

**PEACEBUILDING FUND**

**Mid-Year Project Report (in compliance with program suspension)**

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| **Project Title:** Support to the Implementation of Transitional Justice Project in Yemen | |
| **Priority Plan Outcome**: Institutional frameworks address long-standing grievances and lay the basis for accountable institutions that respect and protect human rights. | |
| **Recipient UN Organizations**:  UNDP | **Project duration**: 24 months.  Start Date: 25 July 2014  End date: 24 July 2016 |
| **Total Project Cost: $6,986,179**  Peacebuilding Fund: $ 1,000,000  Government Input: : in kind  Other: the Netherlands $ 754,876  EU Commission: $ 1,340,482  OHCHR: $50,000  SIDA: $ 2,133,821  Government of Japan: $ 1,000,000.  UNDP BCPR: $500,000  UNDP TRAC: $ 207,000 | **Implementing Partners**:  The President’s Office, Ministry of Legal Affairs (MoLA), Ministry of Planning and International  Cooperation (MoPIC), Independent National Human Rights Institution (INHRI), Justice and National Reconciliation Commission (JNRC)1, Commission of Inquiry (CoI) into events of 2011, the Commission to Consider and Address Land Issues (Land Commission) and the Commission on Forcibly Dismissed Employees (Forced Dismissals Commission)or similar entities that may be formed, Office of High Commissioner for Human Rights (OHCHR), and CSOs |

1. **Brief summary of the project status and key results as of 31 March 2015.**

During 2014, the security and political situation continuously deteriorated, due to the strong dissatisfaction of citizens because of the slow pace of reforms and armed expansion of the Al-Houthi movement (Ansarallah), who after an open armed clashes took control of capital Sana’a in September 2014. Despite the signing of the *Peace and National Partnership Agreement* on 21 September (PNPA) by the Houthis and all political parties and formation of the new Cabinet, the Houthis continued to exercise control over security and government institutions in Sana’a and to expand their military presence in other governorates triggering conflicts with local tribes as well as retaliatory AQAP attacks.

In January 2015, conflict over a draft constitution, as well as control over state institutions, led the Houthis to consolidate control in the capital, precipitating the 22 January resignation of the Prime Minister and President; the latter subsequently fled to Aden and retracted his resignation, and in due course to the Kingdom of Saudi Arabia. In the following weeks, continued expansion of Houthis towards Southern Yemen, as well as regional tensions between Iran and Saudi Arabia, set off a serious of localized conflicts with Houthi opponents, escalating dramatically in Lahj and around Aden in mid-March. On 26 March, the Gulf Cooperation Council (GCC) launched airstrikes against Houthi targets, acting on the invitation of President Hadi, in coordination with other, mostly Arab states, with the stated aim to stop the Houthi advance and restore President Hadi’s government. Subsequently, President Hadi has formed a government in exile in Riyadh which is composed of eight proto ministers and the Vice President.

Despite the challenging political and security situation, the project achieved a number of important results:

* **Land and Dismissals Commissions in Southern Governorates**: The Land Commission finalized 30% (30,000) of submitted cases and the Dismissals Commission finalized 20% (20,000 cases) of submitted cases. 5,547 dismissed individuals were compensated with one time lump sum payment ranging 100,000 YR (around $ 500), after the project provided technical support to the Compensations Fund.
* **Consultation process on the TJ Law:** More than 400 people participated in the consultation process on the TJ Law (CSOs, Government of Yemen, excluded groups, minorities, tribesmen, religious leaders, Houthis, victims of torture, disappearance etc.). More than 100 recommendations taken from the consultation process were inserted in the draft TJ Law. That was the first time in history of Yemen that citizens were directly involved in consultation process on a legal document and that their recommendations were inserted in a draft law.
* **CSOs**: TJ CSOs strategy was created and approved by the Ministry of Legal Affairs; 280 CSOs were trained in transitional justice, conflict resolution and reconciliation techniques. Out of 280 trained CSOs, 131 applied to became partners of UNDP/OHCHR, to implement activities in local communities; out of 131 CSOs which applied to become partners of UNDP/OHCHR, 31 were shortlisted to be further trained in transitional justice. Out of 131 applied to become partners of UNDP/OHCHR, around 60 organizations implemented TJ related projects/activities in 2014, as direct impact of the project’s technical support (through trainings and consultation process on the TJ Law). Also, the project’s support contributed to creation of (still unofficial) TJ CSOs coalition from the core CSOs (31) who are programmatically interested in transitional justice and which the project will create partnership with.

The project overcame above-mentioned challenges by mobilizing support of international partners, including embassies (Embassies of Germany, the Netherlands, Japan, UK, etc.) and international organizations (UNOPS, OSASG, DPA, OHCHR, IOM, EU, SIDA, etc.), interested in transitional justice. UNDP/OHCHR agreed with international partners to speak with “one voice” and the project created a position paper, which was used by international partners to advocate common messages with government, political leaders and other influential entities.

In 2015, the project team continued to implement the project’s activities, despite further deterioration of the political and security situation, until 26th March when the Decisive Storm operation started. On 28th March UNDP, along with other UN agencies, evacuated international staff out. The project has established temporary office in Amman, while national staff remain in Yemen. At the moment, the project team is in the process of reviewing the project’s activities, to adjust them to the current needs of Yemen.

During the 2015 Q1 the project achieved the following results:

* **Land and Dismissals Commissions in Southern Governorates**: The Land Commission finalized additional 16,000 cases (46,000 in total) of submitted claims and the Dismissals Commission finalized additional 10,000 (30,000 cases in total) of submitted claims. Both Commissions inserted additional 10,000 cases each in the databases: Land Commission so far has inserted 40,000 cases in total, while the Dismissals Commission inserted 80,000 cases in total.
* **CSOs**: Out of 131 CSOs which applied to become partners of UNDP/OHCHR, 31 were shortlisted to be further trained in transitional justice, conflict resolution, peace building, documenting human rights violations, project management etc. Out of 31 CSOs, the project will establish partnerships with 5. In addition with 31 organizations the project established core group of (still unofficial) TJ CSOs coalition.
* **After the evacuation**: The project trained and created network of 33 representatives of human rights and youth CSOs (25 lawyers and 8 youth) to document human rights violations and to support future fact-finding initiatives.
* Additionally, as an ad-hock activity, the project has drafted a concept note to implement a Track II confidence building dialogue in light of the escalated conflict in Yemen. The concept notes offers a hybrid model of dialogue to involve key stakeholder, including civil society representatives, from all party concerned to usher a mid-level community dialogue that would be centered on mutual community interest. The Track II dialogue process is intended to support top negotiation process in the country.

1. **Implementation of the Project’s Activities, 1 April 2014 -31 March 2015.**

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| **Project Outcome/Output** | **Planned Progress** | **Actual progress** | **Explanation** |
| Project Outcome 1: By 2015, government is accountable at central and local levels, and decentralization, equitable access to justice and human rights are strengthened, as well as capacity to promote International Humanitarian Law is built.  PBF outcome: Institutional frameworks address long-standing grievances and lay the basis for accountable institutions that respect and protect human rights |  |  |  |
| Output 1.1: MoLA enabled to draft TJ related legislation and relevant By-Laws |  | 100 %  -More than 100 recommendations collected during the consultation process on the draft TJ Law. All recommendations inserted in the draft law. It was the first time in Yemen’s history that citizens were directly involved in creation of a legal document.  -Partnership with relevant international organisations and embassies created (to further support adoption of the TJ Law). |  |
| Output 1.2: Technical and operational capacity of the Ministry of Legal Affairs in TJ area enhanced |  | 100%  -Out of 26 representatives of MoLA who were trained in facilitation techniques, 15 of them directly used gained knowledge during the consultation process on the draft TJ Law and CSOs trainings.  -All 30 MoLA participants who were trained in TJ, conflict resolution and strategic communication used gained knowledge while implementing TJ related activities (consultations on the TJ Law etc.) and communicating with victims and other vulnerable citizens (such as minorities, refugees, IDPs etc.) who were stakeholders of the MoLA on every day basis.  -MoLA documentation center established, to increase knowledge of the MoLA staff and citizens on TJ and the new MOLA website created, to secure another forum for exchange between the Ministry and civil society and citizens  (<http://alsulaimani.biz/mofa/>) – the website is still under MoLA review) |  |
| Output 1.3: Justice and National Reconciliation Commission execute its mandate effectively. |  | 0 % | The Truth commission has not yet been established (The TJ Law has not yet been adopted), therefore the project could not implement any planned activity. |
| Output 1.4: INHRI provides effective oversight of the JNRC and other similar bodies |  | 0 % | The Independent Human Rights Institution has not yet been established (Law on Independent Human Rights Institution is yet to be adopted), therefore the project could not implement any planned activity. |
| Output 1.5: Policy measures to ensure acknowledgement, recognition of suffering and non-recurrence of human rights violations created. |  | 80%  -During 2014 two programme policy papers were drafted by two international and two local consultants. Namely, 1) a concept paper on gender and transitional justice; 2) a concept paper on reparations. Concept papers are under final review of the project. | Drafting of the policy papers has been delayed because of deterioration of the security and political situation. |
| Output 1.6: Civil society, victims’ networks, and community level initiatives on Transitional Justice and National Reconciliation strengthened. |  | 80 %  -TJ CSOs strategy created and approved by the Ministry of Legal Affairs.    -280 CSOs trained in transitional justice, conflict resolution and reconciliation techniques. Out of 280 trained CSOs, 131 applied to became partners of UNDP/OHCHR, to implement activities in local communities.  Out of 131 CSOs which applied to become partners of UNDP/OHCHR, 31 were shortlisted to be further trained in transitional justice.  Around 60 organizations implemented TJ related projects/activities in 2014, as a result of the direct project’s technical support, through trainings and the consultation process on the TJ Law.  Partnership with 10 CSOs which ought to operate in 6 Governorates (Sa’ada, Sana’a, Hajjah, Taizz, Abyan and Aden) in preparation (contracts not signed yet). | The Ministry of Legal Affairs, requested to postpone implementation of the CSOs small grants fund due to security risks and government restructuring.  The project continued to implement the activity with CSOs and journalists who are stranded in Amman and Cairo. Based on the project’s support, CSOs and journalists and their researchers/partners in Yemen, are documenting violations of humanitarian and human rights law at the moment (partnerships are not officially operationalized) |
| Output 1.7: Citizens of Yemen gained knowledge on transitional justice, based on effective outreach and communication campaign |  | 50%  -Contract with the agency to conduct TJ survey was signed in December 2014.  -MoLA Deputy Minister and Transitional Justice project staff Member gave 10 TV interviews and participated in one Talk show on Satellite Channel Al Shabab to advocate for the role of CSOs in Transitional justice process in Yemen.  -Nine TJ posters created and are prepared for printing and posting. | Due to deterioration of political and security situation, outreach activities were postponed based on the request from the Ministry of Legal Affairs. |
| Output 1.8: Recommendations defined during educational and consultative events institutionalised |  | 100%  -More than 400 citizens participated in the consultation process on amending the draft Law on Transitional Justice and National Reconciliation, including those who are widely perceived to have been excluded (Al-Houthis, citizens of Southern Governorates, marginalized groups and others)  -More than 100 recommendations collected during the consultation process inserted in the draft Law on Transitional Justice and National Reconciliation. It was the first time in Yemen’s history that citizens were directly involved in creation of a legal document.  -Partnership with relevant international organisations and embassies created |  |
| Output 1.9: CoI into events of 2011 execute its mandate effectively. |  | 0% | Commission of Inquiry has not yet been established, therefore the project could not implement any of its planned activities. |
| Output 1.10: The final report on resolving the land and dismissals issues finalized and presented to the President and compensation policy structured. |  | 100%  -Around 76,000 cases were solved (the Land Commission finalized 46,000 cases whilst the Dismissals Commission finalized 30,000 cases)    -Around 120,000 cases were entered into databases (Land Commission entered 40,000 cases, while Dismissals Commission entered 80,000 cases)  -5,547 dismissed individuals were compensated with one time lump sum payment ranging 100,000 YR (around $ 500), after provided technical support to the Compensations Fund.  -outreach activities to promote the Commissions’ results were structured and approved by the Commissions (oral history interviews, public testimonies, presentation of results etc.). During 2015 the outreach plan will be implemented.  -The Commissions’ web portals were designed and they are fully operating thereby offering information to the public.   * The Land Commission <http://ccli-ye.com/> * The Dismissals Commission <http://cfde2-ye.com/>   - partnership with relevant international organisations and embassies was created  More than 50 media local and regional MEDIA outlets have been informing from the Land Commission outreach event (January 2015)  UNDP created platform for the victims to publicly address their suffering (regarding land issues) – more than 50 local and regional MEDIA outlets aired public testimonies of more than 10 victims (January 2015) |  |

1. **Financial reporting against Outputs**

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| **Expenditures 1 April 2014- 31 March 2015** | | | | | |
| **Project Outcome/Output** | **Budget** | **Total expenses** | **Commitments** | **Balance** | **% utilization** |
| Project Outcome |  |  |  |  |  |
| Output 1.1 | 50,000 | 88 | 0 | 49,912 | 0 % |
| Output 1.2 | 94,580 | 49 | 0 | 94,531 | 0 % |
| Output 1.3 | 100,000 | 0 | 0 | 100,000 | %0 |
| Output 1.4 | 50,000 | 0 | 0 | 50,000 | %0 |
| Output 1.5 | 50,000 | 0 | 0 | 50,000 | 0 % |
| Output 1.6 | 60,000 | 26,338 | 0 | 33,662 | 44 % |
| Output 1.7 | 100,000 | 39,700 | 0 | 63,300 | 40 % |
| Output 1.8 | 50,000 | 0 | 0 | 50,000 | 0 % |
| Output 1.9 | 100,000 | 0 | 0 | 100,000 | 0 % |
| Output 1.10 | 100,000 | 0 | 0 | 100,000 | 0 % |
| **Total for activities** | 754,580 | 66,175[[1]](#footnote-1) |  | 688,405 | 9 % |
| **Monitoring and evaluation** | 71,345.93 |  | | | |
| **Staff and other personnel** | 100,000 |  | | | |
| **GMS (8%)** | 74,074.07 |  | | | |
| **TOTAL** | 1,000,000 |  | | | |

1. **Indicate any funds obligated through a signed contract from 31 March 2015 to 10 April 2015, and append the contract to this template as an annex:**

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| Output # | Contracting agent name  (institutional or individual) | Duration and Date of the Contract | Contract Amount |
|  | N/A | N/A | N/A |
|  | N/A | N/A | N/A |

1. **Based on the project’s total contractual commitments as of 10 April 2015, please indicate recurrent cost amounts and duration:**

**NOTE**: Based on the project proposal, $ 100,000 have been approved for staff salaries. The project has 5 staff. They all have valid contracts. Based on the UNDP senior management’s decision, after Decisive Storm operation started (bombardment of the Saudi-led coalition) local staff received three months (salaries for April, May and June).

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| Output # | Contracting agent name  (institutional or individual)  UNDP TJ project’s staff | Duration | $ Total (paid salaries – March, April, May, June 2014) | Contract amount  (annual salary) |
|  | Khaled Al-Sharabi – National Project Coordinator (local) | 6th April 2013 – 5th April 2016 | $ 14,364 | $ 43,012 |
|  | Mohammed Al-Shakaa – Project/Finance Assistant (local) | 6th May 2013 – 31st December 2015 | $ 10,464 | $ 31,392 |
|  | Najwa Al-Romaim – OHCHR Programme Officer (local) | 21st June 2014 – 31st December 2015 | $ 5,400 | $ 16,200 |
|  | Dragan Popovic – Chief Technical Advisor (international) | 28th February 2013 – 27th February 2016 | 0 | $ 286,000 (pro forma) |
|  | Rawhi Afaghani – Peace and Conflict Resolution Specialist (international) | 11th January 2015 – 10th January 2016 | 0 | $ 286,000 (pro forma) |
|  | **Total** | | **$ 30,228** | **$ 662,604[[2]](#footnote-2)** |

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| **Anticipated balance left in project budget after meeting all contractual obligations as of 10 April 2015** | $ 864,053 |
| **NOTE:** Please note that the balance is $ 933,825. However, so far the project has paid $ 30,228[[3]](#footnote-3) for contractual obligations (salaries). $ 69,772 stays unspent for contractual obligations (salaries), to reach $ 100,000, which is the pro-doc budget related amount. Because of that, $ 864,053 is stressed as anticipated amount.  In addition, please note that GMS (7 %), DPC (5 %) and multi-funded posts related amounts have not been included in calculation. Once those figures are included, indicative budget balance will be concluded. | |

1. Out of the mentioned amount, amount $ 30,228 have been paid for the local staff salaries. See below [↑](#footnote-ref-1)
2. These two international posts are multi-donor funded posts and we are unable to apportion the PBF costs at the moment as we were unable to get clear info about this from our finance unit regarding exact amounts. [↑](#footnote-ref-2)
3. This amount is included in the abovementioned figure for overall expenditures - $ 66,175. [↑](#footnote-ref-3)