



## **Support to Transitional Justice**

**at the Local and National Levels in Libya**

**United Nations Development Programme**

**Libya**

**Project Document**

<b>Project Title:</b>	Support to Transitional Justice at the Local and National Levels in Libya
<b>UNDP Strategic Plan Outcome(s):</b>	Outcome 2: Citizen expectations for voice, development, the rule of law and accountability are met by stronger systems of democratic governance  Outcome 3: Countries have strengthened institutions to progressively deliver universal access to basic services
<b>UNDP Strategic Plan Output(s):</b>	Output 2.3. Capacities of human rights institutions strengthened  Output 3.4: Functions, financing and capacity of rule of law institutions enabled, including to improve access to justice and redress  Output 3.5 Communities empowered and security sector institutions enabled for increased citizen safety and reduced levels of armed violence
<b>UNDP Libya CPD Output(s):</b>	3. Libya successfully manages transition to a state founded on the rule of law.
<b>Project Output(s):</b>	Output 1: Local and national level dialogue and dispute resolution processes developed and implemented to reduce conflict between communities  Output 2: Key stakeholders in Libya are better able to design and implement transitional justice plans to promote sub-national and national reconciliation  Output 3 : Local communities are better able promote safety and security for returning populations
<b>Executing Entity:</b>	UNDP
<b>Implementing Agencies:</b>	UNDP with UNSMIL

### Brief Description

This project aims to assist the Misrata/Tawergha Joint Committee in implementing the agreed roadmap including supporting transitional justice processes and facilitating the return of the Tawerghans, and people from al-Kararim, Tomina and Karzaz, in safety and dignity. This includes addressing some of the fundamental causes of the conflict between the communities, dealing with allegations of past human rights violations, and promoting dialogue between the two communities. It also aims to support community security so that the displaced people are able to exercise their right to return as recognized in the roadmap. The project also aims at supporting other communities who are interested in addressing the legacy of conflict between them through a similar dialogue process. Finally, the project will also aim to generate lessons from the Misrata/Tawergha process and other similar processes to identify good practices that can help inform national discussions on transitional justice.

Programme Period:	2 years
Key Result Areas (Strategic Plan)	Outputs 3.4, 3.5
Atlas Award ID:	00098740
Start date:	15 May 2016
End Date:	14 May 2018
PAC Meeting Date	14 March 2016
Management Arrangements	DIM

Total resources required	USD 3,227,566
Total allocated resources:	_____
Regular	
• Germany	_____
• Italy	_____
• Others	_____
Unfunded budget	_____

Agreed by (UNDP):

  
NOURA HADADI

28/04/2016

## I. Situation analysis

Libya is witnessing significant political conflict, insecurity and economic challenges after the 17 February 2011 revolution. Libya's political crisis has been further exacerbated by the outbreak of conflict in Tripoli on July 2014 which has led to the division of the country between two parliaments, their governments and allied militias. Unless the fighting is stopped through a negotiated settlement, the state institutions may soon collapse and Libya's financial reserves will soon be depleted leading to a humanitarian disaster and increased suffering of Libyan citizens. The stabilization of Libya requires both agreement between various political factions as well as establishment of peace between warring communities.

In accordance with its mandate most recently renewed by United Nations Security Council resolution 2213 (2015), UNSMIL has been leading international efforts to mediate a peaceful resolution to Libya's political and institutional crisis and bring an end to the armed conflict. The UNSMIL-facilitated dialogue has included a number of distinct tracks including the main 'political' track; security; tribal leaders; political parties; municipalities; women; and civil society. The political track has resulted in an agreement for the establishment of a Government of National Accord: on 8 October 2015, UNSMIL proposed a list of nominees for a Government of National Accord (GNA); on 17 December 2015 a political agreement was signed to establish the GNA and endorsed by the Security Council.

As part of the municipalities track, the UNSMIL Human Rights, Transitional Justice and Rule of Law Division (HRD) also helped facilitate a dialogue between Misrata and Tawergha which has led to an agreement to enter into negotiations on implementing the right of return of Tawerghans to their town. The city was destroyed by the Misrata brigades in retaliation for what they perceived as Tawerghans collectively siding with Qadhafi in 2011 and allegedly committing massive human rights abuses. A year-long negotiation resulted in a Joint Committee, consisting of representatives from both communities, agreeing on a Road Map on 18 December 2015 (see annex). The Road Map outlines principles and measures dealing with reparations for victims of human rights abuses; accountability for perpetrators; reconstruction of Tawergha and damaged areas of Misrata; and the safe and voluntary return of Tawerghans to their areas. The adoption of the Road Map paves the way for moving forward on resolving key issues between the two communities leading to the returns of the Tawerghans.

The dialogue process between Misrata and the Tawergha demonstrates that it is possible to facilitate dialogue between warring communities in Libya even while the general environment remains deeply polarized and insecure. These dialogues can contribute to overall stability and confirms the need for a systematic approach to transitional justice.

This project aims to assist the Misrata/Tawergha Joint Committee in implementing a reparation programme and facilitate the return of the Tawerghans, and people from al-Kararim, Tomina and Karzaz (areas on the outskirts of Misrata damaged by the 2011 war), in safety and dignity. This includes addressing some of the fundamental causes of the conflict between the communities, dealing with allegations of past human rights violations, and promoting reconciliation between the two communities. It also aims to support community security so that the displaced people of Tawergha are able to exercise their right to return to their community as recognized in the roadmap.

In addition, the project will build the national capacities in dialogue management and share experience and best practices with other communities, such as Mashashya and the Gwalish to resolve their conflict. UNSMIL's HRD envisages facilitating similar dialogue processes with these and possibly other communities. Finally, the project will support institutionalizing transitional justice as a national priority for Libya. A comprehensive transitional justice process will enhance the political and social stability of the country.

## II. Strategy

### Project Justification

Following the signing of the Libyan Political Agreement, localized fighting in Libya has continued whilst the Government of National Accord has been establishing itself as the only legitimate government in Libya. Opportunities for addressing some of the localized conflicts between specific disputing parties, however, have recently led to local ceasefire agreements and willingness to resolve disputes through dialogue processes. Some communities, especially those who have been displaced from their communities, have come together, after several rounds of talks and confidence building efforts, to explore how to take forward reconciliation and peace building initiatives.

In December 2015, for example, the Joint Committee for the Misrata and Tawergha dialogues reached a comprehensive agreement, a roadmap outlining general principles on moving forward to “overcome the legacy of the past in a fair way and contribute to the building of a Libya based on the rule of law, justice and human rights.” The roadmap is based on past agreements which recognized “*the right of the people of Tawergha to return to their land*” (January 2015) and noted the expectation “*to the return of all internally displaced people by 31 December 2015*” (March 2015). Upon this basis, the Joint Committee called for addressing key issues such as a) reparation of victims, b) accountability of detainees and missing persons, c) safe returns, d) reconciliation.

In order to build on this momentum and support these local reconciliation efforts, UNSMIL and UNDP are well placed to support the Misrata and Tawergha dialogue process including facilitating the development of the operationalization plan for the roadmap, elaborating the processes and mechanisms through which communities can be better equipped to deal with the past, and for internally displaced people to feel safe to return to their homes without fear for their security.

Similar process can also be supported in other communities. The Mashashya and the Gwalish, for example are other communities which are prepared to enter into discussion to reduce tensions between communities and facilitate the return of IDPs. Elders from Zintan and Mashashya, for example, agreed on 15 January 2016 to establish a committee to oversee the return of displaced people and are seeking assistance in facilitating the dialogue between the communities. The Gwalish local council has also established a Joint Committee with the Kikla municipality to address issues of land ownership and reconciliation and some IDPs have already begun to return to their homes.

In order to further support the Misrata and Tawergha process, and the initiatives in the Mashashya and the Gwalish, this project supports a three-pronged approach: 1) facilitate the dialogue process and initiatives for confidence building and conflict resolution; 2) support transitional justice mechanisms, including fact-finding, documentation and reparations and 3) strengthen safety and security at the community level.

The project also aims to contribute to the overall achievement of the 2030 Agenda for Sustainable Development, specifically Goal 16 related to promoting peaceful, just and inclusive societies, and particularly promoting the rule of law and access to justice for all.

### Project Summary

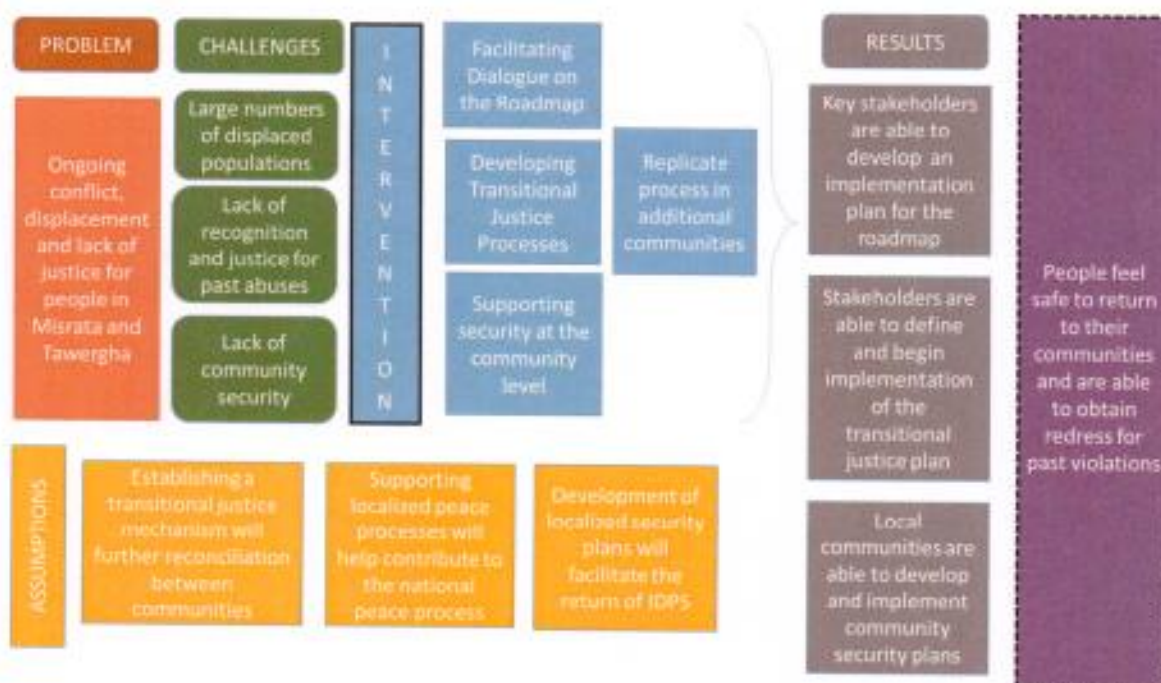
The *Support to Transitional Justice and Reconciliation at the Local and National Levels in Libya* is a 2-year project that aims to facilitate dialogue between different parties in localized disputes and to work with the parties to identify a way to develop capacities for conflict resolution, establish transitional processes to deal with past violations and develop plans to enhance community security. The project will support key actors at the local and national levels to a) continue dialogue processes on transitional justice and return of IDPs; b) develop strategies and plans to support transitional justice measures; c) support inclusive community

safety and security planning. The project will begin with the Misrata and Tawergha dialogue and will aim to replicate the approach in other communities through the course of 2016-2017.

### Theory of Change

The figure below illustrates the theory of change for the project. The project focuses on the disputes between specific communities and aims to facilitate dialogue on the immediate and underlying causes of the disputes, build capacity on conflict resolution and transitional justice and support planning for some level of security at the community level to facilitate return of IDPs to their homes. While beginning with the Misrata and Tawergha dialogues, it is expected that based on the lessons learned from the dialogues, similar initiatives can be replicated in other parts of Libya.

The underlying theory of change for the project is that facilitating dialogue between communities, establishing a means of addressing allegations of past violations, and establishing a modicum of security at the local level will reduce tensions between communities in conflict and begin the process of stabilization and recovery for the communities. The overall aim would be to avoid the current state of ongoing retaliatory and retributive violence between communities and to build confidence/trust for people to feel safe to return to their homes.



### Project Content

Transitional justice processes among communities in conflict in Libya can be sustained and potentially expanded even as Libya remains afflicted by political polarization and security instability. In fact, the progress of these processes can contribute to reducing political and violent conflict. The envisaged strategy would consist of:

- Facilitating the implementation process of the Road Map Document agreed by Misrata and Tawergha, leading to the returns of the Tawerghans. This will be done by organizing and facilitating meetings of the Joint Committee and providing specialized expertise to address the issues identified in the Road Map Document.
- Facilitating dialogue among warring local communities by using the experience and knowledge gained through facilitating dialogue between the Misratans and the Tawerghans.

- Facilitating the design and implementation of further steps involved in transitional justice processes in Libya such as truth seeking, justice, reparations and institutional reform as part of the efforts to resolve conflicts between communities in Libya.
- Strengthening Libyan national institutional and technical capacities for setting up of transitional justice process in Libya.
- Assisting in the process of return of internally displaced in safety and dignity as part of the process of resolving local conflicts.

Below are the specific areas of intervention that will be supported through this project.

### **Output 1: Local and national level dialogue process on transitional justice and return of IDPs facilitated**

This output area will focus on enabling the key parties to the disputes from displaced communities to continue the dialogue process on transitional justice and return of IDPs. For the case of Misrata and Tawergha, this will mean ensuring that an operational plan is devised based on the roadmap of December 2015. UNDP and UNSMIL will also provide technical support to establish baselines through community level assessments on perceptions of safety and security including confidence in the conditions of return.

Specific lessons will be drawn from the experiences of Misrata and Tawergha to help inform other similar dialogue processes. For the case of Mashashya and the Gwalish, who are interested in undertaking a similar process, the project can support the process to develop agreements to facilitate a reduction in violence and a return of the IDPs to their communities.

- Activity Result 1.1. – Assessment of the situation of IDPs, including their confidence in conditions of return is conducted
- Activity Result 1.2 – The Joint Committee for Misrata and Tawergha agrees on an operationalization plan for the roadmap
- Activity Result 1.3 – Dialogue process is replicated in additional displaced communities
- Activity Result 1.4 – Community-level actors in displaced communities participate in discussing and defining the agreement(s)/roadmap(s)

### **Output 2: Key stakeholders in Libya are better able to develop transitional justice plans at sub-national and national levels**

UNDP and UNSMIL will provide technical support to developing a transitional justice strategy at the local level for the displaced communities. As outlined in the road map, the transitional justice strategy will need to consider mechanisms for documentation and fact finding of past human rights violations, reparations for victims, and establishing accountability mechanisms. As a means of further confidence building, the situation of detainees and missing persons will also be addressed through capacity building of justice sector actors as well as supporting systems to expedite processing of cases. Technical experts on transitional justice and reparations will be deployed to advise in the process and to bring in international experiences of how similar processes have worked in other places and situations. The experiences of establishing these mechanisms at the local level can also help inform national mechanisms for transitional justice.

UNDP and UNSMIL will also identify means through which to support conflict-affected populations with legal and psychosocial support, including through civil society and other third party mechanisms.

- Activity Result 2.1 - Transitional justice strategy for the Misrata/Tawergha developed
- Activity Result 2.2 – Capacities to address the situation of detainees and missing persons is enhanced
- Activity Result 2.3 – Increased awareness of national actors about transitional justice processes

- Activity Result 2.4 - Legal assistance and psycho-social counseling provided to individuals and communities affected by the conflict, particularly for those affected by SGBV

### **Output 3: Local communities are better able promote safety and security for returning populations**

In order for communities to feel safe enough to return to their homes, some level of security planning must be in place at the local level. UNDP, in partnership with UNSMIL, can support the development of inclusive local security plans, identify safety and security priorities for communities that need to be addressed before they can return to their communities. Extensive consultations will need to be held at the local levels including on how to provide security for the communities.

- Activity Result 3.1 – Local security plans developed in an inclusive and participatory manner
- Activity Result 3.2 – Sustainable security arrangements developed at the local level in consultation with national actors

#### Coordination with other UNDP Programming

The Transitional Justice project team will need to work closely to coordinate with other ongoing UNDP programmes to build synergies across the different efforts to support Libya in its recovery and transition process. These projects include the following:

- *Strengthening Local Capacities for Resilience and Recovery* programme, which focuses on supporting the work of local municipalities including to support basic service delivery, address community security and conflict resolution and promote livelihood development.
- *Stabilization Facility for Libya*, which provides support to enhance the legitimacy of the GNA through rehabilitation of critical infrastructure and businesses destroyed by the conflict, boost to municipal capacity and short term conflict resolution support.
- *Immediate Assistance to the Libyan Political Dialogue and Government of National Accord*, which continues to provide support to the UNSMIL-led political dialogue process.
- *Capacity Strengthening Initiative* project, which focuses on institutional strengthening of Libya's public administration to deliver core government functions.
- *Assistance to Building a Constitution* project, which supports the development of Libya's new constitution.
- *Support to Civic Engagement Project* which aims to promote social cohesion and dialogue especially by building capacity of women and youth to engage in the dialogue processes and by providing grants to CSOs.

#### UNDP Experience in Libya and in Transitional Justice

UNDP has been working in Libya since 1970s and since 2011 was engaged with the government to supporting the transition from authoritarian rule through governance and developmental interventions, including on strengthening the rule of law and policing and facilitating political and administrative reform. UNDP continues to have presence on the ground in Tripoli and an office in Tunis supporting programming on the ground despite the outbreak of violence in mid-2014.



Globally, UNDP draws on over a decade of experience in supporting transitional justice initiatives worldwide. In Guatemala, UNDP focuses on providing support to victim-centered approaches to transitional justice including supporting NGOs in bringing private complaints in human rights cases, enabling public access to archives, identification and return of victims' remains to their families, and reparations to SGBV victims. In Eastern DRC alone and specifically in relation to SGBV, justice-sector support runs the gamut of access to justice through legal representation, community policing, mobile courts, and (under the poverty alleviation pillar) reintegration of survivors through economic regeneration efforts. In Bosnia and Herzegovina, UNDP has worked with national authorities to develop broad-based standards for witness and victim support after conducting a major needs assessment and broad-based participatory public consultation that informed the development of a comprehensive transitional justice strategy. As part of its 2014-2017 Strategic Plan, UNDP prioritizes support to transitional justice and assists societies to address legacies of gross human rights abuses in post-conflict and post-authoritarian contexts.

#### *Exit Strategy and Sustainability*

*The Support to Transitional Justice at the Local and National Levels in Libya* aims to provide immediate, short-term support to respond to priorities that have emerged out of sub-national dialogue processes and to continue facilitating dialogue between parties involved in specific disputes. It also aims to collect lessons and begin the discussions on national transitional justice processes to contribute to more long term strengthening of national mechanisms to address impunity and promote access to justice. Once a Government of National Accord is formed, UNDP will be able to further develop sustainable and longer term interventions in discussion with national partners to support capacities on rule of law, ensuring access to justice and promoting transitional justice processes throughout Libya.

## I. Joint Results and Resources Framework

<b>Intended Outcomes as stated in the Country Programme Results and Resource Framework:</b>				
UNDP country programme Outcome 1: Active citizen participation facilitates the democratic transition of the nation				
UNDP Country Programme Outcome 3: Libya successfully manages transition to a state founded on the rule of law.				
<b>Outcome indicators</b>				
UNDP country programme Outcome 1: Active citizen participation facilitates the democratic transition of the nation				
UNDP Country Programme Outcome 3: Libya successfully manages transition to a state founded on the rule of law.				
<b>Applicable Key Result Area (from 2014-2017 UNDP Strategic Plan):</b>				
Output 2.3. Capacities of human rights institutions strengthened				
Output 3.4: Functions, financing and capacity of rule of law institutions enabled, including to improve access to justice and redress				
Output 3.5 Communities empowered and security sector institutions enabled for increased citizen safety and reduced levels of armed violence				
<b>Partnership Strategy</b> The project will be implemented as a UNDP Direct Implementation (DIM) project; in partnership with the Joint Committee which has developed the roadmap for Misrata and Tawergha, local communities and civil society and other communities seeking to resolve their disputes; in collaboration with UNSMIL and the UNCT				
<b>Project title and ATLAS Project (formerly Award) ID:</b>				
INTENDED OUTPUTS	OUTPUT TARGETS FOR (YEARS)	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES	INPUTS
<b>Output 1: Local and national level dialogue process on transitional justice and return of IDPs facilitated</b>  <i>CPD Output: National capacities (state and civil society) are strengthened to manage fair and inclusive transitional democratic</i>	a) Dialogue with Misrata and Tawergha continues and the Joint Committee agree on an implementation plan for the roadmap (Y1)  b) Increase in level of confidence in IDPs returning to their	1.1 Conduct an assessment of the situation IDPs including perception survey on confidence in returning to their communities, e.g. Misrata/Tawergha al-Kararim, Tommina and Kerzaz dialogue e.g. measured in gender disaggregated questionnaires - Conduct mapping of camps locations - Needs assessment of priorities for IDPs, including economic/livelihood assessment - Assessment of conditions for return, including screening of voluntary return and perception survey on confidence in returning to their communities	<ul style="list-style-type: none"> <li>• UNDP</li> <li>• UNSMIL</li> <li>• Other UN agencies (IOM, UNWOMEN, UNICEF, WHO, UNHCR, etc.)</li> <li>• Selected national and local/municipal authorities</li> </ul>	Travel costs (71600) – <u>USD 75,000</u>  Workshop/Training costs (75700) – <u>USD 360,000</u> - 80,000 for Tunis-based costs (4x20,000) - 100,000 for workshops outside Tunis (2x50,000)

<p><i>processes.</i></p> <p><u>Indicators:</u></p> <p>a) Implementation plan for the roadmap developed for the Misrata/ Tawergha dialogue process (Y/N)</p> <p>b) % respondents at the community level indicating increase in levels of confidence in returning to their communities (M/F)</p> <p>c) # of communities that enter into dialogue processes</p> <p><u>Baselines:</u></p> <p>a) Newly negotiated roadmap exists for Tawergha and Misrata</p> <p>b) No baselines exist assessing perceptions of IDP communities on confidence in returning to their communities</p> <p>c) Misrata and Tawergha have entered into a dialogue process</p>	<p>communities (Y1 and Y2)</p> <p>c) Dialogue facilitated with at least two other communities (Y2)</p>	<p>1.2 Support the Misrata-Tawergha dialogue process by facilitating the meetings of the Joint Committee</p> <ul style="list-style-type: none"> <li>- Support 8 meetings of the Joint Committee to finalize the details of the roadmap and its implementation</li> <li>- Develop an operation plan for the roadmap addressing: accountability, detainees and missing persons; Safe return for IDPs; reparation and reconstruction</li> </ul> <p>1.3 Identify and facilitate discussions with additional displaced communities</p> <ul style="list-style-type: none"> <li>- Conduct consultations/facilitate dialogues to support transitional justice processes in at least two additional communities (6 workshops)</li> <li>- Share lessons and examples of the Misrata/Tawergha good practices with other communities (e.g. Mashayah and the Gwalis)</li> </ul> <p>1.4 Support 6 community level discussions on the agreement/roadmap to increase ownership over the process</p> <ul style="list-style-type: none"> <li>- Support community dialogue and consultations on the roadmap and plan at the community level for the Misrata and Tawergha dialogues</li> <li>- Conduct community level workshops to develop capacities of local actors on dispute resolution/mediation and transitional justice issues in targeted communities</li> <li>- Deploy dispute resolution/transitional justice expertise to assist with training/workshops and to facilitate meetings.</li> </ul>	<ul style="list-style-type: none"> <li>• <i>NGOs, CSOs and INGOs.</i></li> </ul>	<ul style="list-style-type: none"> <li>- 60,000 for community workshops in Libya (6x10,000)</li> <li>- 120,000 - Workshops for additional dialogue processes in Tunis (6x20,000)</li> </ul> <p>Materials/Publication/Translations (74200) – <u>USD 70,000</u></p> <p>Direct project cost for the development activities (64300) - <u>USD 43,000</u></p> <p>International Consultants (estimated at \$600 per day for 14 months plus travel) (71200) – <u>USD 200,000</u></p> <ul style="list-style-type: none"> <li>- Experts on Mediation/Conflict resolution</li> <li>- Expert Trainers/ Facilitators</li> <li>- Economist and Livelihoods Experts</li> <li>- Experts on conditions for return for IDPs</li> </ul>
--	--	---	--	--

				<b>Sub-total Output 1 –USD 748,000</b>
<p><b>Output 2: Key stakeholders in Libya are better able to develop transitional justice plans at sub-national and national levels</b></p> <p><i>CPD Output: Implementation of transition justice process(es) is launched according to national consensus and international standards</i></p> <p><u>Indicators:</u></p> <p>a) Transitional justice strategies developed for the different dialogue processes, including action plan for reparations for Misrata/Tawergha</p> <p>b) Increased awareness of options for transitional justice mechanism at the national level</p> <p>c) # of conflict affected populations provided legal and psychosocial support for Misrata/Tawergha (M/F)</p> <p><u>Baselines:</u></p>	<p>a) A transitional justice strategy is developed for all the dialogue processes, including on reparations, building on the Misrata/Tawergha Road Map and through a broad consultative process (Y1, Y2)</p> <p>b) Increased awareness of transitional justice mechanisms at the national level (Y1, Y2)</p> <p>d) Legal and psycho-social support is provided to IDPs and conflict affected populations, particularly for SGBV (Y1, Y2)</p>	<p>2.1 Develop a transitional justice strategy for the different dialogue process (e.g. Misrata/ Tawergha, Mashasyah, the Gwalis)</p> <ul style="list-style-type: none"> <li>- Support the Joint Committee(s) in developing transitional justice strategies related to truth seeking, reparations and addressing missing/detained persons</li> <li>- Deploy technical assistance to provide international examples and expertise on transitional justice that will help the communities define key elements to take forward their road map</li> <li>- Support expert workshops to clarify methodology and process for specific thematic issues (e.g. reparations, land disputes, fact finding, etc.) (4 workshops)</li> </ul> <p>2.2 Support confidence building measures at the local level including addressing the situation of detainees and missing persons</p> <ul style="list-style-type: none"> <li>- Develop a plan to identify and process detainees and missing persons in state-controlled and other detention centers</li> <li>- Support capacity development of prosecutors and judges to address cases of detainees and missing persons (3 workshops)</li> <li>- Deploy expertise to advise on developing systems to for case management and processing the cases of detainees and missing persons</li> </ul> <p>2.3 Support the capacities of national actors on establishing transitional justice mechanism(s)</p> <ul style="list-style-type: none"> <li>- Training workshops and comparative international experiences on transitional justice for national actors (2 workshops)</li> <li>- Technical assistance to showcase different models of fact-finding and truth-seeking committees including to support the documentation of past violations,</li> </ul>	<ul style="list-style-type: none"> <li>• UNDP</li> <li>• UNSMIL</li> <li>• Other UN agencies (IOM, UNWOMEN, UNICEF, WHO, UNHCR, etc.)</li> <li>• Local Governing authorities and Municipalities</li> <li>• NGOs, CSOs and INGOs.</li> <li>• Elders Committee</li> <li>• Judiciary</li> <li>• Fact-finding &amp; Reconciliation Commission</li> </ul>	<p>Travel costs (71600) – <u>USD 75,000</u></p> <p>Workshop/Training Costs (75700) – <u>USD 240,000</u></p> <ul style="list-style-type: none"> <li>• 80,000 - thematic workshops on TJ for the dialogue process in Tunis (4x20,000)</li> <li>• 60,000 - workshops for the justice sector in Tunis (3x20,000)</li> <li>• 40,000 - workshops at the national level on TJ in Tunis (2x20,000)</li> <li>• 60,000 - workshops on legal assistance/ psycho-social support 2 in Tunis and 2 in Libya (2x20,000 + 2 x 10,000)</li> </ul> <p>International Consultants (estimated at 600 per day for 24 months plus travel) (71200) – <u>USD 300,000</u></p> <ul style="list-style-type: none"> <li>- Experts on TJ/Reparations</li> <li>- Judges/ prosecutors with experience in TJ</li> <li>- Experts on developing systems for case management</li> <li>- Experts on psycho-social counseling/legal aid and assistance/SGBV</li> </ul>

<p>a) Misrata/Tawergha Road Map</p> <p>b) No transitional justice mechanism exists at national or local level</p> <p>d) No assessment of the legal and psychosocial support needed for Misrata/Tawergha</p>		<p>registration of victims of human rights abuses, and consultations and public hearings with communities</p> <ul style="list-style-type: none"> <li>- Technical assistance in developing and implementing a reparation plan for victims of human rights abuses</li> </ul> <p>2.4 Support access to legal aid, legal identity and psycho-social counseling for individuals and communities affected by the conflict, including for SGBV</p> <ul style="list-style-type: none"> <li>- Conduct assessment to determine legal and psycho-social priorities for conflict affected/displaced populations</li> <li>- Support local initiatives to provide comprehensive psycho-social support for the displaced communities, particularly for SGBV, including capacity development and through micro-grants</li> <li>- Support a community center that will provide mediation and psycho-social support services to affected communities.</li> <li>- Support legal aid and assistance including, for example, on cases of SGBV, securing legal identity, or accessing housing, land and property rights for displaced populations, including capacity development and through micro-grants</li> </ul>		<p>Publications/Translations (74220) – <u>USD 60,000</u></p> <p>Micro-grants for legal aid/psycho-social support (72600) – <u>USD 400,000</u></p> <p>Direct project cost for the development activities (64300) - <u>USD 56,000</u></p> <p><b><u>Sub-total Output 2 – USD 1,131,000</u></b></p>
<p><b>Output 3 : Local communities are better able promote safety and security for returning populations</b></p> <p>Indicators:</p> <p>a) # of negotiated community security plans in target communities</p> <p>b) Perception of level of safety and security among the returning IDP population</p>	<p>a) Agreement at the local level on temporary security arrangements to facilitate return of displaced communities (Y1)</p> <p>b) Number of IDPS that perceive an improvement in the security situation and feel safe to return to</p>	<p>3.1 Conduct consultations and meetings with local authorities'/community members on interim security arrangements to promote peace and facilitate returns of IDPs (including ensuring women and youth participation in the process) (4 consultations)</p> <p>3.2 Conduct consultations with national stakeholders on sustainable security arrangements in Libyan communities including on community oriented policing and future vetting of local security actors. (2 consultations)</p>	<ul style="list-style-type: none"> <li>• UNDP</li> <li>• UNSMIL</li> <li>• Local Governing authorities and Municipalities</li> <li>• Local NGOs, CSOs and INGOs.</li> </ul>	<p>Travel Costs (71600) – <u>USD 30,000</u></p> <p>Workshop/Training Costs (75700) – <u>USD 110,000</u></p> <ul style="list-style-type: none"> <li>• 40,000 - community consultations on security in Libya (4x10,000)</li> <li>• 40,000 - national security consultations in Tunis (2x20,000)</li> <li>• 30,000 - workshops to raise awareness at the</li> </ul>

<p>(age and gender disaggregated)</p> <p>Baselines:  a) No community security plan in place  b) Basic assessments on community security in targeted areas (perception survey)</p>	<p>their communities (Y1, Y2)</p>			<p>community level in Libya (3x10,000)</p> <p>International Consultants (estimated at 600 per day for 6 months plus travel) (71200)  Consultants – <u>USD 110,000</u></p> <ul style="list-style-type: none"> <li>Expert on community security and AVR</li> </ul> <p>Direct project cost for the development activities (64300)  - <u>USD 18,300</u></p> <p><b>Sub Total Output 3 –USD 268,300</b></p>
<p><b>Sub-total Output 1 -3</b>  - Output 1 – 748,000  - Output 2 – 1,131,000  - Output 3 - 268,300</p>				<p><b>Subtotal Output 1-3 – USD 2,147,300</b></p>
<p><b>Project Administration</b></p> <ul style="list-style-type: none"> <li>CTA/Project Manager – P5</li> <li>M&amp;E Officer – P3 (50%)</li> <li>Project Assistant – SC3</li> <li>Project Officer (Tripoli) – SC4</li> <li>Project Operational cost</li> </ul>				<p>P5 (229,243x2) = USD 458,486  P3 (172,943) = 172,943  SC3 (12,348x2) = 24,696  SC4 - Libya (40,732x2) = 81,464  Project operational cost  USD 45,000  <b>Sub-Total – USD 782,589</b></p>
<p><b>subtotal</b></p>				<p><b>USD 2,929,889</b></p>

Security cost 2%				USD 58,598
GMS 8%				USD 239,079
TOTAL PROJECT COST				USD 3,227,566

---

## II. Management Arrangements

### 4.1. Programme oversight and management structure:

The Transitional Justice Programme will follow a Direct Implementation Modality (DIM) whereby UNDP takes entire responsibility for the implementation of programme activities but remains guided by the principles of national ownership. Programme implementation will follow UNDP's rules and regulations. The overall accountability for programme management will also rest with UNDP Libya Country Director while day-to-day management of the activities will be with the UNDP Programme Manager reporting to the Country Director.

All financial resources mobilized will be channeled through the UNDP Contribution Bank Account and funds will be managed by UNDP. UNDP will utilize the fast-track crisis response contract and procurement management procedures to expedite effective and timely services required for the success of the support provided to the Transitional Justice initiative during the life span of the project.

Technically, the project will be implemented in accordance with the recommendations contained within the Special Report of the Secretary-General on the Strategic Assessment of the United Nations Presence in Libya, February 2015. Under these recommendations, UNSMIL operates at the strategic level, and the programmatic and operational tasks should be delivered chiefly by United Nations agencies, funds and programmes, working in partnership with the Mission.

#### *Project Board*

A Project Board will be established to ensure strategic direction and oversee the implementation of the project. The project board will consist of UNDP senior management (UNDP Resident Representative or Country Director), representatives from UNSMIL and partnering UN agencies, a representative of the Government when it is established, and key donors to the project (including Germany, Italy and Switzerland). The Project Board will meet every four months to review the project progress, challenges and direction and to revise activities for the following four month period as required.

The Project Board is the group responsible for making, by consensus, management decisions for the project when guidance is required by the project manager including recommendations for approval of project annual work plans and revisions. In order to ensure UNDP's ultimate accountability, Project Board decisions are made in accordance with standards that ensure management for development results, best value for money, fairness, integrity, transparency and effective international competition processes. In the event a consensus cannot be reached within the Board, the final decision will rest with the UNDP Resident Representative/Country Director as per UNDP policy.

The Project Board has the following responsibilities:

- Provide overall guidance and direction to the project
- Review and approve the Annual Work Plan and its eventual in-year revisions;



- Review progress reports and ensures that obstacles are addressed.
- Provide guidance and agree on possible countermeasures/management actions to address specific risks;
- Review and approve the end of project Final Report, and make recommendations for follow-on actions;
- Provide guidance and request modification to the Programme in case that the Programme faces serious obstacles in implementation
- Provide ad-hoc direction and advice for exceptional situations possibly rising in the current context in Libya;

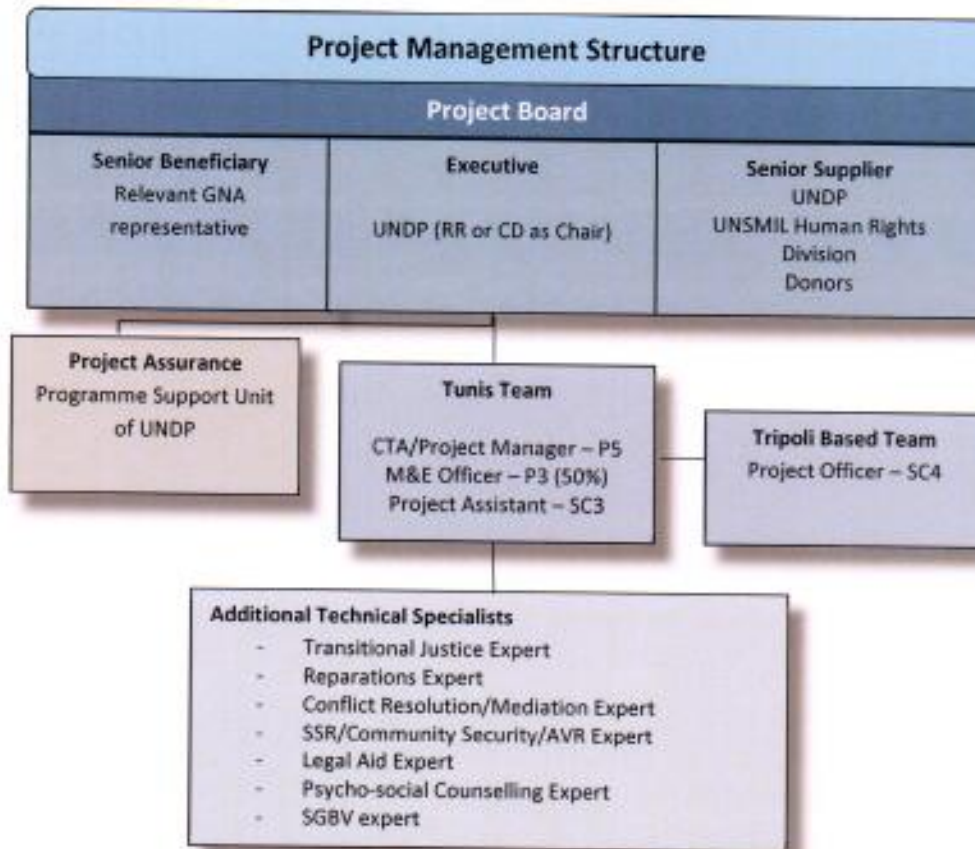
#### *Project Implementation Team*

Based on UNDP rules and regulations concerning DIM projects, UNDP Project Manager will be responsible for the overall monitoring of the project progress. Project staff will be recruited based on UNDP policies and procedures and any necessary procurement will follow UNDP rules and regulations.

The project team will consist of a P5 CTA/Project Manager, a part time (50%) P3 M&E Officer and a SC3 Administrative Project Assistant. An SC4 Project Officer will be based in Tripoli to provide liaison and project support within Libya.

Technical advisors will be selected in coordination between UNDP and UNSMIL. Technical advisors will be contracted to UNDP and report directly to the project manager. The work of the technical advisors will be undertaken, directed and reviewed by UNDP and UNSMIL in coordination.

Technical advisors may be recruited by a third party company if the GNA is formed and requests support of the technical advisors but the security situation does not allow for consultants on UNDP contracts to work in Libya.



*General Management Support (GMS)*

The GMS fee encompasses costs incurred in providing general management and oversight functions of UNDP as a whole. These represent the costs to UNDP that are not directly attributable to specific projects or services, but are necessary to fund the corporate structures, management and oversight costs of the organization.

The GMS rate is set by the UNDP Executive Board. For newly signed agreements, the GMS rate is equal to 8% of the cost of activities. For contributions made by the European Commission, the GMS rate is equal to 7% of the cost of activities, based on the existing Financial and Administrative Framework Agreement between the EU and the UN.

## Direct Project Costing

As needed, additional support will be provided to the project team from existing capacity within the UNDP Libya Country Office. Such support may include programme activities in support of the project, including:

- Project assurance and compliance;
- Human resources;
- Advisory services;
- Procurement;
- Communications;
- Facilities; and
- Administration.

Such support represents direct costs of programme, administrative and operational support activities, contribute to the true cost of achieving development results and are part of the project input. In accordance with UNDP policies, these costs are recovered from the project through UNDP's Direct Project Costing (DPC) mechanism. Budget values for DPC have been calculated by estimating the direct support required from country office to deliver project activities.

---

### III. Monitoring Framework and Evaluation

#### Monitoring Framework

In accordance with the programming policies and procedures outlined in the UNDP POPP, the project will be monitored through the following:

In accordance with the programming policies and procedure outlined in the UNDP POPP, the project will be monitored through the following actions:

#### Within the annual cycle

- On a quarterly basis, a quality assessment shall record progress towards the completion of key results, based on quality criteria and methods captured in a **Quality Management Table**.
- **Quarterly Progress Reports (QPR)** will be submitted by the Project Manager to the Project Board through Project Assurance, using the standard report format available in the POPP, as well as to the Programme Board and Local Boards.
- An **Issue Log** will be activated in Atlas and updated by the Project Manager to facilitate tracking and resolution of potential problems or requests for change.
- Based on the initial risk analysis submitted (see Annex 1), a **Risk Log** shall be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation.
- A **Lessons-learned log** shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons-learned Report at the end of the project

#### Annually

- **Annual Review Report.** An Annual Review Report shall be prepared by the Programme Manager and shared with the Programme Board, the Local Boards and the Outcome Board. As minimum requirement, the Annual Review Report shall consist of the Atlas standard format for the QPRs covering the whole year with updated information for each above element of the QPR as well as a summary of results achieved against pre-defined annual targets at the output level.
- **Annual Programme Review.** Based on the above report, an annual programme review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the Programme and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment. This review is driven by the Programme Board and may involve other stakeholders as required. It shall focus on the extent to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes.

---

#### IV. Legal Context

This programme document shall be the instrument referred to as such in Article 1 of the SBAA between the Government of Libya and UNDP, signed on 20 May 1976.

Consistent with the Article III of the Standard Basic Assistance Agreement, the responsibility for the safety and security of the executing agency and its personnel and property, and of UNDP's property in the executing agency's custody, rests with the executing agency.

The executing agency shall:

- a) 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;
- b) Assume all risks and liabilities related to the executing agency's security, and the full implementation of the security plan.

UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of this agreement.

The executing agency agrees to undertake all reasonable efforts to ensure that none of the UNDP funds received pursuant to the Project Document are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.