PROJECT DOCUMENT

Guvana

Project Title - Constitutional Reform Education in Guyana

Project Number: 00110912

Implementing Partner: United Nations Development Programme



Start Date:

1 October 2018

End Date: 31 December 2019

PAC Meeting date: August 7, 2018

Brief Description

The project will aim to provide expertise and impetus to an important process, which has a key role in ensuring short and long-term stability in Guyana. Constitutional reform represents a key juncture ahead of the arrival of oil revenues in Guyana. The increased stakes mean that mistrust can rise to a new level and that steps need to be taken to alleviate this.

The project will focus on providing stimulus to constitutional reform by conducting research and public education that will identify the key points for future debate. Constitutional reform remains the best way for Guyana to deal with its social conflicts, polarization and to improve efficiency, inclusivity and transparency moving forward.

The project is based on the findings of a Needs Assessment Mission on Constitutional Reform which was conducted by UNDP and Department of Political Affairs in February 2017. The key findings of this Mission are reflected in the project.

By starting a process of Constitutional dialogue with the University of Guyana, the project will provide accurate data of Guyanese views on constitutional reform and identify topics that will form the foundation of a public outreach and education campaign. The project will also provide an online platform for citizens to make proposals for constitutional changes. Overall, the project will increase public awareness and knowledge about the constitution itself and constitutional reform as a process and will ensure meaningful and substantial discussions when constitutional reform begins in earnest in the future.

The successful implementation of the project would provide sustainable, long-term benefits to the future process of constitutional reform.

Contributing Outcome (UNDAF/CPD, RPD or GPD): Equitable access to justice, protection, citizen security and safety reinforcement.	Total resources required:		55,560
Indicative Output with gender marker:	Total resources	UNDP	
Output 1: Public outreach and education on	allocated:	TRAC:	5,000
constitutional reform is carried out in cooperation with the University of Guyana.		UNDP	
GEN: 2		Democratic	
GEN. 2		Governance	30,560
		Funding Window:	,
		PDA Funds:	20,000
		In-Kind:	

Agreed by (signatures): UNDP Ministry of Finance Print Name: IVELAW CARTFEITH Print Name: WINSTON JORDAN Print Name: MIKIKO TANAKA Date: 2018-10-08 Date: 2018-10-08 Date: 20/8./0.04

Unfunded:

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I. DEVELOPMENT CHALLENGE

Guyana's current constitution is largely the product of reforms undertaken unilaterally in the late 1970s and ratified in the 1980 referendum. According to Guyanese stakeholders, these reforms created a hyper-presidential system with few legislative or judicial checks against the executive -amounting to what many Guyanese describe as a "winner take all" system where the opposition (and its constituents) may become politically and economically marginalized. Between 1999 and 2001 Guyana undertook an important constitutional reform process in response to the governance challenges of previous years, ethnic tensions, and repeated cycles of election-related violence. While introducing a number of power-sharing mechanisms and institutions, the reform was only partially implemented and several issues relating to the powers of the presidency, the electoral system and some aspects of human rights protection remained unaddressed. During the 2015 General Election campaign, the then-Opposition coalition of A Partnership for National Unity (APNU) and Alliance for Change (AFC) made constitutional reform a key point in their manifesto. After securing victory, the coalition established a Steering Committee for Constitutional Reform in September 2015 and invited the United Nations to provide assistance in the process of constitutional reform in 2016. A bill to establish the Constitutional Reform Consultative Commission was tabled in July 2017 but the process has stalled as Guyana enters the home stretch to the 2020 General Elections. Given that there is little space, time or commitment to engage in meaningful constitutional reform before the elections, the United Nations is, in agreement with all relevant stakeholders. focusing on a project of public outreach and education on constitutional reform in partnership with the University of Guyana.

After the first year, a follow-up assessment will take place in 2019 in order to gauge whether there is increased interest in expanding the constitutional dialogue and education activities both geographically and in terms of new themes.

II. STRATEGY

The intervention proposed in this project seeks to provide impetus to the process of constitutional dialogue by initiating a process of public outreach and education that would identify key topics from the perspective of ordinary people; create educational materials; organize and implement a series of community talks across Guyana on identified topics; and provide the University of Guyana with an online constitutional reform platform that would be available to all Guyanese as well as serving as a useful educational tool.

Theory of change in this proposal:

- (i) If a nation-wide survey is conducted, we will for the first time have a detailed and analysed picture of what the population understands by and expects from constitutional reform. It would provide data that could shape future policies, strategies and actions by all key stakeholders.
- (ii) If the public is educated on the topic of constitutional reform, it can drive the process from the ground up and actively participate in it once it is initiated at the highest level, especially through the public consultation process.

The criteria for a successful implementation of the project includes a transparent and robust working relationship with the University of Guyana as well as other key stakeholders such as the Office of the Prime Minister, political parties and civil society organizations. The process of constitutional reform by its definition focuses on building consensus and compromise and the UN will remain committed to working openly with all stakeholders in order to assist the process moving forward. Constitutional reform will address the underlying root causes of conflict in Guyana in a holistic manner – this requires an informed and knowledgeable public that can meaningfully contribute to the process.

III. RESULTS AND PARTNERSHIPS

Expected Results

Constitutional dialogue

- Complete a nation-wide survey that will better inform all stakeholders about the views, needs
 and opinions of Guyanese citizens on the process of constitutional reform and what they
 perceive as the key themes for the process.
- Quality education materials developed by the University of Guyana which will serve to educate
 the broader public about constitutional matters.
- Community talks and debates held across Guyana with the aim of mobilizing grassroot interest in constitutional reform and creating space for local initiatives and stakeholders to develop.
- Launch an online constitutional reform platform that would allow Guyanese citizens to propose constitutional changes as well as better understand existing constitutional provisions.

Resources Required to Achieve the Expected Results

 Resources required to achieve constitutional dialogue and education are limited to the cost of a country-wide survey, the cost of developing educational materials, cost of organizing community talks in several locations across Guyana and procuring the online constitutional reform platform. If the project is successful, additional funding will be needed to keep the process alive but the exact needs will be determined by this dynamic and fluid process.

Partnerships

 The project will require close collaboration and partnership between the United Nations and the University of Guyana. The UN will provide financial support and expertise to the University of Guyana whose staff and students will be involved in designing and carrying out the survey, developing educational materials, organizing community talks and managing the online constitutional reform platform. The UN will liaise closely with the University of Guyana in all these activities.

Risks and Assumptions

• Lack of political appetite for constitutional reform is palatable – the system as it currently exists has served both major parties well in the past and their focus is on winning the 2020 General Elections rather than reform at the moment. Both are confident of victory in the upcoming elections and the current 'winner takes all' system may be of convenience. From this perspective, the process of constitutional dialogue and education may risk being ignored or even undermined. This risk will be overcome through regular communication between the UN and all relevant stakeholders as well as on the fact that the University of Guyana, as a project partner, is seen as a politically neutral institution. Constitutional education is considered a medium to long-term investment in creating the conditions for sound democratic governance in Guyana.

Stakeholder Engagement

As far as constitutional reform and dialogue is concerned, international donors are interested
in the project/process but lack of funding prevents any more meaningful engagement. This
could change in the future, especially if the process gains momentum and public support.
Local institutions, in particular the Office of the Prime Minister, could provide additional
support and funds if the project requires broadened activities and scope.

South-South and Triangular Cooperation (SSC/TrC)

 Constitutional reform in Guyana would provide a major boost to the region as the country's racial polarization has often been identified as one of the more intractable conflicts.

Knowledge

The constitutional dialogue will leave behind educational material, several community
discussions and an online platform that can produce a 'mock constitution' – all these materials
will be extremely useful to CSO's involved in constitutional reform, constitutional law students
at the University of Guyana and local grassroot activists across Guyana.

Sustainability and Scaling Up

The output of this project will lay the ground work for a more in-depth and longer lasting public
consultation process when constitutional reform is initiated. It will also ensure that the calls for
constitutional reform remain strong and are not just limited to professional and political elites.

IV. PROJECT MANAGEMENT

Cost Efficiency and Effectiveness

The project will have a small budget which will produce results that are larger than the sum of
its activities. It will give impetus to constitutional reform and help create more engaged citizens
who are informed and knowledgeable on the subject.

Project Management

Constitutional dialogue will be implemented in partnership and cooperation with the University of Guyana. UNDP Governance officers and the Peace and Development Advisor will work closely with University staff in designing the survey, developing educational material, conducting community talks and launching the online platform. Regular meetings with University of Guyana staff working on the project will be held throughout the project's duration.

2

RESULTS FRAMEWORK

Intended Outcome as stated in the UNMSDF Programme Results and Resource Framework:

Equitable access to justice, protection, citizen security and safety reinforcement.

Outcome indicators as stated in the Country Programme Results and Resources Framework, including baseline and targets:

Output 4.1: Government and non-government institutions working on constitutional reform, fulfilment of human rights and local administration enabled for improved transparency, participation and effectiveness. Indicator 4.1.2: Number of operational government and non government institutions strengthened to fulfil national and international human rights obligations.

Applicable Output(s) from the UNDP Strategic Plan:

Outcome 2: Accelerate structural transformation for sustainable development

Output 2.2.2: Constitution-making, electoral and parliamentary processes and institutions strengthened to promote inclusion, transparency and accountability

Project title and Atlas Project Number: - 00110912 Constitutional Reform Education in Guyana

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EXPECTED	OUTPUT INDICATORS	DATA	BASE	BASELINE	TARG	SETS (b)	frequen	cy of dat	TARGETS (by frequency of data collection)	tion)	DATA COLLECTION
SIDAIDO		SOURCE	Value	Year	Year 1	Year 2	Year 3	Year 4	Year	FINAL	METHODS & RISKS
Output 1 Public outreach	1.1 Design and execution of Survey across Guyana disaggregated by gender	Survey report.	0 N	2018	Yes		NA	NA			Survey of 513 adults across Guyana
constitutional reform is carried out in	1.2 Existence of Education materials		o N	2018	Yes		NA	NA			To be based on results of the Survey.
cooperation with the University of Guyana.	1.3 Percent of Community talks and dialogues held across Guyana based on survey results disaggregated by region and gender		%0	2018	30%	100%	NA	NA			
	1.4 Existence of an Online platform.		o _N	2018	Yes		NA	NA			The platform collects and segregates data, including gender.

VI. MONITORING AND EVALUATION

In accordance with UNDP's programming policies and procedures, the project will be monitored through the following monitoring and evaluation plans

Monitoring Plan

Monitoring Activity	Purpose	Frequency	Expected Action	Partners (if joint)	Cost (if any)
Track results progress	Progress data against the results indicators in the RRF will be collected and analysed to assess the progress of the project in achieving the agreed outputs.	Quarterly, or in the frequency required for each indicator.	Slower than expected progress will be addressed by project management.		
Monitor and Manage Risk	Risk of political misperception or possible manipulation.	Quarterly	The Government, Opposition, civil society and international partners will be informed regularly through appropriate channels and mechanisms established with University of Guyana.		
Learn	A lessons learnt exercise will be conducted at the end of the 2018 and another one at the end of 2019.	At least annually	Relevant lessons are captured by the project team and used to inform management decisions.		
Annual Project Quality Assurance	The quality of the project will be assessed against UNDP's quality standards to identify project strengths and weaknesses and to inform management decision making to improve the project.	Annually	Areas of strength and weakness will be reviewed by project management and used to inform decisions to improve project performance.		
Review and Make Course Corrections	Internal review of data and evidence from all monitoring actions to inform decision making.	At least annually	Performance data, risks, lessons and quality will be discussed by the project board and used to make course corrections.		
Project Report	A progress report will be presented to the Project Board and key stakeholders, consisting of progress data showing the results achieved against pre-defined annual	Annually, and at the end of the project (final report)			

	Any quality concerns or slower than expected progress should be discussed by the project board and management actions agreed to address the issues identified.
	Annually
targets at the output level, the annual project quality rating summary, an updated risk long with mitigation measures, and any evaluation or review reports prepared over the period.	The project's governance mechanism (i.e., project board) will hold regular project reviews to assess the performance of the project and review the Multi-Year Work Plan to ensure realistic budgeting over the life of the project. In the project's final year, the Project Board shall hold an end-of project review to capture lessons learned and discuss opportunities for scaling up and to socialize project results and lessons learned with relevant audiences.
	Project Review (Project Board)

8

VII. MULTI-YEAR WORK PLAN 12

All anticipated programmatic and operational costs to support the project, including development effectiveness and implementation support arrangements, need to be identified, estimated and fully costed in the project budget under the relevant output(s). This includes activities that directly support the project, such as communication, human resources, procurement, finance, audit, policy advisory, quality assurance, reporting, management, etc. All services which are directly related to the project need to be disclosed transparently in the project document.

EXPECTED OUTPUTS	PLANNED ACTIVITIES		Planned Budget by Year	dget by Yea	_		P	PLANNED BUDGET	GET
		Σ	Y2	Х3	74	RESPONSIBLE PARTY	Funding	Budget Descriptio n	Amount
Public outreach and education on	1.1 Country wide survey on constitutional reform themes	USD 12,000				UG/UNDP			USD 12,000
constitutional reform is carried out in cooperation with the University of Guyana.	1.2 Design and development of educational materials	USD 10,000				UG/UNDP			USD 10,000
Condor morkor 2	1.3 Organization of community talks	USD 5,000	USD 10,000			UG/UNDP			USD 15,000
Gender marker 2	1.4 Launch of online constitutional reform platform.	USD 15,000				UG/UNDP			USD 15,000
Evaluation	Monitoring								USD 1,560
General Management Support (7%)									USD 2,000
TOTAL									USD 55,560

¹ Cost definitions and classifications for programme and development effectiveness costs to be charged to the project are defined in the Executive Board decision DP/2010/32

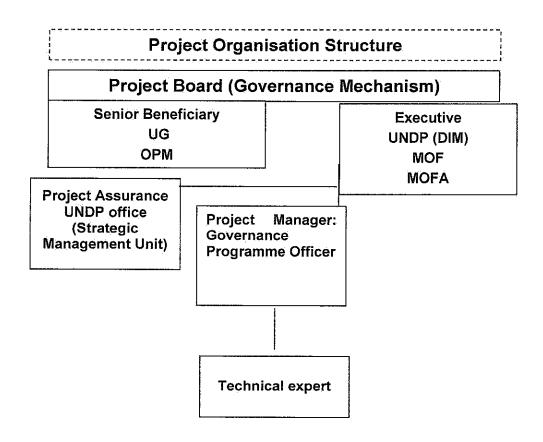
² Changes to a project budget affecting the scope (outputs), completion date, or total estimated project costs require a formal budget revision that must be signed by the project board. In other cases, the UNDP programme manager alone may sign the revision provided the other signatories have no objection. This procedure may be applied for example when the purpose of the revision is only to re-phase activities among years.

VIII. GOVERNANCE AND MANAGEMENT ARRANGEMENTS

UNDP Guyana will be the Implementing Agency for the project through the Direct Implementation Modality (DIM). UNDP will manage the project in line with the UNDP project management rules. UNDP will engage implementing partners through the UNDP procurement process and based on UNDP guidelines and procedures. To ensure the principle of national ownership and inclusive participation, UNDP will implement the project in close partnership with the National Counterparts (University of Guyana and other relevant institutions)

A Project Board will be established with the University of Guyana, the Prime Minister's Office, Ministry of Finance, Ministry of Foreign Affairs and UNDP. UNDP will provide project assurance and management. All outcomes will be coordinated through the Project Board. The Project Board will provide strategic guidance and oversight, including endorsement of Annual Work Plans and recommendations for UNDP approval of programme revisions. Project reviews by the Project Board will be made at regular intervals or as necessary. The Project Board will meet regularly, with ad-hoc meetings between relevant Project Board members also scheduled whenever the need arises.

UNDP will also provide technical advice and quality assurance support throughout the Project, as necessary, to ensure high quality services are provided to national partners. One of the first tasks for the Project will be to elaborate the Annual Work Plan and Monitoring and Evaluation Plan, in a participatory and inclusive manner.



IX. LEGAL CONTEXT

This project document shall be the instrument referred to as such in Article 1 of the Standard Basic Assistance Agreement between the Government of (Country) and UNDP, signed on (date). All references in the SBAA to "Executing Agency" shall be deemed to refer to "Implementing Partner."

The Implementing Partner shall ensure best value for money, fairness, integrity, transparency, and effective international competition in the financial governance applied to implementing the project. This project will be implemented by [name of entity] ("Implementing Partner") in accordance with its financial regulations, rules, practices and procedures only to the extent that they do not contravene the principles of the Financial Regulations and Rules of UNDP. In all other cases, UNDP's Financial Regulations and Rules and governance procedures shall be followed.

X. RISK MANAGEMENT

- 1. UNDP as the Implementing Partner will comply with the policies, procedures and practices of the United Nations Security Management System (UNSMS.)
- 2. UNDP as the Implementing Partner will undertake all reasonable efforts to ensure that none of the [project funds]³ [UNDP funds received pursuant to the Project Document]⁴ 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/sc/committees/1267/aq sanctions list.shtml. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.
- 3. Social and environmental sustainability will be enhanced through application of the UNDP Social and Environmental Standards (http://www.undp.org/ses) and related Accountability Mechanism (http://www.undp.org/secu-srm).
- 4. UNDP as the Implementing Partner will: (a) conduct project and programme-related activities in a manner consistent with the UNDP Social and Environmental Standards, (b) implement any management or mitigation plan prepared for the project or programme to comply with such standards, and (c) engage in a constructive and timely manner to address any concerns and complaints raised through the Accountability Mechanism. UNDP will seek to ensure that communities and other project stakeholders are informed of and have access to the Accountability Mechanism.
- 5. All signatories to the Project Document shall cooperate in good faith with any exercise to evaluate any programme or project-related commitments or compliance with the UNDP Social and Environmental Standards. This includes providing access to project sites, relevant personnel, information, and documentation.
- 6. UNDP as the Implementing Partner will ensure that the following obligations are binding on each responsible party, subcontractor and sub-recipient:
 - a. Consistent with the Article III of the SBAA [or the Supplemental Provisions to the Project Document], the responsibility for the safety and security of each responsible party, subcontractor and sub-recipient and its personnel and property, and of UNDP's property in such responsible party's, subcontractor's and sub-recipient's custody,

³ To be used where UNDP is the Implementing Partner

⁴ To be used where the UN, a UN fund/programme or a specialized agency is the Implementing Partner

rests with such responsible party, subcontractor and sub-recipient. To this end, each responsible party, subcontractor and sub-recipient shall:

- put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;
- assume all risks and liabilities related to such responsible party's, subcontractor's and sub-recipient's security, and the full implementation of the security plan.
- b. 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 hereunder shall be deemed a breach of the responsible party's, subcontractor's and sub-recipient's obligations under this Project Document.
- c. Each responsible party, subcontractor and sub-recipient will take appropriate steps to prevent misuse of funds, fraud or corruption, by its officials, consultants, subcontractors and sub-recipients in implementing the project or programme or using the UNDP funds. It will ensure that its financial management, anti-corruption and anti-fraud policies are in place and enforced for all funding received from or through UNDP.
- d. The requirements of the following documents, then in force at the time of signature of the Project Document, apply to each responsible party, subcontractor and sub-recipient: (a) UNDP Policy on Fraud and other Corrupt Practices and (b) UNDP Office of Audit and Investigations Investigation Guidelines. Each responsible party, subcontractor and sub-recipient agrees to the requirements of the above documents, which are an integral part of this Project Document and are available online at www.undp.org.
- e. In the event that an investigation is required, UNDP will conduct investigations relating to any aspect of UNDP programmes and projects. Each responsible party, subcontractor and sub-recipient will provide its full cooperation, including making available personnel, relevant documentation, and granting access to its (and its consultants', subcontractors' and sub-recipients') premises, for such purposes at reasonable times and on reasonable conditions as may be required for the purpose of an investigation. Should there be a limitation in meeting this obligation, UNDP shall consult with it to find a solution.
- f. Each responsible party, subcontractor and sub-recipient will promptly inform UNDP as the Implementing Partner in case of any incidence of inappropriate use of funds, or credible allegation of fraud or corruption with due confidentiality.
 - Where it becomes aware that a UNDP project or activity, in whole or in part, is the focus of investigation for alleged fraud/corruption, each responsible party, subcontractor and sub-recipient will inform the UNDP Resident Representative/Head of Office, who will promptly inform UNDP's Office of Audit and Investigations (OAI). It will provide regular updates to the head of UNDP in the country and OAI of the status of, and actions relating to, such investigation.
- g. Each responsible party, subcontractor or sub-recipient agrees that, where applicable, donors to UNDP (including the Government) whose funding is the source, in whole or in part, of the funds for the activities which are the subject of the Project Document, may seek recourse to such responsible party, subcontractor or sub-recipient for the recovery of any funds determined by UNDP to have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of the Project Document.

Where such funds have not been refunded to UNDP, the responsible party, subcontractor or sub-recipient agrees that donors to UNDP (including the Government) whose funding is the source, in whole or in part, of the funds for the activities under this Project Document, may seek recourse to such responsible party, subcontractor or sub-recipient for the recovery of any funds determined by UNDP to have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of the Project Document.

<u>Note</u>: The term "Project Document" as used in this clause shall be deemed to include any relevant subsidiary agreement further to the Project Document, including those with responsible parties, subcontractors and sub-recipients.

- h. Each contract issued by the responsible party, subcontractor or sub-recipient in connection with this Project Document shall include a provision representing that no fees, gratuities, rebates, gifts, commissions or other payments, other than those shown in the proposal, have been given, received, or promised in connection with the selection process or in contract execution, and that the recipient of funds from it shall cooperate with any and all investigations and post-payment audits.
- i. Should UNDP refer to the relevant national authorities for appropriate legal action any alleged wrongdoing relating to the project or programme, the Government will ensure that the relevant national authorities shall actively investigate the same and take appropriate legal action against all individuals found to have participated in the wrongdoing, recover and return any recovered funds to UNDP.
- j. Each responsible party, subcontractor and sub-recipient shall ensure that all of its obligations set forth under this section entitled "Risk Management" are passed on to its subcontractors and sub-recipients and that all the clauses under this section entitled "Risk Management Standard Clauses" are adequately reflected, mutatis mutandis, in all its sub-contracts or sub-agreements entered into further to this Project Document.

13

OFFLINE RISK LOG

Award	d ID:	Date:
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S	
Status	
Last Update	
Submitted updated by	
Owner	
Countermeasures / Mngt response	The UN will engage with all stakeholders for the duration of the project in order to ensure transparency and, at the least, declarative support. Given the key role played by the University of Guyana, the presence of a respected, neutral national institution will alleviate fears of bias and political favouritism. The management team and project board
Impact & Probability	Political parties express a declarative support for constitutional reform but substantive interest is lacking. The focus of both sides on the 2020 General Elections means that they may not take kindly to criticism of the current system, from which all political parties have benefited at one time or another, that will likely emerge from the participants of the project.
Туре	Political;
Date Identified	Inception
# Description	Political parties Inception and stakeholders to actively participate in process of constitutional education/dialo gue due to their focus on upcoming elections

ensuring that the project does not fall victim to daily political jostling.	Lack of creativity in outreach, lack of expertise in civic education; P: 3, I: 2
	Organizational; Lack of creativity in outreach, lack of expertise in civic education; P: 3, I: 2
	2 Outreach and Inception Org civic education campaign fail to animate the population or raise awareness

XII. ANNEXES

- 1. Project Quality Assurance Report
- 2. Social and Environmental Screening Template [English][French][Spanish], including additional Social and Environmental Assessments or Management Plans as relevant. (NOTE: The SES Screening is not required for projects in which UNDP is Administrative Agent only and/or projects comprised solely of reports, coordination of events, trainings, workshops, meetings, conferences, preparation of communication materials, strengthening capacities of partners to participate in international negotiations and conferences, partnership coordination and management of networks, or global/regional projects with no country level activities).
- 3. Risk Analysis. Use the standard Risk Log template. Please refer to the Deliverable Description of the Risk Log for instructions
- **4. Capacity Assessment:** Results of capacity assessments of Implementing Partner (including HACT Micro Assessment)
- 5. Project Board Terms of Reference and TORs of key management positions

Terms of Reference for Project Board

The Project Board is expected to have the following functions, among others:

- Provide strategic guidance for the project
- Make all relevant management decisions
- Approve the project's annual work plan and overall budget allocation
- Revise and approve annual project reports
- Ensure adequate project documentation and monitoring
- Arbitrate any conflicts that might emerge during project implementation
- Provide guidance on potential project partnerships and alliances and negotiate with external actors as needed
- Recommend substantive changes to the project as local conditions change and new technologies emerge
- Promote related knowledge management and learning processes that can enhance project implementation
- Undertake all of the above with full integrity and transparency
- Uphold UNDP safeguards and standards
- Meet at least once per year or as needed