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The Republic of Sierra Leone Constitutional Review Programme

July 2013 – March 2015

United Nations Development Programme

Country: SIERRA LEONE

Project Document

Programme Title:	The Republic of Sierra Leone Constitutional Review Programme (2013-2015)
UN TJV cluster 1 and 4:	Support to Good Governance
UNDP CPD cluster 1:	Improved Governance and Risk Management
UNDP Strategic plan	Fostering Democratic Governance
Implementing Partner:	UNDP Sierra Leone

Sierra Leone has made notable progress in consolidation of peace and democratic governance since the end of the 11-year civil war in 2002. This includes the successful administration of three elections, including a peaceful transfer of power in 2007 and peaceful presidential, parliamentary, and local council elections in 2012, with significantly less international involvement than the previous elections. However, a lot more remains to be done to address the underlying challenges in the country as well as to solidify democratic norms. The 2012 elections while hailed as a milestone in the country's consolidation of democratic governance also demonstrated deep seated ethno-regional political factions – with several potential flashpoints that could lead to deterioration of social/political stability and the resumption of violence. The gains made are not yet irreversible and the situation remains fragile. Despite recent marked economic progress, young people – who constituted the majority of combatants during the civil conflict and now comprise almost 70% of the population – face a very high unemployment rate, which in turn poses a key challenge to the consolidation of peace. Such issues continue to colour the political and social life of the country, and need to be addressed, politically, legally and socially.

Sierra Leone currently operates on the basis of the 1991 Constitution. The Constitution signalled an end to one-party rule and ushered in a new political dispensation of multi-party democracy. However, the Constitution was endorsed three months after the civil war broke out. As part of the process of negotiating the end to the civil war, Article X of the July 1999 Lome Peace Accord provided for a review of the Constitution. Subsequently, the Truth and Reconciliation Commission (TRC), established in 2002 also urged the Government of Sierra Leone to give “serious consideration” to the creation of a “new constitution”, in order to contribute to human rights. To that end, a broad ranging Constitutional Review Committee (CRC) representing different stakeholders in society, including political parties, democratic institutions, NGOs, the media and key independent bodies has been appointed. The 2013 CRC has been tasked with the reviewing of the 1991 Constitution. As part of its work it is envisaged that CRC will undertake a major civic education and consultation process, which will engage all segments of society in identifying recommendations for constitutional change. In accordance with the 1991 Constitution, at the conclusion of the process, Parliament will need to, pass a Bill after which a referendum will be held to approve the new Constitution.

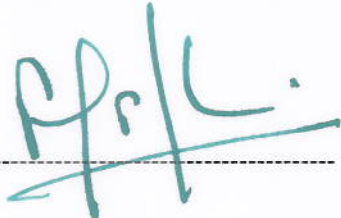
This project, managed by UNDP and implemented in close cooperation with UNIPSIL and the Office of Attorney General, is expected to contribute to above stated objectives. The project represents an integrated UN initiative in support of the constitutional review process in Sierra Leone. The project serves as the overall substantive framework for the UN, with all actors contributing to the results as articulated in the document. By the project's end, it is expected that the intended project output of Sierra Leone's Constitutional Review Committee capacitated to expertly lead an inclusive, transparent, participatory and peaceful process of constitutional reform would have been achieved.

Programme Period:	July 2013 - March 2015
Key Result Area :	Inclusive Participation strengthened
Atlas Award ID:	_____
Start date:	July 2013
End Date:	March 2015
LPAC Date:	
Management	UNDP Implementation

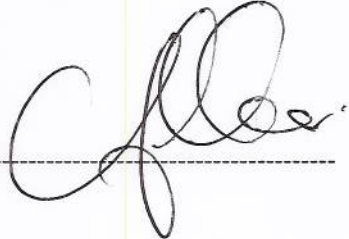
Total resources required:	USD 4,132,487
Total allocated resources:	USD _____
Regular:	USD _____
Donor:	USD _____
Donor:	USD _____
Donor: UNDP	USD 300,000.00
Government:	USD 1,161,894.53
Funding Gap:	USD 2,670,592.47
In-kind Contributions:	USD _____

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Signature: 

Date: ^{18th} July 2013

Signature: 

Date: 18 July 2013

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SECTION 1: SITUATION ANALYSIS

Background

Sierra Leone has made notable progress in consolidation of peace and democratic governance since the end of the 11-year civil war in 2002. This includes the successful administration of three elections, including a peaceful transfer of power in 2007 and peaceful presidential, parliamentary, and local council elections in 2012, with significantly less international involvement than the previous elections. However, the gains made are not yet irreversible and the situation remains fragile with a growing inter- and intra-party political polarization marked by regional and ethnic divisions. Despite major socio-economic progress, young people – who constituted the majority of combatants during the civil conflict and now comprise almost 70% of the population – face a very high unemployment rate, which in turn poses a key challenge to the consolidation of peace. Such issues continue to colour the political and social life of the country, and need to be addressed, politically, legally and socially.

Constitutional history

The country currently operates on the basis of the 1991 Constitution. The Constitution signalled an end to one-party rule and ushered in a new political dispensation of multi-party democracy. However, the Constitution was endorsed three months after the civil war broke out.¹ As part of the process of negotiating the end to the civil war, Article X of the July 1999 Lome Peace Accord provided for an amendment of the Constitution. Subsequently, the Truth and Reconciliation Commission (TRC), established in 2002 also urged the Government of Sierra Leone to give “serious consideration” to the creation of a “new constitution”, in order to contribute to human rights. It argued that such a new constitution “*should be the product of a wide and thorough consultative and participatory programme. Such a constitution must lay the foundations for a democratic and open society in which every citizen is equally protected by the law. It must free the potential of every Sierra Leonean. A Sierra Leone that is united around clear constitutional rights, values and principles has a promising future*”.²

In line with the TRC recommendations, the government established a Constitutional Review Commission (CRC) on 11 January 2007 “to review the Sierra Leone Constitution of 1991 with a view to recommending amendments that might bring it up to date with the economic, social and political developments that have taken place nationally and internationally since 1991”. In its terms of reference, the CRC was asked to take into consideration the experiences gained in the implementation of the 1991 Constitution, any omissions and lacuna in the Constitution, and to make recommendations that may enhance democratic governance as well as consider possibility of making the provisions on the fundamental principles of State Policy justifiable.

The membership of the 2007 CRC was drawn from a wide spectrum of the society, and included professional associations, organized labour, market women, non-governmental organizations, Government nominees, political parties, as well as the Sierra Leone Judiciary, the Armed Forces and the Police. The CRC, which was chaired by the head of the Law Reform Commission, received submissions from social and traditional groups, political parties, the United Nations as well as concerned individuals. The CRC spent about two months discussing all articles of the Constitution before drafting a preliminary report which formed the basis of nation-wide consultations. The CRC also received written and oral representations

¹ The current Constitution, which transformed Sierra Leone back into a multi-party state, was proposed following a three-month process of reviewing the 1978, one-party constitution.

² TRC Report Vol. 2, p122, paragraph 38

about different aspects of the Constitution, and made determinations on how to include them in a recommendation to the government. The result of the review process was a CRC Report, which was published in January 2008. However, the All Peoples Congress (APC), which succeeded the SLPP in September 2007, did not follow up on the report with either a White Paper responding to the recommendations or a constitutional amendment bill. The 2008 CRC Report has never been officially released to the public and as such, there has been no public debate on its recommendations.

Current constitutional process

In the course of the campaign for the 2012 elections, the current government promised a constitution review process. To that end, as at April 2013, the Attorney General and Minister of Justice was in the process of appointing a 80-member Constitutional Review Committee (CRC) representing different stakeholders in the country, including political parties, NGOs, the media and key independent bodies. The 2013 CRC will be tasked with reviewing of the 1991 Constitution.³ The Government envisages that there will be a major civic education and consultation process, which will engage all segments of society in identifying recommendations for constitutional change. In accordance with the 1991 Constitution, at the conclusion of the process, Parliament will need to endorse a set of recommendations for change, after which a referendum will be held to amend any entrenched clauses in the Constitution identified for reform.

There exists substantial agreement on many issues that require reform among the different parties and other stakeholders, including: (i) stronger economic and social rights; (ii) electoral reform to align the different election dates for presidential, parliamentary and local government elections, as well as census dates; and (iii) splitting the position of Attorney General and Minister of Justice. . This could make the work of the CRC more manageable. In any case, with the 2008 CRC Report in hand, the 2013 CRC already has a strong starting point to begin discussions with the community. More broadly, the review process offers an important platform to commence a process of robust civic education. This is important both as an end in itself, as well as a means for ensuring robust engagement with the constitutional process, which will lay the foundations for a more politically educated and informed populace capable of selecting good leadership and promoting peaceful and democratic conflict resolution.

However, there are risks that need to be addressed in order to ensure that the process does not trigger or exacerbate latent conflicts. A constitutional review process that is perceived as not inclusive or only for the political benefit of the ruling party carries risks, and could not only derail the process itself, but exacerbate ethno-regional political divisions and further polarize the country. This could detract from the ability of the constitutional review to be perceived as a “national project”. Another risk could emerge from the Parliament: if Parliament only engages with constitutional issues when a final constitutional amendment bill reaches Parliament, there is a risk that any social and political consensus that has been built by the CRC will be broken, which could in turn delegitimize the entire constitutional review process.

Current social and political context

A revised Constitution may be a mechanism for deliberating on strategies (both legal and policy) that could address some of the outstanding root causes of the devastating decade-long civil war. For example, according to the findings of the TRC report, weak governance institutions were unable to provide justice,

³ The CRC, though not fully constituted (about 20% of its eventual 60 members have not been named) is currently made up of representatives of political parties (6 each from APC and Sierra Leone People’s Party (SLPP) and 3 each from the National Democratic Alliance (NDA), Unity National People’s Party (UNPP), United Democratic Movement (UDM), Peace and Liberation Party (PLP), People’s Democratic Party (PDP), and People’s Movement for Democratic Change (PMDC)), representatives of national and governmental bodies (currently approximately 15-17 members from bodies such as the Law Reform Commission, National Commission for Persons with Disability, the Office of the Ombudsman, the Office of National Security, and the judiciary), and representatives of civil society.

security, and livelihoods, providing a context “conducive for the interplay of poverty, marginalisation, greed and grievances that caused and sustained the conflict.”⁴ In this context, the separation of powers was increasingly blurred, corruption was rampant, government elites were impervious to the needs of the people, and the police and other security institutions were weak. Constitutional reform could enhance the independence of the country’s major accountability institutions, including as the Police, the Political Parties Registration Commission, the National Electoral Commission, the Anti-Corruption Commission and the Independent Media Commission. It could also provide a venue for discussions around democracy and political accountability more generally, which could be useful in building the commitment of political elites and the public to a more meaningful multi-party, inclusive democracy.

The constitutional review process could also assist in the formulation of mechanisms to reduce the impact of ethnicity in the country’s elections, in particular, by exploring the option of returning to the proportional representation electoral system used in the 1996 and 2002 elections. The 2012 election results showed a continued divide along ethnic and regional lines. The Temne, Limba, Loko, Susu, Mandingo and Fullah constitute the main ethnic groups in the north; the Mendi, and Sherbro in the south; and the Kissi and Kono in the east. The SLPP largely dominates the South and the APC the North, with the east dividing their votes between the two parties. This division was exacerbated by the fact that successive post-independence regimes engaged in ethnic politics, and favoured different regions and ethnic groups in appointments to government, civil service, and army positions. According to the TRC findings, by the end of the 1980s, there remained very little national identity and the country was deeply divided. The disputed 2012 national elections, which APC won by 58.7% votes and contested in the Supreme Court by SLPP, demonstrate that these divisions are still powerful.

The constitutional reform process could also be useful in supporting the development of effective and broadly inclusive political parties which could demonstrate appeal across ethnic lines. Historically, the opposition in Sierra Leone was systematically suppressed until it was formally banned by the 1978 Constitution, removing all checks and balances against the incumbents. Key in this process of suppression was the use of emergency powers to silence opponents and systematically abuse fundamental human rights. The 1991 Constitution went some way to providing safeguards to prevent the country from sliding back into a single-party state, but it has been suggested that this framework could still be reviewed to strengthen political pluralism, including by empowering the Political Parties Registration Commission.

Constitutional and or legal reform may also be a useful tool for addressing issues around extractive industries; natural resource management and land – all of which are potential trigger issues for conflict and which still need to be addressed by the country. During the conflict, national resources, including diamonds, were exploited without benefit to the population, and used to fuel the conflict. Indeed, poor governance of natural resources was one of the root causes of the civil war. Despite its resources, its population lives in poverty: according to the Human Development Report, 76% of the population remains below the poverty line. Notably, the 2008 CRC Report made some recommendations pertaining to the management of extractive industries, including proposing the establishment of an Extractive Industries Commission. This could be an important constitutional mechanism for ensuring that the revenues from minerals (and perhaps oil and gas) contribute to national prosperity.

⁴ TRC Vol. 2 Para 16

SECTION 2: PROJECT STRATEGY

While Sierra Leone has made considerable progress in rebuilding its democratic institutions following two decades of one-party rule and the subsequent debilitating civil conflict of the 1990s, it is imperative that the proposed constitutional review consolidate national Peace-building and State-building efforts through a consultative, transparent and highly inclusive process. This underlying objective is the central theme which will guide the UN's support for the national constitutional review process. The Project will focus on constitutional dialogue and reform as a mechanism for peace consolidation and political transformation, through entrenching the nascent social contract and a new legal dispensation for the country. The Project will seek to build on local opportunities to mitigate risks and reduce conflict, including by collaborating with national counterparts to ensure an inclusive and transparent process which builds on existing work, including the 2008 CRC Report, TRC Report and the national Vision 2025 process undertaken by the Government. This project is a joint UNIPSIL/UNDP support to the Constitutional Review Process. *At all times and phases of this project UN support should be guided by delivering assistance that assists and encourages Sierra Leonean stakeholders to design and implement the constitutional review in a manner that adheres to the core principles of inclusiveness, participation, and transparency in order to achieve the objectives of peace consolidation and positive political transformation.*

The UN's support will remain responsive to the direction set by national constitutional partners. As per the UN Secretary General's Guidance Note on UN Assistance to Constitution-Making Processes, the Project will be sensitive to the need to provide advice and options, while ensuring that the process is nationally owned and led. . The international community is already cognizant of the importance of constitutional review and ready to provide the necessary support. An inter-agency Technical Assessment Mission (TAM) was deployed to Sierra Leone from 14 to 25 January 2013, to conduct a review of progress made in the implementation of UNIPSIL's mandate.⁵ The TAM concluded that the Mission should be phased out by March 2014. It further identified a number of residual tasks for the final year of UNIPSIL's presence, including assistance to the country to embark upon an inclusive, participatory, transparent and nationally owned constitutional review process, in order to consolidate the gains made since the end of the civil war. These findings have been enshrined in **Security Council Resolution 2097 (2013)** and will be implemented through this joint UNIPSIL/UNDP Project.

Guiding Principles for Project Implementation

Given that the constitutional review process is a highly dynamic, politically sensitive activity, Project implementation will be guided by a fundamental set of programming principles which seek to ensure that the UN is highly responsive to the national context:

Ensuring conflict sensitivity

⁵ Including but not limited to: decentralization through a review of the 1991 Constitution and the enactment of relevant legislation; consolidation of good governance reforms, focusing on anti-corruption instruments; preparation and conduct of the 2012 elections; meeting the country's Peacebuilding and development priorities through strengthening capacity building of national political, security, human rights and rule of law institutions, promoting good governance and accountability, promoting gender and social equality, strengthening human rights protection, supporting efforts to improve youth empowerment and strengthening efforts to tackle transnational organized crime; promotion of human rights, democratic institutions and the rule of law; mitigation of potential cross-border threats; development of initiatives for the protection and well-being of youth, women and children; promotion of a culture of peace and dialogue including through building an independent and capable public radio capacity; (engagement with bilateral and international partners, with national authorities in the formulation of the Agenda for Prosperity and in coordinating an integrated international response to it; and the work of the Peacebuilding Commission.

The UN's support to the constitutional process needs to "do no harm" and be alert to identifying potential flashpoints that could arise during the constitutional review and utilising opportunities to support national stakeholders to bridge social divides between different political and regional groupings. To this end, the Project will be guided heavily by conflict analysis being produced internally by UNIPSIL (during the term of the mission's mandate), as well seeking advice from other UN agency projects and technical experts working on relevant issues. The UN will focus on constantly identifying macro and micro-level causes of tensions, which could include divisive substantive issues or problems in the design and implementation of the process itself, and supporting the CRC and Government of Sierra Leone to conduct the process in such a way as to engage in dialogue and outreach activities to reduce political tensions and address potential "conflict triggers". A process that is pushed through by the Government without support from opposition political and social forces could create more harm to peace and stability than the benefit derived from the amendments themselves. The UN will work with the CRC to identify partnerships with other key stakeholders, such as Parliament and chieftaincies, and will actively develop national capacities for peace-building where possible.

Support Peacebuilding and reconciliation

While ensuring conflict sensitivity in implementation approaches, at the same time the Project will make every effort to support activities designed to address the underlying causes of conflict and promote Peacebuilding and reconciliation. In particular, the project should endeavour to encourage and promote outreach across regional and ethnic groups, so that different social and political groups can exchange ideas, learn about their fellow citizens, build trust, and address past or on-going discontents. In this way the constitutional review is as much a national dialogue as it is a process of legal reform. The Project team should promote dialogue and mediation among social/political groups, within the CRC, and between the CRC and key stakeholders, such as political parties and MPs. This work will contribute to broader UNDP efforts to build local capacities to manage conflict. Through the CRC's outreach activities, the Project will also work more broadly to contribute to the national effort to strengthen state-society relations by promoting transparency and inclusiveness as a means of addressing the underlying problem of societal distrust of the state;

Promoting social cohesion as a key overarching theme

Noting that CRC members and MPs are considered leaders in their home constituencies, it is important that they are supported to work together to provide a public example of social cohesion which will strengthen national unity and contribute to the broader development of a cohesive society in which individuals and communities peacefully manage and resolve disputes and tensions. Throughout the Project's activities, the UN will place a particular emphasis on political inclusion (incl. by promoting dialogue with MPs), and on public engagement in political processes. Special effort will also be made for the inclusion of women, young people, the disabled and other marginalized groups.

Promoting the core principles of inclusiveness, participation, transparency and national ownership

In an effort to protect the legitimacy and integrity of the constitutional review process and forthcoming constitution, as well as achieve the ancillary benefits of promoting Peacebuilding and reconciliation, strengthening national unity, building trust between communities and between the citizenry and the government, and empowering citizens on principles and practices of democracy, the Project should wherever possible and appropriate promote these core principles of inclusiveness, participation, transparency and national ownership in the design and implementation of the constitutional review.

- ***Inclusiveness:*** All Sierra Leoneans, as individuals, communities, and interests, will have an opportunity to participate in the constitutional review and express their views.

- *Public participation:* The CRC will go to the people, first through education and then through consultation, so that the review process is nationally owned.
- *Transparency:* The constitutional review will be open so that the people know what is happening and are informed at each stage of the process.
- *National ownership:* The people must own this process so that they can own their constitution.

Promoting a more educated and empowered citizenry as a key overarching theme

The constitutional review process provides the ideal platform for the commencement of a process of robust civic education which will lay the foundations for a more politically educated and informed populace, capable of selecting good leadership, demanding enforcement and implementation of constitutional rights and provisions, and promoting peaceful and democratic conflict resolution. The Project should consider civic education not just as a means to preparing the citizenry for public consultations, but as an end unto itself.

Ensuring a flexible approach to respond to the fluid political environment

This Project will need to be closely and flexibly managed to respond to changes in the operating environment, which will be inevitable in such a politically sensitive area. It is for this reason that it is proposed to recruit a dedicated P5 Chief Technical Advisor, who be supported by a dedicated UNDP programme manager. This team composition will ensure appropriate management of government and donor resources, while leaving the CTA free to ensure politically sensitive and responsive advice is provided to key stakeholders.

Maximising partnerships

Over the last decade of post-conflict rebuilding, considerable capacity has been built within national institutions and civil society to support democratic dialogue and engagement, This Project envisages leveraging the considerable expertise already developed within Sierra Leone for the benefit of the constitutional process. Institutional partners could include the Law Reform Commission, National Human Rights Commission, National Democracy Commission, National Elections Commission and the Ministry for Gender and Social Welfare, all of whom have relevant subject expertise, as well as outreach capacities. The UN will also work closely with other development partners, to ensure that lessons can learned and applied from previous consultation and outreach efforts.

Leveraging UN expertise in support of Project implementation

UNIPSIL and the UN Country Team in Sierra Leone have a strong comparative advantage to support the constitutional review process as a trusted partner and neutral broker in Sierra Leone since the end of the war. A strong “One UN” approach will be implemented in support of this Project to ensure that the UN’s longstanding engagement across sectors can be leveraged for the benefit of this Project. In particular:

- UNIPSIL’s latest mandate specifically empowers UNIPSIL to support the proposed constitutional review. UNIPSIL’s existing political and civil affairs units already have strong partnerships with the Government and civil society (in particular through the Non-State Actors Programme) which can be drawn on to inform programming under this Project, in particular in terms of developing a conflict sensitive civic education and public consultation strategy which leverages existing capacity amongst non-state actors.

- UNDP can provide complementary Project support, in particular, by drawing on the expertise of its existing governance team (for example, through the CTAs working on electoral support and parliamentary development), as well as UNDP staff working in relevant substantive areas such as access to justice, youth development, land reform, local governance and management of extractive resources. UNDP can also provide high quality and efficient project management support, including in the context of UNIPSIL's envisaged drawdown in 2014, after which UNDP would be well-positioned to continue to manage implementation of this Project.
- UNWomen has already commenced a review of the 1991 Constitution to identify discriminatory provisions and/or entry-points for promoting gender equality. This work provided a useful starting point for activities to promote substantive gender equality issues during the constitutional review process, as well as ensuring a gender-sensitive civic education and public consultation process. UNWomen will be a key partner during implementation of the Project.
- EAD is available to support the constitutional review project through knowledge, experience and expertise. Fundamental electoral issues such as sequencing of electoral events, electoral systems or Temporary Special Measures such as quotas should in any case be consulted with EAD. Electoral policies issued by the UN Focal Point for electoral Assistance apply to any electoral elements in this project.
- The UN team in Sierra Leone will also draw on the UN's global expertise and resources on constitutional development. The UN Department of Political Affairs and UNDP headquarters have already provided technical advice and support to UNIPSIL and UNDP as well as directly to the office of the Attorney General's Office. UNIPSIL and the UNCT will continue to draw on headquarters constitutional advisory and support services throughout the term of the Project, including the UN Mediation Standby Team quick-deployment facility.

In line with the guiding principles outlined above, the current project is expected to have contributed to the achievement of the overall programme Outcome upon its completion in 2014, namely ***Sierra Leone Constitutional Review Committee capacitated to have expertly led an inclusive, transparent, participatory and peaceful process of constitutional reform***. The six outputs for the project are as follows:

1. Capacity of CRC members enhanced to undertake effective constitutional review process and produce final recommendations;
2. Capacity of CRC secretariat to provide legal and research services to CRC enhanced;
3. CRC communication and messaging strategy designed and implemented;
4. Civil society led inclusive and informative civic education process completed;
5. CRC led inclusive & transparent civic education and public consultation process completed;
6. Capacity of MPs, democratic institutions, political parties and civil society strengthened to effectively support and participate in the review process;

Project outputs and activities and their related expected results are described in more detail in the next section of this document.

SECTION 3: PROJECT OUTPUTS, ACTIVITIES AND RESULTS

The project envisages clusters of outputs and activities grouped around the one main outcome mentioned above. The outputs and activities that contribute to the outcome are not intended to be airtight

compartments, but rather to yield areas of multiple entry points and institutions with which the project can collaborate. For example, political parties will be a key stakeholder in constitutional review process similarly; civil society organizations have a role to play in all six outputs.

Output 1: Capacity of CRC members enhanced to undertake effective constitutional review process and produce final recommendations

The proposed 80-member CRC is envisaged to comprise a range of legal and substantive experts, who represent a diverse range of political, geographic and issues-based constituencies throughout the country. Notably however, the technical knowledge of CRC members will vary based on their professional backgrounds. With this in mind, in order to ensure the CRC can effectively discharge its mandate, the Project will prioritise providing training and capacity development support to CRC members, on process issues and technical/substantive issues, as well as on mediation, dialogue, negotiation and conflict mitigation. This latter training recognises that the constitutional review is both a technical and a political process, and CRC members will need to have the necessary skills to mediate between parties who may disagree with each other. A P-5 UN Constitutional CTA will be recruited who will be responsible for providing ongoing technical advice to CRC members. The CTA will also identify ongoing training and capacity support needs for CRC members.

In order to guide the work of the CRC, it is anticipated that the CRC will need to agree on its Rules of Procedure as a first step. The UN anticipates supporting an initial Induction Training for the CRC, which could cover issues such as: goals and principles of constitution making, messaging and communications, public outreach and civic education, and negotiation, as well as being used as an opportunity to identify additional training for CRC members. During the Induction Training, the CRC could also be supported to develop its rules. These Rules should be designed to promote consensus in decision-making and prevent one political interest from imposing its view on all others. Noting that the CRC has 80 members, it is anticipated that the CRC will need to divide into thematic sub-committees in order to more effectively discuss key issues; these sub-committees, their TORs, and their decision-making processes will also be discussed and integrated into the Rules. The UN Constitutional CTA will also provide technical advice to these sub-committees throughout the constitutional review process.

It is anticipated that the CRC will be responsible for leading efforts to undertake civic education and public consultations throughout the country (see Activity Results 4 and 5), with an emphasis on more rural and remote areas, as well as undertaking negotiations amongst the CRC membership itself and with key stakeholders (see Activity Result 6). The CRC civic education and consultation efforts will be complemented in parallel by the civil society. Agreed CRC recommendations will then be submitted for consideration, first at a major National Constitutional Conference, and then by both Government and Parliament, and finally by referendum. This Project will support the efforts of the CRC to engage in stakeholder consultations and dialogue, with a specific emphasis on integrating conflict prevention and mitigation approaches into the CRC's activities, in order to support the CRC to manage potentially sensitive issues such as management of extractives, political party regulation and winner-take all syndrome amongst branches of Government.

As part of the effort to promote dialogue and Peacebuilding, the Project will also support the proposed National Constitutional Conference (NCC). The NCC needs to be harnessed as a key consensus-building activity amongst the different groups throughout the country, including the currently divided political leadership, as well as Parliament. It is anticipated that the NCC will include members of the Cabinet as well as all MPs, which will be important in promoting parliamentary buy-in for the CRC's recommendations in advance of the CRC's amendments being discussed in Cabinet and a constitutional amendment bill finally being submitted to Parliament. The UN will focus support on ensuring inclusion and consensus-building.

The final step of the constitutional review process is a referendum. This Project does not include support to the referendum process. In the event UN assistance is requested to support the holding of the referendum an electoral needs assessment will be required and will be carried out by the UN Electoral Assistance Division (EAD) on behalf of the UN Focal Point for Electoral Assistance at least six (6) months prior to the holding of the referendum.

Output 2: Capacity of CRC Secretariat to provide legal and research services to CRC developed

The CRC will need to be supported by a technical Secretariat to discharge its wide-ranging mandate. To this end, the UN (through the April 2013 DPA and UNDP mission) has already provided advice to the Attorney General's planning team on the possible composition of this Secretariat. The envisaged Secretariat structure would include teams who could support: (i) administration (human resources management, finance and logistics); (ii) Secretariat services (including legal advice and research for CRC members and sub-committees); (iii) communications services (to explain the CRC's work) and; (iv) outreach services (to support the civic education and public consultation processes).

The Project will provide technical and capacity development support to ensure the Secretariat can effectively support the work of the CRC (see also Activity Results 3-5). The UN Constitutional CTA will also provide training and technical advice to the Secretariat as needed throughout the constitutional review process. A major emphasis will be on ensuring locally-contextualised legal analysis and drafting services are available to CRC members, as well as research. In addition to locally undertaken research, a small budget to commission papers on key issues of interest (eg. power-sharing modalities, regulating extractives, comparative electoral systems, Bills of Rights, gender equality) has been included in the Project. It is anticipated that the Government will provide seconded staff to populate the structure of the Secretariat, as well as office space and basic supplies, while this Project will provide technical support for the work of the Secretariat. It is envisaged that Secretariat staff will be responsible for procurement and logistics activities, though Project staff can provide guidance and oversight over these processes, as appropriate.

Output 3: CRC Communication Strategy designed and implemented

The Government is committed to an inclusive and transparent constitutional review process. In reality, this requires the CRC to proactively develop its own "messaging" to manage the public's expectations and ensure that its activities are well-communicated and understood by the population at large, as well as key stakeholders whose buy-in to the process is necessary for its success. With that in mind, the Project will support the development of a simple CRC Communications Strategy, to guide the CRC's own efforts to communicate what it is doing. The strategy must have two components: (1) formulating the message itself; and (2) message dissemination so as to reach as many people and constituencies as possible. The Government has already commenced work on a website; combined with social media such as Facebook and twitter, this could be a good mechanism for communicating with people in Freetown and Sierra Leoneans in Diaspora, in particular young people who use Facebook. It is anticipated that a regular newsletter on the CRC's activities could also be produced and disseminated to Parliament, through the Ministry of Local Government and Rural Development down to the ward level and through other partners of the Project. Other vehicles for message delivery, in particular to reach rural areas and illiterate citizens, will need to be identified and utilized as appropriate.

To ensure greater outreach of CRC information however, the Project will also facilitate closer partnership between the CRC and the media, to ensure that the media can responsibly and accurately support the CRC's work. Training for journalists will be provided to ensure they understand the process and substantive issues. Radio, print media and television will all be tapped, with a special strategy designed to ensure

effective use of community radio. Training will also be provided to CRC members to ensure they have skills on effective, positive and constructive messaging and communication. This will be a key element of the CRC's conflict prevention and mitigation strategy, as poor communications, or inciting and politicized media, can undermine the process and at worse, can contribute to conflict.

Output 4: Civil society led inclusive and informative civic education process completed

This output will support civil society's efforts in conducting a countrywide civic education campaign and stakeholder consultations process - both over the long-term and short-term. Civil society led civic education campaign on constitutional review will be managed independent of CRC but will be complementary to CRC efforts. Any civic education initiatives will need to draw on networks outside of Freetown in order that local communities are reached. Use of messaging in the local vernacular will be extremely important as well, particularly for grassroots communities and women. At the same time, there need to be specific efforts by civil society, including women and youth groups, to train them on specific issues and advocacy skills, to equip them to more effectively engage in subsequent public consultation processes. An effective and countrywide civic education campaign would address benefits of citizen participation in the constitutional review process and inform citizen of their rights and responsibilities. For democracy to function, a critical mass should understand and practice values of democracy such as rule of law, participation and tolerance.

Given the multitude of actors involved in Civil society led civic education campaign, coordination of CRC and civic society efforts would be critical for citizenry to receive uniform and correct information with regards to the process. Therefore, any coordination mechanism between civil society actors and the CRC would require regular meetings between these two very important players. Through effective coordination civil society would be able to contribute positively in all five phases described under output 5.

In addition to engaging in civic education activities some CSOs may also want to advocate directly with the CRC on specific constitutional issues of interest (for example, minority, gender, or human rights). The Project includes funding for a Small Grants Facility to support advocacy and awareness raising activities by key civil society organizations. The Small Grants Facility is designed to enable CSOs to undertake their own advocacy with the community and the CRC, based on their own agenda and priorities, as opposed to the "official" CRC effort. The Small Grants Facility will also be guided by guidelines on criteria for eligibility, and grants will be allocated taking into consideration geographical constituencies, ethnicity and capacity dimensions. Special care will need to be taken to avoid the perception that the UN is unduly favouring certain CSO groups or issues through the use of the Small Grants Facility. Any civil society organizations seeking funds would need to develop full-fledged proposals and be selected through a competitive review process. The mechanism employed by the programme to award grants to civil society for civic education activities will ensure that at least 25% goes to women's groups that target women's participation in the constitutional review process. To ensure inclusion of all voices, the Project will prioritise support to ensure that marginalised groups can access advice and support to capacity development for:

Women's advocacy

- The Project/UNWomen will work closely with the Ministry for Gender and Social Welfare and other women's CSOs to ensure women's voices are able to be heard throughout the process. Strategies will be developed and supported to promote public support for gender equality issues of relevance to the constitutional review (e.g. 30% quotas for women in decision-making);

Youth engagement

- As the future leaders of the nation, it is imperative that they be included in this process. In addition to support for social media engagement, innovative activities will be developed with Universities and high schools to ensure that young people – who comprise more than 60% of the population – are engaged in the process. Essay/posted/research competitions may be initiated to draw in a broader cross-section of young people. Media campaigns will also be tailored to interest youth.

Output 5: CRC led inclusive and transparent civic education and public consultation process completed

One the most important and visible components of the CRC’s work will be to undertake a highly inclusive process of consultation with the public in an effort to ensure buy-in for the constitutional review process across the country. The CRC, with the support from the UN CTA, will develop the implementation strategy for civic education and public consultation plan, including identifying the issues that it should cover, geographical locations, timing and associated budget. There will be a number of phases of education and consultation which will have to be undertaken throughout the CRC’s mandate, namely:

Phase 1: Civic education

- This phase will focus on educating the public about the contents of the 1991 Constitution as well as the 2008 CRC Recommendations. This is an important end-point in itself. Many stakeholders have identified that political education is severely lacking, such that civic education will usefully contribute to democratic consolidation more generally. Specifically though, this civic education will be focused on educating the public so that they can then develop an informed position before they engage in the CRC’s public consultations.

Phase 2: Public consultation

- Following a basic civic education process, the CRC will undertake a major public consultation exercise to gather views from throughout the country to inform the CRC’s final recommendations. That said, the CRC will then have to triangulate these views with other data points, including preferences of political leaders, international norms, and technical/expert opinions, in order to determine what will best serve national Peacebuilding and Statebuilding goals;

Phase 3: Education and consultation on CRC Draft Recommendations

- Once the CRC develops its first draft of recommendations, it will be necessary to undertake a final education and consultation process to vet the recommendations and build ownership for them amongst the community prior to the National Constitutional Conference. Such a process will be particularly important if the CRC identifies that certain recommendations may be controversial and require additional consultation;

Phase 4: Education and consultation on Constitutional Amendment Bill

- Once the CRC completes its work, the Government will develop a Bill for consideration by Parliament. Additional consultations may be necessary at this stage, depending on how different the final Bill is from the CRC’s recommendations. A small budget has been included to support consultations by Parliament on the final Bill;

Phase 5: Voter education on final referendum question

- Once a Constitutional Amendment Bill is finally passed by Parliament, it may need to be put to a final referendum. Voter education will need to be undertaken to ensure that voters understand the

referendum process and the issues involved in the Constitutional Amendment Bill. It is anticipated that such work would be undertaken by the National Election Commission. This Project does not deal with this final phase, and any decision on UN involvement would be undertaken as described above under Output 1.

The Project will support the development of a Civic Education and Public Consultation Strategy to guide the CRC's efforts to educate and consult the public. This Project will utilise lessons learned from the UNISPIL Non-State Actors Programme and the UNDP Electoral Support Project to design the civic education and public consultation processes. It is envisaged that mix of media will be used, but that the heavy bulk of outreach by CRC will be undertaken in partnership with national institutions (eg. NCD, NEC, SLHRC). The Project will support the CRC to develop civic education curriculum to ensure consistent messaging across the country. A process of identifying and accrediting partner organisations will then be undertaken, followed by a training-of-trainers process to build the skills of the civic education teams. Funding is included in the Project to actually underwrite the costs of accredited partners to enable them to undertake their civic education and public consultation work for the CRC. Consideration could be given to including MPs in the civic education teams that work throughout the country during this phase.

Following the civic education process, a major public consultation process will be undertaken to gather views from the public across the country. It is anticipated that the CRC will lead this process of public consultation to ensure a non-partisan environment within which people can share their views. Special effort will be made to reach out to women, young people, illiterate people and other marginalised groups, including by ensuring that face-to-face consultations are undertaken in smaller groups, to ensure that all people have safe spaces in which to discuss their ideas. Special outreach approaches will also be developed to tap the views of religious and traditional elders, while ensuring at the same time that the views of these very respected leaders do not dominate the overall consultation process.

During the public consultation process and afterwards, the Project will support the CRC Secretariat to transcribe and collate the public hearings for the benefit of the CRC. The website will be also used as a vehicle for collecting submissions and for publicising all submissions collected by the CRC. As noted earlier above, similar (though likely a shorter) public consultation processes may also be supported to gather feedback on the draft CRC recommendations, as well as on the final Constitutional Amendment Bill.

Output 6: Capacity of MPs, political parties and traditional leaders strengthened to effectively support and participate in the review process

Complementary to the civic education and public consultation process, the Project will work with particularly significant stakeholders to develop their capacity to effectively engage with the work of the CRC in order to ensure a consensus-based, participatory process. In particular, effort will be made to reach out to political decision-makers and representatives, many of whom will likely have a key role to play in the constitutional negotiations and in representing the public. In particular, the Project will support work with:

Members of Parliament

- MPs will have a final say on the constitutional recommendations, as they have the responsibility for endorsing the final constitutional amendment bill which is required before a referendum can be held. As such, the Project will support activities designed to build the capacity and commitment of MPs to engage in the constitutional review process throughout its entirety. Outreach activities between MPs and the CRC will be supported, as well as dialogue/negotiation meetings.

Political parties

- All political parties have been invited to send representatives to be part of the CRC. That said, it is still important to support efforts of the CRC to reach out to political party leadership. A Political Parties Forum may be supported to facilitate regular briefings by the CRC. Efforts will also be made to facilitate dialogue between the All Political Parties Youth Association (APPYA) and the All Political Parties Women Association (APPWA), in order to ensure that these two constituencies are also kept meaningfully informed and engaged. The Political Parties Registration Commission will be a key partner in this work;

Chieftains

- The Chiefdoms of Sierra Leone are the third-level units of administration. The districts of Sierra Leone are divided into 149 chiefdoms. Since 1896, the chiefs remained the only institution of local government until the World Bank sponsored creation of a system of local councils in 2004, and today they still retain considerable influence in their communities. Only individuals from the designated ruling families" of a chieftaincy are eligible to become Paramount Chiefs. The Project will undertake specific outreach and dialogue work with chiefs to ensure they are meaningfully brought into the process, both as citizens and as influential leaders of their communities.

SECTION 4: RESULTS AND RESOURCES FRAMEWORK

UN TJV cluster 1 and 4:	Support to good governance
UNDP CPD cluster 1:	Improved Governance and Risk Management
Partnership Strategy:	Creation of a multi-donor basket fund. For partners who are non-contributors to the project, every attempt will be made through coordination mechanisms to ensure information sharing and coordination of activities.
Project title and ID (ATLAS Award ID):	

BASELINE, INDICATORS, AND TARGETS	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES	INPUTS
Outcome: Sierra Leone Constitutional Review process finalised and revised constitution presented to parliament for adoption			
Baseline: <ul style="list-style-type: none"> - CRC and CRC Secretariat being set up currently; - legal/technical capacity of CRC members and Secretariat staff is variable; - No CRC Communication Strategy or activities underway - No CRC Civic Education and Public Consultation Strategy in place or implemented - Variable capacity of CSOs, media and MPs to engage with constitutional review process 	Output 1: Capacity of CRC members developed to undertake effective constitutional review process and produce final recommendations <ol style="list-style-type: none"> 1.1 Conduct induction training on the goals and principles of constitution making, the Sierra Leonean constitutional process, substantive content issues and messaging/communications, negotiation, dialogue, mediation and conflict resolution 1.2 Support development of the Rules of Procedures 1.3 Support development of TORs for CRC Sub-Committees 1.4 Conduct training for CRC Sub-Committees on key constitutional issues within their mandate, including specific mediation training with respect to sensitive constitutional issues 1.5 Provide high level constitutional expertise and technical advice to CRC Plenary and Sub-Committees as requested 1.6 Support preparation of draft amendments/proposals and final report 	CRC, UNIPSIL, UNDP	USD 339,000 20,000 37,000 17,000 25,000 74,000 12,000
Indicators: <ul style="list-style-type: none"> - CRC members capable of producing technically proper amendments and 			

BASELINE, INDICATORS, AND TARGETS	INDICATIVE ACTIVITIES		RESPONSIBLE PARTIES	INPUTS
<ul style="list-style-type: none"> - recommendations 	1.7 Support conduct and reporting on National Constitutional Conference			151,000
<ul style="list-style-type: none"> - CRC Secretariat capable of providing high-quality and timely services to CRC members 	Output 2: Capacity of CRC Secretariat to provide legal and research services to CRC developed Develop organisation structure and prepare job description and ToRs for staff		CRC, UNIPSIL, UNDP	USD 759,000
<ul style="list-style-type: none"> - Effective civic education undertaken to build knowledge of constitutional issues 	2.1 conduct induction training for Secretariat staff		Recruit and	45,000
<ul style="list-style-type: none"> - Effective public consultation process undertaken to collect feedback from across the country 	2.2 Provide ongoing capacity development support to all Secretariat staff, including basic training on dialogue, mediation and conflict resolution		Provide	45,000
<ul style="list-style-type: none"> - Media responsibly reporting on constitutional issues 	2.3 papers from national/international experts on topics, as requested		Commission	69,000
<ul style="list-style-type: none"> - MPs, women and youth specifically capacitated to engage constitutional process 	2.4 quality assurance and technical advice to support Secretariat Unit inside CRC to provide CRC Members with high quality advice		Provide	100,000
<ul style="list-style-type: none"> - CSOs network is established and effectively participating in the consultation process 	2.5 offices supplies and equipment to complement the contribution of the Government of SL		Supplemental	500,000
<p>Targets (year 1)</p> <ul style="list-style-type: none"> - CRC Members agree on Rules of Procedure 	Output 3: CRC Communication & Messaging Strategy designed and implemented		CRC, UNIPSIL, UNDP, media, universities, UNWomen	USD 270,000
<ul style="list-style-type: none"> - CRC Members agree on a workplan for the CRC's work 	3.1 simple Communication & Messaging Strategy to explain the CRC's work, manage the public's expectations, and ensure regular updates provided to public and key stakeholders		Develop a	15,000
<ul style="list-style-type: none"> - CRC Secretariat set up and working to provide technical support to members 	3.2 ongoing capacity development support to all Secretariat staff, including basic training competencies/responsibilities		Provide	30,000
<ul style="list-style-type: none"> - CRC website developed and maintained 				
<ul style="list-style-type: none"> - CRC Civic Education and Public Consultation Strategy developed 				
<ul style="list-style-type: none"> - CSOs and others trained to undertake civic education 				
<ul style="list-style-type: none"> - Media trained on constitutional reporting 				

BASELINE, INDICATORS, AND TARGETS	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES	INPUTS
<p>Targets (year 2)</p> <ul style="list-style-type: none"> - CRC Secretariat set up and working to provide technical support to members - CRC produces draft amendments and recommendations for consideration - CRC organises peaceful and inclusive National Constitutional Conference - Peaceful public consultation process undertaken and submissions received from good cross-section of the community - Peaceful dialogue processes undertaken in relation to conflict sensitive constitutional issues 	<p>of Secretariat departments</p> <p>3.3 Support the maintenance of the CRC website, twitter and Facebook pages</p> <p>3.4 Produce monthly CRC newsletter for website and in print</p> <p>3.5 Develop a communication programme with community and other radio stations</p> <p>3.6 Provide constitution making training to journalists, editors, media house executives with a focus on ethical, objective and conflict sensitive reporting and conduct media monitoring</p> <p>3.7 Print and distribute copies of the 1991 Constitution, 2008 CRC report and CRC process brochure. Produce CDs of same for citizens who cannot read</p> <p>3.8 Support CRC to review the 1991 Constitution and 2008 CRC Report in order to frame issues for civic education and public consultations</p> <p>3.9 Support CRC to develop a conflict and gender sensitive, human rights based and peace-building focused Civic Education material as well as Civic Education Strategy + programme implementation plan</p> <p>3.10 Develop and implement a programme to engage youth in the constitutional reform process, including outreach with Universities and through social media</p>		<p>10,000</p> <p>12,000</p> <p>10,000</p> <p>33,000</p> <p>40,000</p> <p>15,000</p> <p>50,000</p> <p>55,000</p>

BASELINE, INDICATORS, AND TARGETS	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES	INPUTS
	<p>Output 4: Civil Society led inclusive and informative civic education process completed</p> <p>4.1 civic and legal awareness baseline survey, including integrating questions to identify potential conflict trigger</p> <p>4.2 detailed proposals pertaining to CSO involvement in the constitutional review process</p> <p>4.3 independent research on specific issues especially by interest and marginalised groups</p> <p>4.4 conflict and gender sensitive focused civic education strategy and programme implementation plan.</p> <p>4.5 national and sub-national civic education campaigns and stakeholders consultations before and after the various stages of constitutional review process i.e. After the first CRC draft is produced, after the Bill of Constitutional Amendments is tabled to Parliament, and in the run up to the referendum.</p> <p>4.6 findings of consultations process, print and distribute to public and share with the CRC.</p> <p>4.7 consensus building, coordination meetings and workshops between the CRC and key civil society</p>	<p>Civil Society Organization, CRC, UNDP</p>	<p>USD 1,000,000</p> <p>50,000</p> <p>20,000</p> <p>120,000</p> <p>60,000</p> <p>700,000</p> <p>20,000</p> <p>30,000</p>
	<p>Output 5: CRC led inclusive and transparent civic education and public consultation process completed</p> <p>5.1 print and disseminate public consultation materials</p>	<p>CRC, UNIPSIL, UNDP, LRC, SLHRC, NEC, NCD, PPRC, Parliament,</p>	<p>USD 647, 000</p> <p>100,000</p>