring indicator progress is not the same as measuring access to / utilization of services, but analysis at this level allows for meaningful evaluation into the tangible results achieved by this particular project.

Before we can address these questions, it is important to again highlight the fundamental

⁹ Organization for Economic Cooperation and Development, Development Cooperation Directorate (DCD-DAC) Criteria for Evaluating Development Assistance, http://www.oecd.org/document/22/0,2340,en_2649_34435_2086550_1_1_1_1,00.html

¹⁰ This is different from the development objective or goal, which is the overall purpose that the project contributes to, but could never achieve on its own – other factors and projects also contribute.

¹¹ Please note that there are serious concerns about the indicators for the overall objectives (see questions 14 and 15 for further details) as they leave a great deal of subjectivity to the evaluator’s perception and analysis.

logic to this programme and the underlying development issues it aimed to address. The assumption was that: if you supported a constitutional review process with the hopes of trying to ensure that all divisions of Iraqi society agreed on the constitution + provide support to civil society to get involved in the constitutional review debate + encourage linkages between civil society and their government = this would help to foster national reconciliation and more broadly encourage stability and development in Iraq.

Table 3: Analysis of the Overall Objectives and Indicators

| Overall Objective | Indicator | Indicator Progress | Is it likely that this objective will be achieved? Why? |
|--|--|--|---|
| 1. Provide support to key Iraqi governmental institutions, parliamentarians and politicians, and in particular the Constitutional Review Committee, to manage the constitutional amendment process and implement constitutional mandated laws. | <ul style="list-style-type: none"> Review process and constitution-related legislative work is conducted timely by the Council of Representatives and with minimal occurrence of deadlock situations. | <ul style="list-style-type: none"> Without defining “timely” and “minimal deadlock”, it is difficult to exactly measure this indicator. Nonetheless, the CRC was able to submit their draft report in May 2007, showing their ability to work together and reach some consensus (although the most divisive issues were not addressed and have yet to be resolved.) Additional draft reports were produced in 2008, but nothing has been finalized to date. | <ul style="list-style-type: none"> The full realization of a final Iraqi constitution goes beyond the work of the CRC (and UNAMI/UNOPS support), involving high-level political negotiations that will likely take years. Currently the constitutional review process has come to a slow halt, with a second CRC draft report submitted to the President, Vice-Presidents and the Prime Minister in July 2008 and little political progress made in the last year. A wide-range of support has been provided to the CRC/GoI, which is the core of the project’s design. Given the myriad of external factors involved, from the project’s perspective it can be assumed that this objective will be achieved. |
| 2. Nurture a consensus-based constitution-review and implementation process by raising the awareness of the key issues in | <ul style="list-style-type: none"> Level of success of dialogue initiatives supported by the project, or indirectly generated by it, which bring together key political actors to engage positively on divisive | <ul style="list-style-type: none"> The last three and a half years have seen the organization of numerous study tours, seminars, roundtables and other fora for discussion, learning, and communication. | <ul style="list-style-type: none"> Yes it is likely that this indicator will be achieved. The facilitation of workshops, which targeted key divisive issues, provided the space and resources for open dialogue and |

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| such a way that they are prioritised, internationalised and technicized and by providing neutral environments for and facilitation of dialogue between political actors. | constitutionally relevant issues. | <ul style="list-style-type: none"> Without hard data (surveys, focus groups) it is difficult to measure the level of success that the dialogue initiatives generated. What can be assumed is that there is strong value for bringing together conflicting political parties in a safe and neutral environment, and this project has certainly provided those opportunities. | <p>discussion.</p> <ul style="list-style-type: none"> The presence of different political parties, religious groups and other sects of society at these events is also an indicator of success. It is hard to measure the exactness of how this project contributed to consensus building. There are no before and after surveys or mechanisms of showing attitude / behaviour change as a result of this project. |
| 3. Reach out to the wider Iraqi society to increase inclusiveness and transparency of the constitutional review and implementation process and foster national reconciliation through public outreach and support to civil society initiatives | <ul style="list-style-type: none"> Increased feeling of ownership of constitutional and reconciliation process by Iraqi public, through the increased involvement of their political representatives. Level of success of civil society initiatives supported by the project in bringing together a broad spectrum of societal groups in discussing constitutional review and reconciliation. | <ul style="list-style-type: none"> It is difficult to measure this indicator, as there is nothing that defines what an increase in feeling of ownership looks like, nor any qualitative monitoring to assess how beneficiaries felt before and after project interventions. However it can be assumed that the facilitation of workshops, and roundtables that brought together CSOs and government has helped to increase their involvement in the reconciliation process. The first round of grant projects was implemented in all 18 governorates, benefitting 34,277 people representing all political, religious, and ethnic groups. This alone is a large success, supplemented by additional peace | <ul style="list-style-type: none"> Yes it is likely that this indicator will be achieved. Activities implemented under this objective appear to have been successful in reaching out to all members of Iraqi society, and involved them (to the extent possible) in the constitutional review process. It is unclear as to how much national reconciliation was actually fostered, in the absence of any population-based surveys or other data collection exercise. It can only be assumed on a theoretical basis that these activities have helped to strengthen national reconciliation in Iraq, given their large geographic focus and attempt to include all sects of society. |

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| | | building grant activities in 2008 and discussions on hydrocarbon management (2010.) | |
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5. *How did the programme / project engage with stakeholders and beneficiaries during project planning and implementation?*

Engagement with stakeholders and beneficiaries during project planning: As per the project proposal, it appears that the project team closely coordinated with key GoI officials including the Council of Representatives, Ministry of Justice Ministry of Human Rights, Ministry of Interior, State Ministry for National Reconciliation during the original design phase. Page 31 of the proposal states "UNAMI-OCS and UNOPS have extensive experience working with these parties. Already in the preparation of this project, these bodies have been closely involved....Furthermore, UNAMI-OCS is in close contact with former members of the Constitutional Drafting Committee, Ministers and party leaders and has an established relationship with all these Iraqi interlocutors, which will also be of significant benefit in the management and implementation of this project."

It is unclear the extent to which CSOs were involved in the actual planning of component three of this project, although activities were designed based on experience that UNOPS had working with CSOs in Iraq.

Engagement with stakeholders and beneficiaries during project implementation: The nature of project activities made it almost impossible for the project team to not be intensively engaged with key project actors and beneficiaries throughout implementation. Specifically, the project team worked very closely with members of the CRC throughout the implementation of all activities under objectives one and two. Provision of technical support was very much linked to the needs as identified by the CRC (and other elected officials). The shape and scope of this support was modified / evolved based on the changing needs of the CRC, GoI, and Iraqi constitutional context.

The most recent project extension / scope revision in November 2009 outlined new activities that would be conducted in 2010, including the prioritization of hydrocarbon and water resource management, and expanded set of stakeholders to include Ministry of Oil Water and Electricity, showing continued engagement.¹²

With regards to engagements with CSOs, project staff appeared to actively engage with civil society partners and representatives throughout the life of the project. This has included the provision of support to initial 19 NGOs under the national reconciliation grant fund, organizing events for CSOs to meet/advocate with elected officials, as well as the provision of additional grant support for CSOs in the areas of peace building (2008) and discussions on resource management (planned for 2010.)

¹² Request for Project Revision, 9 November 2009, pages 5-12

Relevance

6. *How did the programme/ project contribute to local / national needs and priorities?*
7. *How were project strategies tailored to the current programme / project context?*

In order to assess the relevance of this project, it is first important to understand the conditions in Iraq in 2006 and the general background against which this project designed. Once this is achieved, it can be ascertained as to whether the project contributed to Iraqi priorities at the time it was designed, if the project's objectives are still valid (#6) (in other words does the project continue to make sense) and examine how the project strategy may have adapted to the evolving context in Iraq. (#7.)¹³

Iraq in 2006

- *Upsurge in Violence:* Iraq in 2006 was characterized by rampant violence, increased insecurity, and a massive escalation in inter-communal violence. As OCHA states "In 2006, Iraq has witnessed increasing political fragmentation driven by insurgency and crime, with factional violence escalating sharply throughout the Centre and the South of Iraq. Human rights violations increased both quantitatively and qualitatively, as brutal violence against official targets and civilian populations increased dramatically through the year."¹⁴
- *Newly Formed Government:* In May 2006, the first constitutionally elected Government of Iraq (GoI) was sworn into office. This nascent government, operating democratically for the first time in Iraqi history, was immediately tasked with enormous security, political, economic, and social challenges.
- *National Reconciliation:* There were calls for national reconciliation from various sects of Iraq society. The new GoI released the Iraq National Reconciliation and Dialogue Plan in June 2006, laying out 24 clauses to bring an end to immediate violence and help foster reconstruction. National reconciliation and unity were on the agendas of politicians, religious / community leaders and other prominent Iraqis, as well the UN, donor governments, and of the international community.

Table 4: Analysis of Project Relevance

| Objective | Did it contribute to national priorities? | Is the objective still valid? | What has been changed to meet the evolving context? |
|--|--|---|---|
| 1. Provide support to key Iraqi governmental institutions, parliamentarians and politicians, and in particular the CRC, to manage the constitutional | <ul style="list-style-type: none"> ▪ Yes, with appropriate technical and operational support provided by UNAMI/UNOPS to the CRC in 2006/7, as the constitutional review and debates were intensively in process and in the political/media spotlight. | <ul style="list-style-type: none"> ▪ Given that the review process has come to a virtual stalemate, little progress has been made in months, and the CRC has not met since 2008, it is unlikely that this objective is still | <ul style="list-style-type: none"> ▪ Project activities have been adapted to provide support to the GoI beyond the CRC, including to ministries and other parliament members. ▪ In 2008 and 2009 this appears to have been done in a more ad-hoc and reactive manner, rather than as a strategic review |

¹³ Please note that this report will not specifically discuss the project's extension from 12 to 50 months, which is a significant change to the project to meet the evolving context (see the right columns in table 4) yet affected all three objectives equally. Rather an analysis will be conducted of the specific activities that the project undertook to meet the relevant needs / situation on the ground.

¹⁴ UN OCHA, *CERF Funds support Humanitarian Assistance to Iraq 2006*, 20 December 2006

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| amendment process and implement constitutional mandated laws. | | valid. | <p>or re-design process.</p> <ul style="list-style-type: none"> ▪ In 2010, activities are more focused, and concentrate on the provision of support to the highly controversial areas of hydrocarbon and water resource management. |
| 2. Nurture a consensus-based constitution-review and implementation process by raising the awareness of the key issues in such a way that they are prioritised, internationalised and technicized and by providing neutral environments for and facilitation of dialogue between political actors. | <ul style="list-style-type: none"> ▪ Yes, this project organized numerous events to bring together politicians from all sects of Iraq society, aiming to increase dialogue and learning. Study tours helped to demonstrate examples where counties dealt with similar problems facing Iraq as well as allowed new politicians to practice statesmanship. Inter-party roundtables and seminars provided an open and natural environment to discuss divisive issues. | <ul style="list-style-type: none"> ▪ Similar to objective one, the lack of progress on the constitutional review process indicates that this objective is no longer valid. | <ul style="list-style-type: none"> ▪ Many of the key issues raised involved departments beyond the CRC, and roundtables in 2008 and 2009 therefore included ministerial officials (including Water Resources, Oil, Finance, Planning, Electricity) and other GoI representatives. ▪ In 2010, the project plans to implement high level discussions on hydrocarbon and water resource management, two key issues that have yet to be resolved and have massive repercussions. |
| 3. Reach out to the wider Iraqi society to increase inclusiveness and transparency of the constitutional review and implementation process and foster national reconciliation through public outreach and support to civil society initiatives | <ul style="list-style-type: none"> ▪ Yes, the project's national reconciliation grant fund was successful in bringing civil society into the debate surrounding constitutional review, fostering dialogue both at the community level through the first round of grant funds, facilitation of lobbying meetings between CSOs and the GoI, and organizing a conference for CSOs to present their recommendations on the constitutional review to the GoI and media. | <ul style="list-style-type: none"> ▪ The first half of the objective, increasing inclusiveness of the constitutional review is no longer valid (see objectives two and three above.) ▪ Fostering national reconciliation however, by supporting civil society is very much still relevant and important in the current context. | <ul style="list-style-type: none"> ▪ The project expanded its original grant to fund to include support to CSO activities in the areas of peace building and conflict prevention in three regions. ▪ In 2010, there will be an additional grant fund for CSOs to conduct roundtables on resource management, complementing similar discussions at the political level. |

Partnerships

8. Has the programme / project forged new partnerships / strengthened existing partnerships and how?

In the absence of a survey or other methodical data collection specifically on partnership or how politicians view their opposing colleagues as a result of this project, the analysis on this question generally relies on anecdotal evidence from the project team and stakeholders.

a. Relationship between different political parties: One of the key aims of this project was to help bring together different political groups during the initial constitutional review process. As mentioned in question #7, the new GoI was sworn into office in early 2006. Different political parties almost immediately clashed over a wide range of governance, social and economic issues, with political debates often having violent repercussions in cities and towns through Iraq¹⁵. In the context of Iraq in 2006-7, this project was successful in bringing different political parties whom according to a member of the project team “in other circumstances would not have sat down together.” Getting these different groups to meet and discuss controversial national issues is in itself an achievement towards building the relationship between different political groups.

The project was able to facilitate dialogue and study tours that provided both formal opportunities to learn, but also informal chances for politicians to meet on a personal level. As a project staff member said “There was definitely a benefit from getting people away from the CoR building, to talk as individuals and share discussions – rather than political views.” The facilitation of roundtables in 2008-9 (after the constitutional review process had stalled), also helped to keep the relationships between different parties of the GoI alive and encourage discussion on divisive issues. While progress on constitutional issues has not advanced per se, the organisation of these inter-party dialogues have been beneficial for inter-GoI relationships. Another project staff member said “The benefit of the roundtables is really the dialogue – get them talking about the most controversial issues – such as the hydrocarbon issue – it was impossible to get people to talk about it before. This is the first time people had the opportunity to talk and discuss...they were not used to it under the previous regime...so they actually had to have these discussions facilitated by an outside party.” Numerous project staff told the consultant that they witnessed the politicians meeting outside of UN-facilitated events, and began to function more like a cohesive government rather than individual parties.¹⁶

b. Relationship between civil society and the GoI: The concept of civil society is relatively new in Iraq, especially a civil society that can advocate with its elected officials and hold them accountable to their constituents. According to project staff, there is no

¹⁵ *The Dynamics of Iraq's Media: Ethno-Sectarian Violence, Political Islam, Public Advocacy and Globalization*, Ibrahim Al-Marashi, Open Society Institute, Central European University Centre for Policy Studies, April 2007, *What were the causes and consequences of Iraq's descent into violence after the initial invasion?* Dr. Toby Dodge, 10 November 2009, Department of Politics, Queen Mary University of London and Senior Consulting Fellow for the Middle East, International Institute for Strategic Studies.

¹⁶ Although according to a project staff member, the CRC members would agree to a compromise, in a meeting, talk to their party the next day, and then public say they never agreed to compromise.

real relationship between civil society and the GoI. There are some relationships between parliament members and their communities– especially when it comes to election time – but there is not much real substance to these relationships. The UN was able to act as a facilitator to bring together CSOs and the GoI in a number of forums under this project, helping to make sure that the recommendations from CSOs on the constitutional review debates were actually received and taken into account. As one staff member said, “the CRC was not really excited to talk to or hear from civil society groups, If not for the UN, they would not really listen – they would hear but not actually consider.”

c. Relationship between the UN and GoI: The success of the project achievements, especially at the political level, can largely be attributed to the strong working relationship between the project team and its GoI partners. As one staff member said, UNAMI/UNOPS had the ability to be a neutral organization, to suggest compromises that the GoI was more open to listening to... They considered us as a reference –someone they can go to with complex political / controversial issues.” As mentioned above, the UN was able to get different political parties around the same table, which is a significant achievement in and of itself. Through the continuous, regular support to the constitutional review process, as well as spreading out to work with other GoI officials (i.e. ministers) and on different issues (hydrocarbon and water management), the UN has been able to strengthen its relationship as a partner that the GoI can trust and can work with.

9. To what extent has the programme / project contributed to capacity development of the involved partners?

In reviews of aid effectiveness, the development of capacity is recognised as one of the most critical issues for both donors and partner countries. For purposes of this evaluation, *capacity* is understood as the ability of people, organisations and society as a whole to manage their affairs successfully. *Capacity development* is understood as the process whereby people, organisations and society as a whole unleash, strengthen, create, adapt and maintain capacity over time.¹⁷

This project did not specifically focus on capacity development directly, although a great number of its primary activities indirectly involved increasing the capacity of both government and civil society partners. There are challenges then to specifically measure and demonstrate actual capacity development at this stage in the project cycle. There are no monitoring activities or mechanisms in place to refer to, and no real data other than narrative reports and anecdotes. However, it is possible to generalise the impact the project had towards the capacity development of its partners by describing i) activities that increased partner capacities and ii) the likelihood that these new capacities (or strengthening of existing capacities) will be sustainable.

¹⁷ *The Challenges of Capacity Development, Working Towards Good Practice*, Organisation for Economic Development and Cooperation, Development Assistance Committee Reference Document, pages 11-14.

Table 5: Project contributions towards capacity development of partners

| Project objective | Project partner | Activities contributing towards capacity development | Likelihood capacity will be maintained over time |
|--|-----------------|---|---|
| 1. Provide support to key Iraqi governmental institutions, parliamentarians and politicians, and in particular the CRC, to manage the constitutional amendment process and implement constitutional mandated laws. | CRC / GoI | <ul style="list-style-type: none"> The project provided continued technical expertise (or access to experts) to assist and mentor the CRC / GoI on a wide range of constitutional and governance issues → increasing individual knowledge / attitudes on divisive issues such as federalism, resource management, and national identity, as well as more indirectly helping the GoI to determine and uphold the rule of the law Provision of core items such as equipment, furniture and CRC staff salaries meant that operational capacities of the CRC to conduct its activities were improved. However this is more of a one-time donation rather than genuine capacity development. | <ul style="list-style-type: none"> It is difficult to assess how the involved government partners will act / govern without external support (from the UN or other appropriate agency.) This is valid for both finalizing the constitution as well as implementing it thereafter. As many of the divisive governance issues to be addressed by the CRC are not yet resolved, it makes it even harder to presently determine the chance of sustainability. |
| 2. Nurture a consensus-based constitution-review and implementation process by raising the awareness of the key issues in such a way that they are prioritised, internationalised and technicized and by providing neutral environments for and facilitation of dialogue between political actors. | CRC / GoI | <ul style="list-style-type: none"> The facilitation of inter-party dialogues, study tours, roundtables and other fora discussion is similar in nature to objective one → activities may have increased knowledge and attitudes on divisive issues → benefiting both the individual politicians as well as the GoI more generally. In addition to new knowledge of specific issues such as federalism and resource management, the facilitation of dialogue also added to capacity development gains in terms of the overall functionality of the new GoI → bringing conflicting parties together to discuss controversial topics, peacefully share opinions, encourage negotiations → a positive step forward in a new democracy. | <ul style="list-style-type: none"> Similar to objective one, it is hard to predict how the GoI would act without external support. Given that the GoI is at such a nascent stage, and that there will be significant changes with the upcoming March 2010 elections, it is not possible to comment on how/if the development gains made as a result of this project will be sustainable. |
| 3. Reach out to the wider Iraqi society to increase | CSOs | <ul style="list-style-type: none"> The provision of grants to CSOs can be thought of as a capacity development exercise in itself → as it gives them the opportunity to | <ul style="list-style-type: none"> Since 2003 Iraq has witnessed an explosive opening up of civic space, as |

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| inclusiveness and transparency of the constitutional review and implementation process and foster national reconciliation through public outreach and support to civil society initiatives | | <p>practice/ increase their capacities in project and budget management.</p> <ul style="list-style-type: none"> ▪ Grants management often in post-conflict contexts like Iraq often will involve more hands on technical support from the donor. However the remote management of grants in Iraq means this capacity development opportunity could not be fully realized. ▪ CSOs were given the opportunity to meet with and discuss their ideas with government officials, → increasing in theory their capacity to act as advocates for their communities. | <p>thousands of new Iraqi NGOs were established¹⁸. In a natural process, only time will tell which will “survive” have the capacities to continue implementing projects and raising funds.</p> <ul style="list-style-type: none"> ▪ As with #2 and #3, it is impossible to determine the sustainability of the capacity developed of CSOs from this project, as it is too early to tell. |
|--|--|--|--|

Sustainability

10. What is current status of the programme / project components? Are functions and facilities still maintained? Who is responsible for the management of programme / project facilities after the project closure?

The current status of this programme is ongoing, with activities planned for the next nine months, and a budget of more than \$900,000 remaining. Therefore it is difficult to measure sustainability at the present time. It is more feasible however to examine each of the three key components and the likelihood that an impact will be felt after the project’s closure. In addition, it is also important to remember that the project was designed to effect immediate knowledge / behaviour change – supporting the 2007 constitutional review process, enhancing dialogue on divisive issues, and reaching out to communities during the constitutional review period. The project was not necessarily working to ensure the continued support or facilitation of its activities after they were completed. This key point needs to be considered when evaluating the project’s sustainability.

Support to manage constitutional review: The CRC was provided with technical and operational support from UNAMI/UNOPS for more than three years. They have made progress on finalizing the constitution in terms of working constructively together, and have received equipment and materials to allow them to conduct their work. While they have been able to reach consensus on some issues, they have yet to solve most of the highly divisive areas such as powers of the presidency and resource sharing. Discussions on these issues are ongoing, and it is highly probable that the CRC (along with many departments of the GoI) will require support from the UN or other external bodies to help assist in the finalization of the constitutional review process beyond this project’s end date.

¹⁸ The International Centre for Non-Profit Law; NGO Law Monitor: Iraq, 13 October 2009

Raise awareness of key issues and provide environments for dialogue: This project has organized numerous study tours, seminars and workshops for members of different political parties to learn, discuss options together, and communicate freely out of the political spotlight. Due to the significant financial resources that these events require, it is unlikely that they would continue without the support of the UN or another donor.

Foster national reconciliation through public outreach and support to civil society initiatives: The project appeared to successfully enable the involvement of civil society into the constitutional review process. This was achieved through a number of workshops, lobbying meetings and conferences, specifically by giving CSOs the opportunity to provide their recommendations on the constitution review process to lawmakers. Strong democracies rely on partnership between civil society and elected officials, and while Iraq still has a very long road ahead, this project certainly helped to further that partnership.

It is difficult to ascertain the extent to which national reconciliation was fostered or furthered as specific result of this project, or if it is sustainable. In the absence of hard data demonstrating changes in attitude or behaviour (which could have been conducted through population-based surveys or focus groups), there is no empirically valid way of showing that national reconciliation was fostered as a direct result of this project. Most of the data available on the CSO projects implemented under the national reconciliation the grant fund is quantitative, and focused on numbers of people who attended, gender and age breakdowns etc. This data does show that a large and diverse number of Iraqis participated in the national reconciliation activities, but the medium and longer impacts of such activities are not clear.

Lessons Learned

11. What are the key lessons learned from programme / project implementation?

- *Dialogue with results:* Although there are definite benefits that can result from a workshop or roundtable, there is a need to have such activities with concrete action points or recommended next steps -- not just facilitate / fund discussions for discussion's sake. This may have been more appropriate for the first year of this project when the constitutional review was intensively ongoing, but it became less relevant as the project was extended, and the results of these expensive activities are less apparent.
- *Project re-design:* The project team continually mentions the need to be flexible and to adapt its priorities and plans based on the needs on the ground. The project designed a 12-month logical framework that may have been valid for the first 18 months of implementation, but lost its relevance as the project was continually extended and the scope amended. In order to make the strategy clearer, as well as have an adequate monitoring plan that could be used to both demonstrate results and justify change, the project should have undergone a re-design process, resulting in a clear revised strategy and revised logical framework.

- *Project funds and good will alone are not enough to achieve results:* This project had an ample budget, and was staffed by a qualified team who was committed to their work. Yet despite all of their time and efforts, the constitution is not finalized and many of the key divisive issues are not resolved. As mentioned throughout this report, the constitutional review process is “stuck” at a high political level, and various delays to project implementation were due to the political / security / contextual environment in Iraq. This does not mean that the activities have not been successful, but it does mean that the ultimate aims may not be achieved within the lifetime of this project.

12. *Are there any specific recommendations to be considered when designing similar programme/ projects in the future?*

- *Working simultaneously on the political and local community levels:* There are definite positive benefits from working on divisive national issues by focussing simultaneously on the political and community levels, both in Iraq as well as in other transitional countries. In Iraq specifically, one of the biggest problems is that there is no link between local communities and high-level politicians -- which mean that often decision makers do not hear or take into account the opinions of their constituents. It is very important to ensure that political and community representatives have the fora to meet and at the very least start the build a relationship.
- *In transitioning democracies where there is no history of government and grassroots community relationships, the UN can play an important role in facilitating these linkages:* This was a conclusion provided by almost all members of the UNAMI/UNOPS project team that were interviewed. The previous regime in Iraq meant that there was no history of an elected government serving the citizen's they represent. Project staff reported that the GoI officials they worked with were not so excited about involving civil society in their affairs. As one staff member explained “They were open to *talking* to the CSOs but they never really *heard* what they said. If not for the UN, they would not have taken the time to include the citizens who actually put them in office.” This project was successfully able to facilitate a number of events between civil society and the GoI (although CRC members did not show up to a major event in 2008 at the last minute), using its relationships with broad spectrums of Iraqi society to help build linkages that are critical both for this project's success but also for overall development in Iraq.
- *Projects in transitional contexts should be designed for longer than 12-months:* This project was extremely ambitious from the design phase, and as mentioned further on page 23, it seemed unlikely that the project could realistically achieve its complex and varied interventions in such a short period of time. In addition, this project was targeting political processes that take much more than one year to implement, even in a stable and peaceful country. The project was set for an initial 12-month based on the ITF guidelines, so it is obvious why the design team only had a 12-month work plan. However, given what the international community knows about the time it takes to achieve successful development in a post-conflict society, programmes should not be

limited to a one year time frame. Funds could be given for 18-36 months, with time to readjust interventions if needed if there are major contextual developments or changes.

- *Projects need to set clear targets in order to validly measure and communicate results:* As mentioned throughout this report, it was difficult to evaluate the genuine impact of this project as there were vague targets (or none at all) set in the original project design. This means that the evaluation of the success of this project was very much based on an individual's subjective analysis of what appears to be a "success" rather than a target set by the project team or by international / other accepted standards. Although it may have been difficult to set strict quantitative targets for a project with such qualitative components, there needed to be clearer definition on the type / scope / results that the project was aiming for. In the absence of such specificities, it becomes almost impossible for i) the project team themselves to measure results as they conduct regular monitoring exercises, and ii) even more difficult for an external evaluator to measure success in year four of the project.

Operational Effectiveness

13. How was the programme / project designed? Was any assessment undertaken to inform programming?

The project was designed to allow the UN to continue supporting the constitutional process and the work of the new CRC in 2006. It was designed against the setting of a newly drafted constitution that was not fully accepted by the Iraqi people and did not fully resolve key controversial issues. It was assumed that if the CRC and other involved officials were not adequately supported, this could lead to a constitution that was not accepted by the Iraqi people – which could lead to further instability and potentially violence. There were no specific assessments conducted as such for this programme. The problems as stated in the original proposal were identified through a combination of context analysis, meetings with key GoI officials, and the opinions / research / observations of UN staff.

In general, the project was extremely ambitious for a one-year programme, involving numerous complementary but distinct components that required significant planning and human resources. The success of the project was very much linked to the evolving situation in Iraq, and could only be implemented on time if there were no problems or delays. This was not the case in Iraq, or typically with any other new government in transition, and this ambitious timetable meant that the project had to be extended well beyond the initial end date.

As mentioned previously, the project's design lacked genuine targets or anticipated measureable results. The project proposal maintained the need to be flexible given the changing political and security conditions on the ground, but without strong design, it becomes difficult to know if the project is on track (during implementation and monitoring) and what it has actually achieved (during evaluation.)

After more than three years of project implementation, it seems as if this project may have been designed less to fund a specific set of activities over a certain period of time, but rather to broadly fund activities of UNAMI-OCS. Given the unknown future of the constitutional review process in 2006, this may have been the best scenario available and the consultant cannot comment on the merit of such a decision. This hypothesis stems from the following key facts i) There was lack of specific detail about what the project would actually achieve (and acceptance by the ITF review committee without such targets) ii) There were numerous revisions to the project duration, budget and scope, each of which were accepted without much documented input or questioning from the ITF committee, and iii) OCS support has the potential to help enable a peaceful and functioning Iraq (i.e. resolving key administrative issues, building trust within conflicted political parties), and there was a need to ensure OCS had secured funding to be operational.

14. Was the programme / project results framework clear, logical and focused?

In general, the results framework for this project was not clear or focused. As mentioned numerous times throughout this report, the results framework lacked the specificities required to make it measureable and understandable.

The development objective (or what is called a goal in generic monitoring and evaluation terminology) of the project is “To ensure transparent, inclusive, consensus-based resolution of divisive constitutional issues in Iraq through constitution-making processes, focusing in particular on the rule of law, federalism, governance and identity-based issues, by supporting Iraqi institutions through the review of the Constitution and through the implementation of constitutional mandated laws and by engaging key actors of the Iraqi society into reconciliation initiatives.” This is a complex, confusing, and extremely long sentence. Rather than thinking about the overarching development aim that the project fits into, it basically takes the three immediate objectives and lumps them together into one run-on sentence.

The indicators at the development objective level were very vague and subjective. They looked at things like “actual support provided”, “deeper understanding of key actors” and “constructive participation.” While quantitative indicators are not always appropriate, these qualitative indicators are not designed in a way that is clearly and neutrally measurable. They also seem extremely ambitious for a one-year programme – they are looking at massive behavioural changes, which is rarely achievable in a one-year programme and in such a volatile context. Indicators at this level of project design should not exceed two or three in total, especially again for a 12 month project.

The three immediate objectives were more focused than the goal, but did not provide the required level of detail in order to be clear on what they really intended to do at the completion of this project. The objectives are:

1. Provide support to key Iraqi governmental institutions, and in particular the Constitutional Review Committee, to manage the constitutional amendment process and implement constitutional mandated laws.
2. Nurture a consensus-based constitution-review and implementation process by raising the awareness of the key issues in such a way that they are prioritised, internationalised and technicised.
3. Increase inclusiveness and transparency of the constitutional review and implementation process and foster national reconciliation through public outreach and support to civil society initiatives.

All of the objectives could have benefited from more detail and planning as to what was trying to be achieved in the one year timeframe. For objective one there could be more detail as to the nature of support that would be provided. For objective two, it is completely unclear as to how key issues would be prioritised, internationalised and technicised (technicised is also not an English word and therefore it was difficult to ascertain what the project was aiming for here.)

The same comments for the development objective indicators are also valid for the immediate objectives. There are only qualitative indicators, and these are vague at best, using undefined terms like “timely” and “minimal.” Ultimately then for the purposes of monitoring and evaluation, it is really up to an individual as to whether or not the indicators have been reached. It would have been better to have at least one or two quantifiable indicators, in addition to being more specific in the qualitative indicators. This same comment can basically be repeated all the way down through the output and activity levels.

There are 32 activities listed in the logical framework, many of which are complex and multi-pronged. This is very high for what was initially supposed to be a 12 month project. It is therefore not surprising that the project has undergone numerous no cost extensions, as it is unlikely that such an ambitious project could have been completed in one year.

As a result, the logical framework, which forms the basis of this project’s design, broadly explains what the project is going to do but fails to provide what the specific and clear results of this project will be. Bearing in mind that project interventions were working with a nascent and less than stable government partner, there is still a need to have more details as to what the project would achieve and how one would measure this – as such causal logic is clearly missing. In addition, given the context of the Iraqi government in 2006, it may have made sense to design a less ambitious project but which had clear objectives and results. This may have resulted in a project without a three year extension.

Finally, the project showed strong analysis within the risks and assumptions section. Many of the topics listed later become obstacles to progress / programme achievements, and it shows solid assessment and awareness of external factors that could affect the project’s success at the design stage.

15. What systems were put in place to monitor programmes and projects? How well did

they responded to UNOPS' and MDTF's reporting requirements? What have been the key challenges in monitoring and evaluation of the programme / project?

Monitor Systems and Key Challenges

The security and operational context of Iraq means that many projects are implemented and managed remotely from Amman. While most of the UNAMI-OCS team is based in Baghdad, the Project Manager for C9-20 (a UNOPS staff member), who was ultimately responsible for monitoring, is based in Amman. This means that project monitoring is difficult at best, without being able to physically travel and interact with partners and beneficiaries on a daily basis.

As per the logical framework, monitoring of project activities was to be conducted through a combination of field visits and observations from UNOPS and UNAMI staff in Baghdad, Erbil, Basra and Amman, feedback from partners, and project reports. The logical framework also had vague terms such as “M&E of activities” and “Actual outcome of IPDs” as mechanisms to monitor and measure success, yet these are not genuine quantitative or qualitative methods of monitoring.

As mentioned throughout this evaluation report, it was difficult to accurately monitor the achievement of this project at all levels – particularly at the objective and output levels. The main reason for this is that the indicators set up at the start of the programme were vague, subjective and did not determine what actually qualified as success. Best practice dictates that indicators should be SMART (specific, measurable, attainable, relevant and time bound.) Taking the four indicators from the development objective as an example:

1. Review process and constitution-related legislative work is conducted timely by the Council of Representatives and with minimal occurrence of deadlock situations.
2. Level of success of dialogue initiatives supported by the project, or indirectly generated by it, which bring together key political actors to engage positively on divisive constitutionally relevant issues.
3. Increased feeling of ownership of constitutional and reconciliation process by Iraqi public, through the increased involvement of their political representatives.
4. Level of success of civil society initiatives supported by the project in bringing together a broad spectrum of societal groups in discussing constitutional review and reconciliation.

It is clear that none of these indicators are written SMARTly or in an objectively measurable manner. There is nothing that defines or describes what it means to have the review process conducted in a “timely” way with a “minimal occurrence of deadlock” (#1.) Similarly, what constitutes an “increased set of ownership” (#3) or what is the “level of success of civil society initiatives”? (#4) These indicators, which have a massive impact on the ability to adequately monitor a project, fail to capture the ways in which we can know if this project was successful and leaves much to the individual opinion of the reviewer. Similar statements can be made for the design of the monitoring plan all the way down to the activity level.

Project reports consistently state that remote management and an unstable security situation made it difficult to adequately monitor NGO activities on the ground. This is understandable given the conditions on the ground in Iraq. For the national grant reconciliation fund, the NGO Al Yaqueen was contracted to monitor NGO activities for the first year, generally looking at whether or not activities were actually held, and if they were compliant with their proposal. A review of the final monitoring report from Al Yaqueen shows some insight into the NGO activities, yet it is difficult to ascertain the direct impact that these interventions had towards achieving the project's overall aim. UNOPS has undergone a number of internal lessons learned activities to improve its grants management system, most recently developing new manuals for both its staff and NGO partners. These may help with the monitoring of future similar interventions.

Reporting Requirements

The consultant found that the reporting template required for use by ITF projects through the end of 2008 did not accurately capture information to demonstrate whether or not the project was meeting its goals. The first two sections of the template (covering project purpose and human resources) are very repetitive, and provide little new information. Section four on results asks for progress made towards achieving outcomes, but does not specify using indicators to show this progress. Therefore most of the data provided in the reports is subjective, shows little statistical validity, and does not measure against the targets or anticipated results as per the original project's design. While it can be argued that the nature and scope of the project changed within the evolving political environment in Iraq, then indicators and set targets should have also evolved as well.

The reporting framework introduced for 2009 was a slight improvement as it asks the project to report upon both quantitative and qualitative achievements. However, the consultant found reports for 2009 to be even more vague than the previous two years. For example, in almost all quarterly reports for 2009, the achievement reported for all four quarters under output one is "In the reporting period, the OCS team based in Baghdad has provided ongoing support to the CRC or CoR". There is no data provided at all to show this achievement, and the donor should have asked for additional clarifications.

VI. Lessons and Generalisations

The following are the four main lessons learned that can be gleaned from this project's evaluation and applied on a broad scale. These points should be taken into consideration along with seven points on lessons learned and good practice detailed in questions 11 and 12 to provide an overall illustration of i) what interventions or approaches have worked well for this project, ii) what should be replicated / capitalized on for future interventions in Iraq, and iii) generalisations on good practice for similar development programmes.

Lessons 1: Project logical frameworks must be measurable, objective and specific enough to demonstrate genuine change or results.

As mentioned in more detail in question #14, the vague and generally weak design of this project's logical framework has made it difficult i) to monitor and measure success throughout the implementation process, ii) to explicitly communicate achievements internally over time and iii) to externally evaluate the project's tangible results. It is critical that projects have clear and specific designs from the very beginning in order for the project team to know if their activities are on the right track or if they need to be re-adjusted (as was the case for this project numerous times.) A clearer and more developed project design will also make it easier to gather real lessons learned on the type and scope of interventions that actually work (or should be avoided) for future projects.

Lesson 2: Projects must have some degree of quantifiable measurement.

This project sought to facilitate discussions on inclusive governance, as well as foster national reconciliation amidst a climate of violence and inter-ethnic distrust. These are intangible concepts, the results of which are difficult to measure with numbers or pure quantitative data. However, given the large size of the project budget, and the need to truly measure the impact of development projects, it would be suggested that projects use both quantitative and qualitative indicators to measure their activities. As with lesson one above this would have been very helpful both internally for the project team to monitor and communicate their success, but also for the donors to measure the impact of allocated resources. There is a need to have some quantifiable evidence of success, and not merely an intuitive feeling or observation that that results have been achieved.

Lesson 3: Project design and budgets for an uncertain post-conflict environment should be appropriate and feasible for the timeframe.

This is a lessons learned both from a project design and implementation perspective, but also for future multi-donor trust funds that may be set up in other UN peacekeeping missions or countries in transition. This project addressed highly complex and political issues that would never have been solved in one-year time frame, even in the safest and most stable of countries, not to mention post-conflict and post-dictatorship Iraq. From the donor perspective, there should be recognition of the time required to address political concerns, and either allow for projects to have a minimum of 18-24 months timeframe, or

require that implementation be designed for an appropriate time period (i.e. only funding activities that can be realistically achieved in 12 months.) In the absence of this logic, there will be either numerous extensions or changes in scope (as is the case for this project) and/or scenarios where funds cannot be spent or returned. In a transitional context where project success is impacted by so many factors, it is critical that UN projects have the ability to plan without an arbitrary timeframe imposed upon them – this helps to make sure that projects are not set up to fail right from the start.

Lesson 4: As a neutral and international body, the UN can play a powerful facilitating role in bringing together different political, religious and community groups.

While this is likely not the first time that the UN's neutral role has been commented on, it is important that project design in the future (both for Iraq and elsewhere) fully capitalize on the meditative ability of the UN to work between different political / ethnic / religious groups. A large portion of this project's success has been its ability to build linkages between different political parties, different government departments, and between civil society and the GoI. As stated previously, the project was able to encourage these relationships both through individual rapport of UNAMI/UNOPS staff, as well as through the facilitation and funding of actual events for discussion and meetings to occur. It is unlikely that the different parties of the GoI, and that the GoI and CSOs, would have ever met without the encouragement and support of the project staff.

Annex I: Logical Framework

| Objectives | Measurable indicators | Means of verification | Important assumptions |
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| <p>Development Objective</p> <p>To ensure transparent, inclusive, consensus-based resolution of divisive constitutional issues in Iraq through constitution-making processes, focusing in particular on the rule of law, federalism, governance and identity-based issues, by supporting Iraqi institutions through the review of the Constitution and through the implementation of constitutional mandated laws and by engaging key actors of the Iraqi society into reconciliation initiatives.</p> | <ol style="list-style-type: none"> 1. Actual support provided by the project in the development of transparent and inclusive processes to resolve divisive constitutional issues, in particular through a formal constitution-review process and/or through other processes, including legislative implementation, focusing in particular on the rule of law, federalism, governance and identity-based issues. 2. Actual support made available to Iraqi institutions, including the Constitutional Review Committee and other relevant project partners and stakeholders 3. Constructive participation in the constitution-review process and in the process to draft relevant enabling legislation by divergent and oppositional political bodies, particularly in activities organised and/or sponsored and supported by the project 4. Key actors become engaged in the Iraqi reconciliation process through or with the support of the project | <ol style="list-style-type: none"> 1. UNAMI/OCS and UNOPS staff and experts on the ground in Iraq 2. Degree and variety of public participation in reconciliation activities, in the constitution-making process and other project activities 3. Final report from the project based on achievements of the project in relation to its development objective 4. Financial reconciliation reports 5. Feedback from the project partners and stakeholders on the overall performance and impact of the project | <ol style="list-style-type: none"> 1. While Iraq is currently in an extremely volatile situation, given recent events there, the project is assuming that despite the present security situation, it will be able to operate in a relatively unhindered manner, to provide the support outlined in its development objective. In order to mitigate the security risks the project will identify and select its project partners on the ground in Iraq according to the local realities so that threats to personnel will be minimised. 2. The political will on the part of the GoI to resolve divisive constitutional issues through a constitutional review process, and that formal or informal negotiations in this regard commence from September, remains steady. 3. Key issues requiring constitutional resolution are not addressed speedily without full consultation through legislation passed in an unsatisfactory manner. 4. The majority of the Iraqi public remains convinced that reconciliation and national unity are paramount priorities for the country's future and therefore provides support to the |

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| | 5. Deeper understanding by key actors of ways of resolving divisive constitutional issues in accordance with best practice and of solutions to meet each party's needs. | | <p>project's activities.</p> <p>5. Project is approved in time to enable it to commence on schedule</p> <p>6. Rapid and timely mobilisation and access to required resource</p> <p>7. Excellent cooperation and coordination with and between all project partners and other relevant UN agencies and those working in the same area in Iraq,</p> |
| <p>Immediate Objectives:</p> <p><i>The immediate impact on the programme/project area or target group i.e. the change or benefit to be achieved by the programme/project:</i></p> | <p><i>Quantitative ways of measuring or qualitative ways of judging timed achievement of purpose:</i></p> | <p><i>Cost-effective methods and sources to quantify or assess indicators:</i></p> | <p>(Immediate Objective to Development Objective)</p> <p><i>External conditions necessary if achieved programme/project purpose is to contribute to reaching programme/project goal:</i></p> |
| <ol style="list-style-type: none"> 1. Provide support to key Iraqi governmental institutions, parliamentarians and politicians, and in particular the Constitutional Review Committee, to manage the constitutional amendment process and implement constitutional mandated laws. 2. Nurture a consensus-based constitution-review and implementation process by raising the awareness of the key issues in such a way that they are prioritised, internationalised and technicized and by providing neutral environments for and facilitation of dialogue between political actors. 3. Reach out to the wider Iraqi society | <ol style="list-style-type: none"> 1. Review process and constitution-related legislative work is conducted timely by the Council of Representatives and with minimal occurrence of deadlock situations. 2. Level of success of dialogue initiatives supported by the project, or indirectly generated by it, which bring together key political actors to engage positively on divisive constitutionally relevant issues. 3. Increased feeling of ownership of constitutional and reconciliation process by Iraqi public, through the increased involvement of their political representatives. 4. Level of success of civil society | <ol style="list-style-type: none"> 1. Media reports, UNAMI/POL reports, Official Gazette. 2. UNAMI/OCS and UNOPS personnel in the ground on Iraq and Field visits to the project's locations throughout Iraq 3. Feedback and evaluation from project partners, such as the Constitutional Review Committee, and stakeholders on the support provided by the project to the constitutional process. 4. Monitoring and evaluation of project activities in order to ensure that project objectives are on track to be realised according | <ul style="list-style-type: none"> • Immediate identification and liaison with all project partners and stakeholders and their full cooperation with the project. • The prevailing security conditions, in terms of how the researchers involved with the project and its partners perceive their own personal safety and thence ability to discharge their duties in a relatively safe and secure manner. • Restrictions which might be imposed on the movement of the project's field officers, which might hinder the execution of their project responsibilities • Prevailing political environment remains conducive to resolution of |

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| to increase inclusiveness and transparency of the constitutional review and implementation process and foster national reconciliation through public outreach and support to civil society initiatives | initiatives supported by the project in bringing together a broad spectrum of societal groups in discussing constitutional review and reconciliation. | to schedule. 5. Evaluation of and feedback from participants on dialogues organised and supported by project to bring together divergent political groupings to discuss the Constitution 6. Actual outcomes and reports on inter-party dialogues 7. Opinion polls on constitutional review process. 8. Impact assessment reports on civil society initiatives funded by project (independent review on a selected number of projects). | constitutional issues through a formal review process <ul style="list-style-type: none">• Unexpected political developments, which might arise and thus prevent due and proper consideration of proposed constitutional amendments.• A further increase of militant opposition, targeting parliamentarians, the government, and the constitutional review process more directly• An increase in human rights violations could work against full participation by all sectors of the Iraqi population in the Constitution review and implementation process• Receptiveness and willingness to take into account at the political level the contributions and input of the general public into the constitutional process• Excellent communication between all project partners in order to ensure the effective and successful implementation of the project's objectives |
| Outputs: <i>The specifically deliverable results expected from the programme/project to attain the objectives:</i> | <i>Quantitative ways of measuring or qualitative ways of judging timed production of outputs:</i> | <i>Cost-effective methods and sources to quantify or assess indicators:</i> | (Outputs to immediate objective) <i>Factors out of programme/project control which, if present, could restrict progress from outputs to achieving programme/project objectives:</i> |

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| <p>1.1 Iraqi governmental institutions involved in the Constitutional process are presented with an array of viable best practice options to guide the constitutional review and implementation process.</p> <p>1.2 Improved management of the constitutional review process and implementation of constitutional mandated laws.</p> <p>1.3 Enhanced capacity, both operational and technical, of the Constitutional Review Committee in order to ensure optimal discharge of its responsibilities</p> <p>2.1 Enhanced process of dialogue between political actors, based on an improved understanding, in and out of Parliament, of options available for the resolution of divisive issues, leads to real consensus-based constitution making process.</p> <p>2.2 Secure the support of influential Iraqi and international actors towards the constitutional process through intense coordination, awareness raising and dialogue.</p> <p>3.1. Greater visibility of the efforts carried out by the Iraqi Government to conduct a transparent, inclusive and consensus-based constitutional review process.</p> <p>3.2. Multi-stakeholder and other initiatives working towards the</p> | <p>1. Actual support provided to key Iraqi governmental institutions in managing the constitutional amendment and relevant legislative process (number and kind of experts, duration of assignments).</p> <p>2. Legal texts, policy papers, working papers, and other documents produced by project team and expert consultants to advise key players and institutions.</p> <p>3. Direct support provided to CRC and other relevant parliamentary committees / structures, in terms of equipment, staffing, capacity-building.</p> <p>4. Level of participation (number, seniority, representation) from politicians, governmental representatives and independent experts, to seminars, workshops, conferences and study tours.</p> <p>5. Level of participation in coordination meetings, task group meetings, presentations by project team, from influential Iraqi and international actors.</p> <p>6. Media reports and inserts on project-supported dialogue and reconciliation initiatives.</p> <p>7. Number and type of civil society</p> | <p>1. UNAMI-OCS and UNOPS personnel in the ground on Iraq and Field visits to the project's locations throughout Iraq</p> <p>2. Feedback and evaluation from project partners, such as parliamentarians, the Constitutional Review Committee, and other stakeholders on the support provided by the project to the constitutional process.</p> <p>3. M & E of project activities in order to ensure that project objectives are on track to be realised according to schedule.</p> <p>4. Evaluation of and feedback from participants on dialogues organised and supported by project to bring together divergent political groupings to discuss the Constitution</p> <p>5. Actual outcomes and reports on inter-party dialogues.</p> <p>6. Press reviews (Local, regional and international media).</p> <p>7. Grant fund reports (from recipient organizations).</p> <p>8. Independent review reports, on a selected number of civil society</p> | <ul style="list-style-type: none"> • Immediate identification and liaison with all project partners and stakeholders and their full cooperation with the project. • The prevailing security conditions, in terms of how the researchers involved with the project and its partners perceive their own personal safety and thence ability to discharge their duties in a relatively safe and secure manner • Restrictions which might be imposed on the movement of the project's field officers, which might hinder the execution of their project responsibilities • Prevailing political environment remains conducive to resolution for constitutional issues through a formal review process • Unexpected political developments, which might arise and thus prevent due and proper consideration of proposed constitutional amendments. • A further increase of militant opposition, targeting parliament members, the government, and the constitutional review process more directly • An increase in human rights violations could work against full participation by all sectors of the Iraqi population in the |
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| <p>resolution of divisive constitutional issues, the contribution to cessation of violence in order to provide an environment for constructive dialogue and the support to the national reconciliation plan.</p> <p>3.3. Empowerment of civil society to advocate their constitutional and national reconciliation concerns.</p> | <p>initiatives supported through grants, and their impact on public's attitude and perceptions of the importance of the constitutional review and national reconciliation.</p> <p>8. Level of inclusion of civil society proposals in the final draft of the amended constitution.</p> | <p>projects.</p> <p>9. Final draft of amended constitution.</p> | <p>Constitutional Review process</p> <ul style="list-style-type: none"> • Receptiveness and willingness to take into account at the political level the contributions and input of the general public into the constitutional process • Excellent communication between all project partners to ensure the effective and successful implementation of the project's objectives |
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| Activities: <i>Tasks to be done to produce the outputs</i> | Inputs: <i>This is a summary of the programme/project budget (sub-budgets and total as in Annex B)</i> | Financial report | (Activity to output) <i>Factors out of programme/project control which, if present, could restrict progress from activities to achieving outputs:</i> |
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| <p>1.1.1 Provide knowledge-based support to key Iraqi institutions (Parliamentary Committees, Chief Justice, Gas and oil sector, etc.)</p> <p>1.1.2 Elaborate alternative textual formulations for provisions on various key subjects (Human Rights, Judiciary, civil-military relations / militias, civil service, codes of conduct) as options for discussion and submission to the Constitutional Review Committee</p> <p>1.1.3 Commission or draft documents as requested on specified and agreed constitutionally-mandated legislation in the field of Rule of Law.</p> <p>1.1.4 Develop panel of experts who can contribute to elaboration of papers / present options on <i>ad hoc</i> workshops.</p> <p>1.1.5 Organise workshops/experts</p> | <p>INPUTS:</p> <p style="text-align: right;">US\$</p> <p>1. Personnel - 1,013,800</p> <p>2. Contracts - 3,775,000</p> <p>3. Training - 530,000</p> <p>4. Equipment - 19,500</p> <p>5. Supplies - 60,800</p> <p>6. Transport (WFP) - 0</p> <p>7. Travel - 132,800</p> <p>8. Pro Sub-tot - 5,531,900</p> <p>9. Misc - 79,200</p> <p>10. Security - 67,777</p> <p>11. Agency Mgmt 354,930</p> <p>Support (6.25 %)</p> <p>12 Total Project Budget -</p> <p style="text-align: right;">US\$6,033,807</p> | <p>UNOPS shall, on behalf of UNAMI-OCS, submit narrative and financial reports in line with UNDG ITF Steering Committee requirements.</p> | <p>Again the major risk here would be that the evolving security situation would prevent or result in the delay of project activities, thereby retarding the realisation of the project outputs. However, the project, as noted above, will minimise these risks by keeping abreast of security trends through the UN and its Iraqi partners.</p> <p>A further important risk would be a deterioration of the political environment away from support for constitutional review and implementation. If the review committee is delayed the project will still the project will usefully support informal dialogue over the divisive</p> |

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| <p>presentations on short-notice on relevant topics to the Constitution process when proposed by Iraqis counterparts</p> <p>1.2.1. Monitor development of legislation and institutions related to the Constitutional process (HR Commission, Chief Justice Office, Civil Service Commission, etc.)</p> <p>1.2.2. Monitor parliamentary activity in all relevant areas.</p> <p>1.2.3. Strategise passing of reports and textual formulations</p> <p>1.3.1. Discuss options for establishment, institutional structure and management of the CRC.</p> <p>1.3.2. Organize secretarial support to CRC, if necessary, through the Parliament's permanent secretariat.</p> <p>1.3.3. Provide infrastructure support to the CRC, including the Secretariat, if requested and after careful assessment of needs and existing resources.</p> <p>1.3.4. Establish and support a Public Outreach Unit, housed by the Parliament's Research Directorate, to advice the CRC on outreach activities (opinion polls, media campaigns, civil society engagement and public participation).</p> <p>2.1.1. Organise study tours relevant to the Constitutional process (constitutional courts, judicial institutions, federalism, etc.) in country /ies such as India, Germany, Portugal, Nigeria, etc.</p> | | | <p>issues which can feed into a formal review process at a later date. If an aggressive legislative programme is embarked upon which interprets the constitution, complicating the effectiveness of a review process, the project allows for a targeting of o programme of work to support that process, i.e. legislative implementation of the constitution.</p> |
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| <p>2.1.2. Organise second-generation multiparty thematic dialogues on relevant topics, including: (i) Judiciary in a federal State/federalism related jurisprudence, architecture of judiciary in a federal system; (ii) public service / militias / de-Baathification; (iii) reconciliation to promote an environment for discussion of divisive issues; (iv) covering all issues but directed particularly at civil society, etc as appropriate and necessary.</p> <p>2.1.3. Organise second-generation multiparty dialogues at the governorate level on relevant topics, including, but not limited to, the Kirkuk issue, a Governors Conference, and meetings in particular in Erbil and Basra, on general constitutional issues.</p> <p>2.1.4. Assist in organizing meetings between committee meetings by political party</p> <p>2.1.5. Organise issue-based meetings between key actors, as and when required</p> <p>2.1.6. Utilise third party good offices role of UNAMI to bridge consensus when requested and as required, including organising meetings to effect this end in and outside of Iraq.</p> <p>2.1.7. Raise the capacity of CRC and other negotiators through expert advice and training workshops on negotiation skills.</p> <p>2.2.1. Engage on constitutionally-related reconciliation and transitional justice issues with UNAMI-HRO, POL, Human</p> | | |
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| <p>Rights NGOs, other UN agencies, the Ministry of State for National Reconciliation and other relevant Iraqi ministries and institutions</p> <p>2.2.2. Share information accumulated through the project with project partners, stakeholders and other relevant bodies and liaise with relevant UNAMI sections / UNCT.</p> <p>2.2.3. Organise international coordination meetings and prepare substantive engagement with other international actors</p> <p>2.2.4. Participate in relevant Working Groups and meetings on constitutional issues (Hydro-Carbon Law, Rule of Law, US-Sponsored Law Group, USIP-sponsored Iraqi Lawyers Group, Academics, Deans of Law Faculties, etc.)</p> <p>3.1.1. Edit, translate, publish and distribute papers on constitutional issues.</p> <p>3.1.2. Edit, translate, publish and distribute First Generation of Multi-party Dialogues</p> <p>3.1.3. Elaboration of pieces on constitutional and related transitional justice and reconciliation issues for publication in Constitutional Corners in various newspapers</p> <p>3.1.4. Organise “Meet the media” event in order to present conclusion of multiparty dialogues and on ad-hoc themes as deemed relevant.</p> <p>3.1.5. Ensure participation in and coverage of project activities by media stakeholders that are involved in other</p> | | | |
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| UN initiatives towards press freedom and freedom of expression. | | | |
| 3.2.1 Receive proposals from NGOs, CSOs and academic institutions interested in carrying out initiatives of National Reconciliation, in particular of a multi-stakeholder nature and community-based, and focusing on bridging societal divides and creating a peaceful environment necessary for the resolution of divisive issues. | | | |
| 3.2.2 Support technically / financially selected proposals emanating from such organisations / groups. | | | |
| 3.2.3 Foster broad-based participation of key actors to events / campaigns / other activities developed by supported organisations. | | | |
| 3.3.1. Ensure consistent participation of CSOs to multiparty dialogues and other types of seminars so that they can contribute their constitutional concerns into the review process. | | | |

Annex II: List of Key Informant Interviews

1. Adam Styp-Rekowski, UNOPS, Project Manager Governance
2. Sven Spengemann, UNAMI OCS, Senior Constitutional Officer
3. Khawla Shaia, UNAMI OCS, Legal Officer
4. Nassire Ghaddire, UNAMI OCS, National Political and Outreach Officer
5. Ahmed Salman, UNOPS, Project Officer

Annex III: Terms of Reference (TOR) for UNOPS ITF Programme Evaluations, January 2010

This TOR is valid for the evaluation of the following ITF-funded UNOPS projects:

- Rehabilitation of Water Distribution Systems in Sidakan and Rawanduz
- Rehabilitation of Takia Water Distribution System
- Facilitating Reconciliation in Iraq through Constitutional Review and National Dialogue

Purpose of evaluation: The evaluations are expected to generate lessons that will feed into the proposed UNDG ITF lessons learned initiative for broader internal and external information sharing. It will also aid into designs of UNOPS future programme and similar engagements.

Intent of the evaluation: It is expected that the consultant will conduct *formative* project evaluations, examining the delivery of the programme, the quality of its implementation, and an assessment of the organizational context, personnel, procedures, inputs, etc.

Evaluation Scope: The consultant will conduct an evaluation of each of the three aforementioned projects, allotting no more than one month per project. Due to both time and travel constraints, the consultant will utilize project proposals, reports, and other project-collected information as well as key informant interviews (either in person or by phone) as the primary sources of data for the project evaluations. Based on time and UN ceiling space available, the consultant may also travel to Erbil to visit the water projects (due to the upcoming elections it is not feasible for the consultant to travel to Baghdad.)

Evaluation Objectives: As per the general ITF evaluation guidelines, the following objectives have been specifically customized for the UNOPS ITF project evaluations:

- **Development Results:** To assess the achieved progress and results against stipulated programme / project results and objectives on all stakeholders, especially beneficiary groups
- **Efficiency and Effectiveness:** To assess the efficiency of the programme / project interventions and understand the effectiveness of programme / project interventions in addressing the underlying problem(s)
- **Relevance:** To assess the relevance of programme/ project components in addressing the needs and issues of beneficiary groups
- **Partnership:** To understand the extent to which this programme / project has contributed to forging partnership at various levels with the Government of Iraq, Civil Society and UN/ donors
- **Lessons Learned:** To generate lessons on good practices based on assessment from the aforementioned evaluation objectives.

Evaluation Questions: The consultant should seek to address the following questions (as appropriate / relevant) when conducting the project evaluations:

Development results

1. What have been the specific benefits of the project to different beneficiary groups, including men, women, children, youth, and marginalized population groups?

2. How the project has contributed to national priorities as identified in the Iraq National Development Strategy (NDS), the International Compact with Iraq (ICI) and the Millennium Development Goals (MDGs)?

Efficiency and Effectiveness

3. Has the programme/ project responded to the underlying development issues that provided rationale for the programme/ project? How?
4. How have programme / project results contributed to improved access and utilization of services?
5. How did the programme / project engage with stakeholders and beneficiaries during project planning and implementation?

Relevance

6. How did the programme/ project contribute to local / national needs and priorities?
7. How were project strategies tailored to the current programme / project context?

Partnerships

8. Has the programme/ project forged new partnerships / strengthened existing partnerships and how?
9. To what extent has the programme / project contributed to capacity development of the involved partners?

Sustainability

10. What is current status of the programme / project components? Are functions and facilities still maintained? Who is responsible for the management of programme / project facilities after the project closure?

Lessons Learned

11. What are the key lessons learned from programme / project implementation?
12. Are there any specific recommendations to be considered when designing similar programme/ projects in the future?

Operational Effectiveness

13. How was the programme / project designed? Was any assessment undertaken to inform programming?
14. Was the programme / project results framework clear, logical and focused?
15. What systems were put in place to monitor programmes and projects? How well did they responded to UNOPS' and MDTF's reporting requirements? What have been the key challenges in monitoring and evaluation of the programme / project?