



# **UN Joint Rule of Law Programme for Somaliland 2023-2026**

## **Programme Document**

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## Abbreviations

A2J	Access to Justice
ADR	Alternative Dispute resolution
AGO	Attorney General Office
CID	Criminal Investigation Department
CPD	Country Programme Document
CRC	Child Rights Convention
CSO	Civil Society Organisations
DSA	Daily Subsistence Allowance
EU	European Union
EUCAP	European Union Capacity Building Mission
FCDO	Foreign, Commonwealth and Development Office
FGD	Focus Group Discussion
GoSL	Government of Somaliland
HACT	Harmonized Approach to Cash Transfers
ICCPR	International Covenant on Civil and Political Rights
IDLO	International Law Development Organization
JC	Judicial Commission
JROLP	UN Joint Rule of Law Programme for Somaliland 2020 - 2022
JROLP II	UN Joint Rule of Law Programme for Somaliland 2023 - 2025
LL.M	Legum Magister (Master of laws)
LoA	Letter of Agreement
M&E	Monitoring and Evaluation
MDAs	Ministries Departments and Agencies
MEL	Monitoring, Evaluation and Learning
MESAF	Ministry of Employment, Social Affairs and Family
MOI	Ministry of Interior
MOJ	Ministry of Justice
MOPND	Ministry of Planning and National Development
MPTF	Multi-Partner Trust Fund
NDP	National Development Plan
OECD	Organization for Economic Co-operation and Development
OHCHR	Office of the High Commissioner for Human Rights
PUNO	Participating United Nations Organisations
PVE	Prevention of Violent Extremism
ROL	Rule of Law
RRF	Results and Resources Framework
SDG	Sustainable Development Goal
SGBV	Sexual and Gender Violence
SOLLA	Somaliland Lawyers Association
SLNHRC	Somaliland National Human rights Commission
SOP	Standard Operating Procedure
SPF	Somaliland Police Force
SPU	Special Police Unit
SSR	Security Sector Reform
SWLA	Somaliland Women Lawyers Association
TDR	Traditional Dispute Resolution
ToC	Theory of Change
TOR	Terms of Reference
TOT	Training of Trainers
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime

UNSDCF	United Nations Sustainable Development Cooperation Framework
UNSOM	UN Assistance Mission in Somalia
UNWomen	United Nations Entity for Gender Equality and the Empowerment of Women

## 1. Programme and Strategic Development Context

**Start Date:** 1 August 2023 **End Date:** 31 July 2026

**Project Number:** 00133861

<b>Programme Title:</b>	<p><b>UN Joint Rule of Law Programme for Somaliland 2023-2025 (JROLP II)</b></p> <p><b>Somali title considerations:</b></p> <ul style="list-style-type: none"> <li>• <i>Equal justice under the law.</i></li> <li>• <i>Reviving the Somaliland social contract through service-oriented and people-focused security and rule of law systems.</i></li> <li>• <i>Improved security and rule of law for the people, with the people and by the people of Somaliland.</i></li> <li>• <i>The people, the laws, and the systems of Somaliland; putting the social contract to work.</i></li> </ul>
<b>National Development Plan III (2023-2027) Pillar 3: Good Governance</b>	<p><b>Pillar 3 Vision:</b> <i>A society where the rights of citizens are protected by democratic, transparent, accountable, and efficient public institutions.</i></p> <p><b>Sub-sector:</b> <i>Security and Rule of Law; covering security, justice, and human rights.</i></p> <p><b>Outcome 2 (under SDG 16 alignment):</b> <i>increase effectiveness and efficiency of rule of law at the national level and ensure equal access to justice for all.</i></p>
<b>Sustainable Development Goal (SDG)</b>	<p>JROLP II is developed in alignment with the NPDIII Governance Pillar, which is structured around SDG 1 (ending poverty), SDG 5 (gender equality), SDG 10 (reduced inequalities), SDG 16 (peace justice and strong institutions) and SDG 17 (global partnerships for development).</p> <p>Specifically, JROLP II will support the government of Somaliland (GoSL) to contextualize and localize SDGs 5, 10 and 16 through strengthened security and rule of law systems that are inclusive, gender transformative, people-focused, and service-oriented. This will be bolstered with appropriate, feasible and measurable targets and supported with collection and consolidation of data.</p>
<b>Expected strategic (Contributing Outcome):</b>	<p><b>UNSDCF priority</b></p> <p>UNSDCF (2021 – 2025), Strategic Priority 2: Security and Rule of Law.</p> <p><b>Specifically:</b> <i>“[Somaliland Citizens] will be afforded equitable access to justice, while the centrality of a human rights–based approach will underpin engagement with federal- and state-level institutions. Strengthening rule of law and sustaining peace at the community level, with increased emphasis on supporting women, girls, and the most vulnerable in society, will guide security sector reform and the implementation of accountability mechanisms for those who have been empowered to prevent conflict and violence.”</i></p>

		<b>Outcome 2.3:</b> <i>Rights and needs of [Somaliland] communities command the strengthening of security and rule of law institutions. Anti-corruption efforts, mitigation of duplication and stakeholders' comparative advantages are maximized.</i>
<b>Expected Outcome</b>		Rule of law institutions are inclusive, equitable, accountable, and responsive, particularly to the most marginalized and vulnerable groups, specifically women.
<b>Expected Outputs</b>		<ul style="list-style-type: none"> <li>• Enhanced institutional capacity improves service delivery and access to justice.</li> <li>• Improved capacity and oversight of police contributes to the safety and security of Somaliland citizens.</li> <li>• Enhanced legal and policy environment, and capacities for human rights and gender justice.</li> <li>• Enhanced criminal justice enforcement and correctional services.</li> </ul>
<b>Implementing partners</b>		Ministry of Interior, Ministry of Justice, Attorney General's Office, Supreme Court, the Somaliland Police, Traditional Elders, Custodial Corps, Somaliland Human Rights Commission, Baahikoob Centers, Lawyers Professional Associations, Academia and CSOs.
<b>Participating Entities</b>	<b>UN</b>	UNSOM (non-executing entity), PUNOS: UNDP, UNODC, UNWOMEN
<b>UN collaboration</b>		UNHCR

## 2. Brief Description

Somaliland has enjoyed significant peace and stability within the past two decades, and recent decentralization efforts by the government cover both the justice and security sectors, with the rule of law as a top priority in the NDP II<sup>1</sup>. However, access to gender-responsive, inclusive, rights-based, and people-centred policing, justice and correctional services remain limited across Somaliland. Women and other marginalized groups such as minority clans, IDPS and people in rural communities, are especially disenfranchised. The clan as the socio-political foundation of Somaliland society and the plural legal system, evinces a fluid and constantly evolving legal environment. Traditional structures, belief systems and social norms which discriminate against women and girls leads to their marginalization in politics and the economy and can give rise to crimes such as GBV. In addition, the capacity of security and justice institutions – including traditional systems – to provide rights-based services and protections to citizens, specifically women and other marginalized groups, remain weak. Drought, migration, and conflicts along Somaliland's borders displace populations, increase vulnerability to crimes such as GBV and limit access of impacted populations to security and justice services.

Following two successive joint rule of law programmes in Somaliland, with complementing evaluations, this JRLOP II builds on those lessons to promote access to justice and enhance the rights of vulnerable, and disadvantaged groups. JRLOP II will support the GoSL to extend the reach of justice and security services to rural communities through an area-based approach anchored in the establishment and functioning of a regional hub model. The regional hub will:

- oversee support to regional judicial, human rights, security, and corrections structures,
- enhance community policing,
- extend access to legal assistance and NGOs/CBO in the regions,
- prevention, and response to GBV to IDPs, rural communities and border locations, targeting justice services to under-served populations and,
- enhance synergies with traditional justice mechanisms.



With the goal of fostering more ***inclusive, equitable, accountable, and responsive rule of law institutions, particularly to the most marginalized and vulnerable***, the JRLOP II will support the government and people of Somaliland to:

- 1) Increase community awareness of rights and mechanisms for redress; supported with expansion of services to remote regions to guarantee availability and encourage use of fair and effective formal and informal justice systems; especially by the marginalized and vulnerable including women, girls, elderly, PHIV and PWD.
- 2) Improve police service delivery by increasing trust and confidence in the Somaliland Police to be more rights-respecting, gender-responsive and people-oriented through improved civilian engagement and oversight and accountability
- 3) Build a justice sector that reflects a gender perspective, promotes gender equality, and empowers communities to transform social norms that perpetuate gender discrimination and GBV,
- 4) Empower women to participate and transform security and justice institutions to more be gender-responsive and inclusive.
- 5) Criminal justice institutions enhanced through adherence to legal frameworks that offer alternatives to incarceration and detention, protect the rights of incarcerated persons (especially women and juveniles) through legal aid services, strengthen community engagement in corrections, improve conditions of detention, and foster restorative justice.

<sup>1</sup> This project document was developed between August to December 2022 when the NDP II is still being implemented. In Quarter 1 2023, the NDP III was approved, and Rule of Law priorities remain as priorities of the Government.

<b>Resources required:</b>	<b>Full Budget USD 10,435,936.8</b>
	<b>3 year Priority Plan USD 7,339,193</b>
	Donor
	Donor
	UNDP
	UNODC
	UN Women
Somaliland Government	

**Agreed by (Signatures)**

<p><b>UNSOM</b></p> <p>Signature: _____</p> <p>Date and Seal _____</p>	<p><b>UNDP</b></p> <p>DocuSigned by: <b>Lionel LAURENS</b> 2047E85F0EE14DA</p> <p>Signature: _____</p> <p>Date and Seal 12-Ju1-2023</p>
<p><b>UNWOMEN</b></p> <p><b>UN Complex, Bixibi, P. O. Box 30218-00100 Nairobi, Kenya</b></p> <p>Signature: </p> <p>Date and Seal 27 July 2023</p>	<p><b>UNODC</b></p> <p>Signature: </p> <p>Date and Seal David O'Connell 17 AUG 2023</p> <p>UNODC GMCP IOW Programme Coordinator</p>



### 3. Context Analysis

Somaliland has enjoyed relative peace and stability for over two decades. Despite its status as a *de facto* state, bordered by countries experiencing various conflicts in an insecure region, it has achieved significant results in maintaining internal peace, fighting terrorism, and building a democratic political system. In recent years, new infrastructures and private business have flourished in Hargeisa. The government is predicting further economic growth and has initiated several decentralization and local government improvement initiatives in the last decade. The decentralization programs, to a small extent, improved the local governments' institutional and infrastructure capacity as well as public awareness. Adherence to the rule of law will be a key factor to sustain and enhance these achievements; as global lessons indicate that, *"willingness and ability of governments to address people's justice and security needs, to protect their human rights and allow them to live with dignity and with opportunities for prosperity are essential to a strong social contract and the achievement of the agenda 2030 vision."*<sup>2</sup>

The social contract in Somaliland does not follow the western notion of a pact, in which the individual citizen, in exchange for peace, protection, social order and other common benefits, concede authority over some of his/her rights to a 'custodian' sovereign or state. In the Somaliland experience, collective identity supersedes individual identity in almost all spheres of life. Clan affiliation is foundational for self-identity, impacting all functions of the society, including the governance structure<sup>3</sup>. The Executive branch is led by a President elected from three constitutionally sanctioned political parties. The legislature integrates a secular system of laws and based on Islamic jurisprudence (Sharia), and traditional clan-based customs (Xeer). The parliament is bicameral, consisting of an 82-member clan-based electoral college called the *Guurti* (Upper House) and an 82-member (lower) House of Representatives elected by the public from three political parties. The relationships between clan, community and government is highly relevant to the justice and security framework. For example, the House of Elders is entirely composed of clan elders, who hold mostly conservative views. There are no women in the Somaliland Parliament. The judiciary consists of a three-tiered system of Supreme, Appellate District and Regional Courts and includes the office of the Attorney General as the prosecution office. However, Xeer remains the main vehicle for reconciliation and dispute resolution. Persistent election delays threaten Somaliland's stability, democratic governance, and its international credibility.

The Constitution of Somaliland (2001) guarantees fundamental human rights and freedoms consistent with the Universal Declaration of Human Rights (UDHR) and international customary laws (Article 10.2). Chapter One, Part Three of the Constitution which enshrines, ***"The Rights of the Individual, Fundamental Freedoms and the Duties of the Citizens"*** reinforces the foundational principle of the rule of law by binding all state institutions at all levels to comply with its provisions (Article 21.1). Articles 25 to 28 guarantee the right to fair trial for all persons who come in contact with the law, either by a criminal or civil trial, including freedom from torture and extrajudicial killings, the rights of detained persons to representation, the rights of prisoners to reformation and correction and entitlement to legal aid by indigent citizens. Freedom of public demonstration, expression of opinion, press, and other media are guaranteed under Article 32. Article 36 on the rights of women, provides for equal enjoyment of all the rights laid down in the Constitution -bolstering Article 8, but subject to exceptions based on Islamic Sharia-, special property rights, freedom from harmful and injurious practices which are contrary to Sharia to be guaranteed by law, and some level of economic

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<sup>2</sup> UNDP's Global Programme for Strengthening the Rule of Law, Human Rights, Justice and Security for Sustainable Peace and Development, Phase IV (2022–2025). Hereinafter the Global Programme provides comprehensive support to conflict, crisis-affected and transition contexts throughout the world. It seeks to underpin broader UN efforts in achieving lasting peace and sustainable development.

<sup>3</sup> D.K. Leonard, with M.S. Samatar, "What Does the Somali Experience Teach Us about the Social Contract and the State?" *Journal of Development and Change*, April 2011

empowerment. Enforcing the human rights provisions in the Constitution is subject to secular and Sharia law (Constitution Articles 5.2, 127(a), and 128.1).

Whilst rule of law is promoted in the Constitution and recognized as a priority in the National Development Plan (NDP-III 2023 - 2027), access to responsive, rights-respecting and people-centered policing, justice, and correctional services remains a significant challenge, especially for women and in rural areas. The legal framework is fluid and constantly evolving; resting on a combination of the three distinct legal traditions: statutory law, sharia law and Xeer. Forum shopping is common, and disputes may have different legal outcomes based on the authority addressed. Most disputes are settled according to Xeer rules and practices by the elders<sup>4</sup>, especially in rural areas. The Xeer system focuses more on family and clan relationships rather than the rights of individuals. Procedures and outcomes tend to vary from region to region and can fall short of basic standards of justice and fairness, especially regarding the rights of disadvantaged and marginalized people, notably women and those from minority clans or outside clan groupings. The government launched a decentralization policy in 2013. The policy covers both the justice and security sectors and aims to increasing administrative and financial powers of institutions based in the regions (i.e., the Regional Appeal Courts and Attorney General's Offices), the decentralization process will assist to address the issue of limited access to justice institutions in rural areas and security forces in the eastern regions.

Somaliland was affected by the COVID-19 pandemic. Control and mitigation measures in the early days of the pandemic negatively impacted the population in terms of limited access to healthcare services, education, justice, livelihoods, food supply, and in case of women and girls, increased risks to personal safety, in the form of SGBV. Marginalized and minority communities such as persons living with disabilities, PHIV and IDPs were largely neglected in the response and therefore, suffered more severe effects of the imposition of pandemic restrictions.<sup>5</sup> During this period the JROLP-I faced challenges with programme delivery. Lessons learned have been incorporated in this proposal to mitigate any re-occurrence in JROLP-II.

As part of the implementation strategy UNDP and the implementing partners under this programme are eager to develop a collaboration with humanitarian partners such as UNHCR to operationalize global collaborations for inclusion and solutions 2023-2025, whereby the collaboration shall help to meet the protection and development challenges that people and communities face. Wherever possible and depending on the availability of data, age, gender and diversity sensitive data shall be analyzed to build the programming for the most vulnerable groups. Through the joint action in Somaliland, while the Joint programme Phase I implementing partners had worked in Hargeisa, Burao and Baroma. Under the new programming cycle the focus shall continue to be in these three locations and also include Erigavo and Berbera as all these three locations have large numbers of IDP camps in Somaliland and also the port locations are areas where refugees are located. It is important that as part of area-based programming that the project locations are located in areas where there are maximum number of beneficiary population.

## **2.1. Access to Justice**

The plural legal system in Somaliland presents opportunities as well as a challenges in delivering justice services. The reach of formal justice institutions is limited. There is need to have greater reach to the regions and districts outside Hargeisa to improve the quality, transparency, and people's confidence<sup>6</sup>. Under-resourcing issues are compounded by structural flaws, lack of inclusive and coherent policies, obsolete and contradictory laws, and practices. JROLP I evaluation in February 2022 found that whilst the programme had supported legal aid providers and security actors in Boroma and Borao, most of

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<sup>4</sup> ABA-ROLI, "Access to justice assessment tool: baseline study in Somaliland", 2020

<sup>5</sup> [Report details devastating impact of Covid in Somaliland | University of St Andrews news \(st-andrews.ac.uk\)](#)

<sup>6</sup> Somaliland NDP II.

these efforts were concentrated in the main cities. With rural villages as far as 60 kilometers away and enduring security challenges, it is difficult for service providers to reach populations in need or even for the populations themselves to access formal justice services. Government authorities have expressed a need to expand services to the Eastern regions, where the security situation is still volatile. Credible national statistics are lacking or obsolete<sup>7</sup>, but consistent organizational analysis indicate that majority of Somalilanders rely on the traditional/cultural laws and practices to resolve conflicts<sup>8</sup>, and that Sharia courts are often favored for business cases<sup>9</sup>. Poorer and more rural communities' resort to the Xeer because it is cheaper, closer, less complicated, and faster. Xeer, whilst it is built on the clan system, has legitimacy in the justice structure and contributes to social cohesion and identity, does not however, guarantee the protection of individual human rights, especially women's rights and minority rights.

Outcomes by either the formal or the traditional system are different and could be further nuanced based on the authorities or personalities adjudicating. In some instances, traditional and formal justice systems work together but with no harmonized guidelines or procedures to secure complementarity. UNSOM<sup>10</sup> was informed by the President of the Regional Courts that for cases resolved by traditional leaders, a written agreement is signed by mediators and concerned parties as an official confirmation of the resolution. The traditional leaders ensure execution of the decision but if execution fails, the case returns to the formal jurisdiction. The traditional system could also provide a support and monitoring mechanism for prisoner rehabilitation, parole, and probations.

### The Somaliland Criminal Justice Chain<sup>11</sup>

The Somaliland criminal justice chain is composed of the Police, the Office of the Attorney General (Prosecution Office with regional offices in the six main regions of Somaliland and affiliated offices in the districts), the Courts, and incarceration centres. These are complemented by private legal assistance, public defenders, and legal aid.

Somaliland Courts are composed of Civilian and Military Courts. Civilian Courts include:

- District Courts that mostly deal with family law and inheritance, using Sharia Law, but also hear minor crimes and civil cases.
- The Regional Courts hear civil and more serious criminal cases, employment, and local council elections.
- The Courts of Appeal is a general appellate section for both the District and Regional Courts; and
- The Supreme Court or the Constitutional Court. The highest judicial organ.

Somaliland has Central, Regional, and District prisons with a total of 14 functional prisons.

- Three central prisons (Mandhera, Burao, and Hargeisa) are high level security and accommodate offenders convicted for murder, death row inmates, terrorists, pirates, rapists, and other felons.
- Five regional prisons (Borama, Lasanod, Erigavo, Berbera, and Gebiley) are of medium security level and offenders are mainly sentenced to three years and beyond.
- Three District prisons (Baligubadle, Ceel-afwey, Gar-adag) are for inmates with minor crimes and sentences range from a month to three years.

\*\* A rehabilitation centre for juveniles is not yet functional and one regional prison in Hargeisa will be completed at the end of 2022, with a block for female inmates.

<sup>7</sup> Somaliland NDP II, quoting the Somali Settlement Survey, UNDP in 2006; analyzed by the Ministry of Planning , 2010

<sup>8</sup> Annual Report of the Somaliland National Human Rights Commission, 2020

<https://somalilandhumanrights.org/wp-content/uploads/2021/02/2020-Somaliland-National-Human-Rights-Commission-Annual-Report-1.pdf>

<sup>9</sup> quoted in UNDP (2016)

<sup>10</sup> Op cit., note 5

<sup>11</sup> Source: Alice Marie Ngezahayo, UNSOM, **May – June 2022, A Mini Study Exploring Opportunities to Advance from Custodial work to Correctional Approaches in Somaliland**. Also see: [Somaliland Judicial System \(somalilandlaw.com\)](http://somalilandlaw.com) for more details.

Successive rule of law programmes have supported multiple partners (both Government and NGOs) to improve access to justice through legal aid provision, mobile courts, law clinics, deployment of paralegals and building synergies between formal and traditional institutions. These efforts are evaluated as varying in effectiveness due to insufficient resources, coordination, reach, and the need for innovation.<sup>12</sup> The Ministry of Interior under the Department of “Peace Building and Traditional Leaders” oversees 3,000 traditional elders as the chiefs of sub-clans who mediate disputes in the Akel houses. Decisions are registered with the Judiciary for enforcement (as of 2021, 70 cases were recorded in Burao) however, there are no clear guidelines for their operation and there is some confusion surrounding the understanding of TDR and ADR mechanisms for dispute resolution. The SLNHRC (2020) found that scarcities of legal aid services in parts of Somaliland present difficulties in achieving fair representation in trials. Further, some of the legal aid providers rely on NGOs for assistance. This means they are unsustainable and limited in their functions. The SLNHRC (2020) further reported multiple incidences of prisoners in the regions completing their sentences before their appeals were heard. This occurred predominantly amongst poor prisoners who could not afford lawyers. Other prisoners complained of being detained for indefinite periods without being charged.<sup>13</sup>

## 2.2. Security and Human Rights

NDP-III analysis indicates that there is low reporting of crime and that unemployment as a key driver of criminal activity. The government prioritizes security, allocating the largest share (34%) of the annual budget to relevant security institutions<sup>14</sup>. NDP-III further underscores the need to balance the budget between security and economic and social development, which impact directly and indirectly on unemployment, youth crime, khat usage and the fight against corruption.

Somaliland Police bear a two-fold mandate: protecting the peace and enforcing the law (Constitution Article 124). The Police Act 2019 details the structure and duties of the Police. The institution requires significant reform to enforce the law more effectively and to provide contemporary policing services to the community. Police need to better apply the criminal law and due process and increase their application of human rights-based policing, introduce intelligence-led policing to use available resources and build stronger partnerships with communities to combat crime more effectively. Improvements in Police accountability is required, and the Police Act (2019) provides some guidance in this regard, Police are reported to regularly restrict access by lawyers and human rights organizations to detainees thereby curtailing their right to access to justice.

The House of Representatives Standing and Ethics Committee<sup>15</sup> has recommended training on human rights and public order management, provision of necessary riot control equipment and reform of the Police Act No. 63/2013 and the Public Order and Security Law No. 51/2012. Whilst general training for basic grade officers was provided in the past, in JROLP I, funds for training of Police officers were diverted to support the MOI to ensure the security of 2,700 polling stations across Somaliland.<sup>16</sup>

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<sup>12</sup> Monica Rispo and Barbara Lilliu, February 2022, UN Joint Rule of Law Programme, Somaliland Mid Term Evaluation. The evaluation noted that past UNDP interventions supported legal aid providers and security actors in Baroma and Burao. UNDP supported the establishment of the Baahikoob centers, including the opening of two sub-offices in Borama and Borao in 2014. In 2012, UNDP was supporting 22 legal aid centers across all 6 regions, including Sool. Also noted was support in JROLP I to the regional offices of 3 legal aid organizations (SOLLA, SWLA, Baahikoob), the support to several institutions to conduct monitoring mission in the regions, the mobile courts and the construction of police stations and the related community policing activities. Particularly noteworthy is fact that the JROPL has been able to mobilize the MOJ to conduct, for the first time, coordination meetings in Burao and Borama.

<sup>13</sup> SLNHRC Report 2020, Page 73

<sup>14</sup> Somaliland NDP II.

<sup>15</sup> 2022

<sup>16</sup> The February 2022 evaluation observed that, Considering the success of the initiative and the fact that local partners regarded this as the highest priority, the diversion of funds was well justified and showed a certain degree of flexibility from the JROLP. It is recommended to plan an increased number of trainings for the next phase of the JROL or eventually to explore possibilities to deliver some trainings (ideally in a TOT approach) at minimum costs with the support of UNSOM advisors before the end of the project.

In 2020, the SLNHRC organized a series of trainings, included in the regions, on the Media Law, bringing together for the first time, police officers and journalists to discuss freedom of expression. As a result of the training, the arbitrary detention of journalists slightly improved. More programmatic support to the police is needed especially concerning accountability, the use of force, respecting individual rights to express an opinion, including by journalists and those expressing political opinions.

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The internal police disciplinary committee provided at Articles 32 and 33 of the Police Act is in place in Hargeisa but not in the regions. Article 34 of the Police Act establishes and identifies the membership for the Investigation and Public Complaints Commission at the regional level and the Committee for Complaints against the Police Force in Hargeisa. Article 35 provides a framework for the investigation and resolution of complaints against the police and includes the establishment of the Complaints Committee composed of one member from the Defense and Security Committee of the House of Elders (Chair); one from the Internal Affairs Committee of the House of Representatives; one from the Ministry of Interior (Secretary); one from the Police (police expert); and one from the Human Rights Commission to consider responses that cannot be resolved by the police to the satisfaction of the complainant. Supporting the development of police and community partnerships to combat crime will go some way to enhance police performance, human rights based policing and improve public trust in the institution.

The Somaliland 2030 vision proposes that grassroots and civil society will have assured participation in the decision-making process through a decentralized system whereby the local communities will decide on issues that affect them most. However, human rights education is very limited, including lack of awareness of mechanisms for redress in the event of a violation. The Somaliland National Human Rights Commission (SLNHRC) was established by an Act of Parliament No. 39/2010. The SLNHRC is mandated to *'lead the protection and promotion of human rights and develop a culture of respect and responsibility for human rights by governments and all people in Somaliland.'*<sup>17</sup> The SLNHRC undertakes monitoring activities and releases an annual report addressing multiple societal rights and shares those reports with human rights stakeholders and other interested parties. In the 2020 report, the SLNHRC found that despite awareness raising through the media and other methods by the Commission, a large proportion of Somaliland society remain unaware of its existence and mandate.

According to the National Displacement and Refugee Agency, 2020, there are 606,018 registered displaced persons spread across the 6 regions of Somaliland, constituting approximately, 101,003 households. Mainly these people are those affected by the persistent multi-season drought since late 2020, combined with insecurity and conflicts. IDP communities are distant from the major cities, thus underserved with basic needs and necessities, including justice services and the needs of children, women, and persons with disabilities. The SLNHRC found that women and children in IDP camp are highly vulnerable to rape, domestic violence and GBV but rarely report these crimes to the authorities for various reasons, including lack of understanding where they should report to and culture barriers. The SLNHRC found in 2020 and 2021 that most prisons did not have special cells for women and children, and rehabilitation, recreation and sanitation facilities were inadequate.

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<sup>17</sup> <http://somalilandhumanrights.org/>

The SLNHCR reported that minority rights are largely neglected, basic services are rarely provided, and they are excluded from politics and decision-making. The 2022 evaluation recommends attention to be given to the issue of discrimination against minorities. Warsame 2020<sup>18</sup> acknowledged that in the Somaliland cultural and socio-political system, which is based on the clan system, Whilst perception towards minorities is gradually changing, especially among younger people (for example a candidate from a minority clan was elected in the 2021 Parliamentary elections with the highest number of votes in Hargeisa), overall discrimination remains. Women of the Gaboye clan due to their intersectional identity, face multiple discriminations requiring special attention.

### 2.3. Gender Justice

In Somaliland the Patriarchal social structures relegate women to domestic activities and often deny them full participation in social, economic, and political spheres. According to the 2020 Somaliland Health and Demographic Survey, the unemployment rate for women in Somaliland stands at 30.1 percent compared to 16.4 percent among men. This disparity is even higher among youth, with 53.8 percent of women aged 15-24 unemployed or in education, compared to 24.4 percent of young men in the same age range. Female-headed households are more likely to be poor than male-headed households. Although four months of paid maternity leave followed by a breastfeeding period is stipulated in Somaliland laws, women in the informal labour market and self-employed individuals do not enjoy these rights<sup>19</sup>.

Somaliland has made some marginal gains however, gender inequality remains high, with women disadvantaged compared to men in terms of access to work, political participation, education, and justice<sup>20</sup>. The Gross Enrollment Rate in primary education has improved only marginally from 29 percent in the 2018/19 academic year to 32 percent in 2020/21. However, the Gross Enrolment Rate in secondary education remained the same at 18 percent. The Gender Parity Index at both primary and secondary levels decreased from 0.84 to 0.81 and 0.78 to 0.75, respectively. These are areas NDP III will strive to improve upon over the next five years. Comparing the educational attainment by sex, educational attainment is higher for men than it is for women. Overall, 21 percent of women have no education, compared to 17 percent of men. Approximately 50.9 percent of women and 42.9 percent of men in the households surveyed have not completed primary education. Ten percent of men attended secondary or higher schooling, compared to 9 percent of women<sup>21</sup>. The proportion of women university graduates increased from 33% in 2014 to 53% in 2022, female prosecutors increased from two in 2009 to 16 in 2022, female police officers increased from 150 in 2010 to more than 700 in 2022, and women lawyers, from 20 in 2015 to around 150 in 2022. However, the clan-based culture coupled with conservative social norms and beliefs, discriminate against women and girls. There are no women in the Somaliland Parliament. Women made up 27% of the civil service and girls made up 44% of school enrolment at all levels in 2020<sup>22</sup>. A bill designed to establish gender quotas has been denied by the two houses of parliament. Sexual and gender-based violence (SGBV including FGM, domestic abuse and rape) against women and girls remains high<sup>23</sup>, and occur with relative impunity. Survivors face social stigma when seeking redress. Despite 2015 directive by the Attorney General to stop taking rape cases out of the formal justice system, many rape crimes are still handled by elders and resolved through customary compensation or marriage<sup>24</sup> in rural areas. Some aspects of

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<sup>18</sup> Abdihakim Barre Warsame "Ethnic Prejudice and Discrimination of Somali Minority groups- the image of the other as an enemy", 2020

<sup>19</sup> Somaliland NDP-III 2023-27

<sup>20</sup> 4KP, "women's and girls security and justice in Somaliland", 2021

<sup>21</sup> NDP-III 2023- 27 for Somaliland

<sup>22</sup> Somaliland Central Statistics Department, 2021. Somaliland in Figures 2020, Hargeisa – Somaliland.

<sup>23</sup> According to the office of the Attorney General and the Somaliland National Human Rights Commission, in 2019, the number of reported rape cases nationally was 138 compared to 142 in 2020, indicating a 4% increase.

<sup>24</sup> Becky Carter "Women's and girl's experiences of security and Justice in Somaliland", Institute of Development studies, Feb 2021

traditional dispute resolution can entail serious violations of the basic rights of women and girls.<sup>25</sup> In 2018, Somaliland parliament approved a Sexual Offences Law. However, a ‘Rape, Fornication and Other Related Offences Bill’ (No 78 of 2020) was passed by the House of Representatives in August 2020 and is now pending before the House of Elders. The National Human Rights Commission and other stakeholders found that the bill, ‘falls short of its mandate to protect survivors of rape and punish perpetrators’ and have recommended to the House of Elders to review its provisions to align it with the Constitution, other national laws related to women and children’s rights, the Penal Code, and international human rights standards.<sup>26</sup> The presence of the ‘Rape, Fornication and Other Related Offences Bill’ places the Sexual Offences Law of 2018 in abeyance, therefore creating a loophole in the legal framework for addressing rape.

	Women lawyers	Women prosecutors
<b>2011</b>	38	5
<b>2015</b>	67	9
<b>2018</b>	98	15
<b>2022</b>	179	21

Women are under-represented in the justice sector, although as per table above it is evident that due to programmatic engagement, the number of lawyers have increased since 2011 when UNDP first undertook its justice sector engagement in Somaliland. In the Attorney General’s Office, 21 women (39%) work as prosecutors out of 49 prosecutors in Somaliland. However, these efforts are compromised when women have children or get married as they normally have to move out from the workforce. Moreover, due to customary practices which is based on Sharia, there are no women judges. In Somaliland, not a single woman was elected in the 2021 parliamentary elections, even if there were 13 female candidates. Women police officers are not allowed to carry a gun and women prosecutors and lawyers are not assigned to the most serious cases<sup>27</sup>. There are no clear numbers of the women in the Police Force and their functions are limited to administrative or operational and very junior roles. Women in conflict with the law often face long prison sentences due to (alongside men) the added liability of civil compensations to their sentences leaving them incarcerated long beyond the prison terms if they cannot raise the money for the compensations and where they do not have legal representation to defend them or appeal their sentences.<sup>28</sup>

## 2.4. Criminal Justice Enforcement and Corrections

The Somaliland Constitution (Article 27) recognizes the rights of prisoners to fair treatment, a healthy environment, and legal representation amongst other rights. In addition, it states that ‘Prisons are for reform and correction. The state is responsible for the rehabilitation and skills training of prisoners so that they can return to society with reformed characters.’ The SLNHRC prison monitoring exercise for 2020 and 2021 revealed:

- a shortage of medical supplies,
- inadequate segregation between men and women and between adults and juveniles,
- inadequate rehabilitation programmes and no educational activities for juveniles, and
- lengthy investigation procedures which imply that detainees overstay in pre-trial detention, with evident impact on the overcrowding of prisons.

<sup>25</sup> E.g., women are frequently excluded from participating in customary dispute resolution, and some customary remedies are in violation of constitutional (and international) rights, such as forced marriage of a woman or girl as part of a diya/mag payment to the aggrieved family (Godobtir), and forced marriage of a sexually assaulted woman to her perpetrator to maintain the “honour” of the woman and clan (and correspondingly to ensure that a dowry (yarad) is paid).

<sup>26</sup> <https://somalilandhumanrights.org/wp-content/uploads/2021/02/2020-Somaliland-National-Human-Rights-Commission-Annual-Report-1.pdf>

<sup>27</sup> Page 16 of Mid term evaluation of UN Joint Rule of Law programme in Somaliland, Monica Rospo Feb 2022.

<sup>28</sup> Somaliland Women Lawyers Association, 2020, Profiling of Women Prisoners in Gabiley Prison

A major concern was the detention of men and women for owing debt (in violation of Article 11 ICCPR). For example, 27 people nationwide, some of whom had finished their sentence, were detained because they could not pay their debts. This finding led to some advocacy and the organization of a workshop following which 11 persons were released in 2019 and 10 in 2020. Most prisons in Somaliland are not built with women's rights in view. The Somaliland Women Lawyers Association, 2020, *Profiling of Women Prisoners in Gabiley Prison* reportedly found 63 women and girls in Gabiley prison aged between 15-60 years. 65% of the women were incarcerated for drunkenness or sale of alcohol, a handful were imprisoned for debts and five inmates were juveniles. Again 65% of the women had civil liabilities (sometimes in addition to penal fines) added to their jail terms and most of them could not afford the fines, leading to the possibility that they would remain in jail for indeterminate periods beyond their custodial sentences. The absence of structured vocational training and literacy programs also makes women vulnerable and limit livelihoods options upon release. In addition, the current regulations also limit infants from accompanying the mother thereby risking child's healthy growth and care. Women prison officers were observed by UNODC project officers in JROLP I to be largely illiterate and lacking in basic tools and skills to perform their functions. A new Prison Act approved in 2018 establishing the legal framework under which custodial services are managed, including introducing major changes in parole and probation is not being implemented.

The Somaliland Juvenile Justice Law (2008) mirrors international standards of treatment for children in conflict with the law. However, the law is not generally applied, leading to arrests of children, often for petty crimes with limited legal aid assistance for their defense. The outcome for children is that they often face strict punishments and incarceration with adult criminals. Addressing corrections in Somaliland will require development of regulations and policies, coupled with capacity building to facilitate adherence with existing legal frameworks.

The establishment and piloting of a "probation and parole system" based on the Prison Act (2018) was envisaged under JROLP I but did not take off until programme end. Some of the reasons for this include limited technical capacity in the region, social attitudes to justice tilted to more punitive approaches, and limited understanding of correction officers of parole and probation. JROLP II will prioritize support to completing the policy and legal framework through a participatory approach that is grounded on local realities and strengthens community engagement in corrections. To reduce custodial sentencing as a primary resort within the judicial system it will be equally important to increase knowledge of law enforcement agents and judges of existing laws (including human rights provisions and standards for treatment of juveniles and women offenders) and explore legal solutions to prevent the criminalization of civil transactions and moral behavior.

## **2.5. Conclusion – Challenge for Development**

Adherence to the rule of law will be integral to sustain Somaliland's stability, political development, economic growth, and social cohesion. Low public confidence in state security and justice systems, coupled with social and cultural factors such as esteem for traditional and sharia -based authority and practical issues like inaccessibility of rural/distant communities to state services, means that the informal or traditional system will remain a key provider of rule of law services in Somaliland for the foreseeable future. The plural approach is recognized in the Somaliland Constitution and the practical development challenges in Somaliland mean a monopoly of one system will not serve the needs of this society, especially the most marginalized and vulnerable. Efforts towards improving service availability and quality, guaranteeing respect for individual human rights and due processes, and to identify and implement a symbiotic relationship between the formal State apparatus and the traditional justice system, will be beneficial. To achieve this will require reform of the formal system, harmonization of standards with the traditional system, increased citizen engagement in justice and



security systems, and clarification of approaches through consensus on a desired model for delivery of rule of law services, focusing on the women and other marginalized groups across the jurisdiction.

#### 4. Lessons Learned from Past Interventions

A comprehensive evaluation of JROLP I between December 2021 and February 2022<sup>29</sup>, deploying the guiding principles and quality standards defined for UNDP evaluations and on the OECD/DAC criteria of relevance, coherence, effectiveness, efficiency, and sustainability made the following conclusions.

##### On Relevance:

- All project components are relevant for the government of Somaliland and in line with national and UN strategies; the relevant Sustainable Development Goals are reflected in all planning documents but could have received more visibility at programme implementation level
- The JROLP is relevant to the needs of beneficiaries, with a stronger focus on governmental institutions versus the population and the civil society. Remarkable results were achieved in terms of SGBV response but for a deeper impact, gender transformative approaches should be considered. Successful results can be highlighted in terms of strengthening the legal and policy framework for people with disabilities and human rights are well mainstreamed across the JROLP. The issue of discrimination against minority clans could deserve more attention.
- The “area-based approach” is achieving some initial and promising results and, to further advance the process, an overall strategy aimed at identifying a model for the ROL Regional Hub is recommended.
- The programme design process was highly participatory and inclusive, but excessively long. The PRODOC and RRF are intrinsically complex to the detriment of homogeneity and coherence. They have too many outputs and activities and are not fully supported by an integrated vision.

##### On Coherence

- Coordination among PUNOs shows some weaknesses at the level of design, budgeting, implementation, and reporting. The partnership with UNSOM and all its Hargeisa-based Sections has been profitable and impactful at technical level. Basic coordination results are achieved but would have been more impactful if UNWOMEN and UNODC had a regular presence of staff in Somaliland<sup>30</sup> and the coordination role was recognized as a full-time job for an international staff. The JROLP is not perceived by Somalilanders as a “One UN joint programme”, but as a UNDP programme.
- The extraordinary number of national partners (13 through signed LoA’s) has negatively affected the overall quality of the partnerships and created a fierce competition to adjudicate financial allocations. Civil society organizations struggled to compete with more influential governmental institutions and saw a drastic reduction of funding compared to past UNDP interventions.
- Coordination fora under the NDP-III have achieved information sharing and avoided duplications but have limited impact in terms of joint planning and common advocacy. To be noted as a promising practice the Coordination meetings organized by the MOJ in the regions.

##### On Effectiveness

- Except for the SGBV component, partners worked in a siloed approach and adopted different implementation strategies which generated different levels of effectiveness. Some partners

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<sup>29</sup> Op cit., note 11

<sup>30</sup> Two corrections experts (seconded by the Swedish Prisons and Probation Service on non-reimbursable loan capacity) provide technical advice to the Ministry of Justice and Custodial Corps on effective prison administration standards and security.

completed their activities with excellent results: SOLLA successfully built the capacity of lawyers, the SLNHRC effectively monitored the places of detention and the MOI contributed to the peaceful achievement of the 2021 elections.

- The working model for the SGBV response led by Baahikoob is effective (although with limited reach in rural areas) and shows a good degree of cooperation with other actors, including the AGO, CID and SWLA.
- Activities in support of the Judicial Commission (mobile courts, inspections, case management) are achieving the planned results but are implemented as a mere continuation of past UNDP intervention with limited innovation and reflections on opportunities for improvements.
- Legal aid is provided by SWLA and 3 Universities (Hargeisa, Amoud and Burao) with some success (considered the limited resources available) however, they are not working under a clear model of intervention.
- Some components have a concerning delay as they have not started as of January 2022 (construction of police stations/court buildings<sup>31</sup> and the UNODC-led Parole and Probation component). Specific activities have achieved partial results but are on stand-by because of some limitations in the planning and implementation process (The “guidelines for legislative drafting” and the “TDR guidelines”).
- The four activities implemented under the SSR component contribute to the overall objective of the JROLP, however there is not a strong complementarity with other activities under the other JROLP components.

#### **On Efficiency**

- An adaptive management approach (as opposed to the current linear approach) would be more suited to the complexities inherent both the JROLP and the Somaliland context.
- The number of staff assigned to a complex programme as the JROLP is not adequate: UNWOMEN and UNODC do not have permanent staff in Somaliland and UNDP has only 3 staff in Hargeisa (although well supported by UNDP in Mogadishu on specific aspects). UNSOM has an adequate number of technical advisors who have been able to effectively contribute to the JROLP in their respective fields.
- The “Embedded Advisors” model has ensured that national partners have timely and adequate availability of staff to deliver activities. The Advisors have circulated new ideas and approaches; however, the capacity building and mentoring commitment does not seem to be fully understood. The UNDP team has made some efforts to ensure a better follow up of Embedded advisors, but they are still working in isolation and with limited technical supervision.
- Delays in payments have affected the implementation of the activities and the motivation of partners.
- The M&E system has improved with the support of UNDP; although it is still mainly focused on quantitative data, it allows to capture the required data for donor reporting.

#### **On Sustainability**

- The JROLP shows some elements of sustainability: project activities are mostly led by national actors with a good level of institutionalization, staff of national partners have improved their competences, the number of legal professionals is increasing. Some activities, in particular those with a longer history of operating Somaliland (i.e. the mobile courts) or activities with limited

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<sup>31</sup> However, since the evaluation, the six Police stations, AG Office, Regional and appeal courts in Burao and Judiciary Library at premises of Supreme court in Hargeisa are now completed.

budget implications (i.e. the coordination fora) would be able to continue without international support.

The evaluation further observed that successive rule of law programmes failed to build on past lessons from UNDP interventions in the rule of law sector in Somaliland for almost 20 years, especially in the deployment of baselines. For example, the final evaluation of the joint ROL Programme (2015 - 2018), had observed, *“The Programme has been too broad and over-ambitious ... JROLP was seen as a wish-list, with no strategy behind it ... a high priority on reporting of numbers at output level, without requisite emphasis on outcomes ... it would be more beneficial to focus on fewer activities that have a greater impact”*<sup>32</sup> The February 2022 evaluation noted that *a stronger institutional memory within UNDP would have filled the gap of application of lessons learnt from past interventions in future programmes.*

The evaluation made comprehensive recommendations<sup>33</sup> for a future phase of the JROLP aimed at improving the overall design approach, implementation, and results. The recommendations include to improve the design of the JROLP to better streamline the results framework around an integrated vision and approach, with a focus on fewer activities that would achieve strategic impact, strengthen the Area-Based approach and improve response to the needs of vulnerable (and/or marginalized) groups, develop effective programme management by strengthening the human resource structure, including embedded advisors, and provide extensive coordination both at national and international levels, and finally to go visual by introducing communication/reporting material that is visually appealing, user friendly and more oriented to communicate results for action.

On 15 June 2022, the Programme Steering Committee for JROLP I chaired by the Chief Justice of Somaliland and the UNSOM Head of Office approved the recommendations of the evaluation report and through a management response, asked for their inclusion in the design and development of the new generation programme.

The actions proposed in the management response towards implementation of those recommendations, inform the programme strategy and implementation approaches in this JROLP II.

## 5. Programme Strategy and Theory of Change

The JROLP II development process facilitated reflection by partners and stakeholders during a five-day consultation workshop (25 – 29 September 2022) at Ambassador Hotel, Hargeisa. The exercise drew lessons from past programmes and current contextual analysis to build consensus on priorities for the new programme and develop strategies for interventions.

JROLP II adopts the affirmation of Agenda 2030 and SDG 16 that, *“Rule of law, justice, security and human rights are interlinked and mutually reinforcing concepts that, when strengthened together, enable more peaceful, just and inclusive societies. Through evidence-based, high-quality programming, complemented by coherent regional and global policy and agenda-setting, positive outcomes can be achieved in transforming rule of law, justice, security and human rights systems, services, and institutions to be more inclusive, people-centred, and better capacitated to respond to the justice, security and human rights needs of all people. By making these systems more trusted and accessible, justice and redress are expanded to more people, community security is increased, human*

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<sup>32</sup> Del Mese in, *“Joint ROL programme evaluation, UNDP Somalia”*, 2017,

<sup>33</sup> Op. cit., note 11 for details

*rights are better promoted and protected, and armed violence is reduced.*"<sup>34</sup> In this vein, JROLP II is further aligned to SDGs 5 and 10.

Because the clan system and its accompanying institutions are intrinsically linked to social identity and political organization in Somaliland, they will remain indispensable in providing justice and security services. In this context, state monopoly in the provision of justice and security is unrealistic, unsustainable, and inconsistent with the hybrid approach enshrined in the Somaliland constitution. JROLP II, therefore, aims to support the fulfilment of the social contract through increased citizen participation in reforming and strengthening the formal and informal institutions which supply justice and policing services. This approach is underpinned by findings from research as well as UNDP's local knowledge and experience as declared in JROLP I, "Though research reveals deep uncertainties about what works in policing and justice reform,<sup>35</sup> there is strong consensus that programmes should be locally owned and rooted in how citizens experience safety, security, and justice<sup>36</sup>. There are increasing calls to focus assistance on pragmatic 'best fit', sustainable solutions rooted in political realities rather than 'perfect' reforms. International scholars propose making sensible concessions to locally driven initiatives and the use of trade-offs.<sup>37</sup> Further, there is wide international support for rights-based interventions<sup>38</sup> and an increasing understanding of the role of human rights in Islam and in Islamic constitutions such as Somaliland.<sup>39</sup>

Global lessons<sup>40</sup> that, '*rule of law and human rights are fundamental to establishing and maintaining the social contract and ensuring a society in which people are equal and can live in dignity and with prosperity. Building the social contract is a whole of society endeavour—it requires building an understanding of trust in and commitment to the rule of law and human rights by the government and its institutions, the public, and all sectors of society, including the business sector*' are relevant for Somaliland. Furthermore, the Global Programme recognizes the powerful potential of women and youth to advance social and institutional change today and for future generations. Therefore, it supports efforts to amplify the voices of women and youth and ensure their meaningful participation and influence in decision-making and empower them as changemakers and leaders.

Building on these principles, to develop the theory of change for JROLP II, a brainstorming session during the 25 - 29 Sept. 2022 consultations helped partners and stakeholders to agree on a shared vision for a "***Vibrant Democracy in Somaliland***". Participants opined that for the shared vision to emerge, social cohesion could be achieved by fostering rights-based reforms of security and justice institutions involving the following elements:

- All citizens should be able to enjoy their rights and the equal participation of vulnerable groups; especially marginalized, women, PWDs and youth should be guaranteed.
- Justice and law enforcement institutions are active and deliver people-oriented, rights-based and gender responsive services at the local levels in all six regions of Somaliland.

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<sup>34</sup> Op. Cit., note 1

<sup>35</sup> e.g., OECD. (2007a). "Enhancing the delivery of justice and security." Paris: OECD, e.g. Desai, D., Isser, D., and Woolcock, M. (2011). "Rethinking justice reform". Washington D.C.: WB Review

<sup>36</sup> c.f. New Deal (2011). "New Deal: Building Peaceful States." Busan: International Dialogue for Peacebuilding and State-building; also, OECD. (2007b). "Handbook on security system reform: Supporting security and justice." Paris: OECD; also, Denney, L. and Domingo, P. (2013). The political economy of justice and security programming. London: ODI.

<sup>37</sup> e.g., UKSU (2014). "Policing the context: Principles and guidance." London: Stabilization Unit; also, Hansen, A.S. and Wiharta, S. (2007). "The transition to a just order." Stockholm: Folke Bernadotte Academy.

<sup>38</sup> e.g. ISSAT. (2018). "Human Rights Based Approach to SSR." Geneva: The International Security Sector Advisory Team (DCAF); also World Bank. (2012). "New directions in justice reform." Washington D.C.: The World Bank; also EC. (2011). "Thematic evaluation of the European Commission support to justice and security sector reform." Brussels: EC; also EC. (2014). "A Rights-based Approach, Encompassing all Human Rights for EU Development Cooperation." Brussels: EC; and c.f. UN (2015). "2030 Agenda for Sustainable Development". New York: United Nations Secretary General.

<sup>39</sup> e.g. Baderin, A. (2014) "Human Rights and Islamic Law: The Myth of Discord." London: European Human Rights Law Review; also Ginsburg et al (2014). "Constitutional Islamization and Human Rights": Chicago: Chicago University

<sup>40</sup> Op. Cit., note 1

- Citizens (especially women and minorities) and communities participate, demand accountability, and uphold human rights standards in both formal and traditional justice and security service delivery, leading to transformed lives.
- Complementarity between formal and traditional justice institutions, built on Somaliland's constitutional guarantees of human rights and Islamic values. Specifically, adjudication standards for traditional and alternative dispute resolution mechanisms need to be clarified and systematised, with a channel for enforcement and appeals through the statutory courts.
- Access of marginalised and vulnerable groups to justice and security institutions through comprehensive support that addresses the practical challenges in remote locations and deploys effective coordination between key actors and stakeholders to extend the reach of services.
- Strengthening oversight and complaints mechanism of the police and supporting partnerships between the police and existing community policing/security arrangements to combat crime.
- Communities play a role in criminal justice enforcement or corrections, including restorative justice initiatives alongside capacity building of the institutions.
- Overall, approaches which enhance the status and rights of women, address GBV holistically through improved legal, policy and normative frameworks, as well as service delivery, and ensure gender transformative results.

Bringing the above elements together JROLP II's theory of change therefore is that:

IF Somaliland communities across all regions, are empowered to engage with key Rule of Law and security actors and participate in identifying security and justice challenges and in implementing solutions, THEN they will foster inclusive, equitable, accountable, and responsive RoL systems and institutions – formal and traditional – at the national, regional and district level.

This collaboration between rights holders and duty bearers, will promote structural equality (including gender justice), uphold human rights standards, improve the quality, and reach of access to justice services and enhance public trust in the RoL and governance systems, thus contributing to stability, social cohesion, realizing the social contract and laying a solid foundation for development.

For the desired change to happen however, certain conditions are imperative, and these constitute the core assumptions underpinning the theory of change. **Legal reforms are required**, and **good governance is essential**. In addition, there is a need for **strong institutions that collaborate with the people**, who have the **skills and tools to keep institutions accountable**. The consultations further raised the importance of having **a vibrant civil society in place**, and **citizens that are active and educated in human rights**. The **important role of religious leaders** is necessary for change to happen in areas of gender justice. **Political will** affects the likelihood for change in relation to freedom of expression and applying human rights laws. **Corruption risks** progress of the programme and the importance of **accountability is emphasized**, as well as having **democratic processes in place including elections**. The **stability** of Somaliland and **human security** are conditions that can have an impact on programme activities, including external influences such as emergencies, both human-made and natural. Resources needed for the planned change to occur, include human and financial resources underscoring the **importance of international partnerships**, ensuring that donors are interested in funding and supporting the programme. Recognizing that training and equipment outputs need to be seen as an element of the broader programmatic support, during consultations, **institutional capacity** was often referred to having a positive impact on the programme, at different degrees.

The theory of change is further expanded in the following programme outcome with four interlinked outputs.

**Outcome:** Somaliland rule of law institutions are inclusive, equitable, accountable, and responsive, particularly to the most marginalized and vulnerable.

**Output 1:** *Enhanced institutional capacity improves service delivery and access to justice.* Increased community awareness of rights and mechanisms for redress will be supported with expansion of services to remote regions to guarantee availability and encourage use of fair and effective formal and informal justice systems; especially by the marginalized and vulnerable.

**Output 2:** *Improved capacity and oversight of police contributes to the safety and security of Somaliland citizens.* Here the programme's focus will be on supporting the development of a Crime Prevention Strategy, supporting the government to develop a roadmap to implement the Investigation and Public Complaints Commission and the Committee for Complaints against the Police Force (art. 34 – 36 of the Police Act) and develop a 'use of force' model as part of the broader support to planning for election security.

**Output 3:** *Enhanced legal and policy environment, and capacities for human rights and gender justice.* This output will help achieve a justice sector which integrates a gender perspective and promotes gender equality, sensitize, and empower communities to transform social norms which perpetuate gender discrimination and GBV, empower women to participate and transform security and justice institutions to be gender-responsive and inclusive.

**Output 4:** *Enhanced criminal justice enforcement and correctional services.* Criminal justice enforcement will be enhanced to ensure adherence to legal frameworks that minimize custodial punishment, strengthen community engagement in corrections, and improve the conditions of detention, whilst promoting inclusive and restorative justice.

The above four outputs are interlinked. *The right of access to justice enables the economically and politically marginalized to protect the inalienable rights that they have but are yet to enjoy. It is not only about protecting and improving the livelihoods of people living in poverty, but also promotes people's capabilities, choices, security, and power. Having access to justice helps address the marginalization of vulnerable groups in society – those who suffer socioeconomic hardships, discrimination, and general human rights abuses.*<sup>41</sup>

The JROLP 2022 evaluation<sup>42</sup> observed gaps in overall programme coherence in the areas of design, budgeting, implementation, and reporting. These gaps largely emerged from the design stage, where the thematic areas were an aggregate of too many activities under outputs, not fully supported by an integrated vision and approach, then ultimately assigned to individual agencies, who ended up working in siloes. The interconnectedness of security and justice issues, as key components of human rights, contribute to the core principles of the rule of law and ultimately evince stable, peaceful, and secure societies.<sup>43</sup> JROLP II will address these gaps by emphasizing the linkages at the output level. For example, the gender-based discriminations that women and girls face in all aspects of public and private life, are demonstrated in their exclusion both as actors and as recipients of services including in the security and justice sectors.

Women are underrepresented in Parliament, which means they are absent from debates over legislation that impact their lives, like the Rape and Fornication Bill, 2020. In another illustration,

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<sup>41</sup> [Being able to access justice is a human right - The Mail & Guardian \(mg.co.za\)](#)

<sup>42</sup> Op. cit., note 11

<sup>43</sup> The linkages between the rule of law, human rights, peace and security and development are elaborated in the addendum to the 2014 Report of the Secretary-General on Strengthening and coordinating United Nations rule-of-law activities (A/68/213/Add.1).

women are underrepresented across the security and justice chain, in the police, as lawyers and prison officers, and as prosecutors thereby impacting on the nature and quality of justice services they receive. In response therefore, for example, capacity building for all security and justice sector actors will include components on gender justice and mainstreaming to enhance their gender sensitivity and potential to deliver gender-responsive services as part of a broader programmatic approach. Targeted capacity building will be provided for women actors in the security and justice sectors and advocacy will be sustained to increase their representation. Community awareness and capacity building initiatives will be jointly implemented by all participating entities and include comprehensive components on community policing, legal aid awareness, gender sensitization and the community's role in restorative justice for convicted offenders. Legal aid and vocational capacity, including psycho social support services will be extended to women in prisons and linked to women's shelters and other women's empowerment initiatives to ensure that upon their release they have tangible livelihood potentials.

## **6. Programme Approaches**

Following the UNDG Guidance on Joint Programmes (2022), the principles of Agenda 2030 and evaluation recommendations, the JROLP II development process involved bi-lateral consultations with justice sector institutions and stakeholders. This was complemented by a joint reflection and consensus building consultation workshop in Hargeisa from 25 to 29 September. The workshop discussions and agreements endorsed the approaches below to shape JROLP II.

### **6.1. Area-based Approach**

Guided by the SDG principle of leaving no one behind and responding to the needs outlined in NDP-III, JROLP I was operational in Borama and Burao, achieving some promising results. The regional offices of 3 legal aid organizations (SOLLA, SWLA, Baahikoob), were supported, monitoring missions were conducted in the regions, mobile courts were expanded to 8 new districts, 6 police stations were constructed (2 in Borama, 2 in Erigavo, 1 in Wajaale and 1 in Baligubadle) and related community policing activities were conducted. The programme mobilized the MOJ to conduct, for the first time, coordination meetings in Burao and Borama, and consultations organized under different JROLP activities (i.e., workshops on TDR, the draft Media Law and the draft Disability Law) were held in Borama and Burao to include regional perspectives. The Somaliland government's decentralization policy and well-structured state institutions in Hargeisa facilitated this.

In JROLP II, recommendations to enhance the area-based approach and deal with factors which limited the reach of the previous programme are addressed. The UN development agencies have not previously intervened in the Eastern regions on Somaliland, however, the humanitarian needs now necessitate exploratory assessments to determine feasible activities, due to the high levels of displacement and the vulnerability to crime and human rights abuses that arise. The IPC Analysis for September 2022 for example, estimates that between October to December 2022, of the six regions of Somaliland, 66,670 people out of the population of 480,744 in Sool, 79,550 people of the 375,418 population in Sanaag and 81,750 of the 480,774 population in Togdheer will face emergency levels of food insecurity. In Togdheer and Sool, 4,880 and 2,740 people respectively, will face catastrophic levels of food insecurity. The programme development consultation process identified three areas for area-based programming to be strengthened (Burao, Erigavo and Berbera). The criteria for selection of the three eastern regions/districts include the absence of civil society, presence of the informal justice system and indications of human rights violations. In Sool and Sanaag regions, most of the participants at the consultation meetings mentioned that services are limited, the population sizes are relatively big compared to other regions, community conflicts are present, and the area is affected by the devastating impact of climate change. More precise targeting will be established for programming

during the first phase of JROLP II, based on **a comprehensive mapping to identify the different Rule of Law actors present within the regions** and an **analysis of feasibility of service expansion**. Discussions with UNHCR shall be undertaken to identify the exact locations while designing the provision of the legal services. The analysis will include a conflict analysis and needs assessment to establish logistic costs of access and representation, expanding awareness of services to remote locations especially remote areas. It is to be noted that the disputed areas bordering Puntland and Somaliland would not be part of the programme. Focus shall remain to work with the most vulnerable groups especially IDP's and refugees. Emphasis will remain on increasing support to the regional judicial, human rights, community-based policing, and corrections structures, extending the legal profession and NGOs/CBO in the regions, prevention, and response to GBV in IDPs, rural communities and border locations, targeting justice services to the under-served populations and enhancing synergies with the traditional justice mechanisms. Regional hubs will be established in the selected locations based on a strategy to determine the appropriate model and capacity for their establishment and functioning.

### **Regional Hubs**

Regional Hubs will be integral to managing JROLP operations in the regions and systematizing the area-based approach. The past programme envisaged two operational Hubs: one in Borama covering the Western regions of Somaliland and one in Burao covering the Eastern regions towards, *“improved basic rule of law services to the marginalised and vulnerable, particularly those living outside the urban areas”*<sup>44</sup>. The hubs will also facilitate synergies and coordination of all programme partners in the regions. The hubs will serve as planning and coordination forum under the MOJ but also as a centre for service delivery (either by referrals or by direct provision of legal services).

As agreed in the 2022 JROLP evaluation, the regional hubs will be developed based on a consultation process to **develop an overall strategy aimed at identifying a model for the ROL Regional Hubs**. This will happen in the first phase of the programme and involve mapping of relevant actors and their respective roles identified, referrals, synergies, and local coordination mechanisms as well as linkages with Hargeisa clarified. Based on the needs in each region, the ROL Regional Hubs would offer to the population different typologies of legal services ranging from legal representation, advice, information and awareness, referrals to SGBV centres etc. Participating actors will be broadly identified and include institutions, CSOs, elders, communities. Initially the Regional Hubs could have a specific focus on the provision of legal aid services and then gradually expand to other ROL areas. Interlinkages will be made with other development projects in the regions, such as the UNDP Joint Programme on Local Governance and Decentralized Service Delivery. A physical space could be created so that participating actors could meet in person and be encouraged to act as a group.

## **6.2. Adaptive Management**

JROLP II is built on lessons from previous joint programmes implemented in Somaliland. The context as well as the complexities inherent in rule of law and security programming require more flexible decision making, drawing on lessons and knowledge generated from reflection on local needs, programme challenges and effective outcomes to adapt approaches and maximize potential. One of the lessons drawn from the mid term evaluation is on adoption of an **adaptive** management approach, as the JROLP -I suffered from the implementation arrangements in terms of shared vision, clear strategic direction for all partners. This programme management approach enforces continuous monitoring and learning aimed at improving results of interventions. This is done by deliberating on shifts in power dynamics, from changing conflict, legal, environmental or political issues, and adjusting programme strategies. At the design phase, this involves the set-up of learning systems from regular monitoring, analysis and learning (of what works and what does not) in a feedback loop. This

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<sup>44</sup> JROLP (2020 – 2022)



monitoring-analysis-learning feedback leads to decision-making for adaptation by a coordination mechanism embedded in the governance structure of the programme. By introducing the adaptive management approach, flexible decision making would strengthen effective cooperation and reflection spaces with partners and target groups would maximize the potential impact of the new JROLP-II. Further JROLP II implementation is designed in two phases with possibility of extension to Phase III depending on resource mobilization. This approach would involve consistent information sharing, analysis and joint decision-making on adaptation or adjustment of programme priorities and approaches in line with contextual changes/challenges.

Continuous monitoring of all programme activities will be reinforced and a technical level coordination between PUNOs instituted to meet Bi-monthly/Quarterly, ahead of the quarterly programme Technical committee (PSC) meetings. The PUNOs coordination will reflect on information and lessons emerging from continuous monitoring and make recommendations to the PSC for decision-making and ensure strategic linkages are sustained with NDP-III and the SDGs. These will be bolstered by a robust M&E framework that will constitute flexible indicators measuring progress and context, and includes a mid-term and final evaluation.

### **Three-phased programme implementation**

<b>Phase 1 / Inception (12 months)</b>	<b>Phase 2 (24 months)</b>	<b>Phase 3 (Potential extension based on mid-term evaluation, stakeholder review and resource mobilization)</b>
<ul style="list-style-type: none"> <li>• Programme recruitment</li> <li>• Continuation of former programme, e.g., mobile courts and Gender justice and GBV initiatives.</li> <li>• Needs assessment, mapping of rule of law actors' presence in the regions and gender responsive conflict analysis to facilitate selection of new locations; Erigavo and Las Anod.</li> <li>• Strategy development for the ROL Regional Hubs model.</li> <li>• Development of Parole and Probation Guidelines.</li> <li>• Consultations on guidelines for harmonizing formal and informal justice mechanisms and systems.</li> <li>• Initiation of Complaint and oversight mechanisms for the Police.</li> <li>• Inception phase report, consultations, and planning for Phase 2</li> </ul>	<ul style="list-style-type: none"> <li>• Implementation of Phase 2 programme activities.</li> <li>• Launch of parole and probation guidelines</li> <li>• Establishment of Regional Hubs</li> <li>• Launch of activities and structures to harmonize formal and informal justice mechanisms and systems.</li> <li>• Launch of programme activities in Erigavo and Las Anod and expansion of programme activities in Burao and Borama.</li> <li>• Midterm evaluation</li> <li>• Consultations, lessons learning, adaptation /adjustment of approaches and planning for Phase 3</li> </ul>	<ul style="list-style-type: none"> <li>• Continuation or full implementation of programme outputs and activities in all regions.</li> <li>• Final programme evaluation</li> <li>• Consultations, success and lessons learning, adaptation /adjustment of approaches for next phase joint programme as required.</li> </ul>
<ul style="list-style-type: none"> <li>• Continuous monitoring, lessons, and quality assurance.</li> <li>• Framing of emerging needs, priorities, and solutions through structured dialogues at all coordination levels, feeding up to the PSC for final decision making.</li> </ul>		

### 6.3. Innovation

The outgoing JROLP evaluation noted that many activities (legal aid, mobile courts, judicial inspections, SGBV, university law clinics, scholarships) were implemented as mere continuation of past interventions, with limited reflection on innovation and opportunities for improvement. JROLP II development process facilitated reflection by partners and stakeholders during the five-day consultation (25 – 29 September) on the impact of well-used and repetitive activities, whether there are opportunities to improve on approaches and outcomes through innovation, identify gaps and challenges and propose innovative ideas (technical, social or policy) to inform future interventions. Based on the consultation, some of the areas recommended for JROLP II to focus on include (i) harmonized response unit for law enforcement agencies, (ii) establishing a digitalized complaint mechanism system for all law enforcement agencies, (iii) ensuring accessibility to justice and security services for PWDs (for example by having interpreters knowledgeable in sign language and making the agencies accessible for people with wheelchairs), (iv) expansion of mobile courts at the District/village level, (v) increase of legal aid mobile team, (vi) expansion of constitution and civic education trainings throughout the regions, (vii) dissemination of information on new legislation at all levels and in all regions, (viii) an integrated electronic GBV case management system for all responders, (ix) establishing the Somaliland national bar association, (x) initiating regular information sharing trips to other countries part of the south-south cooperation for learning opportunities, and (xi) development of a national crime prevention strategy for the police. As stated in 6.2 above, continuous reflection will become a fixture of the programme to enhance the innovative quality of programme responses.

### 6.4. Coordination

Despite having a specific and comprehensively described coordination output, the evaluation outlined coordination gaps in design, budgeting, implementation, and reporting of the last JROLP, hence PUNOs operated in siloes, rather than as a de facto joint programme, managing for integrated outputs and joint results. In addition, CSOs and government coordination at capital and regional levels needed to be promoted to expand reach of interventions and ensure synergistic links in service provision. To address coordination in JROLP II, programme development consultation process agreed on three following strategies:

#### 6.4.1. PUNOs coordination

Building on the existing positive working relations amongst the agencies, JROLP II is built on the common strategic vision of ***inclusive, equitable, accountable, and responsive rule of law institutions, particularly to the most marginalized and vulnerable across Somaliland***, with clear joint outcomes, outputs, and activities. Against this framework, the roles of all PUNOS are better clarified to effectively deploy their mandates, comparative advantages, and technical contributions in thematic areas. Whilst UNDP leads on overall institutional capacity building and expansion of security and justice services, UN Women will lead on gender justice components and UNODC on criminal justice enforcement and restorative justice. UNSOM will continue to provide technical advice on thematic issues such as Police, Human Rights, Corrections and Judicial Affairs and contributing to processes that lead to products like policies, guidelines, or manuals. UN Women will play a strong role of overseeing gender responsiveness of the whole programme with evidence in joint gender equality results. Human rights, gender equality mainstreaming and leaving no one behind are cross-cutting principles that all entities will address.

A dedicated monthly PUNOs coordination meeting will be instituted as a learning and technical management structure reporting to the Programme Technical Committee through the Secretariat managed by the lead PUNO, UNDP. JROLP II includes a staffing framework to strengthen the presence of all partners in Somaliland for all three PUNOS, pursue harmonized administrative procedures and invest in staff capacities for stronger coordination. Specifically, dedicated capacity, in a programme

coordinator, to ensure effective and more cohesive programme implementation is built into the programme design. In addition, the reporting framework will be revised to ensure harmonized approaches/processes and coherent, unified outputs.

#### **6.4.2. Strengthened Civil Society Engagement**

Civil society technical knowledge, experience and access to communities is usually invaluable in programme planning, implementation, and monitoring. The outgoing JROLP worked with four CSOs, but they were not represented on the PSC and so had limited inputs into decision-making for the programme. To improve partnership with civil society a **Civil Society Reference Group** on security and justice in Somaliland will be established as part of the programme coordination structures. The group will include direct partners of the joint programme and wider members of civil society actively engaged in the sectors. They will provide technical level advisory, consultation and advocacy inputs for the project and monitor for balanced resource support between government and CSOs. The reference group will help bridge the disparity between government actors and civil society partnerships on the programme. The group selection criteria, terms of reference and coordination structure is articulated in more details in the Annex. A representative of the Reference group will be attending the PUNO coordination meetings to provide perspectives on the context and inform conversations on lessons/learnings and adaptations as necessary.

Further civil society organizations shall be included in the direct implementation wherever opportunities would provide engagement to reach out to the maximum number of vulnerable groups and marginalized population. Civil society groups shall be included in the implementation such as lawyers networks based on market survey which UNDP shall conduct to ensure that the civil society are representatives in the communities and that they are genuinely positioned as lawyers networks in the areas of implementation.

#### **6.4.3. Support to Strengthen Government Sectoral Coordination**

JROLP II will build on achievements in the last programme to continue supporting sectoral coordination within and between actors in the justice and security sectors under the NDP-III coordination framework (thematic and working groups). For example, the AGO supports yearly coordination meetings for the criminal justice actors (police, court, and legal aid providers). The new joint programme will support selected relevant Ministries Departments and Agencies (MDAs) to convene key actors –including CSOs– more frequently to address common sectoral objectives and emerging developments through information sharing, joint planning, implementation, and monitoring of justice and security service delivery. Support to establish and run similar coordination structures across the six regions of Somaliland will help bolster the area-based approach and facilitate accountability for service delivery to the districts.

This approach to supporting the working and thematic groups will further allow for monitoring of NDP-III outcome indicators, and progress on SDG5, SDG10 and SDG16 indicators particularly equal access to justice for all (SDG 16.3), ensure public access to information and protect fundamental freedoms(16.10), enhance transparency and mutual accountability(SDG 16.6), eliminate harmful practices(SDG 5.3), eliminate gender discrimination (5.1), empower and promote inclusion of all(10.2), reinforcing data and best practice, sharing commitments and serving as fora for greater policy and programmatic coherence(SDG 17.4). More details on the value-added and approaches to this coordination can be reference in the last joint programme.

### **6.5. Sustainability**

The outgoing JROLP was assessed as showing some potentials for sustainability. These are where project activities are mostly led by national actors with a good level of institutionalization, where there is improvement in competencies of staff of national partners, in the increasing number of legal

professionals, and activities with a longer history of operating Somaliland (mobile courts) or activities with limited budget implications (coordination fora). Human resource investments to national partners were found to offer better sustainability potential if they focused more on technical functions and on capacity building of core institutional staff. Investment in JROLP II will be focused on strengthening the capacity of national partners, short term consultants for 3 to 4 months can be hired to provide some inputs to technical roles. If needed, advisors could be contracted by the PUNOs, co-funded by national partners, hired on standardized remuneration. The political priority given by the Somaliland government to rule of law and the increased coordination offered by the NDP-III also offers significant opportunities to develop the strategic and technical capacity of Somaliland's security institutions. Community Policing initiatives are still in their embryonic stages. Potentials for upscaling and sustainability should be built into their further design and implementation. For example, civilian police systems should be connected more strongly to the local government institutions so that timely and localized actions on security can be taken. Other sustainability potentials for programme outputs will be explored in consultation with partners.

### **6.6. Conflict Sensitivity**

Somaliland has maintained relative peace despite being bordered by conflicts in an insecure region. Conflict related death rate is at 1.3, with skirmishes occurring mostly in Eastern regions.<sup>45</sup> NDP-III further observed that Somaliland is highly susceptible to the negative effects of climate change and extreme weather. With the economy being largely dependent on livestock, droughts and floods have devastating direct effects on large numbers of Somaliland communities and ultimately on the whole Somaliland. Climate change impacts included loss of livestock and livelihoods, hunger, displacement and even conflict over scarce resources and exacerbating existing community tensions and vulnerabilities.

During the programme development consultation, it was agreed that the area-based approach target three locations: Burao, Las Anod and Erigavo. A refresher on gender responsive conflict analysis (GRCA) for programme development was conducted at the five-day consultation and thereafter it was agreed by all partners and stakeholders that a comprehensive gender responsive conflict analysis (GRCA) of the three chosen locations be conducted jointly by all implementing UN agencies at the inception phase and continuously, to inform programme expansion to those areas. Acknowledging the different conflict sensitivity risks and opportunities related to sources of conflict, urban-rural patterns of conflict, displacement dynamics in each of the selected locations, UNDP's Conflict-related Development Analysis (CDA) tool could be deployed in coordination with all PUNOs, to better understand the conflict dynamics prevailing in the project areas – conflict drivers, potential peace engines and key stakeholders - and how the programme will interact with these. The conflict analysis will also include an environmental analysis to guide the integration of climate justice approaches into programme implementation. Further, conflict analyses will be regularly conducted to inform PUNO monthly coordination meeting and adaptive reflections in the JROLP II to ensure any changes in conflict dynamics are understood and addressed throughout the programme lifecycle, in a timely manner.

A risk log is already deployed (see Annex) to inform a risk management system at the programme level. This log's review and updating will be a standing agenda item in the monthly coordination meetings to ensure full conflict-sensitivity programming.

### **6.7. Gender Justice and Gender Equality Mainstreaming**

Women and girls face discrimination in all aspects of public and private life, including in the security and justice sectors where socio-political and economic factors interplay to aggravate their exclusion.

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<sup>45</sup> NDP II

Early marriage and, to a certain extent, child marriage are common in Somaliland. Survey data shows that 12 percent of women married at the age of 15, 39 percent at the age of 20, and 52 percent at the age of 22. Among men, five percent married at the age of 18, while 11 and 23 percent are married at the age of 20 and 22, respectively, (SLHDS 2020). Early and child marriage impedes prospects for higher education and decent living standards. Moreover, child marriage also poses health risks during childbirth<sup>46</sup>. SGBV prevalence remains high (Baahi-Koob Centre supported 582 SGBV survivors from May 2021 and April 2022), and the systems of redress can be detrimental to women's rights, exposing them to stigma and further erosion of their dignity. Whilst the outgoing JROLP supported various efforts to promote gender equality, the evaluation recommends that deepening the impact of such efforts will entail adopting a gender transformative approach. JROLP II has expanded the scope of its gender justice programming to include a two-branch strategy. On the one hand, a specific outcome that focuses on transformative change through: advocacy for legal and policy reforms that create a conducive environment for women to exercise their agency, enhancing women's participation and empowerment in justice, security, corrections and in decision making processes, improving access to justice for women, engaging with traditional institutions to improve application of human rights standards, helping communities to understand and challenge the social norms and practices that perpetuate inequalities between men and women, awareness raising and sensitization on positive masculinity, and addressing GBV prevention and response.

Article 8 of the Somaliland Constitution stipulates that "all Somaliland citizens shall enjoy equal rights and obligations in the practice of the law and shall not be accorded precedence on the grounds of clan, birth, language, gender, property, status, opinion, etc." In addition, the Somaliland National Vision 2030 envisages "a caring society meeting the basic social needs of its members". Furthermore, the overall objective of the National Gender Policy is to facilitate the mainstreaming of the needs and concerns of women and men, girls, and boys in all areas for sustainable and equitable development and poverty eradication. The draft Sexual Offence Bill (SOB), draft Family Law, and National Employment Policy (2020) are the existing legal frameworks that advance women's rights and gender equality.

To increase women's political representation, the Somaliland government, civil society organizations, and international partners have provided financial and logistical support to female candidates regarding campaign strategies and election-related undertakings. Twenty-eight female political aspirants effectively competed in the 2021 parliamentary and local elections. Although they secured a significant number of votes, only ten have secured seats in the local councils of small towns. On the other hand, the number of women in executive leadership positions have improved, including within cabinet (5.6 percent), and as director generals (7.7 percent), and department directors (23.1 percent). Furthermore, women's overall representation in the civil service has increased from 23.4 percent in 2016 to 26.3 percent in 2020. Special attention will be paid to promoting the rights of women from minority clans, who experience multiple discrimination on the account of their gender and minority status. On the other hand, the programme ensures oversight and coordination for gender equality mainstreaming and transformative results across all other outcomes under the leadership of UN Women.

## **6.8 Security Mainstreaming and Compliance**

Somaliland has maintained a relatively stable security landscape. However, some areas are impacted by either security threat elements activities or conflicts spilling from more insecure bordering regions. Nonetheless, programmes must still deliver even as the security environment is complex and challenging. Further, UNDP, as the PUNOs will comply with the policies, procedures and practices of the United Nations Security Management System (UNSMS). UNSMS will enable this delivery while reducing to acceptable levels the risks to which UNDP and PUNOs personnel, assets

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<sup>46</sup> Somaliland NDP-III 2023-27

and operations are exposed. The programme and project Teams shall mainstream security into its activities, meaning security considerations are to be included early on and implemented at all levels of activities and throughout the programme cycle. This is also in line with the paradigm “*no programme without security and no security without resources*” within the UNSMS and the UNDP Security Framework of Accountability. UNDP Security Unit will provide clarity and technical guidance on UNSMS country-specific security policy processes and procedures related to programme and project management within the concept of security mainstreaming.

## 7. Anticipated Results

### Expected Outcome

***Rule of law institutions are inclusive, equitable, accountable, and responsive, particularly to the most marginalized and vulnerable across Somaliland***

#### **1.1. Output 1: Enhanced Institutional Capacity Improves Service Delivery and Access to Justice**

*The objective of this output is to increase community awareness of rights and mechanisms for redress; supported with expansion of services to remote regions to guarantee availability and encourage use of fair and effective formal and informal justice systems; especially by the marginalized and vulnerable.*

Past programme analysis shows that majority of Somalilanders, especially in the rural areas seek justice services from the traditional (Akel and Sheikh) and Sharia courts, rather than the formal justice systems. The programme will focus on strengthening the quality and availability of basic justice services in the rural areas, with specific attention to currently disadvantaged and ‘hard to reach’ groups whilst supporting a harmonization of processes between the formal and the traditional systems to guarantee fairness in outcomes, enforcement of decisions and human rights protection, especially for women and minorities. JROLP II will proceed on this component with ***a comprehensive mapping to identify the different Rule of Law actors present within the regions*** and an ***analysis of feasibility of service expansion to reach remote areas.***

Mobile justice has been delivered through mobile prosecutors and mobile legal aid in a coordinated manner since 2013. This initiative, enabled appeals to be heard from decisions recorded in the district and regional courts, including traditional courts, and thus helped to lever up standards in the lower and traditional courts, and facilitated integration of the formal and informal systems ensuring harmonized procedural justice and implementation of court decisions. Further support to the initiative will consolidate the reach of the courts and lead to sustainability of the model. Considering that the mobile courts are now almost 90% funded by the government, the JROLP-II will shift its support more towards technical inputs towards improving the quality of the services. Support will also be based on a mapping of current areas of reach and assessment of new areas on intervention, such as Districts in eastern regions. Mobile courts only cover Appeal Cases and are organized “on demand.” A strategy for Mobile Courts will be developed to better define the framework for the initiative and explore issues like, the possibilities of organizing the courts as a circuit, extending their jurisdiction to first instance cases, prioritizing areas of intervention and typology of cases and composition. The Mobile Courts have been adjudged as having the potential to be sustainably managed by the government due to their long history of operations and the good level of institutionalization it has achieved. Support for the initiative will therefore, be phased out in year two of this JROLP-II.

The extent to which women and men are aware of their rights varies tremendously from place to place. In Somaliland, women and men may understand their rights but be uninformed of the redress available to them in cases of rights violations. JROLP II will conduct inclusive civic dialogue and awareness-raising at all levels -state, regional and district- so that Somaliland citizens, women, men, girls and boys, young people, and minorities in all their diversities, will understand their rights and the various mechanisms for seeking redress and how to engage with them and seek the available remedies.

Capacity building of judges and prosecutors in the formal system, notably in dealing with criminal trials and sentencing (including capacity to address cases of SGBV) will be sustained to bolster the availability of trained judges, prosecutors, and police to remote regions. In addition, capacity building that involves development of alternatives to criminal trials will be explored to resolve the rate of juvenile imprisonment. To complement the capacity, the High Judicial Commission will also be supported to strengthen its decentralisation to the regions, including continuation of support to court inspection, professional practice for judges and those working in the formal system across the regions in Somaliland. This will enhance procedural transparency, predictability, flow of information between people and judiciary and increase citizen's trust in the system. Synergy and flow of information between the duty bearers and rights holders will be explored to ensure there is coherence in the support provided which should be demonstrated by complementary data from both ends. Furthermore, the existence of information platforms is limited. Therefore, data collection, monitoring, evaluation & learning can be considered as an activity by national partners in addition to programmatic MEL.

To complement the services of government institutions, support will be increased to NGOs to expand access to justice and strengthen essential legal aid services for marginalized and vulnerable groups and women in the regions. Interventions will build the capacities of and make available the services of qualified legal practitioners alongside interns and paralegals, ensuring increased representation of women paralegals, and women graduate lawyers.

The programme will address harmonization of the formal justice system with the traditional, grounded on human rights provisions in the constitution<sup>47</sup> and international acclamations of human rights in Islam<sup>48</sup>. To achieve this the draft guidelines for TDR will be completed and include a clarification of the divergence with ADR and TDR, the linkages and coordination structures for both mechanisms and synergies with each other, the linkage with formal courts and the role of lawyers as well as clarifying the jurisdiction of both mechanisms and how the rights of vulnerable groups would be protected. This initiative will be coordinated with IDLO, which is implementing a project to establish ADR Centres across Somaliland in cooperation with the MOJ.

The programme interventions will continue to work in synergy with the ***'Support to Voiceless Project' and Expansion of Access to justice.'***

Finally, the programme will also support MoJ to define a legal aid model for Somaliland that delivers justice and security to all, through the development of the legal aid law and coordination of legal aid activities across Somaliland, particularly in the regions. Based on a comprehensive and inclusive national level consultation, such a model will help recognize and clarify the roles of different actors such as paralegals, volunteers, and legal professionals, and ensure their legal recognition to facilitate their work. The model will further define the nature of services to be provided and coordination and referral pathways across different institutions involved, both government and non-governmental.

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<sup>47</sup> Constitution of Somaliland Chapter 1, Part 3, articles 21 - 36

<sup>48</sup> e.g. Declaration on Human Rights in Islam, Cairo 1990

Activities under this output will include:

- Development of a strategy for a regional hub to help expand access to justice services to remote regions.
- Expansion and access to mobile courts to insecure and remote areas; including electronic case management systems.
- Develop strategy for prioritizing access to justice for women, with special provisions for women from marginalized and vulnerable groups.
- Institutionalize collaboration between the traditional judicial systems with the formal state system through a guideline on harmonization identifying and encouraging people-centered, gender-responsive and rights-respecting practices in alternative dispute resolution, with reference to constitutional human rights standards on cooperation with MOI.
- Judicial inspection scheme for fair and just accountability and transparency.
- Adoption of legal aid law to define access to justice and legal aid services resulting in sustainable, accessible, and contextualized legal aid model for Somaliland.
- Increase inclusion of women in justice, policing, and security services, and advocate meaningful professional empowerment of women and a gender-sensitive work environment.
- Continue to support graduate scholarships for the poor, ensuring balanced representation of women.
- Capacity building of legal professions and expansion of women paralegals in the regions.
- Institutional support for SGBV centres, including logistics costs to enhance access for survivors from remote locations.
- Development and implementation of a national strategy for civic education and engagement on human rights and legal empowerment; with specific attention to the promotion of information and awareness to women, the marginalized and vulnerable groups about their rights and the legal redress available to them.

## **1.2. Output 2: Improved capacity and oversight of police contributes to the safety and security of Somaliland citizens**

*The objective is to support the police to increase rights-based services to the people and increase trust in the police through the development of a Crime Prevention Strategy, supporting the government through the provision of advice to develop a roadmap to develop and implement the Investigation and Public Complaints Commission and the Committee for Complaints against the Police Force (art. 34 – 36 of the Police Act) and advise the government on developing a ‘use of force’ model as part of the broader support to planning for election security.*

JROLP II will continue support to the development of a more accountable police service. The focus will be on advising the Ministry of Interior and the Somaliland Police to build on the ongoing dialogue with politicians and stakeholders on police oversight, accountability, and police/community engagements. Activities will include support to the development of a MoI/SL Police roadmap to implement the internal police complaints and investigation process and establish the oversight



mechanisms provided for in the Police Act at articles 32-36. This work will be supplemented by a focus on security planning for the upcoming elections with targeted support on planning for securing of the polling sites and the development of a SL Police “Use of Force Model” to provide police officers with clarity on the options available to them for managing public order in line with international standards. The JROLP will also support the government to continue the development and implementation of a Crime Prevention Strategy with a focus on increasing police/community engagement at the 8 targeted police stations under the previous JROL programme (Hargeisa, Burao and Borama). In addition, the programme will support the SLNHRC to further refine its human rights monitoring and reporting procedures, enhance members’ understanding and capacity to continue to monitor freedom of expression, promote due process and fair trials, especially for media persons, continue inspection of detention conditions in police stations as well as police conduct during public protests.

The last JROLP contributed to peaceful elections in 2021 by supporting the MOI to deliver training as part of the overall actions to secure 2,700 polling stations across Somaliland (not one single security incident was recorded).<sup>49</sup> Funds to train police on election security were diverted from JROLP I activities to support the MOI. The continued importance of stability as a key factor for social cohesion and enduring democracy, the programme development consultation recommended that a similar initiative be included in JROLP II and adequately budgeted to facilitate early planning and avoid diverting resources from other initiatives at the last minute.

Activities under this output will include:

- Support the government through advice and facilitation to develop a roadmap to guide the implementation of the complaint mechanisms in line with art. 32-36 of the Police Act.
- Support to establish the Committee for Complaints against the Police Force - Art. 35(5) of the Police Act.
- Support the expansion of the Investigation and Public Complaints Office to the regions.
- Support the development of the SL Police Use of Force Model.
- Implement regular human rights training for members of the police.
- Provide advice to the government on developing and implementing the National Crime Prevention Strategy.
- Support (through advice) the planning process for securing the polling venues for the upcoming election.
- Construction of police stations ( ) and two police Clinic/hospitals (Burao, Borama)
- SLNHRC monitoring of police detention centers and report on the use of force in public protests by police.
- Support NHCR to sustain platform for media and government dialogue to protect and promote freedom of information for free and responsible media reporting.

### **1.3. Output 3: Enhanced Legal and Policy Environment, and Capacities for Human Rights and Gender Justice.**

*This output will help achieve a justice sector which integrates a gender perspective and promotes gender equality, sensitize, and empower communities to transform social norms which perpetuate gender discrimination and GBV, empower women to participate and transform security and justice institutions to more be gender-responsive and inclusive.*

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<sup>49</sup> February 2022 Evaluation

To understand the context and create an evidence base, a gender analysis of the justice sector will be conducted. The analysis will explore men and women's different justice system experiences and how gender bias and discrimination function. The gender analysis will deploy sex-disaggregated data to examine recruitment, justice sector budget and funds allocation, working environment and challenges to meaningful women's representation etc. Further, attention will be directed to the intersectionality of gender discrimination with elements such as poverty, disability, age, and gender identity.

If women, the marginalized and vulnerable are to access justice satisfactorily, it is necessary to engage purposefully and profoundly with service providers. To encourage informal justice providers to uphold human rights without gender discrimination, and to ensure adherence to gender equality principles, actions will include advocating for women's inclusion in informal justice forums, raising awareness of human rights and encouraging community-led reform efforts, and including gender equality considerations in oversight and accountability forums with the formal justice system. To reach the most under-served, the programme will support a robust SGBV coordination mechanism led by the AGO and engaging all service providers in the SGBV referral pathway – civil society organisations, paralegal networks in the communities (IDP camps in the cities). Awareness of the services provided by SGBV centers like Baahikoob at community levels will be strengthened. Additionally, funding logistics costs required to bring survivors to the centers where they can receive services efficiently will be built into institutional support for the centers. In addition to the justice sector actors, UN Women jointly will also work with Ministry of Employment, Social Affairs and Family on strengthening access to justice for women.

The loophole in the legal framework for response to SGBV in Somaliland will be addressed through advocacy and dialogue to the Somaliland parliament, CSOs, clan elders, religious leaders and other stakeholders with a view to developing a comprehensive legislation that protects the *survivors of rape and other forms of sexual violence and punishes perpetrators, in line* with the Constitution, other national laws related to women and children's rights, the Penal Code, and international human rights standards.<sup>50</sup>

Activities under this output include:

- Building an evidence base for gender justice reform
- Community sensitization on women's human rights and equal justice.
- Dialogue with members of parliament, civil society, clan elders and other stakeholders on a harmonized sexual offences law for Somaliland.
- Revision of justice sector policies, protocols, and procedures to promote gender equality.
- Implementation of justice sector institutional policy reforms
- Engaging with informal justice providers to include women and adopt human rights and gender equality principles in their practices.
- Gender-focused legal awareness in Eastern regions
- Strengthened capacity building for SGBV service coordination and monitoring of gender and justice.

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<sup>50</sup> <https://somalilandhumanrights.org/wp-content/uploads/2021/02/2020-Somaliland-National-Human-Rights-Commission-Annual-Report-1.pdf>

- Leveraging on previous work on medico-legal support; develop policy guidelines; and training promoting inter-agency cooperation in the investigation, prosecution, and adjudication of SGBV cases.

#### 1.4. Output 4: Enhanced Criminal Justice Enforcement and Correctional Services

*This output proposes to enhance criminal justice enforcement through adherence to legal frameworks that minimize custodial punishment, enforcing the rights of incarcerated persons (especially women and juveniles) through legal aid services, strengthening community engagement in corrections, improving conditions of detention, and fostering restorative justice.*

The importance of having alternative non-custodial measures (parole, probation, and community services) and providing rehabilitation and reintegration activities for prisoners and former inmates was highlighted in the consultations. Alternatives to imprisonment and detention will help lessen prison populations and reduce stress on the criminal justice system.

The Prisons Act requires supporting regulations and policies for parole and probations, but this could not be completed in the last joint programme due to limited public understanding of the concept and lack of the necessary policy and legal framework. JROLP-II will re-visit dialogues with the Ministry of Justice, the Custodial Corps, and relevant stakeholders, ensuring the involvement of community and traditional justice providers, to better understand the socio-cultural implications of a parole and probation scheme and to explain the concept. The outcome of the consultations could be consolidated in a report that would represent a feasibility study from a socio-cultural perspective. The report will inform development of a system that will serve the unique context and align with community needs for restorative justice. Such a scheme will facilitate prisoner rehabilitation and reintegration, whilst reducing overcrowding in scarce prison facilities. Support for development of comprehensive policies in prison education, trainings and rehabilitation activities will be continued.

JROLP II will also support enhancement of the management and professional capacities of the custodial corps to understand and protect the rights of prisoners. Particularly legal aid for all prisoners, and advocacy for diversion options for women and juveniles will be explored, to reduce prison population, unsentenced detainees and undertrials in the prisons (SDG 16.3.2). Formal and informal educational opportunities will be extended to all prisons across the regions. Support will be provided to the SLNHRC to continue inspection and monitoring of custodial centers to ensure compliance with human rights standards.

Women especially, lack the necessary knowledge about their legal rights, and experience to understand and navigate the justice system. They therefore encounter unique challenges at all stages of the criminal justice system, due to the male-dominated and male-oriented design and delivery of criminal justice services. To address these challenges, JROLP II will support increased legal aid, and vocational skills building for incarcerated women, whilst advocating for alternatives to imprisonment when appropriate. It will also support the building of gender-friendly prison facilities and capacity building for women prison wardens.

#### **The programme interventions will support:**

- Development and piloting parole and probation regulation and a system for implementation, involving communities, CSOs and formal and traditional justice systems.
- Construction and Rehabilitation of the Prison's Premises in the regions

- Deliver developing managers, senior management program II and women prison officers trainings
- Restorative justice approaches at community level as diversion mechanisms, in coordination with traditional justice systems.
- Continued support to SLNHRC for prisons monitoring.
- Legal aid services for prison inmates, with special targeting for women, juveniles and for other vulnerable groups
- Formal and informal education and vocational skills building activities for prisoners, with special package for women inmates.
- Strengthened training for custodial corps, and special capacity building for women prison officials.

## 8. Partnerships and Synergies

JROLP II continues the partnership between the UN, the Government of Somaliland, security actors, the people and the international community established through previous rule of law programmes. Situated within the framework of NDP-III it will involve high-level coordination between donors, civil society, women’s rights organizations, Somaliland women from diaspora, private sector, Government, informal actors, and the UN via the Programme Technical Committee. During implementation, the programme technical committee teams will work through ‘top down’ and ‘bottom up’ approaches with a broad range of stakeholders including Government MDAs, CSOs, local government representatives, the media, and the academia. The programme will seek synergies with other donor-funded programmes being implemented by either UN or non-UN entities within the security and justice sectors. These include legal aid, ADR Centers, mobile courts, scholarships, strengthening legal frameworks, disability rights, juvenile justice, gender equality and women’s empowerment, and SGBV prevention and response. Through direct collaboration and coordination with these other programmes, under the NDPIII sectoral structures, JROLP II will foster complementarity, sequencing, and common advocacy objectives, whilst ensuring continuity of progress achieved through previous programme phases.

Discussions with UNHCR shall be undertaken to identify the locations where joint implementation can be undertaken where legal services can be provided to the IDP and returnee population. The locations for and implementation modalities shall be developed within the first 3 months of the initial programme period.

### ***Rule of Law Related Programmes in Somaliland***

<b>Other Programs</b>	<b>Strategic links with JROLP II</b>
UN JPLG	The programme will collaborate as closely as possible with the Joint Programme on Local Governance and decentralized service delivery (JPLG). This will involve primarily planning and implementing the regional and district components of the programme under outputs 1 and 2 and especially the proposed partnerships between communities and state police and justice services. The programme will coordinate with the JPLG programme on civil and political rights and generally on all aspects of ‘bottom up’ rule of law planning and partnership.

UNFPA	The United Nations Population Fund (UNFPA) contributes to the one-stop centres in the government hospitals in Hargeisa, Burao and Borama, and there are plans to expand these services to Berbera and other regions. UNFPA is focusing on health, phyco-social and medical treatment of the victims. This programme will collaborate with UNFPA in legal matters and connect all actors in SGBV cases and implementation of the law. It will also support SGBV local clusters established by UNFPA and real time coordination and collaboration with the juvenile and children's units in the regions run by the AGO.
UNICEF	The United Nations Children's Fund (UNICEF) is also supporting the one-stop centres in the government hospitals in Hargeisa, Burao and Baroma and there is planning to expand these services to Berbera and other regions. This programme will be informed by the UNICEF activities and synergies with all activities. It will also coordinate UNICEF activities in judicial and prosecution capacity building regarding the protection of children, juvenile justice, data collection, youth legal aid and SGBV support for young victims. Similarly, the parole and probation output 4 will coordinate with and learn from UNICEF.
Tolerance and Dialogue - UNDP	The Preventing and Countering Violent Extremism programme (PCVE),. This programme (particularly output 3) will help coordinate and inform the PCVE Programme.
EUCAP Nestor	EU regional maritime capacity- building mission in the Horn of Africa (EUCAP NESTOR) is a civilian operation primarily focused on piracy and maritime security. The maritime security and development legal framework are remit of the EUCAP NESTOR. This programme will build linkages and synergies with the Mission and support its activities.
USAID EAJ	The programme will closely coordinate, synergize, complement, and learn from access to justice data and research activities and refine and define legal aid and access to justice system in Somaliland. Also, EAJ project is mainly focusing in Hargeisa and main activities are capacity building of legal aid organizations and research elements. The UN JROLP will learn from and work together to design and develop an affordable, sustainable, and locally owned legal aid model for Somaliland.
Oxfam	The Support for the voiceless project is mainly for IDPs, vulnerable and minorities and is being implemented through HU legal Clinic established by UNHRC. The program will learn from and synergize legal aid interventions to design and develop a workable, sustainable, and effective system for legal aid.
UK FCO	The UK Foreign and Commonwealth Office has been supporting police, justice, and judiciary with a focused lens. FCO supports the High Judicial Council, the Police Commissioner, Ministry of Defense and the Ministry of Interior regarding action on organized crime and terrorism related challenges. FCO has also helped the High Judicial Council, for example regarding inspections of judicial functions and standards This programme will develop strong synergies with the FCO Programmes, particularly in the areas of training and judicial integrity.
UK DFID	The UK Department for International Development (DFID) is also supporting justice services particularly legal aid and paralegal services at the grassroot level. The programme will explore and develop links with the DFID programme and develop shared goals.
Safer World and Somaliland Non-State Actors Forum	These implement a European Union funded Programme to inform SDG 16+ through research and data collection. This programme will seek close working, linking with SDGs and NDP-III priority milestones.
WB	The World Bank (WB) is supporting institutional capacity building, transparency, governance, and economic development programs. This Programme will learn from, collaborate with and sequence activities with the WB programme to contribute to the SDG priorities for Somaliland set by the MoPD.
DANIDA	The Danish International Development Agency (DANIDA) has activities in women empowerment and private sector business development. DANIDA is supporting the establishing of sub working groups under the Governance Pillar 3. The programme will coordinate and establish links with DANIDA technical and financial support.

BMM GIZ	<p>Better Migration Management is the EU Regional Programme to improve migration management in the Eastern African region in response to the needs identified in the Khartoum Process, and to address the trafficking of human beings and the smuggling of migrants within and from the Horn of Africa in a rights-based and migrant-centered way.</p> <p>The BMM programme has four components:</p> <ol style="list-style-type: none"> <li>1. <i>Policy Harmonization</i>, strengthening national approaches to migration management through a whole-of-government approach to migration and border governance as well as enhancing migration coordination.</li> <li>2. <i>Capacity Building</i>, providing training and assistance to enhance migration-related criminal investigations and prosecutions.</li> <li>3. <i>Protection of Vulnerable Migrants</i>, improving the identification, assistance, and protection of vulnerable migrants, especially children on the move; and</li> <li>4. <i>Awareness-Raising</i>, raising knowledge of migration options, such as livelihoods and safe migration opportunities for potential migrants.</li> </ol> <p>This Programme will collaborate and coordinate with BMM. The synergy and coordination are critical particularly regarding components 1,2 and 3</p>
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### **Beneficiaries**

The programme will target both duty bearers and rights holders mainly in the remote regions of Somaliland. Whilst preparing duty bearers to meet and respond to the needs of people, it will also sensitize the rights holders to claim their rights and demand accountability for performance of public institutions. By working with duty-bearers, rights-holders and promoting linkages between the two, the project aims to progressively restore the foundations of the rule of law and the social contract in Somaliland.

In addition to the direct beneficiaries of technical assistance, the project will indirectly benefit a broad range of actors with a stake in improving safety and security, better justice delivery and enhanced respect for human rights. Partnership arrangements will detail the delivery of services by local partners, respecting both national priorities defined by local authorities and international standards for strengthening security and rule of law in conflict, post-conflict, and fragile states.

Vulnerable and marginalized groups are a cross-cutting programme focus. JROLP II aims to increase the availability and quality of formal and informal justice mechanism to women and vulnerable groups, and to promote safety and security within communities. Based on the context analysis, which shows that women, juveniles, members of minority clans, as well as IDPs, migrants and pre-trial detainees experience significant difficulties accessing their rights through both formal and traditional justice systems, the programme will therefore, target members of these groups in the six regions of Somaliland. It is estimated that as in the last programme, SGBV survivors will constitute around 40 or 50% of the beneficiaries in regions of Somaliland.

JROLP II will further support legal aid, legal awareness, and mobile courts in remote geographical areas as well as transformations in the traditional justice mechanisms and legal aid services to make them more inclusive. Proposed work with the traditional justice actors and other stakeholders at the community level includes establishing a rights-based dialogue, which will create important opportunities for mutual learning, and fostering new perspectives which can be translated into local planning decisions based on identified concerns. Reflection and analysis on personal and collective beliefs and practices on GBV/SGBV will be encouraged in the context of basic constitutional and Islamic rights. Lessons and learnings from the community-based activities will reinforce community capacity to generate and transfer knowledge and lessons learned.

## **Knowledge**

JROLP II will support the articulation of basic rights to safety and justice (as informed by human rights in Islam and the Somaliland Constitution) and mapping opportunities for stronger collaboration between service providers. The programme will also initiate national and regional dialogues and conversations on social justice, human rights, freedoms of expression resulting in positive paradigm shifts, system changes and behavioral changes. It will proceed by means of a national stock-taking of security and justice and by rolling out programmes of consultation and awareness-raising at all levels. Efforts to harmonize formal and information justice systems will be a strong priority and draw on real-life examples and local precedents from the community and the regions. Needs assessment of the Eastern regions will inform justice and security services to be extended to the areas and a gender analysis will inform policy reforms in the justice and security sectors. The programme will create visibility for knowledge and lessons learned, so others can benefit. The programme will continuously test the ideas, models, learn and adapt. On an annual basis the Programme Technical Committee shall deliberate on the development of knowledge products which shall be prepared by the programme for wide dissemination amongst rule of law stakeholders in Somaliland and showcase as best practices at the global level.

## **Value added of UN**

The UN's mandate and custody of the international treaties offer convening and coordination options for targeted development activities in Somaliland, allowing it to align and strengthen Programme outcomes with emerging trends and development in SDGs and NDPII outcomes. The 2030 Agenda for Sustainable Development calls for integrated programming approaches, with the UN recognized as able to convene a wide range of national and international partners in a transparent manner. UNDP has extensive experience of strengthening national capacities and has been working with policing and justice actors since 2008; UNODC has established strong links in capacity building relating to criminal justice, trafficking in persons and corrections services activities, and has two corrections experts (seconded by the Swedish Prisons and Probation Service on non-reimbursable loan capacity) provide technical advice to the Ministry of Justice and Custodial Corps on effective prison administration standards and security. UN Women offers important gender equality mainstreaming oversight and specific delivery competence on women's rights and empowerment activities within the justice chain and in the provision of enhanced security to the population. UNSOM, equally, is mandated by the UN Security Council to implement the political and security mandate towards stability within the Horn of Africa and facilitate and coordinate international efforts to bring a lasting peace to the region.

## **9. Monitoring, Evaluation and Learning - MEL**

The February 2022 evaluation<sup>51</sup> observed that whilst the M&E system of the last joint programme reflected the complexities and partners' methodological differences, data collection varied in quality and details according to the capacity of national partners. It therefore recommends improving the M&E system by initiating dashboards and other visuals and continued strengthening of the data literacy of partners to be able to gather qualitative data. It also observed that annual donor reports lacked analysis on strategic results that would allow more reflection on the implementation strategy and way forward. Therefore, it further recommended including learning components, as well as starting to share data analysis with partners and not only with donors. The evaluation further recommended the adaptive management approach as more suited to the complexities inherent both in the JROLP and the Somaliland context. This requires a shift from M&E toward Monitoring Evaluation

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<sup>51</sup> Page 44

and Learning (MEL), through initiating spaces for reflection towards more flexible decision making, and through increasing knowledge and learning that promotes better understanding of local needs and international requirements for an effective cooperation. By maintain reflection spaces with partners and target groups, the impact of the new programme will be maximized.

In line with these recommendations, JROLP II will expand the agenda of the quarterly PSC meetings to include reflections on data and networking opportunities. The bi-monthly/quarterly technical PUNO level coordination will reflect on data generated by programme partners to analyze performance rate against targets and indicators, progress on programme delivery and provide feedback for improvement, then summarize the information in an advisory format to the quarterly PSC. The PUNO monthly coordination will further use the Theory of Change in the information analysis to test whether the programme is on track to achieve the desired changes, if the ToC remains sound, and additionally, if unforeseen changes have occurred in the environment.

**Activities envisaged for the MEL of JROLP II will include:**

- Trainings for all partners on MEL, including data collection, financial management and report writing.
- Monthly PUNO meetings to assess contextual shifts and progress against the ToC and prepare recommendations to the quarterly Technical Committee
- Quarterly PTC to include reflections on data and networking opportunities.
- Quarterly Civil Society Reference Group meetings on security and justice in Somaliland to reflect on local needs and provide technical level advisory, consultation, and advocacy inputs for the programme.
- Analysis and third-party monitoring services for all activities.
- PUNOs monitoring missions
- Development of visual tools such as Network Mapping to trace connections between partners and other actors (useful to understand the multidimension of the impact), and data visualization to convey the information in a more captivating way.
- The use of Most Significant Change (MSC) techniques such as participatory video or Photovoice to collect perception of target groups, such as SGBV survivors is advised.
- Adaptation of the annual donor reports to include more strategic analytical content.
- A mid-term and a final programme evaluation.



## 10. Risk Framework and Risk Mitigation Strategy

Risk	Risk Category	Impact	Probability	Mitigation Measures (Indicators for risk mitigation to be developed within 6 months of programme initiation)
		Low 1 / 5 High		
Deterioration of security situation in some targeted areas imperils pilots.	Security / Contextual Risk rating 6 (High)	4 (major)	4 (likely)	<ul style="list-style-type: none"> <li>Careful pre-selection assessment of sites and monitoring</li> <li>Coordinate with UNDP Security and UNDSS on the updated security risk management assessment and security threat information</li> <li>Ensuring observance and compliance with UNSMS policies and procedures</li> <li>Maximize use of national coordination mechanisms</li> <li>Identify alternative target sites for use if necessary</li> <li>Revise work programme</li> <li>Include security budget in programme design.</li> </ul>
Key security and justice actors are unwilling to support/block reforms	Political / contextual Risk rating 8 (medium)	4 (major)	3 (possible)	<ul style="list-style-type: none"> <li>Enhance political underpinning of reforms</li> <li>Engage with Justice and Security actors at early stage to reinforce ownership of sectoral reforms</li> <li>Careful development of broad supportive coalitions and use of public awareness-raising and training programmes.</li> <li>Identification of high-level local champions and opportunities to negotiate consent.</li> </ul>
Political leadership/ownership insufficient to progress activities.	Political / contextual Risk rating 8 (medium)	4 (major)	2 (unlikely)	<ul style="list-style-type: none"> <li>Promote early wins from the programme (and political adoption) to help cement relationships.</li> <li>Foster ownership and coalitions of interested stakeholders through coordination mechanisms and ensure programme does not drop from view.</li> <li>Encourage parties at the technical and governance levels to take decisions and actions to progress the activities. Some of the activities affected may need to be re-prioritized.</li> </ul>

Risk	Risk Category	Impact	Probability	Mitigation Measures (Indicators for risk mitigation to be developed within 6 months of programme initiation)
		Low 1 / 5 High		
Funding shortfalls and delays	Programme / Operations Risk rating 8 (Medium)	4 (major)	2 (unlikely)	<ul style="list-style-type: none"> <li>• Close consultations and engagement with the donor community will be conducted to ensure sufficient funding for the programme.</li> <li>• Develop a resource mobilization and partnership strategy.</li> <li>• Early and regular engagement with traditional and non-traditional donors to weigh donors' interest in support of the programme.</li> <li>• Remain flexible to prioritize and adjust programme intervention in alignment with funds availability.</li> </ul>
Lack of coordination among different stakeholders	Programme / Operations Risk rating 6 (Low)	3(moderate)	2 (unlikely)	<ul style="list-style-type: none"> <li>▪ Use different levels of coordination forums to reflect on challenges and remedies.</li> <li>▪ Revisit and adjust coordinating machinery developed.</li> </ul>
Limited monitoring and evaluating tools available for programme implementation	Programme / Operations Risk rating 8 (medium)	4 (major)	2 (unlikely)	<ul style="list-style-type: none"> <li>▪ Capacity building on MEL tools and strategies for all partners.</li> <li>▪ Use of third-party monitoring</li> <li>▪ Joint monitoring activities by programme team and government counterparts.</li> <li>▪ Strengthened oversight of the PSC over programme progress and contextual developments.</li> </ul>
That non-UN security forces that are in receipt of JROLP support are alleged/have committed human rights violations.	Programme / Operations Risk rating 8 (medium)	4	3	<ul style="list-style-type: none"> <li>▪ Supporting the MoI and SL Police to clarify and implement the internal discipline, internal oversight and external oversight processes in art. 32-35 of the Police Act.</li> <li>▪ Application of the UN's Human Rights Due Diligence Policy in terms of all support provided to non-UN security forces.</li> </ul>

## 11. Management Arrangements

UNDP Programme Operations Policies and Procedures (POPP) will apply in the implementation of the Programme, using the Direct Implementation Modality (DIM), and in close partnership with relevant national and international partners. UNDG Joint programming guidelines (2022) shall apply for the implementation arrangements with UNODC and UNWOMEN. Strategic partnership with UNSOM and coordination with other UN agencies as UNHCR and UNFPA shall be undertaken.

To deliver the programme which will have maximum impact also taking into consideration the recent security related incidences in Somaliland<sup>52</sup>, the programme will need to be responsive to changes as and when they occur. This requires management arrangements that prioritize coherence and forego single point solutions, ensuring continuous learning and adjustment and/or redesign of interventions in response to the evolving context. The programme thus adopts an adaptive management approach that is marked by a focus on real-time monitoring and learning. Management arrangements have been designed to ensure that the underlying programme theory of change and related implementation strategies continue to be backed by evidence and analysis. Regular data collection and related analysis will thus inform a continuous dialogue generating decisions for possible adaptation along the way.

The programme shall be implemented through a 2 phase approach with the possibility of extension to Phase III depending on mobilization of resources and programme impact. The phase 1 (detailed in priority Plan in Annex III) which is from 2023 to 2024 shall be undertaken to establish the programme including the staffing for the implementation team.

### **The following approaches shall be applied in this first phase:**

- Application of Adaptive management. This shall be undertaken through *Continuous learning through implementation and coordination*
- *Two-phased implementation plan*
- Innovation through M&E - data collection using feedback loop and initiate monitoring and learning framework through monitoring of human rights standards in prisons and detention centres
- **Coordination**
  - *PUNOs*
  - *Civil Society Engagement*
- **Sustainability** – questioning and identifying local solutions with the Somaliland partners will be a continuing endeavor.
- **Gender equality mainstreaming** shall be the focus to reach the most vulnerable and marginalized groups and make consistent messaging for women’s empowerment.
- **Focus on new partnerships** - build partnerships with National Human Rights Commission, UN Agencies as UNHCR to work on nexus approach and deliver services to the IDP’s and returnees.

In the second year of the programme, while preparing the AWP, a light political economy analysis shall be undertaken to expand on the partnership with government and non-governmental organizations.

### ***Strategic Governance Framework***

The Programme will align its governance and coordination arrangements with the NDP-III through the Governance Pillar and its sub-sectors of rule of law and security. It will also be harmonized with other

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<sup>52</sup> In January 2023 clan based conflict took place in Sool and Sanag area. The situation in Laascaanood demonstrates how quickly fighting escalates to have a serious impact on civilians.

parallel programmes and will place increased focus on results that are locally owned and led, sustainable and integrated, and there is principle of mutual accountability in place.

**The governance structure will comprise the following elements:**

- Programme Technical Committee (PSC) to provide oversight and strategic direction.
- Programme Secretariat (PS) with UN lead agencies of UNSOM and UNDP providing operational and programmatic coordination for PUNOs managed through a joint programme unit.
- Administrative Agent (AA) - funds administration by UNDP Multi-Partner Trust Fund Office (MPTF Office)
- Participating UN Organizations (PUNOs) – will include the coordination and implementing partners and will be able to receive funds.

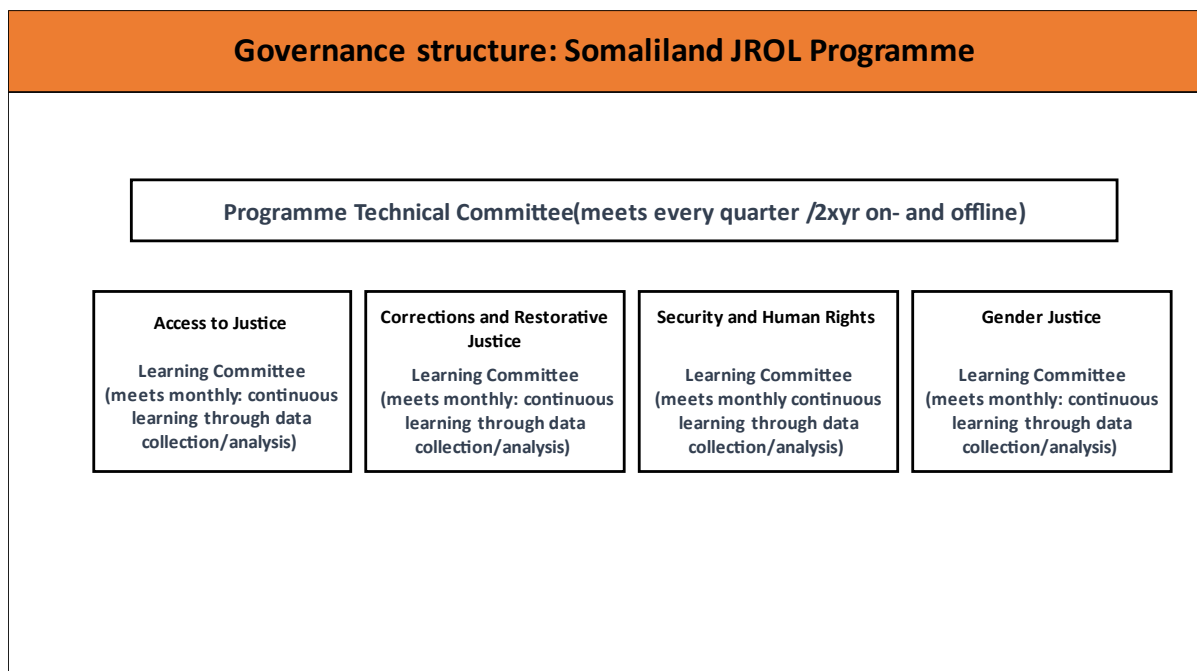
Annual workplans are developed by the PUNOS with the Programme Coordinator by quarter 4 of each calendar year, based on an initial indication of the available budget for each output from the coordinator. The plans will be consolidated into the annual workplan and subsequently approved by the Programme Technical Committee (PTC). The PTC shall confirm the parameters and level of delegation to the PTC and learning teams. To ensure programme agility, the workplans define the budget allocated to each output, while output level activities and inputs will remain indicative and subject to adaptation as required. Project teams are responsible for workplan implementation. To that end, they will translate annual workplans into quarterly workplans detailing activities for each output, target communities, and geographic areas.

The Programme Coordinator will collect and analyze data related to results progress and contextual changes on a regular basis. In case of an identified need for adaptation, the programme coordinator will provide consolidated information to the PUNOS and to the Output-level Management and Learning Teams (OMLT). As part of this submission, the Programme Coordinator will identify needs for adaptation, if any, and define a related proposal. Quarterly OMLT meetings are organized by the coordinator supported by the project teams. The meetings consider progress and contextual changes and approve adaptation proposals within the delegation received.

Changes beyond this delegation will be submitted to the PTC depending on their scope. In the case of an immediate need for adaptations, the Programme Coordinator shall consult the heads of the UN Agencies, UNDP Senior management and the UNSOM Head of Office to make temporary changes, which will be endorsed during the next OMLT meeting. Adaptation decisions, i.e., the use of delegated authority at both levels (PTC and OMPT) need to be documented by a note to file which outlines the triggers and reasons for adaptation and details the changes. The note is to be signed and filed as part of auditable documentation by the approver. Adaptations will translate into changes to quarterly and / or annual workplans, and will be implemented by respective project teams, and monitored regularly by the Programme Coordinator. Once a year, the Programme coordinator prepares the annual report with inputs from the project teams for endorsement of the PTC. This report details the lessons learned over the year and the adaptations made to the original annual workplan, to be approved by the PTC.

**a. Programme Technical Committee (PTC)**

The programme shall have a two tier structure with a Programme Technical Committee and Learning committees for each of the 4 outputs. Details are in the diagram below.



The Programme Technical Committee shall establish linkages between output-level lessons, it captures overall learning on system change concerning rule of law issues, including context monitoring and analysis of progress. It builds on the work done at output level (see below). Within the parameters set by this committee, this advisory body decides on adaptations of the programme theory of change and its overall implementation strategy during the year, as well as on adaptations to work plans and allocations of resources beyond the delegated authority of the Management and Learning Teams.

**Programme Technical Committee (PTC):**

Chairs	Representative of the National Human Rights Commission UNDP Deputy Resident Representative UNSOM Head of Office of Hargeisa
External members	DG level members, Ministry of Justice, representative of the Chief Justice
UN Members	Head of UNDP Hargeisa Office, UNDP Project Coordinator, UNWOMEN and UNODC teams; M&E colleagues, financial colleagues and UNDP Portfolio Manager for Rule of Law and Security
CSO Members	Members of CSO reference group
Frequency:	Bi-annual
Preparation	Programme Secretariat Programme coordinator with UNSOM

<b>Somaliland Programme Technical Committee</b>		
	Technical Committee	Adaptive TCs (analysis/learning)
<b>Purpose</b>	Accompany implementation and discuss specific issues	Discuss and Decide on delegated adaptations based on learning and context changes
<b>Frequency</b>	Depends; usually every 3 months	Two levels: Entire Programme TC meets every 3 months while <b>sub-project TG convene every month</b>
<b>Participants</b>	Technical level Programme / Project troika	Programme TC inclusive of P troika (external); <b>while project TG remains internal (JP partners)</b>
<b>Inputs</b>	Progress updates, technical papers	Progress update, technical papers; <b>Context Update &amp; specific analysis</b>

### Output level learning committee

The Output-level Management and Learning Teams (OMLT) are the engines of agile and responsive programme implementation, meeting on a quarterly basis or as needed. They comprise of representatives of both UNDP, UNODC, UNWOMEN and UNSOM and external stakeholders coordinate learning on the 4 output levels of the programme – Access to Justice, Corrections and Restorative Justice, Security and Human Rights and Gender Justice. This learning includes structured reflection on context analysis per output and an analysis of progress (results, reach and resources including partnerships). Based on the analysis conducted and jointly reflected upon during regular learning sessions (loops), the OMLT translate lessons into adaptive measures. The OMLT can exercise its delegated authority to adapt the approved Annual Work Plan within the parameters set by the Programme Technical Committee. This means that the OMLT will, as needed:

- Decide on adjustments to output-level implementation strategies and related workplans;
- Reallocate resources from one output to another (proposed:) up to the amount equaling 30% of the original output-level allocation.
- Adaptations will be documented by a note to file which outlines the trigger and reasons for adaptation and details the changes. The note shall be signed by the chairs of the committee.

Chairs	Representative of National Human Rights Commission UNDP Head of Area Office UNSOM Head of Office of Hargeisa
External members	DG level members of National Human Rights Commission, Ministry of Justice, representative of the Chief Justice

UN Members	UNDP Project Coordinator, UNWOMEN and UNODC teams; M&E colleagues, financial colleagues and UNDP Portfolio Manager for Rule of Law and Security
CSO Members	Members of CSO reference group
Frequency:	Quarterly basis
Preparation	Technical lead of the output

### **b. Programme Secretariat**

UNSOM and UNDP will fulfil the secretariat role. UNSOM and UNDP will appoint their Focal Points for the secretariat. The secretariat will facilitate operational day to day decisions to ensure effective implementation of the programme. It will coordinate preparation of draft annual workplans to be submitted to the PSC. Based on outcomes of the PSC, UNDP will communicate approved work plans to the UN MPTF office for disbursement of funds.

At the implementation level, PUNOs will coordinate more closely and coherently, through a joint programme unit to be hosted by UNDP in Hargeisa, Somaliland and led by a programme coordinator solely functioning as such and reporting to UNDP Head of Area office and Head of Office of UNSOM. Each agency will hire a technical programme officer/specialist to be based in the joint programme unit and reporting to the programme coordinator as the first line of oversight, then to their agency line manager as direct supervisor.

As lead agencies, UNSOM and UNDP will assume a support role, including:

#### **A. Support to the implementation of the programme:**

- ensure effective coordination of all the programme partners
- ensure coherent and timely implementation of all Programme activities among UN entities
- ensure continued alignment of the Programme with the NDPIII
- preparing, consolidation and reviewing *work* plans and ensuring adherence to the fund's standard operating procedures.

#### **B. Monitoring, evaluation, and learning:**

- coordinate monitoring of annual targets
- facilitate audits and evaluations, and report back to the PTC
- monitor implementation progress, challenges and propose strategic corrective actions to the Programme Technical Committee for decision.

#### **C. Support to the Programme Governance Structure:**

- tracking PTC approvals
- ensure relevant approvals are given by the PTC to the Programme activities and document the decisions and share with all stakeholders
- coordinate and compile narrative reports received from PUNOs, and report back to for review and then PTC if required
- logistical arrangements required to facilitate the PTC meetings, including the preparation of the agenda and minutes, managing PTC documentation and information, etc.

#### **D. Documentation/Reporting/Finance:**

- maintain updated records and documentation including Fund strategic documents and other relevant information
- consolidate from participating UN agencies quarterly financial statements to prepare fund programming for each quarter based on the annual workplan
- provide advice for disbursement decisions
- aggregating narrative and financial narrative reporting for submission to the PTC
- coordinate with UN agencies for fund transfer requests.

##### ***c. Global Focal Point and UN co-ordination***

The coordination and jointness between the UN agencies to ensure timely delivery of the programme will be undertaken through the UN RoL Global Focal Point (GFP) in Somaliland. The management arrangements of the Programme Technical Committee with co-chair of UNSOM and UNDP is within the framework of the GFP Arrangement where progress reviews on a quarterly basis with the heads of agencies of the UN implementing partners and will take up issues of poor delivery and impact and address performance related issues based on feedback from partners and donors.

##### ***d. Participating UN Organizations (PUNOs)***

The programme continues with three PUNOs (implementing and coordinating partners): UNDP, UN Women and UNODC. Each agency will implement specific components of the programme activities based on their comparative advantage, mandate, and technical capacities. All fund disbursements to PUNOS will be approved by the PTC based on submission of narrative and financial reports every quarter.

PUNOs will establish a separate ledger account for the recipient and administration of the funds disbursed to them by the fund manager. PUNOs are entitled to deduct their indirect costs (up to 7%) on contributions received according to their own regulations and rules. Financial oversight and quality assurance functions will be managed and undertaken by each PUNO. The periodic narrative progress and financial reports shall be scrutinized by the PTC. Special sessions can also be planned to discuss specific activities in either the PTC or the at a NDP-III meeting to which the programme team would be invited to provide updates and presentation.

##### ***e. Fund Management Modality***

The programme, which is part of the UN MPTF, will follow the fund management modality according to the UNDG Guidelines on UN Joint Programming. The UNDP MPTF will serve as the Administrative Agent, as set out in the Memorandum of Understanding for the UN MPTF. Where MPTF shall not be a fund transfer mechanism the funds shall be accepted through bilateral agreements between the donor and UNDP. When such a bi-lateral mechanism shall be used, UNDP may arrange for UN-to-UN agreement for fund transfer to UNWOMEN and UNODC.

To support activity implementation, UNDP will select partners that are most relevant for the implementation of the identified programme activities and use the Harmonized Approach to Cash Transfers (HACT) modality for Somaliland implementing partners envisaged for the programme. The selection follows an assessment of their capacity to absorb the financial flow and related responsibilities. The HACT framework is composed of the four interrelated processes:



- Macro Assessment,
- Cash transfers, disbursement and reporting and
- Assurance planning and implementation, spot checks, programmatic output verification and special audits.

UNDP will continue to utilize UN long-term agreements with registered and qualified firms to conduct the necessary assessments and provide the programme with their recommendations on risk levels. Other implementation modalities such as responsible party agreements, low value grants etc. shall be used to reach out to the most vulnerable population.

For the purposes of ensuring that the programme objectives can be met within the available resources, it is proposed that a modular implementation approach is used depending on the availability of funding. The details are provided in Annex III as priority Plan.

#### ***f. Audit***

The programme will undergo an annual audit by a certified auditor according to UN rules and regulations and based on the requirements of each participating UN agency.

#### ***g. Legal Context and basis for relationship***

This programme document will be the instrument referred to as such in Article 1 of the Standard Basic Assistance Agreement (SBAA) between the Government of Somalia and UNDP, signed on 20 May 1976. Consistent with the SBAA Article III, the responsibility for the safety and security of the executing agency and its personnel and property, and of UNDP's property in the executing agency's custody, rests with the executing agency. The executing agency must put in place an appropriate security plan and maintain the security plan, considering the security situation in Somaliland where the programme is being carried, assume all risks and liabilities related to the executing agency's security, and the full implementation of the security plan.

UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required is a breach of this agreement. The executing agency agrees to undertake all reasonable efforts to ensure that none of the UNDP funds received pursuant to the Programme Document are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via: <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>. This provision must be included in all sub-contracts or sub-agreements entered under this Programme Document.

#### ***Accountability, transparency, and reporting of the Participating United Nations Organizations***

Participating United Nations Organizations will assume full programmatic and financial accountability for the funds disbursed to them by the MPTF. Such funds will be administered by each PUNO in accordance with its own regulations, rules, directives, and procedures.

Each PUNO shall establish a separate ledger account for the receipt and administration of the funds disbursed to it by the Administrative Agent from the Fund's account. This separate ledger account shall be administered by each PUNO in accordance with its own regulations, rules, directives, and procedures, including those relating to interest. The separate ledger account shall be subject

exclusively to the internal and external auditing procedures laid down in the financial regulations, rules, directives, and procedures applicable to the PUNO.

Each PUNO will provide the Administrative Agent and the Secretariat (for narrative reports only) with:

<b>Type of report</b>	<b>Due when</b>	<b>Submitted by</b>
One bi-annual report and one Annual project progress report	twice a year	Convening Agency/lead agency on behalf of all implementing organizations and in consultation with/ quality assurance by the Fund Secretariat
End of project report covering entire project duration	Within six months after the end of calendar year in which the operational closure of the activities in the approved programmatic document occurs.	Convening Agency/lead agency on behalf of all implementing organizations and in consultation with/ quality assurance Fund Secretariat

Where there is a **bilateral agreement** with a donor, UNDP as the lead agency shall prepare the donor agreement and the fund transfer shall be undertaken to UNWOMEN and UNODC through a UN to UN Agreement. The reporting timeline would remain the same as per table above.

***h. Financial reporting and timeline***

<b>Timeline</b>	<b>Event</b>
<b>30 May</b>	Annual reporting – Report <b>Q4 expenses</b> (Jan. to Dec. of previous year)
<b><i>Certified final financial report to be provided by 31 May of the calendar year after project closure</i></b>	

Unspent Balance exceeding USD 250, at the closure of the project would have to be refunded and a notification sent to the MPTF Office, no later than six months (30 June) of the year following the completion of the activities.

## Annex I: Resource Framework with Budget

OUTCOME: Rule of Law Institutions are Inclusive, Equitable, Accountable, and Responsive, particularly to the Most Marginalized and Vulnerable Across Somaliland								
OUTPUT 1: Enhanced Institutional Capacity for Effective and Efficient Service Delivery and Access to Justice.								
Sub-Outputs	Planned Activities	Annual Budget			Responsible Parties	Funding Source	Budget Description	Total US\$
		2023	2024	2025				
Sub-output 1.1.: Traditional dispute resolution is better understood, harmonized, and linked with the formal court system informed by human rights and gender equality principles	Result Activity 1.1.1. National level consultations on TDR/ADR organized to clarify both practices and discuss harmonization and coordination between key stakeholders.	20,000	10,000	0	MOI, HJC, UNDP			34,408.50
	Result Activity 1.1.2. Six regional level consultations on TDR law and development of a harmonized framework for TDR and formal ADR.	40,000	20,000	0	MOI, HJC, UNDP			68,817.00
	Result Activity 1.1.3. Rights-based, youth and gender responsive TDR and ADR collaboration framework policy developed and endorsed by all stakeholders,	10,000	20,000	0	MOI, HJC, UNDP			34,408.50

	<b>Result Activity 1.1.4.</b> Capacity enhancement for TDR justice providers on human rights, use of harmonized guidelines and records management.	50,000	50,000	0	MOI, HJC, UNDP			114,695.00
<b>Sub-output 1.2:</b> <b>Mobile courts, Legal aid and legal awareness is expanded to vulnerable groups especially women, children, and minority groups in regions.</b>	<b>Result Activity 1.2.1.</b> Joint conflict analysis, mapping of all Rule of Law actors present within the regions and analysis of feasibility of service expansion to reach areas near borders with Puntland and Djibouti.	40,000	20000	0	HJC, CSOs, UNDP,			68,817.00
	<b>Result Activity 1.2.2.</b> Expand mobile courts to selected districts and regions; 1 car each to 4 districts). Including 4 vehicles (@ \$26,500 each = 106,000) and office equipment and Furniture for Six regions (2* \$15000 = 30,000)	136,000	60,000	50,000	HJC, CSOs, UNDP,			282,149.70
	<b>Result Activity 1.2.3.</b> support for mobile court coordinator and assistant and transfer to HJC.	20,000	20,000	20000	HJC, CSOs, UNDP, UNPOL			68,817.00

<b>Result Activity 1.2.4.</b> Development of a strategy for a regional hub to help expand access to justice services to remote regions and support robust coordination among all actors.	10,000	0	0	HJC, CSOs, UNDP, UNSOM,			11,469.50
<b>Result Activity 1.2.5.</b> Establishment and staffing of regional hubs.	15,000	20,000	15,000	HJC, CSOs, UNDP, UNSOM,			57,347.50
<b>Result Activity 1.2.6.</b> One Access to Justice technical lead (SC9/10) & One M&E/communications and reporting officer (SC10) cost for 3 years	108,332	108,332	108,332	UNDP			372,754.16
<b>Result Activity 1.2.7.</b> Construction of Two (2) Courthouses built (each USD 100,000)	100,000	100,000	0	HJC/ UNDP/ UNSOM			229,390.00

	<p><b>Result Activity 1.2.8.</b>          § Consultation on legal aid law with the relevant parliament committees.          § Development of Legal Aid Bill and advocacy for its passage in parliament.          § Institutionalization of legal aid unit within the MOJ and its network with CSOs, Academia and train specialized CSOs in regions through ToTs.          § Technical and financial support in legal aid coordination and monitoring in regions and across the spectrum by MoJ, including prisons and police stations.          § Strategy for prioritizing access to justice for women, with special provisions for women from minority clans and IDP camps.</p>	40,000	40,000	40,000	MOJ, CSOs, UNDP, UNSOM,		137,634.00
	<p><b>Result Activity 1.2.9.</b> Law for Development of the Bar Association.</p>	20,000	10,000	-	MoJ, UNDP,		34,408.50
	<p><b>Result Activity 1.2.10.</b> Development of paralegal manual. - Capacity building of legal professions and expansion of paralegals, especially women, in the regions.</p>	10,000	20,000	20,000	SWLA, UNDP		57,347.50

<b>Result Activity 1.2.11.</b> Provision of Legal aid services to vulnerable and marginalized groups, especially women, prisoners, minorities and juveniles.	40,000	40,000	20,000	SOLLA, UNDP, UNSOM			114,695.00
<b>Result Activity 1.2.12.</b> Sustain support to the SGBV Centres under Hargeisa and Burao Regional Hospitals. - Expand and support SGBV services to other regions. - Training of staff on collection of evidence, medico-legal and investigation of SGBV supported, with medico-legal examination training modules in SGBV cases.	80,000	70,000	50,000	AGO/UNDP, Hargeisa Hospital /Baahikoob,			229,390.00
<b>Result Activity 1.2.13.</b> - Support continued implementation of Judicial Inspection and disciplinary Scheme and hire technical advisor	90,000	90,000	90,000	HJC, UNDP, UNSOM			309,676.50
<b>Result Activity 1.2.14.</b> - Case Management support in six regions (files, Registers, Back Up Cards, and Labels)	20,000	40,000	40,000	HJC, UNDP, UNSOM			114,695.00
<b>Result Activity 1.2.15.</b> - Equipping the Supreme Court Library with books, providing access to online resources and equipment for six new courts.	30,000	36,000	0	HJC, UNDP, UNSOM			75,698.70
<b>Result Activity 1.2.16</b> - Capacity building for HJC.	15,000	15,000	40,000	HJC, UNDP, UNSOM			80,286.50

	<b>Result Activity 1.2.17.</b> Annual judiciary conference	10,000	10,000	0	HJC, UNDP, UNSOM			22,939.00
	<b>Result Activity 1.2.18</b> – Construction of Judiciary training Institute – 400,000	200,000	100,000	100,000	HJC, UNDP, UNSOM			458,780.00
<b>Sub-output 1.3.</b> Increased inclusion of women in justice, policing, and security services, and professional empowerment of women and a gender-sensitive work environment.	<b>Result Activity 1.3.1.</b> • Training and legal empowerment awareness for women lawyers and prosecutors to strengthen their agency.	20,000	20,000	10000	AGO, UNWomen & SWLA,			57,347.50
	<b>Result Activity 1.3.2.</b> • Advocacy with the judiciary and AGO to increase women professionals and achieve gender parity	15,000	20,000	15,000	AGO, SWLA, UNWomen			57,347.50
	<b>Result Activity 1.3.3. –</b> § Construction of AGO Office in Barbera 60,000, and Two Vehicles for AGO 26,500x2 = 53,000) = 113,000	53,000	60,000	0	AGO, UNDP			129,605.35
	<b>Result Activity 1.3.4. -</b> § Office equipment and furniture for two regions – 12,000	6,000	6,000	0	AGO, UNDP			13,763.40
<b>Sub -Taal Output 1:</b>		<b>1,198,332</b>	<b>1,005,332</b>	<b>618,332</b>				<b>3,236,688.31</b>
<b>OUTPUT 2: Improved capacity and oversight of police contributes to the safety and security of Somaliland citizens</b>								



<b>Sub-output 2.1:</b> <b>Somaliland Government, police and communities address and prevent national, regional, and local crime problems.</b>	<b>Result Activity 2.1.1:</b> § - Crime prevention strategy developed.	30,000	20,000	0	MOI/Police, UNDP			57,347.50
	<b>Result Activity 2.1.2:</b> § - Raise the knowledge within the Somaliland Government, police, and communities on implementing effective crime preventing strategies and activities.	100,000	100,000	40,000	MOI/Police, UNDP			275,268.00
	<b>Result Activity 2.1.3:</b> § - Community/police partnerships initiated in 8 targeted police stations.	100,000	50,000	50,000	MOI/Police, UNDP			229,390.00
	<b>Result Activity 2.1.4:</b> § - Development of a framework for developing Operational Orders to secure election polling venues.	20,000	10,000		MOI/Police, UNDP			34,408.50
	<b>Result Activity 2.1.5:</b> § - Implementation of police electoral security support initiative, including purchase of non-lethal equipment for crowd control	500,000	0	0	MOI/Police, UNDP			573,475.00
	<b>Result Activity 2.1.6:</b> § - Construction of three police stations USD 60,000 each and clinics/ hospitals in selected districts and equipped (USD 220,000)	200,000	100,000	100,000	MOI/Police, UNDP			458,780.00

	<b>Result Activity 2.1.7:</b> § -4 vehicles procured for Somaliland Police	106,000	0	0				121,576.70
<b>Sub-output 2.2:</b> <b>Strengthening police capacity in human rights, SGBV and child rights.</b>	<b>Result Activity 2.2.1:</b> § - Training Plan developed and implemented by MOI and SLNHRC.	20,000	15,000	0	SLNHRC, MOI/Police, UNDP			40,143.25
	<b>Result Activity 2.2.2:</b> § - Training delivered on rights-based community partnership policing, human rights, due process, child sensitive and gender responsive policing.	30,000	20,000	10,000	SLNHRC, UNDP			68,817.00
	<b>Result Activity 2.2.3:</b> § - Development of strategic Plan for MOI and SLP supported.	30,000	10,000	0	MOI/Police, UNDP, UNSOM			45,878.00
	<b>Result Activity 2.2.4:</b> § -Police Reform Team mentored and supported.	60,000	60,000	60,000	MOI/Police, UNDP, UNSOM			206,451.00
	<b>Result Activity 2.2.5:</b> § - Develop a mentorship programme for selected trainers(m/w) from Somaliland Police Force (SPF) Training Department to enhance the understanding of the Comprehensive Education Programme (CEP)	30,000	20,000	15,000	MOI/Police, UNDP, UNSOM			74,551.75
<b>Sub-output 2.3:</b> <b>Institutional oversight for human rights compliance for Somaliland Police established.</b>	<b>Result Activity 2.3.1:</b> § - at least three comprehensive stakeholder consultations to develop a roadmap on establishing and operationalizing oversight mechanisms in line with the Somaliland Police Act.	20,000	10,000		MOI/Police, UNDP SLNHRC, CSOs,			34,408.50

<b>Result Activity 2.3.2:</b> § - Support to establish the Committee for Complaints against the Police Force in line with the roadmap.	30,000				MOI/Police, UNDP, UNSOM			34,408.50
<b>Result Activity 2.3.3:</b> § - Support to establish Investigation and Public Complaints Commission in line with the roadmap.	20,000	10,000			MOI/Police, UNDP, UNSOM			34,408.50
<b>Result Activity 2.3.4:</b> § - Consultations to draft a police 'use of force' model for Somaliland Police.	30,000				MOI/Police, UNDP, UNSOM			34,408.50
<b>Result Activity 2.3.5:</b> § - Monthly media and government dialogues to protect and promote freedom of information for free and responsible media reporting.	10,000				SLNHRC, CSOs, UNDP/ UNSOM			11,469.50
<b>Result Activity 2.3.6:</b> § - SL National Human Rights Commission (NHRC) monitoring of police detentions.	15,000				SLNHRC, UNDP/			17,204.25
<b>Sub- Total Output 2:</b>	<b>1,351,000</b>	<b>425,000</b>	<b>275,000</b>					<b>2,352,394.45</b>

**OUTPUT 3: Enhanced Legal and Policy Environment, and Capacities for Gender Justice and Human Rights**

<b>Sub-output 3.1:</b> <b>Legal and policy reforms for the justice sector to integrate a gender perspective and promote gender equality,</b>	<b>Result Activities 3.1.1</b> <ul style="list-style-type: none"> <li>• Gender analysis of the justice sector to explore men and women's, women head household different justice system experiences and how gender bias and discrimination function, including intersectionality of gender discrimination with elements such as poverty, disability, age, and gender identity.</li> <li>• Revision of justice sector policies, protocols, and procedures to promote gender equality and for example, increase women's representation in professional cadres.</li> <li>• Implementation of justice sector institutional policy reforms.</li> </ul>	50,000	40,000	30,000	NAGAAD /UNWomen UNSOM			137,634.00
	<b>Result Activity 3.1.2</b> <ul style="list-style-type: none"> <li>• Advocacy, public awareness, and dialogues with members of parliament, civil society, and other stakeholders on a harmonized sexual offences law for Somaliland.</li> </ul>	20,000	20,000	10,000	SL NHRC, UNwomen, UNSOM			57,347.50

<p><b>Sub-output 3.2</b> Sensitize and empower communities to transform social norms which perpetuate gender discrimination and GBV and empower women to participate.</p>	<p><b>Result Activities 3.2.1</b> § - Community sensitization on women's human rights and equal justice.  § - Gender-focused legal awareness in Eastern regions.  § - Engaging with informal justice providers to include women and adopt human rights and gender equality principles in their practices.</p>	40,000	40,000	20,000	MoJ, Nagaad, UNWomen,			114,695.00
	<p><b>Result Activities 3.2.2</b> § Gender Justice and Rule of Law technical lead (SC9/10)</p>	54,166	54,167	54,167	UNWomen			186,379.38
<p><b>Sub-output 3.3</b> Strengthened capacity building for SGBV service provision, coordination and monitoring of gender and justice.</p>	<p><b>Result Activity 3.3.1.</b> § - Policy guidelines promoting inter-agency cooperation in the investigation, prosecution, and adjudication of SGBV cases. Training manuals including medico-legal developed in collaboration with all justice actors. § - 6 training workshops on two Manuals on the investigation and prosecution of SGBV and Juvenile Cases (6 Training * \$ 9000 = \$54,000)</p>	50,000	50,000	34,000	AGO, UNDP, UNWomen, UNODC, UNSOM			153,691.30

<b>Result Activity 3.3.2.</b> §- Establish coordination and strengthen GBV referral pathway in 3 locations (including community champions and TDR actors)	30,000	30,000	20,000	AGO, UNDP, UNWomen,			91,756.00
<b>Result Activity 3.3.3.</b> § - Sector wide SGBV coordination mechanism in place on socialization and awareness raising on SGBV Offences law.	15,000	15,000	10,000	AGO, UNDP, UNWomen, UNSOM			45,878.00
<b>Result Activity 3.3.4.</b> § - Monitoring of SGBV units and Prison Inspection (12mission*1000= \$12000)	6,000	6,000		AGO, UNDP,			13,763.40
<b>Result Activity 3.3.5.</b> § - Harmonized GBV data collection system established in coordination with UNICEF and UNFPA.	100,000	50,000	50,000	AGO, UNDP, UNICEF, UNWomen, UNSOM			229,390.00
<b>Result Activity 3.3.6.</b> § - Institutional support through analysis and coordination to improve the one stop centres with UNFPA and UNICEF for access for survivors from remote locations (UNDP)	40,000	40,000	20,000	AGO, UNDP, in cooperation with UNFPA and UNICEF			114,695.00
<b>Sub- Total Output 3:</b>	<b>405,166</b>	<b>345,167</b>	<b>248,167</b>				<b>1,145,229.58</b>
<b>OUTPUT 4: Enhanced Criminal Justice Enforcement and Correctional Services</b>							

**Sub-output 4.1:  
The legal and institutional framework for parole and probation agreed, disseminated and operational**

**Result Activity 4.1.1.**

Inclusive Parole and probations scheme is developed and piloted in Hargeisa and women Prison in Gabiley and 4 vehicles (@ \$26,500 each = 106,000)

§ - National consultation with key stakeholders on parole and probations programme

§ - Develop parole and probation regulations  
 § - Develop parole and probation manual including supervision of parolees  
 § - Community education and mobilisation on parole and probation.

§ - Setup of the parole board  
 § - Setup parole and probation supervisory office/unit

§ - Conduct assessment and developed process for sentenced prisoners for parole and probation eligibility  
 § - Train probation officers and justice actors on new parole and probation system

§ - Training human rights monitors on the new parole system.

100,000

100,000

100,000

MoJ,  
Custodial  
Corps/  
UNODC,  
UNSOM,

344,085.00

<b>Sub-output 4.2: Capacity building of custodial corps leadership and vocational trainings for prisoner rehabilitation with special needs of women prisoners integrated.</b>	<b>Result Activity 4.2.1.</b> § - Deliver developing Managers' Programme II, senior managers, and women prison officers' trainings.	50,000	50,000	20,000	MoJ, Custodial Corps/ UNODC,			137,634.00
	<b>Result Activity 4.2.2.</b> § - Rehabilitation of two prison facilities with attention to women's needs (USD 100,000 each)	100,000	100,000		MoJ, Custodial Corps/ UNODC,			229,390.00
	<b>Result Activity 4.2.3.</b> § - Prisoner vocational training programmes established, targeting 100% of all incarcerated women.	40,000	40,000	20,000	MoJ, Custodial Corps/ UNODC, UNwomen,			114,695.00
	<b>Result Activity 4.2.4</b> § - Corrections and human rights technical lead (SC9/10)	54,166	54,167	54,167	UNODC			186,379.38
<b>Sub-output 4.3: Human rights of prisoners monitored and protected.</b>	<b>Result Activity 4.3.1</b> § - SLNHRC sustain monitoring of prisons for protection, promotion, and reporting of basic rights of prisoners, especially women and juveniles.	10,000	10,000		SLNHRC, UNDP, UNSOM,			22,939.00



	<b>Result Activity 4.3.2:</b> § - Social work interns supported to provide counselling to prisoners to facilitate re-integration, with specific attention for women prisoners.	15,000	15,000	10,000	MOJ, UNDP, UNSOM			45,878.00
	<b>Result Activity 4.3.3</b> § - Restorative justice approaches at community level as diversion mechanisms, in coordination with traditional justice systems.	30,000	20,000	20,000	MOJ, UNDP, UNSOM			80,286.50
<b>Sub- Total Output 4:</b>		<b>399,166</b>	<b>389,167</b>	<b>224,167</b>				<b>1,161,286.88</b>
<b>Programme Management, Coordination and M&amp;E</b>								
One Joint Programme Coordinator (IPSA 10-11) – UNDP					UNDP			717,708.20
UNODC project staff					UNODC			450,000.00
UNDP: programme assistant (NSPA 7)					UNDP			102,304.55
Establishment of JROLP II Programme Unit - equipment					UNDP			22,600.00
Development and capacity building for MEL tools					UNDP			33,900.00
Monitoring visits to project sites by PUNOS					UNDP, UNODC, UNWomen			67,800.00
One Midterm evaluation					UNDP			56,500.00
Project review by CSO reference group on quarterly basis including monitoring missions to the regions					UNDP			79,100.00
One End term evaluation					UNDP			56,500.00
Operational cost for UNCC Hargeisa					UNDP			271,200.00
<b>Sub Total - Programme Management, Coordination and M&amp;E</b>								<b>1,857,612.75</b>
<b>Total Programmable amount including bank charges</b>								<b>9,753,211.96</b>
<b>GMS 7% &amp; (MPTF fee)</b>								682,724.84
<b>Grand Total</b>								<b>10,435,936.80</b>

## Results Framework

Outcome/Output	Indicators	Baseline	Target (Project end)	Data Source/ Method	Frequency	Reporting deadline	Responsible Parties
<b>Outcome statement: Rule of Law Institutions are Inclusive, Equitable, Accountable, and Responsive, particularly to the Most Marginalized and Vulnerable Across Somaliland</b>	Outcome Indicator A: Existence of legal frameworks to protect SGBV survivors and enhance their access to justice (SDG 5.1.1)	Gap in legal framework for response to GBV due to presence of two conflicting legislations at different stages of adoption between 2018 – 2020	Legal aid providers, law enforcement, legislators, and CSOs mobilized to finalize the Sexual Offences Bill	Data from SLNHRC, MoJ and NAGAAD	Semi-annual	31-Dec-23	SLNHRC, UN Women
	Outcome Indicator B: % of people in regions who have experienced a dispute in the past two years and who accessed a formal or informal dispute resolution mechanism, by type of mechanism (SDG 16.3.3)	No baseline exists (to be established in year 1)	TBC following establishment of baseline in year 1	Third-Party Monitoring survey	Annual	31-Dec-23	UNDP
	Outcome Indicator C: % of public sampled who feel safe in their local areas (SDG 16.1.4) (disaggregated by gender and IDP status)	69% of women sampled indicated that they felt somewhat or very safe walking in their local area (2022)	75% of women and IDPs indicate that they feel somewhat or very safe walking in their local area	Third-Party Monitoring survey	Annual	31-Dec-23	UNDP
	Outcome Indicator D: % of unsentenced detainees and undertrials as a proportion of overall prison population (SDG 16.3.2)	9.1% of total Somaliland prison population is unsentenced or undertrial (239 prisoners of total 2,615) (2022)	7.5% of total Somaliland prison population is unsentenced or undertrial	Data from MoJ/Custodial Corps	Annual	31-Dec-23	MoJ, Custodial Corps/ UNODC
	Outcome Indicator E: Percentage change in the number of arbitrary administrative detentions and human rights violations of journalists (SDG 16.10.1)	42 journalists arbitrarily arrested during 2022 – 100% increase compared to 2021.	Reduction of 30% in relation to baseline	Data from SLNHRC	Semi-annual	31-Dec-23	SLNHRC, UNDP, UNODC

	Outcome Indicator F: % of women in justice institutions and legal profession (SDG16.7.1)	No baseline exists (to be established in year 1)	30% increase of professional women in justice institutions.	Procurement and handover documents, monitoring reports	Annual	31-Dec-23	AGO, UNDP, UNWomen
<b>OUTPUT 1: Enhanced Institutional Capacity for Effective and Efficient Service Delivery and Access to Justice</b>							
Sub-output 1.1.: Traditional dispute resolution is better understood, harmonized, and linked with the formal court system informed by human rights and gender equality principles	1.1.a Status of guidelines on harmonized standards for dispute resolution through ADR and TDR systems.	Draft guidelines for harmonized TDR/ADR developed in 2021 missing technical elements, and not yet endorsed.	Rights based, and gender responsive National TDR/formal justice framework policy developed and approved by the Council of Ministers.	Reports of consultation on harmonized guidelines.	Quarterly	Dependent on start date of programme	MOI, HJC, UNDP
	1.1.b # of beneficiaries that receive justice services through TDR/ADR system	Baseline to be established	25,000 beneficiaries (30% women)	Data provided by MOI	Quarterly	Dependent on start date of programme	MOI, HJC, UNDP
	1.1.c % of cases from TDR and ADR decisions dealt with by the formal courts ensuring human rights and fair trial standards in line with harmonization guidelines.	No cases from TDR and ADR decisions dealt with by the formal courts	10%	Court data	Quarterly	Dependent on start date of programme	MOI, HJC, UNDP
Sub-output 1.2: Mobile courts, Legal aid and legal awareness is expanded to vulnerable groups especially women, children, and minority groups in regions.	1.2.a # of people (IDPs, men and women) receiving legal aid and mobile court services in regions	2,734 (F:1,170, M:1,564) beneficiaries supported through legal aid and mobile courts (2022)	• 3,000 people (30% women, 50% IDPs, 10% prisoners) access legal aid and mobile courts	Regular case data from District and appeals courts in the regions	Quarterly	Dependent on start date of programme	HJC, CSOs, UNDP
	1.2.b Status of legal aid model	Legal Aid Act approved by cabinet and awaiting parliamentary approval	Legal aid model and guidelines developed, disseminated, and implemented by all stakeholders in regions.	Parliament secretariat reports	Quarterly	Dependent on start date of programme	UNDP
	1.2.c Status of development of Bar Association	No Bar Association exists.	Law passed for development of Bar Association	Consultation workshop reports, draft Law	Quarterly	Dependent on start date of programme	MoJ, UNDP, UNWomen
Sub-output 1.3. Increased inclusion of women in justice, policing,	1.3.a % of women in the justice sector institutions empowered to deliver services	To be established in year 1 through mapping of women in justice sector	TBC following establishment of baseline	Procurement and handover documents, monitoring reports	Quarterly	Dependent on start date of programme	UNWomen & CSO

and security services, and professional empowerment of women and a gender-sensitive work environment.	1.3.b # of women lawyers and prosecutors that receive training and legal empowerment awareness	30 women lawyers and prosecutors	60 women lawyers and prosecutors receive capacity building training on SGBV related laws	Training participants / training materials /reports	Quarterly	Dependent on start date of programme	UNWomen
<b>OUTPUT 2: Improved capacity and oversight of police contributes to the safety and security of Somaliland citizens</b>							
Sub-output 2.1: Somaliland Government, police and communities address and prevent national, regional, and local crime problems.	2.1.a # of Community/police partnerships initiated in targeted police stations.	Community policing developed in 4 police stations in 2017.	Community/police partnerships initiated in 8 targeted police stations.	Consultation reports	Quarterly	Dependent on start date of programme	MOI/Police, UNDP
	2.1.b # localised crime prevention initiatives established	No local crime prevention initiatives exist	8 localised crime prevention initiatives established	Crime prevention initiatives report and meeting minutes	Quarterly	Dependent on start date of programme	MOI/Police, UNDP
Sub-output 2.2: Strengthening police capacity in human rights, SGBV and child rights.	2.2.a Status of ToT curricula on rights based policing partnership	No standard training program designed or approved for Somaliland Police.	ToT curricula on rights-based policing partnership developed.	Training curricula	Quarterly	Dependent on start date of programme	SLNHRC, MOI/Police, UNDP
	2.2.b # police receiving ToT training for rights based policing	Police station commanders training completed in 2017	15 police participate in ToT course	Training reports	Quarterly	Dependent on start date of programme	SLNHRC, MOI/Police, UNDP
Sub-output 2.3: Institutional oversight for human rights compliance for Somaliland Police established.	2.3.a Status of mechanism for public complaints against police force	No external oversight mechanism in place for Police.	Mechanism for public complaints against police force established for Somaliland	Training/meetings/consultation reports, Regulations and guidelines.	Quarterly	Dependent on start date of programme	MOI/Police, UNDP
	2.3.b Status of 'Use of Force' Model	No guidelines or regulation for use of force in place.	A 'Use of Force' Model developed and approved by MoI.	Management reports, via the PSC, with monitoring information.	Quarterly	Dependent on start date of programme	MOI/Police, UNDP, UNSOM
	2.3.c # police detention centres monitored by SLNHRC	17 police stations inspected by the SLNHRC, AGO and MoI in Jan-June 2022	60 police stations monitored by SLNHRC (20 per year)	SLNHRC monitoring reports	Quarterly	Dependent on start date of programme	SLNHRC, UNDP
<b>OUTPUT 3: Enhanced Legal and Policy Environment, and Capacities for Gender Justice and Human Rights</b>							

Sub-output 3.1: Legal and policy reforms for the justice sector to integrate a gender perspective and promote gender equality,	3.1.a Availability of evidence base for gender-responsive justice sector reforms	No prior justice sector gender analysis.	Gender Analysis conducted to provide evidence base for gender-responsive justice sector reforms.	Gender analysis	Quarterly	Dependent on start date of programme	CSOs, UNWomen, UNSOM
	3.1.b # Revised justice sector policies, protocols, and procedures	No baseline exists	Policies and Practices of all justice sector actors mapping undertaken and advocated to be more gender-responsive	Reporting from SLNHRC & MoJ	Quarterly	Dependent on start date of programme	MoJ, UNWomen
	3.1.c # of women newly employed in justice sector institutions	To be established in year 1 through mapping of women in justice sector	5% increase over baseline	Employment data from MoJ	Quarterly	Dependent on start date of programme	MoJ, UNWomen
Sub-output 3.2 Sensitize and empower communities to transform social norms which perpetuate gender discrimination and GBV and empower women to participate.	3.2.a # of communities including women in informal justice mechanisms	No women included in traditional systems	At least one community per region include women in traditional justice systems.	Data from programme partner reports	Quarterly	Dependent on start date of programme	MoJ, Nagaad, UNWomen
	3.2.b # of research commissioned on the application of gender principles	No baseline exists	1 research undertaken on the application of gender principles	Data from programme partner reports	Quarterly	Dependent on start date of programme	MoJ, Nagaad, UNWomen
	3.2.c # reached with awareness on women's legal rights and equal justice	487 (F:463, M:24) reached with awareness on women's rights, SGBV prevention and equal justice (2022)	200 women and community leaders reached with awareness on legal rights and access to justice for women.	Data from programme partner reports	Quarterly	Dependent on start date of programme	MoJ, Nagaad, UNWomen
Sub-output 3.3 Strengthened capacity building for SGBV service provision, coordination and monitoring of gender and justice.	3.3.a % Prosecutors trained on juvenile and gender needs, principles of fair trial, and medico-legal considerations	No baseline exists for %. 122 SGBV prosecutors and investigators trained (2020- 2022)	80% of prosecutors trained and capacities developed to be more gender responsive.	Training Manuals, Training reports, Minutes of meetings and management reports	Quarterly	Dependent on start date of programme	AGO, UNDP, UNWomen, UNODC,
	3.3.b Status of SGBV coordination mechanism and SGBV Services Database	No functional SGBV coordination mechanism exists	Effective and result-oriented, sector-wide SGBV coordination mechanism established	Coordination meeting minutes and awareness reports, GBV data collection system	Quarterly	Dependent on start date of programme	AGO, UNDP, UNICEF, UNWomen, UNSOM

	3.3.c # of Juvenile and Women Units in Regions	No baseline exists	Basic structure of women and children's units in 6 regions established	Reports from MoJ, SLNHRC and Somaliland Women Lawyers Association	Quarterly	Dependent on start date of programme	AGO, UNICEF
	3.3.d # of survivors accessing services from SGBV centers.	296 SGBV survivors (F:259, M:37) received services from SGBV centres in 2022	At least 400 SGBV survivors receive services	Regular management monitoring reports via the PSC, Regular reports & data from SGBV centres	Quarterly	Dependent on start date of programme	Hargeisa Hospital /Baahikoob, AGO/UNDP, UNWomen
<b>OUTPUT 4: Enhanced Criminal Justice Enforcement and Correctional Services</b>							
Sub-output 4.1: Access of Prisoner's Rehabilitation Program through vocational trainings for with special needs of women prisoners integrated. The legal and institutional framework for parole and probation agreed, disseminated and operational	4.1.a # of prison facilities renovated or rehabilitated, with attention to women's needs	Gailey prison barracks renovated to improve the condition of women detainees and prisoners	3 prison facilities renovated or rehabilitated, with attention to women's needs	Procurement records  Technical reports about the facilities renovated and maintained and physical verifications	Quarterly	Dependent on start date of programme	MoJ, Custodial Corps/ UNODC,
	4.1.b # of women prisoners receiving vocational training	31 women prisoners in Gabiley received vocational training in 2022	300 prisoners receive vocational training (50% women)	Vocational training reports and participants list and trainees' feedback.  Reports from the Training provided	Quarterly	Dependent on start date of programme	MoJ, Custodial Corps, UNODC, UNSOM
	4.1.c # women prison officers receiving capacity building trainings	14 prison officers trained in the Developing Managers' Programme and 15 Senior Managers trained on SMP II.	30 women prison officers receive capacity-building trainings	Training reports	Quarterly	Dependent on start date of programme	MoJ, Custodial Corps, UNODC, UNSOM
Sub-output 4.2: Human rights of prisoners	4.2.a # of prisons monitored for protection, promotion, and reporting of basic rights of prisoners,	SLNHRC, MoJ and AGO inspected 8 prisons in Jan-June 2022	6 prisons inspected and monitored	Regular monitoring reports of SLNHRC, community	Quarterly	Dependent on start date of programme	SLNHRC, UNSOM, UNODC

monitored and protected.	especially women and juveniles.			oversight committee to PSC			
	4.2.b # of prisoners that benefit from psychological support.	No prisoners received psychological support	400 prisoners receive psychological support for reintegration	Reporting on provision of psychological support	Quarterly	Dependent on start date of programme	MoJ, Custodial Corps/ UNODC
	4.2.c Status of mentorship programme in Mandhera Prison Academy	No mentorship programme exists	Mentorship programme established	Prison expert mentors reports on human right issues in prisons	Quarterly	Dependent on start date of programme	MoJ, Custodial Corps/ UNODC

## **Annex II: Terms of Reference - Civil Society Reference Group**

A Civil Society Reference Group (CSRG) on security and justice in Somaliland is hereby established with the aim to improve partnership with civil society and complement the programme coordination structures. The group will include direct partners of the joint programme and wider members of civil society actively engaged in the sectors. The CSRG will bring the invaluable technical knowledge, experience, and access to communities of civil society organizations to bear in providing technical level advisory, consultation and advocacy inputs for the project and help monitor for achievement of programme results, especially in communities.

### **Mandate**

Liaising closely with the PUNOs and Programme Coordinator, the CSRG will act as thematic advisors to the JROLP II and partners for the realization of its objectives. The roles and responsibilities of the CSRG include:

- Provide advice on the overall strategic direction, programme interventions and opportunities for improvement, expansion and scaling up of JROLP II.
- Serve as a forum for open dialogue between government and CSOs on human rights, rule of law and national development issues and trends, with a view to advancing the programme goal of fostering more ***inclusive, equitable, accountable, and responsive rule of law institutions, particularly to the most marginalized and vulnerable.***
- Provide advice and perspectives to promote better understanding of local needs and facilitate expansion of the programme to remote regions and underserved communities, especially targeting women, young people, other marginalized and vulnerable groups with tailored interventions.
- Support the programme in monitoring, evaluation, and learning efforts by undertaking monitoring missions with programme implementing partners and serving as a forum to analyze performance rate against targets and indicators, reflecting on progress on programme delivery and providing feedback to maximize impact and adapt approaches.
- Partner on high-level advocacy and communications as well as political dialogue, including by supporting visibility and promotion of the rights of women, young people, the disabled, IDPs, minorities, other marginalized and vulnerable groups to access to justice, in national and international dialogues. Also support dissemination of advocacy and awareness messages of the JROLP II program to the public, from the national to the community level, especially to marginalized groups, youth, and the media.

### **CSRG Membership**

The CSRG shall comprise of 11/13 pre-eminent national experts on justice, security, human rights and gender equality, and minority rights.

### **Selection Criteria**

- Members of the CSRG must be eminent civil society representatives with strong credentials and proven record as human rights, justice, security and women and minority rights advocates.
- At least 50% of the CSRG members shall be women and leaders or members of women's rights organizations/ networks, including women's funds and those representing local/grassroots communities.
- At least 20% of the CSRG shall include representatives from important constituencies such as youth networks, minority groups, and progressive faith-based groups.



- In adherence with the *leaving no one behind* (LNOB) principle, intersectionality and diversity of communities/constituencies shall be well represented.
- CSRG members shall be selected to ensure fair representation of all regions/districts.
- CSRG members will not have any formal affiliations with governments or political parties.
- CSRG members serve in their individual capacities and not as representatives of their organizations.
- CSO members of CSRG will not be eligible to receive grants from JROLP II.

### **Working Principles**

The CSRG:

- Demonstrates awareness and sensitivity to justice, security, human rights, gender, and other issues related to rule of law and access to justice, especially for the marginalized and vulnerable groups.
- Advocates and promotes the vision, and strategic goals of JROLP II.
- Displays cultural, gender, sexuality, religious, ethnic, and age sensitivity.
- Exhibits professionalism, able to work in a multicultural environment and in a team.
- Has the capacity to provide information, share best practices, evaluate information related to rule of law and security accurately and identify key solutions to programmatic issues.
- Represents the voice of the wider civil society community, including academia, media, etc.
- All decisions and actions undertaken by the CSRG shall be guided solely by the best interests of the JROLP II goals and objectives.

### **Operational Framework**

- At least two face-to-face general meetings of the entire CSRG membership to be convened during each calendar year. Minutes of all meetings will be recorded and shared with all members. JROLP II bears the costs of the meetings as well as travel of CSRG members to the general meeting location, as necessary.
- Continuous collaboration with UN JROLP II partners will take place via a mailing list and/or on other online platforms, set up by the programme for group members to engage with each other.
- Membership in the CSRG is honorary, voluntary and members will receive no remuneration. However, JROLP II will cover logistics and associated travel expenses related to members' attendance of CSRG meetings and monitoring missions.
- 2 members of the CSRG will be nominated by consensus to represent and participate in the Programme Technical Committee meetings thereby building synergy with the PTC.
- 3 representatives from JROLP II PUNOs will participate in the CSRG as observers.
- The CSRG working language will be English. However, as required, JROLP II will ensure language accessibility and accessibility to physical spaces.

### **Tenure**

The CSRG will serve throughout the duration of the programme.

### **CSRG Leadership**

- The CSRG shall have two co-chairs to be selected by consensus among members during the first meeting.
- The Chairperson position will rotate annually.

**CSRG Secretariat**

UNDP will act as a permanent secretariat of the CSRG and will convene meetings, share minutes and follow-up on the action points.

**CSRG Selection Process**

The selection process for members of the CSRG will be developed by the JROLP II PSC and disseminated to the public through an open call for nominations, after the programme is set up.

ANNEX III – Prioritization Plan for UN Joint ROL Programme for Somaliland - 01 August 2023 – 31 July 2026

PRIORITY PLAN UN Joint ROL Somaliland 2023-26								
OUTCOME: Rule of Law Institutions are Inclusive, Equitable, Accountable, and Responsive, particularly to the Most Marginalized and Vulnerable Across Somaliland								
OUTPUT 1: Enhanced Institutional Capacity for Effective and Efficient Service Delivery and Access to Justice.								
Sub-Outputs	Planned Activities				Responsible Parties	Funding Source	Budget Description	Total US\$
		2023	2024	2025				
Sub-output 1.1.: Traditional dispute resolution is better understood, harmonized, and linked with the formal court system informed by human rights and gender equality principles	<b>Result Activity 1.1.1.</b> National level consultations on TDR/ADR organized to clarify both practices and discuss harmonization and coordination between key stakeholders.	-	22,900	-	MOI, HJC, UNDP	tbd		22,900
	<b>Result Activity 1.1.2.</b> Six regional level consultations on TDR law and development of a harmonized framework for TDR and formal ADR.	-	34,350	-	MOI, HJC, UNDP	tbd		34,350

	<p><b>Result Activity 1.1.3.</b> Rights-based, youth and gender responsive TDR and ADR collaboration framework policy developed and endorsed by all stakeholders,</p>	-	22,900	-	MOI, HJC, UNDP	tbd		22,900
	<p><b>Result Activity 1.1.4.</b> Capacity enhancement for TDR justice providers on human rights, use of harmonized guidelines and records management.</p>	-	57,250	-	MOI, HJC, UNDP	tbd		57,250
<p><b>Sub-output 1.2: Mobile courts, Legal aid and legal awareness is expanded to vulnerable groups especially women, children, and minority groups in regions.</b></p>	<p><b>Result Activity 1.2.1.</b> Joint conflict analysis, mapping of all Rule of Law actors present within the regions and analysis of feasibility of service expansion to</p>	-	34,350	-	HJC, CSOs, UNDP,	tbd		34,350

reach areas near borders with Puntland and Djibouti.							
<b>Result Activity 1.2.2.</b> Expand mobile courts to selected districts and regions; 1 car each to 4 districts). Including 4 vehicles (@ \$26,500 each = 106,000) and office equipment and Furniture for Six regions (2* \$15000 = 30,000)	-	125,950	41,220	HJC, CSOs, UNDP,	tbd		167,170
<b>Result Activity 1.2.3.</b> support for mobile court coordinator and assistant and transfer to HJC.	-	68,700	-	HJC, CSOs, UNDP, UNPOL	tbd		68,700

<b>Result Activity 1.2.4.</b> Development of a strategy for a regional hub to help expand access to justice services to remote regions and support robust coordination among all actors.	-	11,450	-	HJC, CSOs, UNDP, UNSOM,	tbd		11,450
<b>Result Activity 1.2.5.</b> Establishment and staffing of regional hubs.	-	22,900	-	HJC, CSOs, UNDP, UNSOM,	tbd		22,900
<b>Result Activity 1.2.6.</b> One Access to Justice technical lead (SC9/10) & One Gender and M&E officer (SC10) cost for 3 years	81,818	81,818	81,818	UNDP	tbd		245,454
<b>Result Activity 1.2.7.</b> Construction of Two (2) Courthouses	-	229,000	-	HJC/ UNDP/ UNSOM	tbd		229,000

built (each USD 100,000)							
<p><b>Result Activity 1.2.8.</b>          §Consultation on legal aid law with the relevant parliament committees.          §Development of Legal Aid Bill and advocacy for its passage in parliament.          § Institutionalization of legal aid unit within the MOJ and its network with CSOs, Academia and train specialized CSOs in regions through ToTs.          § Technical and financial support in legal aid coordination and monitoring</p>	-	45,800	22,900	MOJ, CSOs, UNDP, UNSOM,	tbd		68,700

<p>in regions and across the spectrum by MoJ, including prisons and police stations. § Strategy for prioritizing access to justice for women, with special provisions for women from minority clans and IDP camps.</p>						
<p><b>Result Activity 1.2.9.</b> - Law for Development of the Bar Association.</p>	-	22,900	-	MoJ, UNDP,	tbd	22,900
<p><b>Result Activity 1.2.10.</b> Development of paralegal manual. - Capacity building of legal professions and expansion of paralegals, especially</p>	34,350	-	-	CSO, UNDP	tbd	34,350



women, in the regions.							
<b>Result Activity 1.2.11.</b> Provision of Legal aid services to vulnerable and marginalized groups, especially women, prisoners, minorities and juveniles.	91,600	-	-	CSO, UNDP, UNSOM	tbd		91,600
<b>Result Activity 1.2.12.</b> Sustain support to the SGBV Centres under Hargeisa and Burao Regional Hospitals. - Expand and support SGBV services to other regions. - Training of staff on collection of evidence, medico-legal and	57,250	57,250	22,900	Hargeisa Hospital /Baahikoob , UNDP	tbd		137,400

investigation of SGBV supported, with medico-legal examination training modules in SGBV cases.							
<b>Result Activity 1.2.13.</b> - Support continued implementation of Judicial Inspection and disciplinary Scheme and hire technical advisor	-	80,150	57,250	HJC, UNDP, UNSOM	tbd		137,400
<b>Result Activity 1.2.14.</b> - Case Management support in six regions (files, Registers, Back Up Cards, and Labels)	-	34,350	22,900	HJC, UNDP, UNSOM	tbd		57,250
<b>Result Activity 1.2.15.</b> - Equipping the Supreme Court Library with books,	-	75,570	-	HJC, UNDP, UNSOM	tbd		75,570

	providing access to online resources and equipment for six new courts.						
	<b>Result Activity 1.2.16</b> - Capacity building for HJC.	-	40,075	-	HJC, UNDP, UNSOM	tbd	40,075
	<b>Result Activity 1.2.17.</b> Annual judiciary conference	-	11,450	-	HJC, UNDP, UNSOM	tbd	11,450
	<b>Result Activity 1.2.18</b> - Construction of Judiciary training Institute - 400,000	-	458,000	-	HJC, UNDP, UNSOM	tbd	458,000
<b>Sub-output 1.3. Increased inclusion of women in justice, policing, and security services, and professional empowerment of women and a gender-sensitive work environment.</b>	<b>Result Activity 1.3.1.</b> • Training and legal empowerment awareness for women lawyers and prosecutors to strengthen their agency.	34,350	-	-	UNWomen & CSO,	tbd	34,350

<b>Result Activity 1.3.2.</b> • Advocacy with the judiciary and AGO to increase women professionals and achieve gender parity	11,450	17,175	11,450	AGO, CSO, UNWomen	tbd		40,075
<b>Result Activity 1.3.3. –</b> § Construction of AGO Office in Barbera 60,000, and Two Vehicles for AGO (26,500x2 = 53,000) = 113,000	-	129,385	-	AGO, UNDP	tbd		129,385
<b>Result Activity 1.3.4. -</b> § Office equipment and furniture for two regions – 12,000	-	13,740	-	AGO, UNDP	tbd		13,740
<b>Sub -Total Output 1:</b>	<b>310,818</b>	<b>1,697,413</b>	<b>260,438</b>				<b>2,268,669</b>
<b>OUTPUT 2: Improved capacity and oversight of police contributes to the safety and security of Somaliland citizens</b>							

<b>Sub-output 2.1: Somaliland Government, police and communities address and prevent national, regional, and local crime problems.</b>	<b>Result Activity 2.1.1:</b> § - Crime prevention strategy developed.	-	22,900	11,450	MOI/Police , UNDP			34,350
	<b>Result Activity 2.1.2:</b> § - Raise the knowledge within the Somaliland Government, police, and communities on implementing effective crime preventing strategies and activities.	-	45,800	45,800	MOI/Police , UNDP			91,600
	<b>Result Activity 2.1.3:</b> § - Community/po lice partnerships initiated in 8 targeted police stations.	-	57,250	57,250	MOI/Police , UNDP			114,500
	<b>Result Activity 2.1.4:</b> § - Development of a framework for developing	-	22,900	-	MOI/Police , UNDP			22,900

Operational Orders to secure election polling venues.						
<b>Result Activity 2.1.5:</b> § - Implementatio n of police electoral security support initiative, including purchase of non-lethal equipment for crowd control - <i>(Subject on election date)</i>	-	286,250	-	MOI/Police , UNDP		286,250
<b>Result Activity 2.1.6:</b> § - Construction of three police stations USD 60,000 each and clinics/ hospitals in selected districts and equipped (USD 220,000)	-	229,000	229,000	MOI/Police , UNDP		458,000

	<b>Result Activity 2.1.7:</b> § -4 vehicles procured for Somaliland Police	-	121,370	-	UNDP			121,370
<b>Sub-output 2.2: Strengthening police capacity in human rights, SGBV and child rights.</b>	<b>Result Activity 2.2.1:</b> § -Gender and Human Rights Training Plan developed and implemented by MOI and SLNHRC.	40,075	-	-	SLNHRC, MOI/Police , UNDP			40,075
	<b>Result Activity 2.2.2:</b> § - Training delivered on rights-based community partnership policing, human rights, due process, child sensitive and gender responsive policing.	68,700	22,900	-	SLNHRC, UNDP			91,600
	<b>Result Activity 2.2.3:</b> § - Development of strategic Plan for MOI	-	22,900	-	MOI/Police , UNDP, UNSOM			22,900

	and SLP supported.						
	<b>Result Activity 2.2.4:</b> § -Police Reform Team mentored and supported.	-	51,525	51,525	MOI/Police , UNDP, UNSOM		103,050
	<b>Result Activity 2.2.5:</b> § - Develop a mentorship programme for selected trainers(m/w) from Somaliland Police Force (SPF) Training Department to enhance the understanding of the Comprehensive Education Programme (CEP)	-	22,900	17,175	MOI/Police , UNDP, UNSOM		40,075
<b>Sub-output 2.3: Institutional oversight for human rights compliance for Somaliland Police established.</b>	<b>Result Activity 2.3.1:</b> § - at least three comprehensive stakeholder consultations	-	22,900	-	MOI/Police , UNDP SLNHRC, CSOs,		22,900



to develop a roadmap on establishing and operationalizing oversight mechanisms in line with the Somaliland Police Act.						
<b>Result Activity 2.3.2:</b> § - Support to establish the Committee for Complaints against the Police Force in line with the roadmap.	-	22,900	-	MOI/Police , UNDP, UNSOM		22,900
<b>Result Activity 2.3.3:</b> § - Support to establish Investigation and Public Complaints Commission in line with the roadmap.	-	22,900	-	MOI/Police , UNDP, UNSOM		22,900
<b>Result Activity 2.3.4:</b> § - Consultations to draft a police 'use of	-	22,900	-	MOI/Police , UNDP, UNSOM		22,900

	force' model for Somaliland Police.						
	<b>Result Activity 2.3.5:</b> § - Monthly media and government dialogues to protect and promote freedom of information for free and responsible media reporting.	11,450	-	-	SLNHRC, CSOs, UNDP/ UNSOM		11,450
	<b>Result Activity 2.3.6:</b> § - SL National Human Rights Commission (NHRC) monitoring of police detentions.	17,175	-	-	SLNHRC, UNDP/		17,175
<b>Sub- Total Output 2:</b>		<b>137,400</b>	<b>997,295</b>	<b>412,200</b>			<b>1,546,895</b>
<b>OUTPUT 3: Enhanced Legal and Policy Environment, and Capacities for Gender Justice and Human Rights</b>							

**Sub-output 3.1: Legal and policy reforms for the justice sector to integrate a gender perspective and promote gender equality,**

**Result  
Activities 3.1.1**

- Gender analysis of the justice sector to explore men and women's, women head household different justice system experiences and how gender bias and discrimination function, including intersectionality of gender discrimination with elements such as poverty, disability, age, and gender identity.

- Revision of justice sector policies, protocols, and procedures to promote gender equality and for

22,900

22,900

22,900

CSO  
/UNWomen  
n UNSOM

68,700

<p>example, increase women's representation in professional cadres.</p> <ul style="list-style-type: none"> <li>• Implementation of justice sector institutional policy reforms.</li> </ul>						
<p><b>Result Activity 3.1.2</b></p> <ul style="list-style-type: none"> <li>• Advocacy, public awareness, and dialogues with members of parliament, civil society, and other stakeholders on a harmonized sexual offences law for Somaliland.</li> </ul>	22,900	11,450	-	SL NHRC, UNwomen, UNSOM		34,350

<p><b>Sub-output 3.2 Sensitize and empower communities to transform social norms which perpetuate gender discrimination and GBV and empower women to participate.</b></p>	<p><b>Result Activities 3.2.1</b></p> <p>§ - Community sensitization on women’s human rights and equal justice.</p> <p>§ - Gender-focused legal awareness in Eastern regions.</p> <p>§ - Engaging with informal justice providers to include women and adopt human rights and gender equality principles in their practices.</p>	22,900	34,350	-	MoJ, CSO, UNWomen			57,250
	<p><b>Result Activities 3.2.2</b></p> <p>§ Gender Justice and Rule of Law technical lead (SC9/10)</p>	62,020	62,021	62,021	UNWomen			186,063

<p><b>Sub-output 3.3 Strengthened capacity building for SGBV service provision, coordination and monitoring of gender and justice.</b></p>	<p><b>Result Activity 3.3.1.</b>          § - Policy guidelines promoting inter-agency cooperation in the investigation, prosecution, and adjudication of SGBV cases.          Training manuals including medico-legal developed in collaboration with all justice actors.          § - 6 training workshops on two Manuals on the investigation and prosecution of SGBV and Juvenile Cases (6 Training * \$9000 = \$54,000)</p>	-	57,250	27,480	AGO, UNDP, UNWomen, UNODC, UNSOM			84,730
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<b>Result Activity 3.3.2.</b> §- Establish coordination and strengthen GBV referral pathway in 3 locations (including community champions and TDR actors)	22,900	22,900	-	Baahikoob, UNDP, UNWomen ,			45,800
<b>Result Activity 3.3.3.</b> § - Sector wide SGBV coordination mechanism in place on socialization and awareness raising on SGBV Offences law.	22,900	-	-	Baahikoob, UNDP, UNWomen , UNSOM			22,900
<b>Result Activity 3.3.4.</b> § - Monitoring of SGBV units and Prison Inspection (12mission*1000= \$12000)	-	13,740	-	AGO, UNDP,			13,740

Result Activity 3.3.5 Civil Society Reference Group on security and justice in Somaliland and capacity building on gender and human rights	40,075	17,175	-	CSOs/ UNDP			57,250
<b>Result Activity 3.3.6.</b> § - Harmonized GBV data collection system established in coordination with UNICEF and UNFPA.	-	45,800	11,450	AGO, UNDP, UNICEF, UNWomen , UNSOM			57,250
<b>Result Activity 3.37.</b> § - Institutional support through analysis and coordination to improve the one stop centres with UNFPA and UNICEF for access for survivors from remote	-	34,350	22,900	AGO, UNDP, in cooperatio n with UNFPA and UNICEF			57,250



	locations (UNDP)							
<b>Sub- Total Output 3:</b>		<b>216,595</b>	<b>321,936</b>	<b>146,751</b>				<b>685,283</b>
<b>OUTPUT 4: Enhanced Criminal Justice Enforcement and Correctional Services</b>								
<b>Sub-output 4.1: -Access of Prisoner's Rehabilitation Program through vocational trainings for with special needs of women prisoners integrated.</b>	<b>Result Activity 4.1.2.</b> § - minor renovation and maintainance of three prison facilities with attention to women's needs	50,000	130,000	130,000	MoJ, Custodial Corps/ UNODC,			310,000
	<b>Result Activity 4.1.2.</b> § - Prisoner vocational training programmes established for three prisons, targeting 100% of all incarcerated women.	35,167	62,167	62,167	MoJ, Custodial Corps/ UNODC,			159,500

	<b>Result Activity 4.1.3</b> § - Vocational training graduates received recognition from concerned authorities.	5,000	10,000	10,000	MoJ, Custodial Corps/ UNODC, UNwomen,			25,000
<b>Sub-output 4.2: - Human rights of prisoners monitored and protected.</b>	<b>Result Activity 4.2.1</b> § - Establishment of Community oversight Committee and SLNHRC sustain monitoring of prisons for protection, promotion, and reporting of basic rights of prisoners, especially women and juveniles.	20,000	25,000	25,000	SLNHRC, UNSOM, UNODC			70,000
	<b>Result Activity 4.2.2:</b> § - Partner ship with local universities for social work interns to provide	18,000	54,000	36,000	MOJ,UNOD C			108,000


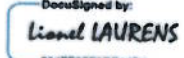



	counselling to prisoners to facilitate re-integration, with specific attention for women prisoners.							
	<b>Result Activity 4.2.3:</b> UNODC Prison Mentors to do regular mentoring for all Somaliland major prisons	70,000	160,000	160,000	UNODC			390,000
	<b>Result Activity 4.2.3</b> § - Restorative justice approaches at community level as diversion mechanisms, in coordination with traditional justice systems.	-	20,000	10,000	MOJ, UNDP, UNSOM			30,000
<b>Sub- Total Output 4:</b>		<b>198,167</b>	<b>461,167</b>	<b>433,167</b>	-	-	-	<b>1,092,500</b>
<b>Programme Management, Coordination and M&amp;E</b>								
One Joint Programme Coordinator (IPSA 10) – UNDP		179,419	179,420	179,420	UNDP			538,258
UNODC Project Staff		150,000	150,000	150,000	UNODC			450,000

UNDP: programme assistant (NSPA 7)	34,101	34,102	34,102	UNDP			102,304
Establishment of JROLP II Programme Unit - equipment	7,534	7,533	7,533	UNDP			22,600
Development and capacity building for MEL tools	3,766	3,767	3,767	UNDP			11,300
Monitoring visits to project sites by PUNOS	11,300	11,300	11,300	UNDP, UNODC, UNWomen			33,900
One Midterm evaluation	-	56,500	-	UNDP			56,500
Project review by CSO reference group on quarterly basis with monitoring missions to the regions	16,950	16,950	16,950	UNDP			50,850
<b>Sub Total - Programme Management, Coordination and M&amp;E</b>	<b>403,070</b>	<b>459,571</b>	<b>403,071</b>				<b>1,265,712</b>
<b>Total Programmable amount</b>	<b>1,266,050</b>	<b>3,937,382</b>	<b>1,655,627</b>				<b>6,859,059</b>
<b>UNDP 7%</b>	48,162	221,752	68,499				338,413
<b>UNODC GMS 7%</b>	24,635	41,645	40,385				106,666
<b>UN Women GMS 7%</b>	15,826	12,219	7,010				35,055
<b>GRAND TOTAL</b>	<b>1,354,674</b>	<b>4,212,999</b>	<b>1,771,521</b>				<b>7,339,193</b>

<b>Resources required:</b>	<b>Full Budget USD 10,435,936.8</b>
	<b>3 year Priority Plan USD 7,339,193</b>
	Donor
	UNDP
	UNODC
	UN Women
	Somaliland Government

**Agreed by (Signatures)**



<p>UNSOM                   SIMON STRACHAN                  21/9/23                  Signature: _____                  Date and Seal _____</p>	<p>UNDP                    Signature: _____                  Date and Seal 12-Jul-2023</p>
<p>UNWOMEN                   UN Complex, Bldg. A. O. Box 30218-00100 Nairobi, Kenya                    Signature: _____                  Date and Seal 27 July 2023</p>	<p>UNODC                    Signature: David O'Connell 17 AUG 2023                  Date and Seal UNODC GMCP IOW                  Programme Coordinator</p>