



## REVISED PROJECT INITIATION PLAN (PIP)

Country:	Somalia
Project Initiation Plan Title:	Support to Constitution Review
Somali Compact/ ISF PSG:	PSG 1: Inclusive Politics
Expected CPD Outcomes:	<p>Sub-outcome 2.1: “Mechanisms for the transition to democratic and accountable structures and systems of governance designed and implemented”</p> <p>Sub-outcome 2.4: Technical Assistance provided to improve security, establish a functioning judiciary, access to justice, a constitutional and legal framework and protection of human rights under the rule of law. Sub-outcome:</p> <p>Sub-outcome 4.2: Women’s participation in peace-building, representation, civil service and public life increased at all levels.</p>
Expected Project Outputs:	Output 1: Master-plan for the Constitution Review Process developed, approved and adopted by the Ministry of the Constitution Affairs
Implementing Partner:	Ministry of Constitutional Affairs (MoCA), Independent Constitutional Review and Implementation Commission (ICRIC), Parliamentary Oversight Committee (OC), Regional Ministry of Constitutional Affairs, UNDP and UNSOM.

### Justification for Revision

Project Initiation Plan (PIP) for Constitution Review Support was agreed in May 2017. Main purpose of this PIP was to support the Ministry of the Constitution Affairs (MOCA) to formulate and develop its strategy upon which the constitution review process will start. The PIP supported the initial activities of MOCA to ensure an inclusive consultative process is in place to endorse and adopt the plan of the process. In September 2017, the President of Government of Somalia called a meeting of all key players including the Deputy Prime Minister, the two Speakers of Parliament, Minister of Constitutional Affairs, and the Chairpersons of the Parliamentary Oversight Committee and ICRIC. The purpose of the meeting was to address the concerns expressed by the OC and ICRIC on the management of the process of constitutional review. The meeting resolved that it was necessary for all parties to work together. To this end, a roadmap had to be drafted that clearly reflected the role that each party had to play in the process. The President

The new Roadmap defines three key players in the constitutional review process, namely the Parliament; the Oversight Committee and ICRC, the Executive, MOCA and MOIFAR; and Federal Member States. Additionally, Civil Society and several State Institutions (the Judiciary, NIEC and BFC) are identified as important stakeholders. It furthermore identifies eight key deliverables, namely the Regularization of the Constitution, the Formation of Federal Member States, the Allocation of Powers from the Federal Government to the FMS, the Tabling and Publication of the 9<sup>th</sup> Parliament's report, Civic Education and Public Participation, a National Dialogue and Consensus-Building Forum, the Review and Adoption of the Constitution and a Referendum or National Validation of the Constitution. The roadmap is characterized by its emphasises on the development common understandings and the cooperation between all role players throughout the trajectory of the review process.

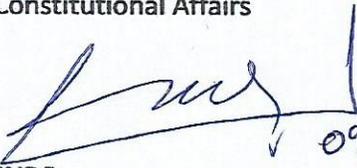
During the PIP period from May 2017, constitution process has been developed and the roles of all key players are now well defined. As a result of this support, joint consultations will be held in Nov-Dec with the participation of all three key role players MoCA, ICRC and Parliamentary Oversight committee (OC) to agree on the road map and the way forward on constitution review process. Later constitution process will be launched with participation of all other stakeholders including representative of federal member states, CSOs and other partners for the endorsement of the process by all key players. These consultations will create visibility and constitute an immediate first step in the review process.

For continuation of support to MoCA to meet the regular operations cost, technical advisory services, renovation of MoCA new office, MoCA Forum and joint consultations along with OC and ICRC with federal member states, PIP period is extended until 31 Dec 2017 with additional budget of USD 213,933. During the extended period of PIP, draft project document for next two years 2018-19 to support the constitution review process will be submitted to SDRF/ PWG1 and project board for approval.

Programme Period: <b>May 2017- Dec 2017</b>	Previous Budget	172,386
Key Result Area (Strategic Plan): Democratic Governance	Revised Budget	386,319
Atlas Award ID: _____	Total resources required	386,319
PAC Meeting Date: _____	Total allocated resources	386,319
Start Date: 11 May 2017	o UNDP Regular	386,319
End Date: 31 Dec 2017	Unfunded budget:	Zero
PAC Meeting Date: 10 May 2017	In-kind contributions:	Zero
Management Arrangements: DIM	* All figures are in USD	

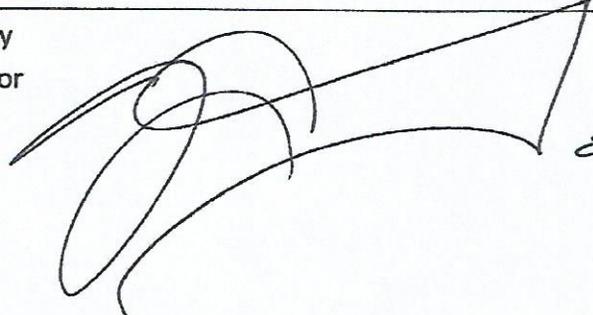
**Agreed by Ministry of Constitutional Affairs (MoCA):**

H.E. Abdirahman Hosh  
Minister of Constitutional Affairs

Signature:  09-11-2017

**Agreed by UNDP:**

George Conway  
Country Director

Signature:  09-11-17

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## I. PURPOSE

Somalia is undergoing a historic process of change, moving towards peace from decades of violent conflict, which ravaged the country and resulted in widespread suffering of its people. The Provisional Constitution of the Somali Republic was agreed and endorsed on 1 August 2012. The 9th Parliament successfully completed its term of office and remained a stabilizing force. The 10th Parliament has now been elected including the Upper House.

Under the Provisional Constitution, the NFP has also been tasked with leading the process of constitutional review and implementation, which is required to finalize a national Federal Constitution and set in place a framework for national elections. Support is required to help all key players in the realisation of the national vision for the Constitution Review Process, including The Road-map agreed upon by MOCA; ICRIC and the OC, followed by possible a Memorandum of Understanding between these three key role players.

The UN Constitutional Review and Implementation Support Project Initiation Plan (PIP), endorsed in May 2015, supports the constitutional review bodies in their efforts to plan and work jointly to bring together stakeholders across and at all levels of government and the community to build consensus around a range of outstanding constitutional issues.

The project supporting the Constitutional Review during the 9th Parliament has been concluded and a new Project Document is currently being negotiated to project the necessary support that will lead in the adoption of the final constitution. Three central stakeholders have been identified in this process, i.e. the MOCA, the Parliamentary Oversight Committee (OC) and the Independent Constitutional Review and Implementation Commission (ICRIC). All key players are currently discussion the roadmap for the constitution review process. The draft focuses on the role that each party had to play in the process.

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## II. OUTPUTS

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

UNDP provided the technical advisory support to the Ministry of the Constitution Affairs to develop and realise the activities foreseen in the national vision for the constitutional review. In doing so this PIP through this output will support a series of activities that will be carried out by MoCA to ensure inclusive and proper consultations with stake holders are conducted.

The Master-Plan will outline the roles of key players, the sequences of the process and identifies immediate actions to be taken to amend the current constitution prior to the review process. The PIP will support the organisation of consultations with National Federal Parliament, Regional Governments, regional legislatures, civil society, women's and youth groups. It is crucial to facilitate effective engagement of all stakeholders, namely, civil society to ensure the inclusiveness of the process as well as present a document that is owned and endorsed by Somali people. Series of meetings will be held at federal and state level to receive inputs into the roadmap followed by joint consultations with all key role players including ICRIC, OC, Federal Member States to launch and adopt it. Upon the endorsement of the national vision, UNDP will translate it into a full-fledge project document for next two years 2018-19 to support the constitution review process.

The national vision respectively provides for several projects that aim at resolving contentious issues between key players from federal government and the FMS and at increasing consensus-seeking intergovernmental coordination and cooperation in the constitutional review process and beyond. UNDP will support initial planned activities during the period from Oct- Dec 2017 that foster consensus-building on key contentious issues by inter alia providing capacity development support with regards to mediation, facilitating dialogue processes, providing technical advisory support and strengthening the capacities of the all involved actors. The support extended to the OC will be

covered by UNDP's Parliamentary Support Project (PSP II) and is thus not included in the here enlisted activities.

To ensure that MoCA can effectively discharge its mandate, the Project will offer capacity development support to MoCA members and staff on process issues and technical/substantive issues, particularly to enhance their capacities to engage all role players, stakeholders and civil society in effective political dialogue and to facilitate negotiation and review processes. In this context, the Project will also provide training and capacity development on mediation, dialogue, negotiation and conflict mitigation. Furthermore, a team of constitutional experts will be recruited and trained to enable MoCA to access timely advice, which will facilitate their active engagement with other stakeholders.

MoCA will need to be supported by a technical Secretariat. To this end, the Project will provide technical and capacity development to ensure the Secretariat staff can effectively support to assist the work of MoCA. UNDP will furthermore provide training and technical advice to the Secretariat as needed throughout the constitutional review process.

In this context, the Project envisages the following activities:

- ✓ Recruit and build the capacity of a team of constitutional experts fluent in English and Somali language to support MoCA
- ✓ Provide ongoing capacity development to Secretariat staff to provide support to MoCA with a view to public outreach and communications
- ✓ Provide ongoing capacity development to Secretariat staff to provide quality research, logistics and administrative services to members of MoCA
- ✓ Regular operations management cost
- ✓ Renovation of new office of MoCA

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### **III. MANAGEMENT ARRANGEMENTS**

#### **Implementing Partner**

The PIP will be implemented by UNDP, under the overall supervision of the Parliamentary Development and Constitution Review Chief Technical Advisor (CTA). The UNDP Country Office, via the UNDP Experts, will be responsible for project oversight, financial management, reporting, procurement and recruitment services.

The CTA will be responsible for substantive and technical leadership as well as overall management of the project activities and will provide high-level/strategic technical advice to the Ministry of the Constitution Affairs. In addition to this, UNDP will recruit a constitution-making expert who will be located within the Ministry to provide direct support to finalize the Master-Plan. The UNDP technical and operational units will be responsible for the day to day operational and financial oversight of the implementation of the PIP activities. The PPU and UNDP Programme Unit will provide quality assurance project, oversee regular reporting, and ensure compliance with UNDP rules and policies.

#### **Progress Review Meetings**

The Project Board meeting will be the forum for reviewing progress on PIP, receiving feedback from donors and undertaking discussions and consultations about PIP activities.

#### **Audit Arrangements**

The audit of the programme will be organised as a part of the UNDP office audit.

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#### **IV. MONITORING AND QUALITY ASSURANCE**

UNDP will be responsible for overall monitoring of the implementation and quality assurance of the PIP. In addition to a narrative and financial progress report that will be prepared at the end of the PIP, a risk log will also be maintained to capture potential risks and associated measures to manage risks.

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#### **V. STAKEHOLDER ENGAGEMENT**

During the PIP implementation phase, close coordination will be ensured with all stakeholders. The engagement will take place at the following levels:

- Political engagement to be led by UNSOM/ UNDP to ensure that the Federal Government of Somalia is involved in and informed of the discussions on project development and constitution review related issues.
- The program development process will be led by UNDP Parliamentary Development and Constitutional Review process programme, with the CTA as the focal point. They will keep donors abreast about the discussions with other stakeholders and continuously keep donors involved in key discussions related to the development of the project document.
- Technical discussions will be led by the CTA and the UNDP Expert, who will engage in discussions with the MOCA, ICRIC, OC and other stakeholders for seeking inputs to the project formulation process and to continue discussions on areas of sustainability, integrity and inclusiveness of the constitution review process. The CTA and the Expert will keep the donors and UNSOM informed about these discussions.
- The Senior Expert will be engaged to provide technical support to the Ministry. The Senior Expert will support UNDP and ensure Master-plan is approved and adopted. It is anticipated that the Senior Expert will be supported by additional short-term National advisors.

## VI. WORK PLAN: MAY 2017 TO DEC 2017

EXPECTED OUTPUT <i>And baseline, indicators including annual targets</i>	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME 2017			RESPONSIBLE PARTY	Funding Source	PLANNED BUDGET Budget Description	Amount (US Dollars)
		Q-2	Q-3	Q-4				
<b>Output 1:</b> Master-plan for the Constitution Review Process developed, approved and adopted by the Ministry of the Constitution Affairs <b>Baseline:</b> No Master-plan exist <b>Indicators:</b> - Framework/Timeline of Constitution Review; - Review Process agreed by end of August 2017; - Master plan of Constitutional Review Process drafted and circulated amongst national and international partners by end August 2017; <b>Targets:</b> - Master Plan and road map agreed by end of Dec 2017	1.1. Conduct of retreat to develop structural arrangement				MOCA & UNDP	UNDP	75700- Training, Workshops and Conferences	10,410
	1.2. Organisation of consultations on the Master Plan with the leadership of the Upper House, House of the People, the Executive and the Civil Society groups.				MOCA & UNDP	UNDP	75700- Training, Workshops and Conferences	10,448
	1.3. Conference in Mogadishu to propose the Master-plan with relevant Ministries from Federal Member States (FMS) and relevant constitutional bodies to be held on May.				MOCA & UNDP	UNDP	75700- Training, Workshops and Conferences	66,191
	1.4. Development of outreach and communication strategy				MOCA & UNDP	UNDP	71800-Contractual Services-Imp Partners	10,000
	1.5. MOCA Regional Consultative Meetings				MOCA & UNDP	UNDP	75700- Training, Workshops and Conferences	13,951
	1.6. Technical Advisory Services				MOCA & UNDP	UNDP	71800- Contractual Services-Imp Partners	52,000
	1.7. Political dialogue, negotiations and broad-based consensus building between all key players and relevant stakeholders involved in the constitutional review and implementation process enhanced. <ul style="list-style-type: none"> <li>• MoCA Forum</li> <li>• Join Regional consultations</li> </ul>				MOCA & UNDP	UNDP	75700- Training, Workshops and Conferences	16,522 10,000
	1.8. Regular Operational support				MOCA & UNDP	UNDP	72400-Communic & Audio Visual Equip	18,400

						72500-Supplies	3,900
						73400-Rental & Maint. of Other Equip (leased vehicles)	23,500
	1.9. Support basic rehabilitation and renovation of new office of MoCA			UNDP	UNDP	73200- Premises Alteration	65,000
						<b>Sub-Total</b>	<b>300,322</b>
	General Management Support (GMS)			UNDP	UNDP	75100-Facilities and Administration	0
						<b>Total Output 1</b>	<b>300,322</b>
<b>Output 2:</b> Joint Programme Management Support  <b>Baseline:</b> No project document exists.  <b>Indicators:</b> Project document (draft) is complete; reflects the inputs of all key stakeholders; and is ready for approval.  <b>Target:</b> Project document developed and approved by end of Dec 2017	4.1. Project effectively managed			UNDP	UNDP	71200- International Consultant	41,553
	<ul style="list-style-type: none"> <li>• Technical Advisory services to MoCA</li> <li>• Oversight through project boards</li> <li>• Efficient project and operations support provided</li> <li>• Draft new Project Document, based on stakeholder inputs.</li> <li>• Operations Management</li> </ul>			UNDP	UNDP	64300- Misc. Exp (DPC)	31,111
				UNDP	UNDP	74500- Misc. Exp (DPC)	13,333
						<b>Sub- Total</b>	<b>85,997</b>
	General Management Support (GMS)			UNDP	UNDP	75100-Facilities and Administration	0
						<b>Total Output 2</b>	<b>85,997</b>
<b>GRANT TOTAL</b>							<b>386,319</b>