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PROGRAMME QUARTERLY PROGRESS REPORT

Period: **Quarter-3 (Jul-Sep) 2017.**

Project Name	Support to Constitution Review
Gateway ID	00096485 (Gateway ID)
Start date	17 Jun 2015
Planned end date	30 Sep 2017 (UNDP Somalia Project ID 00093036 from 17 Jun 2015 to 30 Jun 2016 and Project ID 00102268 from 11 May 2017 to 30 Sep 2017)
Focal Person	Name: Nahid Hussein
	E-mail: nahid.hussein@undp.org
	(Tel): 0612863045
Participating UN entities	UNSOM (PAMG)
PSG	PSG 1: Inclusive Politics
Priority	Priority 2: Finalize and adopt a Federal Constitution
Milestone	
Location	National and Regional
Gender Marker	2

Total Budget as per ProDoc	USD 3,441,027 for PIP (Jun 2015-2016) USD 172,386 for PIP-II (May-Sep 2017)
MPTF:	USD 3,441,027
Non-MPTF sources:	PBF:
	Trac: 172,386
	Other:

	PUNO	Report approved by:	Position/Title	Signature
1.	UNDP	David Akopyan	Deputy Country Director- Programme	 <small>Digitally signed by David Akopyan DN: cn=David Akopyan, ou=UNDP Somalia Programme, email=David.Akopyan@undp.org, c=RU</small>

Total MPTF Funds Received			Total non-MPTF Funds Received	
PUNO	Current quarter	Cumulative	Current quarter	Cumulative
UNDP	0	3,441,027	0	172,386

JP Expenditure of MPTF Funds ¹			JP Expenditure of non-MPTF Funds	
PUNO	Current quarter	Cumulative	Current quarter	Cumulative
UNDP	0	3,441,027	19,770	129,886

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



SOMALIA UN MPTF

QUARTER HIGHLIGHTS

1. Ministry of Constitutional Affairs (MoCA) conducted regional consultation meeting with leadership of Federal Member States and other key role players in the regions. MoCA conducted constitution review related forums in Mogadishu attended by the Ministries of Constitutional Affairs of Federal Member States in September 2017.
2. MoCA discussed the draft road map for the constitution review process with Independent Constitutional Review and Implementation Commission (ICRIC) and Parliamentary Oversight Committee. The draft focuses on the role that each party had to play in the process.
3. Micro Capacity Assessment of all Ministries of Constitutional Affairs at Federal and regional levels was completed and report is expected in Q-4, 2017.
4. Supported MoCA with provision of national technical advisory services and for MoCA regular operations management cost.
5. Project board meeting held on 19 Sep 2017 for the Constitution Review Support Project.
6. Discussion on Constitution Review process at first 2017 PWG1 meeting held on 27 Sep 2017.

SITUATION UPDATE

Project board meeting was held for the Constitutional Review Support Project on 19 September 2017. The objectives of the meeting were to discuss the progress, achievements, lesson learnt, challenges and funding for the project supporting the national partners including MoCA, ICRIC, Parliamentary Oversight Committee and Federal Member States in Somalia. Project board approved the extension of the project and work plan until February 2018 subject to approval from SDRF/ PWG1. Project board also discussed the importance for the continuity of support for the Constitutional Review Process in Somalia. During the meeting, the PIP extension was approved and UNDP will revise the document by including the role of ICRIC and Parliamentary OC submit for approval of SDRF. During the first 2017 PWG 1 meeting held on 27 September, MoCA and representatives from Federal Member states updated their preparedness and commitment to proceed on constitution review process. MoCA also requested PWG 1 to approve the extension the UNDP supported PIP which was agreed by the co-chairs subject to revision of PIP document to include the role of ICRIC and Parliamentary Oversight Committee. It was agreed that revised PIP should be submitted to co-chairs of PWG-1 for approval.

QUARTERLY PROGRESS REPORT RESULTS MATRIX

OUTCOME STATEMENT			
OUTCOME 1: INCLUSIVE CONSTITUTIONAL REVIEW PROCESS ACTIVELY IN PLACE AND ENGAGING KEY NATIONAL AND INTERNATIONAL STAKEHOLDERS.			
Output 1: Master-plan for the Constitution Review Process developed, approved and adopted by the Ministry of the Constitution Affairs.			
INDICATOR	TARGET	PROGRESS ON OUTPUT INDICATOR²	
		THIS QUARTER	CUMULATIVE
Framework/Timeline of Constitution Review;	Master Plan	0	0
Review Process agreed by end of August 2017;			
Master plan of Constitutional Review Process drafted and circulated amongst national and international partners by end August 2017;	agreed by end of Aug 2017	1	1
Sources of evidence: PIP for Constitutional Review Process, Meeting minutes, Back to Office Reports.			

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



SOMALIA UN MPTF

Output 2: Project effectively managed			
Project document (draft) is complete; reflects the inputs of all key stakeholders; and is ready for approval.	Project document developed by end of Aug 2017	0	0
Sources of evidence: PIP for Constitutional Review Process, Meeting minutes, Back to Office Reports.			

NARRATIVE

Output 1: Master-plan for the Constitution Review Process developed, approved and adopted by the Ministry of the Constitution Affairs:

During the reporting period, the project supported MoCA’s work on the constitutional review with international and national and International experts based in Mogadishu and embedded in the national institutions providing policy advice and technical expertise on constitution review process. These experts continued providing regular technical advice, developed technical documents, participating in the technical consultations and discussions on constitution review process. National Technical consultants supported MoCA for coordination with Federal Member States, CSOs and other key role players for common understanding on the constitution review process. A draft media strategy was prepared focusing on engagement of citizens, CSOs, community leaders etc. to develop partnership and transparency in the constitutional review process, public awareness through public and print media. This will help MoCA to prepare for the planned national convention in October 2017 to launch the constitution review process.

Regular Operational Support to MoCA: The project continued to provide regular operations support to MoCA, mainly internet connectivity to ensure the proper communication and functioning of MoCA, other communication costs, travel and other logistical support for MoCA missions to federal members states.

MoCA Forum in Mogadishu: MoCA conducted forum inviting stakeholders at the federal level and Federal Member States including regional leadership in Mogadishu on 21-22 September 2017.

The objectives of the forum were to:

- Introduce, welcome and exchange views of the new Ministries of the Ministry of Constitutional Affairs of Puntland, South West and Galmudug;
- Support needed for Ministries of Constitutional Affairs on their mandates on the constitution, especially on civic education and public awareness.
- Support National Convention Conference to review the Constitution Review Campaign planned on 8-10 Oct 2017.

The outcomes of the forum include the following;

- Agreement for conduct of regular consultations of MoCA with the Ministries of Constitutional Affairs of Federal Member States and Benadir Regional Agreement on draft Policy Framework, Community Outreach and Public consultation plan.
- The forum agreed that the next meeting to take in Puntland State Government and national convention in Oct 2018.

MoCA discussed the draft road map for the constitution review process with Independent Constitutional Review and Implementation Commission (ICRIC) and Parliamentary Oversight Committee. This draft is still in discussion and after



SOMALIA UN MPTF

the agreement of the road map, an MoU is expected to be signed by all these 3 key role players to proceed with the constitution review process.

MoCA Visits To Federal Member States: MoCA conducted visits to federal member states (Kismayo, Aadao, Baidoa, and Garowe) to meet the leadership of these states and also the regional MoCAs. The purpose of these visits was to ensure the support and participation of all key role players and stakeholders, amongst which the Federal Member States are critical. These visits intended to get views of federal member states for formal launch of the constitution review process at planned National Convention in Oct 2017. This was also an effort by MoCA to engage with federal member states and for their active participation in the constitution review process. The expected outputs are the attendance of the Federal Member States and support of their representatives at proposed National Convention.

Output 2: Project effectively managed:

Micro Capacity Assessments: In line with UNDP regulations [laid out in the Harmonized Approach to Cash Transfer (HACT) Framework] UNDP engaged a specialized company Baker Tilly and Merali's (BTM) for micro capacity assessments of all national counterparts under Constitutional Review Support Project. This exercise was successfully completed for all the Ministry of Constitutional Affairs of Federal and Federal Member States. This assessment exercise assessed the capacity of national systems of all the MoCA's particularly in financial management (accounting, procurement, reporting, internal controls, etc.) to determine the overall level of risk. The risk rating provided, recommendations and will be considered by UNDP to develop the capacity building plans for these institutions and to determine the level of support for these national partners for their direct implementation of activities and cash transfer. In addition, the result of the assessment will be used as a baseline for targeted capacity building support to enhance the administrative capacity of the parliaments.

Key Achievements

- MoCA consultations with Federal Member States which helped to develop a common understanding on the way forward on constitution review process
- MoCA successfully conducted a forum in Mogadishu attended by the newly formed Ministries of Constitutional Affairs of Federal Member States in September 2017.
- MoCA discussed the draft road map for the constitution review process with Independent Constitutional Review and Implementation Commission (ICRIC) and Parliamentary Oversight Committee to clarify the role that each party had to play in the constitution review process.

Challenges and Lessons Learnt:

- The conflict in Somalia influences against finding constitutional solutions and the development of a constitutional democracy. The experience and best practices of many countries in similar circumstances shows that the development of a constitutional democracy can only take place in conditions of peace.
- For over ten years of government, we have experienced the persistent and chronic destabilization of government because of the abuse of some democratic rights established by the constitution. Part of this problem lay in the lack of a clear separation of powers between the President, Executive and the Legislature. For the sake of stability and the building of institutional memory, a review of these provisions is urgently required.
- The constitutional text does not reflect the current political realities. Attention to this anomaly is a challenge that the MOCA will address to promote the rule of law and good governance.
- Some regional administrations have already started the process of developing their state constitutions. Therefore, it is a challenge of harmonizing these constitutions with that of the Federal Constitution.
- Lack of political ownership of the process of constitution making in the past. Unfortunately, political leaders did not give the constitution making process the support it required because they were too preoccupied with political



SOMALIA UN MPTF

struggles over leadership. This was compounded by the fact that there has been the persistent lack of consultations with the key players.

- Donor commitment and funding to the constitution review process. In absence of funding, there will be a high risk of delay to move on the constitution review process as well as adoption of the legal framework required to hold one-person-one-vote elections in 2020/2021. It is critical, that the donor community is robustly engaged to respond positively to the appeal by Government to support the constitution review process.

Peacebuilding impact

The Constitutional Review Process is part of the process for inclusive politics and it will have an impact on the peacebuilding and on the political processes ongoing in Somalia. To this extent, MoCA has conducted a series of consultations with various stakeholder including CSOs youth representative associations, women’s groups, persons with disabilities and the regional Ministries of Constitutional Affairs. The ministry is expected to have an agreed road map and an MoU with all key role players including ICRIC and MoCA.

Catalytic effects

N/A

Gender

Women representatives from women’s organizations, Civil Society Organizations (CSO) and regional administrations actively participated in the meetings held by MoCA at federal and state level to receive inputs into the Master-Plan.

Proportion of gender specific outputs in Joint Programme ³	Total no. of Joint Programme Outputs	Total no. of gender specific Outputs
	0	0
Proportion of Joint Programme staff with responsibility for gender issues ⁴	Total no. of Staff	Total no. of staff with responsibility for gender issues
	2	1

Human Rights

N/A

Has the Joint Programme included a protection risk assessment in its context analysis, including on gender issues, and taken measures to mitigate these risks to ensure they are not exacerbated or new risks created?	Result (Yes/No)
	Yes
No. of Joint Programme outputs specifically designed to address specific protection concerns.	Result (No.)
	The project is not specifically designed to address specific protection concerns. But indirectly contribute to the promotion of human rights at outcome level.

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

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



SOMALIA UN MPTF

<p>No. of Joint Programme outputs designed to build capacity of duty bearers to fulfil their human rights obligations towards rights holders.</p>	<p align="center">Result (No.)</p> <p>1, specifically output 1 is designed to build the capacity of the duty bearers to fulfil their human rights obligations towards right holders. The project provides capacity development initiatives to the duty bearers and support them in conducting consultations and public outreach for them to claim their rights.</p>
<p>Other</p>	
<p>Does the Joint Programmes have a national cost-sharing component (i.e. funds and/or other resources provided by the FGS and/or FMS (including in-kind contributions)? (if ‘Yes’, describe below).</p>	<p align="center">Results (Yes/No)</p> <p align="center">No</p>
<p>Have FMS(s) been engaged in one or more of the following: design, planning, implementation, coordination and/or monitoring of the Joint Programme.</p>	<p align="center">Results (Yes/No)</p> <p align="center">Yes</p>
<p>Describe nature of cost sharing: N/A</p>	
<p>Support to Drought Response : N/A</p>	
<p>Communications & Visibility</p> <p>Articles related to accomplished activities of the Constitution Review Support project have been regularly provided at UNDP Somalia website and social media platforms (Facebook and Twitter). Visibility with public and donors on the achievements of activities improved through MoCA website.</p>	
<p>Looking ahead</p> <ul style="list-style-type: none"> • MoCA to continue consultations with all stakeholders to build consensus for the way forward on constitution review process. • Finalization of the way forward on the constitution review process, MoCA, ICRIC and Parliamentary Oversight Committee to agree on the road map and to sign a possible MoU. • UNDP submission of extension of Project Initiation Plan to PWG 1 Co- Chairs for approval of extension of PIP. • Finalization of Project Document for constitution review process for the next two years 2018-19 and submission to SDRF/ PWG 1. 	



SOMALIA UN MPTF

ANNEX 1. RISK MANAGEMENT

Type of Risk ⁵	Description of Risk	Mitigating Measures
Political Organizational	Constitutional Oversight Committee does not take sufficient support from the leadership to progress constitutional review and implementation agenda.	Project has been developed in close partnership with the Speaker and Committee Chair + specific TA resources are dedicated to upskilling the Committee.
Political Organizational	Coincident timing with other political processes, such as the Electoral Consultative Process, affected negatively on the momentum of the constitutional review.	Project supported the national stakeholders in the revision process providing options to maintain the vitality of the process.
Environmental Political	Constitutional National Stakeholders coordination and cooperation mechanism delayed and not progressing, thus undermining the revision.	UN to provide advice on coordination mechanisms and provide support for the development and implementation of these mechanisms. Provision of technical advice of constitutional experts to provide options to the national stakeholders on possible solutions for the process and its particular issues.
Environmental Political	Delays in progressing constitutional dialogue due to breakdown in relations between Federal Government and IRAs/other stakeholders.	UNSOM to take the lead in working closely with FGS and NFP to support political dialogue and negotiation with regions, including Puntland.
Environmental Security	Outbreak of violence or serious deterioration of the security environment in Somalia.	Programme team to adjust programme activities to changes in the security situation. The project to work on increasing the participation of the civil society organizations, universities, legal aid centers and paralegals to implement project's activities.
Environmental Political	Serious deterioration in relations between UN and the NFP Or/and Government.	Maintenance of respectful, collaborative approach and transparency; vigilance regarding developments relating to continued transition in Somalia.
Social and Environmental Risks	Risk 1: Duty-bearers do not have the capacity to meet their obligations in the Project	The project is supporting capacity development efforts to all duty bearers as part of the core project activities and goals. This initiative is contributing to the project's goal to enhance operational and technical capacity of the duty bearers.
Social and Environmental Risks	Risk 2: Rights-holders do not have the capacity to claim their rights	The project includes capacity building activities in promoting the right holders to have the skills and knowledge to advocate for

⁵ Environmental; Financial; Operational; Organizational; Political; Regulatory; Security; Strategic; Other.



SOMALIA UN MPTF

		their rights and carries out activities regarding outreach and public consultations of the constitution including Outreach/Public consultation meetings etc.
Social and Environmental Risks	Risk 3: The proposed Project would have adverse impacts on gender equality and/or the situation of women and girls	Project ensures that gender is mainstreamed I across all of its activities such as recruitment of female interns for MoCA and capacity building trainings for the staff Special considerations are given to qualified female candidates and strongly encouraged to apply.



SOMALIA UN MPTF

ANNEX 2. MONITORING AND OVERSIGHT ACTIVITIES

Monitoring Activity	Date	Description & Comments	Key Findings / Recommendations
Project Board Meeting- Mogadishu	19 September 2017	This project board meeting held in Mogadishu attended by MoCA, donor partners and UNDP. The objective of the meeting was to discuss the progress, achievements, lesson learnt, challenges and funding of the project supporting the constitution review process.	<ul style="list-style-type: none">• Project board discussed the importance for continuity of international community support needed for the Constitution Review Process in Somalia.• Project board approved the extension of project and work plan subject to revision of the document by including the role of ICRIC and OC and subject to PWG1 approval.



SOMALIA UN MPTF

ANNEX 3. TRAINING DATA

#	Target Group		Dates	# of participants			Title of the training	Location of training	Training provider
	Ministry. District or UN staff	Others		M	F	Total			
1.									
2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
10.									
11.									
12.									
13.									
14.									
15.									
16.									
17.									
18.									
19.									
20.									
Totals:									



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ANNEX 4: PHOTO FEATURE

<p><i>Constitutional Review Process Campaign held in Kismayo by MoCA Federal.</i></p>	<p><i>MoCA meeting with Jubaland MPs and Civil Society Organization (CSOs) in Kismayo.</i></p>



SOMALIA UN MPTF



Federal MoCA meeting with Puntland President in Garowe



MoCA meeting with Puntland MPs in Garowe.



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MoCA meeting South West MPs in Baioda



MoCA meeting with South West State President



SOMALIA UN MPTF



MoCA meeting with Galmudug President in Adado



MoCA meeting with CSOs in Adado