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PROGRAMME ANNUAL PROGRESS REPORT

Period: 2017

<b>Project Name</b>	Support to Constitution Review
Gateway ID	00096485 (Gateway ID)
Start date	17 Jun 2015
Planned end date (as per last approval)	31 Dec 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)
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Participating UN Entities	UNDP and UNSOM (PAMG)
NDP Pillar	PSG 1: Inclusive Politics
Priority	Priority 2: Finalize and Adopt a Federal Constitution
Milestone	
Location	National and Regional Levels
Gender Marker	2

<b>Total Budget as per ProDoc</b>	USD 3,441,027 for PIP (Jun 2015-2016) USD 442,819 for PIP-II (May 2017-Dec 2017)
MPTF:	USD 3,441,027
Non-MPTF sources:	PBF:
	Trac: USD 407,579
	Other: USD 585

	PUNO	Report approved by:	Position/Title	Signature
1.	UNDP	George Conway	Country Director UNDP Somalia	

PUNO	Total MPTF Funds Received (in USD)			Total non-MPTF Funds Received		
	Q4 2017	Cumulative	Annual 2017	Q4 2017	Cumulative	Annual 2017
PSG1- Inclusive Politics (4SOU1)	0	3,441,027	0	270,433	408,164	407,579



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JP Expenditure of MPTF Funds <sup>1</sup>				JP Expenditure of non-MPTF Funds		
PUNO	Q4 2017	Cumulative	Annual 2017	Q4 2017	Cumulative	Annual 2017
PSG1- Inclusive Politics (4SOU1)	0	3,440,932	0	277,693	408,164	407,579

### ANNUAL HIGHLIGHTS

1. Development of a national vision of the constitutional review process agreed upon by all key role players, consisting of a Master Plan, a Roadmap and a Memorandum of Understanding between the OC, ICRIC and MoCA.
2. Two consultative forums in Mogadishu attended by relevant Ministries from FMS and relevant constitutional bodies resulting in several agreements on the way forward, policy frameworks and public consultation.
3. Consultative meetings on the constitutional review process with members of the Somali civil society, members of minority groups and political key players in the regions.
4. Development of an outreach and communication strategy by MoCA.

### SITUATION UPDATE

The project supporting the constitutional review during the 9<sup>th</sup> Parliament has been concluded and a new Project Document is currently being negotiated which will provide support to the finalization review process and the adaptation of the new constitution.

The **PIP for 2017** which was agreed upon in May 2017 aimed at supporting the Ministry of Constitutional Affairs (MoCA) to formulate and develop a Master Plan for the constitutional review process. It furthermore aimed at supporting initial activities needed to ensure an inclusive consultative process to endorse and adopt the Master Plan. Also in May 2017, MoCA along with Speakers of the NFP introduced a **Master Plan** which defined the constitutional review process and assigned respective roles, as well as a Planning Schedule. With a view to the national elections scheduled for 2021, the intention was to have a new Constitution developed and endorsed by all parties before the end of 2019.

In September 2017, following concerns expressed by ICRIC and the OC on the management of the constitutional review process, the President of Somalia called a meeting of all role players, including the Deputy Prime Minister, the Minister of Constitutional Affairs, and the Chairpersons of the OC and ICRIC. The meeting resolved that it was necessary for all parties to work together. To that end, a **Roadmap** was drafted in November 2017 that clearly reflects the role each party has to play in the process. The OC, MoCA, ICRIC and the Federal Member States Legislatures and Executives are named as the key players. The Roadmap is characterized by its emphasis on the development common understandings, several feedback loops and the consultation and cooperation between all role players throughout the trajectory of the review process. A number of key events will mark the review process.

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



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Furthermore, a **Memorandum of Understanding** was signed between MoCA, the OC and ICRC on 14 November 2017, as foreseen in the Provisional Constitution, specifically in Articles 133, 134 and in Law No. 199 of 3 July 2013. The MoU defines the cooperation between all three constitutional review bodies and defines basic principles, as well as shared and individual duties and responsibilities, and dispute resolution mechanisms.

All key players will be supported for other initial activities under the following three outputs:

- Output 1: National vision for the Constitution Review Process developed, approved and adopted by all role players and supported by UNDP.
- Output 2: Key role players have stronger capacities to effectively participate in the constitutional review process.
- Output 3: Improved public engagement on the constitutional review process.

**QUARTERLY & ANNUAL 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 Constitutional Affairs.**

INDICATOR	TARGET	PROGRESS ON OUTPUT INDICATOR <sup>2</sup>	
		THIS QUARTER	CUMULATIVE 2017
Framework/Timeline of Constitution Review.	Master Plan agreed by end of Aug. 2017	1	1
Review Process agreed by end of August 2017.		1	1
Master Plan of Constitutional Review Process drafted and circulated among national and international partners by end of August 2017.		0	1

*Sources of evidence: PIP for Constitutional Review Process, Meeting Minutes, Back to Office Reports.*

**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	1	1
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*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 Constitutional Affairs.**

The Ministry of Constitutional Affairs (MoCA) developed a draft **Master Plan** which aimed at assisting and advancing a quick start of the review process. It was designed with all key stakeholders through a series of consultations which started in April 2017. In May 2017, the MoCA along with Speakers of the NFP introduced the Master Plan which

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



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defined the constitutional review process and assigned respective roles, as well as a Planning Schedule. With a view to the national elections scheduled for 2021, the intention was to have a new Constitution developed and endorsed by all parties before the end of 2019.

Furthermore, a **planning schedule** was developed in Q2 to further elaborate on the Master Plan. The schedule was then presented to the donor community. It addressed the collaboration between the MoCA and other line function ministries that also play a key role in the constitutional review process. To that end, shura councils were foreseen in the planning schedule and technical experts from the line function ministries were integrated in to the process, in order to make sure each ministry can plan their resources accordingly to make the best possible impact.

UNDP continuously engaged and encouraged all sides involved to agree on the modalities for the preparation of a Master Plan and the Planning Schedule and reinforced in meetings with counterparts the need to stick to both documents.

In September 2017 (Q3), following concerns expressed by the Independent Constitutional Review and Implementation Commission (ICRIC) and the Oversight Committee (OC) on the management of the constitutional review process, the President of Somalia called a meeting of all role players, including the Deputy Prime Minister, the Minister of Constitutional Affairs, and the Chairpersons of the OC and ICRIC. The meeting resolved that it was necessary for all parties to work together. To that end, a **Roadmap** was drafted in September 2017 (Q4) that clearly reflects the role each party has to play in the process.

Before the finalization of the Roadmap, two major **consultative gatherings were held in October and November 2017**, namely a meeting between the Presidents of Puntland, Jubbaland, South West, Galmudug and Hirshabelle in Kismaayo; and a meeting between the Federal Government, the Federal Member States and the Banadir Administration, chaired and hosted by the President of the Federal Republic of Somalia

The outcomes of these meetings were acknowledged in the final version of the Roadmap of the Constitutional Review Process that was published on 13 November 2017. Furthermore, a **Memorandum of Understanding** was signed between MoCA, the OC and ICRIC on 14 November 2017. The roadmap and the MoU partially amend and alter the timeline, activities and responsibilities foreseen in the previous documents guiding the review process (Master Plan and Planning Schedule). This meeting also resulted on the recognition of the role of FMS in the process through the establishment of the expert committee to follow up on the negotiation of power under Article 54 of the Constitution.

### Activity Result 1.1: Conduct of retreat to develop structural arrangement.

As part of the UNDP support to develop structural arrangement for the constitution review process, the project support a Retreat held in Mogadishu from Oct – Nov 2017. The Retreat brought together the key players (OC, ICRIC and MoCA) to develop the roadmap for finalization of the constitution review. During the Retreat, the key players discussed on the key priority activities, structures and times lines with milestones for the completion of the constitution review process. This contributed of key players to agree on the roles of each player and endorsed and signed the MoU for completion of the constitution review process by 2019.

### Activity Result 1.2.: Organisation and consultation of the Master Plan with the leadership of the Upper House, House of the People, the Executive and the Civil Society groups.

In Q2 (14-16 May 2017) MoCA organized **consultations on the Master Plan** with women representatives and women



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CSOs, Youth groups, people with disabilities and the Ministries of Constitutional Affairs of the FMS. MoCA engaged with all stakeholders to ensure the inclusiveness of a process that is owned by all Somali people.

On 19 May 2017, a Consultative Meeting on Constitutional Review Process was held in Nairobi. Donors shared their comments on shared master plan, but did not make any resources commitment to support the constitution process at this stage.

From June 13 on (Q2), MoCA conducted **several visits to the capital cities** (Kismayo, Aaadado, Baidoa, Jowhar and Garowe) of the FMS to ensure the support and participation of all key stakeholders on the review process. The expected outputs of these ministerial visits were to gather of support of the FMS and to ensure the attendance of respective representatives at the National Convention and the Shura Councils that were foreseen in the Master Plan.

UNDP allocated core resources to ensure the consultations were conducted in order to endorse the Master Plan.

As outlined above, in Q3 and Q4 various consultative meetings were held between all role players on both the federal and regional level, which resulted in the **development of the Roadmap and the MoU** drafted in November 2017. The process was fostered through UNDP technical advisory support.

In the follow-up phase, the Roadmap was discussed with 135 Somalia Traditional Elders in a consultative meeting jointly organized by MoCA, the OC and ICRIC. The Elders welcomed the cooperation of the constitutional review bodies and pledged their involvement in the review process.

*Activity Result 1.3: Conference in Mogadishu to propose the Master Plan with relevant Ministries from FMS and relevant constitutional bodies to be held in May.*

In Q2 (12-16 May 2017), a **forum** was held in Mogadishu, which aimed at ensuring the participation of all Regional States in the constitutional review process, and at enhancing the spirit of collaboration, consultations, inclusivity and broad-based consensus throughout the process. Its goal was furthermore to take the different views and concerns of the Regional States into account in order to avoid miscommunication. Among the main issues discussed during the meeting were the goals and objectives of MoCA, and the importance of the MoCA Forum (MoCAF); strategic plans and the project of the state, key issues and issues emerging from different presentations of the participations, as well as the proposed plan for the constitutional review process and an agreement on the way forward.

MoCA conducted a **second forum** in Mogadishu in Q3 (21-22 September 2017) which was attended by the Ministries of Constitutional Affairs of the FMS and other key players in the regions. The objectives of this forum were to introduce and exchange views, and to build a common understanding regarding the constitutional review process among the new Ministries of Constitutional Affairs of Puntland, South West, and Galmudug. Furthermore, the support needed by the Ministries of Constitutional Affairs to effectively discharge their mandates was identified, foremost in the areas of civic education and public awareness. Also, support to the National Convention Conference, which at that time was scheduled for 8-10 October 2017, was discussed. The outcomes of the forum included an agreement to conduct regular consultations between MoCA and the Ministries of Constitutional Affairs of the Federal Member States and the Banadir Regional Agreement on draft policy frameworks, community outreach and the public consultation plan; and an agreement to conduct a third forum in Puntland State Government, and a national convention in October 2018.

The Ministry of Constitutional Affairs of the Federal Government of Somalia held the third forum of the Ministries of Constitutional Affairs attended by the ministries of the FMS and Banadir Regional Administration. It took place in Garowe, Puntland, from 21-22 December 2017. Major objectives of the forum were to discuss the civic education and



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public awareness strategy, to agree on a timeline for consultations on the Roadmap with the FMS, and to start the planning process of the National Convention which will launch the second phase of the constitutional review process.

It was agreed that the National Convention will take place in early 2018 in Mogadishu. Furthermore, it was agreed to closely work together with the FMS and the Banadir Regional Administration to conduct the civic education and public awareness process. The next forum, which will also include the technical committee of the Cooperation Council of the FMS, will take place in Baidoa, South West State.

The Master-plan has been used as drafting working document which was modified, reviewed and replaced by roadmap. The roadmap is signed and adopted by all keyplayers on 14 November 2017.

### *Activity Result 1.4.: Development of Communication and Outreach Strategy.*

MoCA developed a **communication and outreach strategy** in Q2 that outlines the consultations, civic education, and media contribution to the process. This strategy aims at improving the public perception and understanding of MoCA and seeks to enhance relationships with media outlets, social networks, and partnerships. To this end, an additional **draft media strategy** was prepared in Q3, which focuses on the engagement of citizens, CSOs, community leaders and other stakeholders, to develop partnerships and enhance transparency of the constitutional review process by raising public awareness through public information and print media. The communication strategy is finalized and adopted on 22 December 2017 by all Ministries of Constitution Affairs at federal and regional level.

In Q4, MoCA conducted the Second Retreat on **Civic Education Strategy** and brought in experts from the several FMS, CSOs, INGOs, the Office of the Prime Minister and the Office of the President. The idea behind the event was to follow up and review the draft civic education strategy that had previously been proposed by the same team of experts in August 2017.

### *Activity Result 1.5.: Technical Advisory support to draft legislation establishing Interstate Commission.*

While the establishment of an Interstate Commission was foreseen in the Master Plan and the Planning Schedule, the roadmap agreed upon in November 2017 discarded the creation of said body, as this foreseen as a mandate of the the Prime Minister Office to establish such a commission. As the roadmap was introduced before the Master Plan was officially launched, no legislation was drafted with view to the Interstate Commission.

### *Activity Result 1.6.: Technical Advisory Services.*

UNDP supported MoCA throughout the reporting period with the provision of **national technical advisory services** and **regular operations management costs**. 4 Technical advisors assisted MoCA to conduct consultations at regional levels and fora with key players to build a common understanding of the constitutional review process; to draft the roadmap clarifying the role of each player in the process; to build capacity of MOCA counterparts in (PLEASE INSERT AREAS OF TRAINING/MENTORING/ETC...) and to draft a media strategy focusing on the engagement of *inter alia* citizens, CSOs, and community leaders.

### *Activity Result 1.7.: Draft Project Document, including comments.*

A Project Document was drafted in 2017, however, due to the political dynamics and the resulting changes in the framework for the constitutional review process, the document was adapted continuously throughout the year in order for the Project to align with the newest developments. It has been approved by donors during the Inclusive Politics Working Group Meeting held in Mogadishu in December 2017.



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### Activity Result 1.7: Regular Operations Support

The Project continued to provide support to the administrative costs of ICRC to ensure the availability of the much-needed materials resources including rented vehicles and communication for the commission that sustain the functioning of the institution.

### **Output 2: Project effectively managed.**

#### Activity Result 2.1.: Efficient project and operations support provided.

In line with UNDP regulations (laid out in the Harmonized Approach to Cash Transfer [HACT] Framework), UNDP engaged the specialized company Baker Tilly's and Merali's (BTM) for **micro capacity assessments of all national counterparts** under the Constitutional Review Support Project. This exercise was successfully completed for both the federal MoCA and the Ministries of Constitutional Affairs in the FMS. It assessed the capacity of national systems of all MoCAs, particularly with regard to financial management (accounting, procurement, reporting, internal controls, etc.) in order to determine the overall level of risk. It included a review of the MoCAs' legal status, governance structures and financial viability; programme management, financial reporting and monitoring, and procurement, as well as a focus on compliance with policies, procedures, regulations and institutional arrangements that are issued both by the Government and the MoCAs. The micro capacity assessments resulted in a risk rating (low, moderate, significant or high) to determine the type and frequency of assurance activities as per UNDP's guideline.

The federal **Ministry of Constitutional Affairs (MoCA)** received an overall moderate rating, with a significant risk in the area of financial reporting and monitoring, where it is indicated that the institution does not have financial reporting and monitoring policies in place and furthermore does not prepare financial statements. Moreover, the Ministry does not use the recommended Accounting Information System Software (SFMIS).

The **Ministry of Constitutional Affairs South West State of Somalia – Baidoa (MoCA – Baidoa)** received an overall high-risk rating, with high risks in the areas of programme management (among others, no programme and risk assessment policies, no workplan, no M&E framework, no evidence for individual budget), organizational structure and staffing (among others, no recruitment procedures for staff, lack of key positions), accounting policies and procedures (among others, no comprehensive finance policy, no accounting system, no accounting documentation), and financial reporting and monitoring (among others, no financial reporting policy, no financial reports prepared). The lack of a comprehensive procurement policy, the lack of staff, the lack of an assets and inventory management system, and the lack of capacity to implement projects due to lack of established office were rated as significant risks, among others. The need for resources mobilization was highlighted.

The **Galmudug Ministry of Constitutional Affairs and Reconciliation (MoCAR)** received an overall significant rating, with high risks on the areas of programme management and risk management (no frameworks), organizational structure and staffing (among others, staff on volunteer basis, no salaries, no staffing policy). The lack of accounting policies and procedures, of an asset management system, of financial and reporting policies, and of procurement policies and procedures in place were rated as significant risks. Furthermore, the general need to mobilise resources to ensure that all the programmes managed by MoCAR are fully funded was highlighted.

The **Jubbaland Ministry of Justice, Constitution and Religious Affairs (MoJCRA)** received an overall medium rating, the most pressuring risks are identified in the areas of organizational structure and staffing (among others, many vacant positions, no sufficient segregation of duties) and procurement and contract administrations (among others, lack of application). In general, more policies and procedures are in place than in Baidoa and Galmudug, however, not



all of them are being utilized or sufficiently implemented.

The **Puntland Ministry of Constitution, Federal Affairs and Democratisation (MoCFAD)** received an overall low-risk rating, as MoCFAD financial and programme management system risks have a low likelihood of a potential negative impact on the Ministry’s ability to execute the programme in accordance with the work plan and stated objectives. Still, the lack of regular funding and some weaknesses in the areas of accounting policies and procedures and financial monitoring and reporting were identified as challenges in the micro capacity assessment.

The risk rating and the respective recommendations will be considered by UNDP to develop the capacity building plans for the above-named institutions and to determine the level of support for these national partners through the 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.

Other Key Achievements N/A

**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.
- Over the past more than ten years of government, one has experienced the persistent and chronic destabilization of government due the abuse of some democratic rights established by the constitution. Part of this problem lays 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 issue is a challenge that MoCA will address to promote the rule of law and good governance.
- Some regional administrations have already started the process to developing their state constitutions. Therefore, it is a challenge of harmonizing these constitutions with that of the Federal Constitution.
- The collaboration between OC and ICRIC needs to be fostered.
- Limited political ownership of the process of constitution making in the past. Political leaders did not give the constitution making process the support it required. In addition the process itself has been politicized. This was compounded by the fact that there has been the persistent limited consultations with the key role 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 man 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 has a crucial impact on ongoing peacebuilding and political processes in Somalia. Drafting and implementing a constitution that works requires the genuine buy-in of those concerned, including representatives and citizens. A focus on inclusion enhances the



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perceived legitimacy of both the process of constitution-making and the content of the constitutional provisions. Over the long-term, this contributes to the creation of an enabling political and governance environment that encourages participation from across society and fosters a culture of constitutionalism. This can ground further efforts to strengthen democratic governance, and protect and promote human rights and the rule of law, as the foundation for equitable, sustainable human development.

The Project included several activities that aimed at integrating Somali stakeholders from all levels, supporting their capacity development with view to their effective participation in the constitutional review process and encouraging exchange, thus fostering a **comprehensive and inclusive national dialogue** which forms the basis of a sustainable peace- and state-building process in Somalia. Milestones of these efforts include the development of a **national vision of the constitutional review process**, including the Master Plan, the Roadmap and the Memorandum of Understanding, and several **consultative gatherings** between key stakeholders conducted along the way, most significantly in October and November 2017 the meeting between the Presidents of Puntland, Jubbaland, South West, Galmudug and Hirshabelle in Kismaayo; and the meeting between the Federal Government, the Federal Member States and the Banadir Administration, chaired and hosted by the President of the Federal Republic of Somalia.

**Catalytic effects: N/A**

**Gender**

As part of UNDP's continued support to gender equality and gender mainstreaming, and as an Integral support of the Project to support constitution review process in Somalia, a number of activities were dedicated to gender issues. In Q2 (14-16 May 2017) MoCA organized consultations on the Master Plan in which women representatives and women CSOs from both the federal and regional level actively participated. The women who participated had the opportunity to contribute to the discussion and, more importantly, to articulate the inputs into the gender review and the strategies. This also contributed for women to advocate for a gender review of the Constitution and to mobilize to identify the gaps and work out the content of the revisions and building a strong front to raise awareness and to stimulate citizens to participate and to formulate a more inclusive constitutional setting.

Proportion of gender specific outputs in Joint Programme <sup>3</sup>	Total no. of Outputs	Total no. of gender specific Outputs
	0	0
Proportion of Joint Programme staff with responsibility for gender issues (as of end of 2017) <sup>4</sup>	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	Result (Yes/No)
	Yes

<sup>3</sup> Gender Specific Outputs are those that are specifically designed to directly and explicitly contribute to the promotion of Gender Equality and Women's Empowerment.

<sup>4</sup> 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.



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ensure they are not exacerbated or new risks created?	
No. of Joint Programme outputs specifically designed to address specific protection concerns.	<b>Result (No.)</b>
	<i>The project is not specifically designed to address specific protection concerns. However, it indirectly contributes to the inclusion of marginalized voices and seeks to build peaceful consensus among stakeholders, thus easing social tensions and promoting sustainable peace at the outcome level.</i>
No. of Joint Programme outputs designed to build capacity of duty bearers to fulfil their human rights obligations towards rights holders.	<b>Result (Number)</b>
	<i>1 - especially Output 1 is designed to build the capacity of the duty bearers to fulfill their human rights obligations towards right holders. The project provides capacity development initiatives to the duty bearers and supports them in conducting consultations and public outreach for rights holders to claim their rights.</i>
<b>Other</b>	
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).	<b>Results (Yes/No)</b>
	No
Have FMS(s) been engaged in one or more of the following: design, planning, implementation, coordination and/or monitoring of the Joint Programme.	<b>Results (Yes/No)</b>
	Yes
<b>Describe nature of cost sharing:</b> N/A	
<b>Support to Drought Response:</b> N/A	
<b>Communications &amp; Visibility</b>	
In accordance with donor guidelines, <b>articles</b> related to accomplished activities of the Constitution Review Support Project have been regularly published in monthly project newsletters, the UNDP CO website ( <a href="http://www.so.undp.org">www.so.undp.org</a> ), and social media platforms (Facebook and Twitter). Furthermore, <b>Project Reports and the PIP</b> have been made available on the UNDP CO website.	



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**Publications** that were developed over the course of the Project have been made available on the UNDP CO website. They were furthermore sent to partners via email, hardcopies were provided via mail and circulated at various events, conferences, trainings and meetings. They include project monthly, newsletters, MPTF quarterly newsletters.

The Project significantly supported the development and launch of the **MoCA website** ([www.moca.gov.so](http://www.moca.gov.so)), which serves as both an important communication and information platform for the constitutional review process and includes several social media features. Through the website, visibility and transparency of the review process has been enhanced significantly.

### **Looking ahead:**

The upcoming months (Q1 and Q2 2018) will be marked by the continued implementation of the activities and steps foreseen in the Roadmap for the constitutional review process, including the preparation of draft constitutional amendments based on a comparative analysis of the outcomes of the political dialogue between the federal government and the federal member states and the consultations with the FMS; the presentation of said draft amendments to all relevant political stakeholders; consultative workshops, and the continued conduct public and awareness and consultations in the federal member states.

UNDP will provide support to the constitutional review process within the framework of the extended PIP, under the following three outputs:

- Output 1: National vision for the Constitution Review Process developed, approved and adopted by all role players and supported by UNDP.
- Output 2: Key role players have stronger capacities to effectively participate in the constitutional review process.
- Output 3: Improved public engagement on the constitutional review process.



## ANNEX 1. RISK MANAGEMENT

Type of Risk <sup>5</sup>	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	Risk 2: Rights-holders do not have the capacity to claim	The project includes capacity building activities in promoting the right holders

<sup>5</sup> Environmental; Financial; Operational; Organizational; Political; Regulatory; Security; Strategic; Other.



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Environmental Risks	their rights	to have the skills and knowledge to advocate for 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 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.

## ANNEX 2. MONITORING AND OVERSIGHT ACTIVITIES

Monitoring Activity	Date	Description & Comments	Key Findings / Recommendations
Meetings on Parliament and Constitutional Review, Nairobi	18-19 May 2017	<p>The purpose of the meetings was to brief the donors on:</p> <ul style="list-style-type: none"> <li>• The Strategic Plan and legislative priorities of the National Federal Parliament,</li> <li>• The UNDP proposed support for the coming four years, and</li> <li>• The Master Plan of the Ministry of Constitutional Affairs (MOCA) for the upcoming constitutional review process.</li> </ul>	<p>The Ministry of Constitutional Affairs conducted a series of consultative conferences with various stakeholder groups such as civil society, youth associations, women’s groups, persons with disabilities and the regional Ministries of Constitutional Affairs.</p> <p>UNDP allocated funding utilizing its core resources to support the finalization of the Master Plan and ensure that consultations were conducted to endorse the Master Plan.</p> <p>The donors did not make any financial commitment but requested that their comments on the Master Plan are considered.</p>
Micro-Capacity Assessment MoCFAD, Garowe	22 – 24 August 2017	The micro-assessment provides an overall assessment of MoCFAD’s programme, financial and operations management policies, procedures, systems and internal controls.	MoCFAD received an overall low-risk rating, as MoCFAD financial and programme management system risks have a low likelihood of a potential negative impact on the Ministry’s ability to execute the programme in accordance with the work plan and stated objectives. Still, the lack of regular funding and some weaknesses in the areas of accounting policies and procedures and financial monitoring and reporting were identified as challenges in the micro capacity assessment.
Micro-Capacity Assessment MoCAR, Adado	23 – 26 August 2017	The micro-assessment provides an overall assessment of MoCAR’s programme, financial and operations management policies, procedures, systems and internal controls.	MoCAR received an overall significant rating, with high risks on the areas of programme management and risk management (no frameworks), organizational structure and staffing (among others, staff on volunteer basis, no salaries, no staffing policy). The lack of accounting policies and procedures, of an asset management system, of financial and reporting



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			<p>policies, and of procurement policies and procedures in place were rated as significant risks. Furthermore, the general need to mobilise resources to ensure that all the programmes managed by MoCAR are fully funded was highlighted.</p>
<p>Micro-Capacity Assessment MoCA, Mogadishu</p>	<p>5-7 September 2017</p>	<p>The micro-assessment provides an overall assessment of MoCA’s programme, financial and operations management policies, procedures, systems and internal controls.</p>	<p>MoCA received an overall moderate rating, with a significant risk in the area of financial reporting and monitoring, where it is indicated that the institution does not have financial reporting and monitoring policies in place and furthermore does not prepare financial statements. Moreover, the Ministry does not use the recommended Accounting Information System Software (SFMIS).</p>
<p>Micro-Capacity Assessment MoCA-Baidoa, Baidoa.</p>	<p>14-17 September 2017</p>	<p>The micro-assessment provides an overall assessment of MoCA Baidoa’s programme, financial and operations management policies, procedures, systems and internal controls.</p>	<p>MoCA – Baidoa received an overall high-risk rating, with high risks in the areas of programme management (among others, no programme and risk assessment policies, no workplan, no M&amp;E framework, no evidence for individual budget), organizational structure and staffing (among others, no recruitment procedures for staff, lack of key positions), accounting policies and procedures (among others, no comprehensive finance policy, no accounting system, no accounting documentation), and financial reporting and monitoring (among others, no financial reporting policy, no financial reports prepared). The lack of a comprehensive procurement policy, the lack of staff, the lack of an assets and inventory management system, and the lack of capacity to implement projects due to lack of established office were rated as significant risks, among others. The need for resources mobilization was highlighted.</p>
<p>Micro-Capacity Assessment MoJCRA, Kismayo.</p>	<p>17-20 September 2017</p>	<p>The micro-assessment provides an overall assessment of MoJCRA’s programme, financial and operations management policies,</p>	<p>MoJCRA received an overall medium rating, the most pressuring risks are identified in the areas of organizational</p>



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		procedures, systems and internal controls.	structure and staffing (among others, many vacant positions, no sufficient segregation of duties) and procurement and contract administrations (among others, lack of application). In general, more policies and procedures are in place than in Baidoa and Galmudug, however, not all of them are being utilized or sufficiently implemented.
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"> <li>• Project board discussed the importance for continuity of international community support needed for the Constitution Review Process in Somalia.</li> <li>• Project board approved the extension of project and work plan subject to revision of the document by including the role of ICRC and OC and subject to PWG1 approval.</li> </ul>

**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.	n/a								
2.									
3.									
4.									
<b>Totals: n/a</b>									



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**ANNEX 4. PHOTO FEATURE**



*Meetings on Parliament and Constitutional Review, Nairobi (Q2)*



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*Constitutional Review Process Campaign held in Kismayo by the federal MoCA (Q3)*



*MoCA meeting with Jubaland MPs and Civil Society Organization (CSOs) in Kismayo (Q3)*