



SOMALIA UN MPTF

PROGRAMME SEMI-ANNUAL PROGRESS REPORT

Period: 1 January – 30 June 2019

Project Name	Constitution Review Support Project (CRSP II) – UNDP Atlas Award ID 0099032, Project ID 00108659
Gateway ID	00109240 (MPTF Project ID)
Start date	01 Jan 2019
Planned end date (as per last approval)	30 Jun 2019
Focal Person	(Name): Nahid Hussein
	(Email): nahid.hussein@undp.org
	(Tel): 0612863045
Participating UN entities	UNDP, UNSOM (PAMG)
NDP Pillar	Inclusive Politics: Achieve a stable and peaceful federal Somalia through inclusive political processes and effective decentralization
UNSF Strategic Priority	Deepening federalism and state-building, supporting conflict resolution and reconciliation, & preparing for universal elections.
Location(s)	National and Regional
Gender Marker	2

Total Budget as per ProDoc (in USD)	10,937,534
MPTF:	9,610,209
Non-MPTF sources:	PBF:0
	Trac: 37,002
	Other: 1,290,323 (DFID)

	PUNO	Report approved by:	Position/Title	Signature
1.	PWG-1 UNDP	Jocelyn Mason	Resident Representative	

Total MPTF Funds Received (in USD)			Total non-MPTF Funds Received (in USD)	
PUNO	Reporting Period	Cumulative	Reporting Period	Cumulative
List Participating Agencies	1 Jan – 30 Jun	From prog. start date	1 Jan – 30 Jun	From prog. start date
UNDP	400,302.93	5,499,327.97	645,161.29	682,163.35



SOMALIA UN MPTF

JP Expenditure of MPTF Funds ¹			JP Expenditure of non-MPTF Funds	
PUNO	Reporting Period	Cumulative	Reporting Period	Cumulative
List Participating Agencies	1 Jan – 30 Jun	From prog. start date	1 Jan – 30 Jun	From prog. start date
UNDP	879,714.97	5,279,220.73 5,323,427.31	578,800.10	615,802.16 165,178.43

SEMI-ANNUAL HIGHLIGHTS

1. Completion of the technical review of chapters 6 to 15 of the provisional constitution.
2. Working Retreat of Constitutional Review Bodies to review constitutional roadmap.
3. Constitutional Review Bodies developed a strategy and action plan for consultation on the amendments proposed under the constitutional review process.
4. Sixth MoCA Forum held in Kismayo discussed the review process, key constitutional issues and way forward for the completion of the consultation process.
5. Opening of the new Independent Constitutional Review and Implementation Commission (ICRIC) offices

HIGHLIGHTS OF KEY ACHIEVEMENTS

- During the report period, ICRIC completed the technical review of chapters 6, 7, 8 & 9 of the provisional constitution, which relates to the Federal Parliament, to the President of the Federal Republic, to the Executive Branch, and to Judicial Authority (judicial procedures, national court structure, judicial service commission and formation of the constitution court). These chapters have now been submitted to the Oversight Committee (OC) for review.
- During the reporting period, ICRIC, Constitutional Review Oversight Committee and Ministry of Constitutional Affairs organized a consultative meeting with Federal Member State’s constitutional bodies in Kismayo to consult and gather their opinion about the reviewed four chapters (6, 7, 8 and 9).
- A joint retreat organized by the three mandated institutions of the constitutional review process - the MoCA, the OC and the ICRIC. During the four days joint meeting, a technical committee comprising nine members from the three institutions reviewed the roadmap of the constitution review process. The committee agreed that the implementation of the roadmap is on track, but made some readjustments to timelines for some of the public consultations activities. On the way forward, the three key institutions promised to keep the momentum and work together to finalize the constitution review process by December 2019.
- In the first week of March 2019, UNDP facilitated a working retreat in Djibouti that brought together the representatives of the constitutional review bodies intended to build a stronger relationship between the key

¹ **Uncertified expenditures.** Certified annual expenditures can be found in the Annual Financial Report of MPTF Office (<http://mptf.undp.org/factsheet/fund/45000>)



SOMALIA UN MPTF

players and to develop a plan for consultation on the amendments proposed under the constitutional review process. During the five-day joint gathering the three constitutional review institutions worked to develop a common approach, and strategy as well as a work plan for the consultation process, identified the key constitutional review issues requiring consultation, and outlined the key stakeholders to be consulted on the reviewed chapters of Somali provisional constitution. They also discussed the Rules of Procedures for the adoption process and examined at the technical proficiency of the draft text.

- During reporting period, the project has completed the construction work of ICRIC building and an opening ceremony was held in Mogadishu. The offices were built by UNDP as part of UN support to the constitutional review process, with funding from Norway, Denmark, Sweden & Switzerland. The new ICRIC offices will enable the Commission to finalize the drafting of the constitution and carry out their constitutional work in an inclusive, consultative way. The new premises will also assist the ICRIC staff and commissioners in their public consultation and outreach work.

SITUATION UPDATE

Since the adoption of the constitutional review roadmap in November 2017, the project is providing responsive support to the constitutional review bodies MoCA, ICRIC, OC and FMS with intension to have a new constitution developed and endorsed by all parties before the end of 2019. The Project support to constitution review bodies in Somalia includes; support for the coordination of the constitutional review process in line with the national vision; support for an extensive civic education process; support for the public consultation and outreach activities of all actors involved in the constitutional review process; and technical support for the drafting of the constitutional text.

During the reporting period, the Project sustained support to the key players in the constitutional review process in overseeing a smooth constitutional review process and providing ongoing capacity building, institutional and technical advisory support to all relevant constitutional review to enable both members of the bodies and secretariat staff to do their jobs effectively and fully contribute to the process. Since January 2019, key milestones have been achieved in the constitutional review process includes; the constitutional review bodies completed the technical review of the constitutional chapters 6 to 15. Following the consultations with the key stakeholders, the chapters will be taken to the Federal Parliament for debate on the amendments proposed during the review, before they are then put forward for adoption. Joint sessions were organized by the three mandated institutions of the constitutional review process in Mogadishu and Djibouti to discuss progress made, existing challenges in the implementation and review of the joint roadmap for the constitutional review, and to agree on next steps for the process. Constitutional review bodies also worked to develop a common approach and strategy as well as a work plan for the consultation process, identified the key constitutional review issues requiring consultation, and outlined the key stakeholders to be consulted on the reviewed chapters of Somali provisional constitution.

On 27 March 2019, at the opening ceremony of the fifth session of the House of People, the Somali President, in his keynote speech appreciated the constitutional review bodies for the completion of the review of first ten chapters of the constitution and urged both committees (the OC and the ICRIC), and the executive, to accelerate work to complete review of the remaining five chapters of the constitution.

Despite the heightened tensions between the Federal and State levels of government, successful meetings were held between all key role players in Kenya, Djibouti and in Mogadishu to address the challenges faced. With this in hand, MOCA, OC and ICRIC continued their engagement since January 2019 to review the completed chapters of the Constitution. The basis is therefore laid for the final technical drafts to be completed and the process concluded in the 2019 session of Parliament. Notwithstanding this progress, there remain significant challenges, the most



SOMALIA UN MPTF

important of which will be addressing the mistrust and tension between the federal and state levels of government. The next six months will therefore be critical as a process of review and consultations with role players take place.

ANNUAL PROGRESS REPORT RESULTS MATRIX

OUTCOME STATEMENT

SUPPORT AN EFFECTIVE, TRANSPARENT AND ACCOUNTABLE CONSTITUTIONAL REVIEW PROCESS THROUGH STRENGTHENING INCLUSIVE POLITICAL PROCESSES AT ALL LEVELS TO DEVELOP A NEW SOCIAL CONTRACT THAT MEETS THE NEEDS OF SOMALI WOMEN AND MEN, REFLECTS POLITICAL REALITIES AND IS OF GOOD TECHNICAL QUALITY IN ORDER TO FOSTER EQUITABLE AND SUSTAINABLE DEVELOPMENT AND PEACE.

Output 1: Effective participation on the constitutional review process resolves key contentious issues on all levels.

INDICATOR	TARGET	PROGRESS ON OUTPUT INDICATOR ²	
		ANNUAL	CUMULATIVE
#of thematic issues raised and discussed in consultative and inclusive forums	Mechanism for national dialogue on thematic areas established	1 ³	1
	At least 2 thematic issues raised and discussed in consultative and inclusive forums	2 ⁴	2
Legislative roles defined for federal and state level parliaments within the new parameters defined by new revised constitution	The competencies of the legislative institutions at regional level discussed vis-à-vis federal level	0	0

Sources of evidence: project newsletters, pictures, meeting minutes, UNDP website:

Output 2: General population knowledge on the constitutional review process is enhanced

Civic Education plan is implemented at regional and federal level in partnership with civil society	Civic education forums organized in 3 regions with participation of communities including vulnerable groups	3 ⁵	3
#of civil society (include vulnerable groups) partners engaged in the civic education activities	At least five CSOs participate in networks carrying out civic education activities in each region	6 ⁶	6

Sources of evidence: Constitutional Review Process activities reports, meeting minutes, newsletters, photos, back to office reports.

² Fill in only the numbers or yes/no; no explanations to be given here.

³ Three constitutional review institutions worked in Djibouti developed and agreed on a common approach and strategy as well as a work plan for the consultation process, identified the key constitutional review issues requiring consultation, and outlined the key stakeholders to be consulted on the reviewed chapters of Somali provisional constitution.

⁴ the three institutions reviewed the roadmap of the constitution review process. The committee agreed that the implementation of the roadmap is on track, but made some readjustments to timelines for some of the public consultations activities.

⁵ MoCA Jubaland co-organized training of trainers on civic education and public outreach held in Kismayo. More than 75 participants from Jubaland CSOs as well as civil servants from Jubaland ministries attended.

⁶ 1 Meeting with Jubaland Civil Society on Constitutional Review Process; ToTs on Civic Education and Public Outreach;



SOMALIA UN MPTF

Output 3: Key actors implement outreach strategy and civil society engagement in the constitutional review and implementation process.			
Strategy on public consultations with special focus on marginalized groups (women, IDPs, youth, persons with disabilities) draft	Strategy on public consultations with special focus on marginalized groups (women, IDPs, youth, persons with disabilities) is drafted	0	0
Key players lead # of public consultations in all regions	At least 1 public consultation held in each region	5 ⁷	5
Sources of evidence: Constitutional Review Process activities reports, meeting minutes, newsletters, photos, back to office reports.			

NARRATIVE

Output 1: Effective participation on the constitutional review process resolves key contentious issues on all levels

Institutional and Technical Advisory Support

During the reporting period, the project has sustained support to the key players in the constitutional review process, MoCA, ICRIC and Oversight Committee in their efforts to plan and work jointly to bring together stakeholders at all levels of government and the community to build consensus around a range of outstanding constitutional issues. Technical capacity of all the constitutional review bodies and the key players strengthened through the provision of tailored advisory services and technical assistance, resulting MoCA, ICRIC and the FMS in successful coordinating and overseeing a smooth constitutional review process in Somalia.

Completion of Technical Review of Constitutional Chapters (6 to 9)

In February 2019, the ICRIC completed the technical review of chapters 6, 7, 8 & 9 of the provisional constitution, which relates to the Federal Parliament, to the President of the Federal Republic, to the Executive Branch, and to Judicial Authority (judicial procedures, national court structure, judicial service commission and formation of the constitution court). These chapters have now been submitted to the Oversight Committee (OC) for review. During the review of the chapters, joint working sessions were held between OC and ICRIC to discuss corrected technical errors. Public consultations will also be conducted with federal member states, legislative bodies, executive institutions and civil society organizations. Following the consultations, the chapters will then be taken to the Federal Parliament for debate on the amendments proposed during the review, before they are then put forward for adoption.



ICRIC and the OC in a three days joint technical review meeting of chapters 6-9 of provisional constitution. Mogadishu, 23 February 2019. Photo credit: OC

⁷ 1 Consultation meeting with civil society organizations on constitutional review process in Jubaland and 4 orientation sessions for women, youth, media and CSOs.



SOMALIA UN MPTF

The review of the first five chapters have already been completed by the constitutional review bodies in the last quarter of 2018 and are expected to be tabled in the next session of the parliament. The first initial consultations on these were held in December 2018 with religious groups and women's groups in Mogadishu. ICRIC is now in the third phase of the review processes, and is reviewing the remaining last six chapters, chapters 10-15, of the Provisional Constitution.

Working Retreat of the Constitutional Review Bodies to review roadmap

From 4-7 February 2019, in Mogadishu, the three mandated institutions of the constitutional review process - the Ministry of Constitutional Affairs (MoCA), the Parliamentary Oversight Committee (OC), and the Independent Constitutional Review and Implementation Commission (ICRIC), organized a joint retreat. The meeting aimed to discuss progress made, any existing challenges in the implementation and review of the joint roadmap for the constitutional review, and to agree on next steps for the process.

During the four days joint meeting, a technical committee comprising nine members from the three institutions reviewed the roadmap of the constitution review process. The committee agreed that the implementation of the roadmap is on track, but made some readjustments to timelines for some of the public consultations activities. On the way forward, the three key institutions promised to keep the momentum and work together to finalize the constitution review process by December 2019. Participants at the meeting also proposed measures to solve challenges. This important meeting closed by the Prime Minister of the Federal Government of Somalia.



Representatives from the key players in the Constitutional Review Process (MoCA, ICRIC & OC) gathered for a joint Working Retreat in Mogadishu. 4-7 February 2019 (Photo credit: MoCA)

Retreat for Constitutional Review Bodies in Djibouti

From 28 February to 4 March 2019, UNDP facilitated a joint retreat in Djibouti, bringing together representatives from the Joint Constitutional Review Oversight and Implementation Committee (OC), the Independent Constitution Review and Implementation Commission (ICRIC), and the Federal Ministry of Constitutional Affairs (MoCA), as well as representatives from UNDP. The purpose of the meeting was twofold: to build a stronger relationship between the parties and to develop a plan for consultation on the amendments proposed under the constitutional review process. During the five days gathering, the three constitutional review institutions worked to develop a common approach and strategy as well as a work plan for the consultation process, identified the key



Representatives from three constitutional review bodies attend a joint planning retreat, Djibouti. 4 March 2019 (Photo: MoCA)



SOMALIA UN MPTF

constitutional review issues requiring consultation, and outlined the key stakeholders to be consulted on the reviewed chapters of Somali provisional constitution. They also discussed the Rules of Procedures for the adoption process and examined at the technical proficiency of the draft text.

MoCA Forum of FGS and FMSs on Constitution Review in Kismayo

From 6-8 April 2019, the Ministry of Constitutional Affairs of the Federal Government of Somalia (MoCA-FGS) held the sixth MoCA Forum meeting in Kismayo, Jubaland State of Somalia. The Forum was attended by MoCA-FGS, Federal Member States (Puntland, Jubaland, South West, Galmudug, Hirshabelle) and Banadir Regional Administration. This Forum discussed the key constitutional issues, to engage all the key political role players at both the Federal and regional levels on the consultation on the reviewed 10 constitutional chapters and other critical constitutional issues requiring consensus.



Representatives from MoCA-FGS and Federal Member States attending 6th MoCA Forum in Kismayo, Jubaland. 6 April 2019

Photo credit: OC

Training and Capacity building of MoCA

In order to ensure that MoCA can effectively discharge its mandate, the project prioritize capacity development support to MoCA members and staff on process issues and technical/substantive issues, particularly to enhance their capacities to engage all role players, stakeholders and civil society in effective political dialogue and to facilitate negotiation and review processes. In this context, the project provided usual training and capacity development support to on mediation, dialogue, negotiation and conflict mitigation.

Output 2: General population knowledge on the constitutional review process is enhanced

An inclusive civic education and public outreach is an essential element in ensuring public participation in the constitutional review process, and in educating Somali citizens on their constitutional rights and duties. The project continued its support to the MoCA, ICRC and OC to facilitate public awareness and other civic education programmes in coordination with the Ministries of Constitutional Affairs of Federal Member States FMS MoCAs to educate the public on issues arising from the process of constitutional review.

Consultation on Constitutional Chapters on Social Media

Allowing citizens and civil society to participate in the constitutional review process is an important step in developing a democratic federal constitution that will lay the legal foundation for regulating the socio-economic and political life of citizens and Somali state institutions. From January to March 2019, the Joint Constitutional Review Oversight and Implementation Committee (OC) ran an online opinion poll on social media (Facebook) on some of the key articles of the provisional constitution which are under review. The online pool brought the voices of the majority around 40,000 citizens into the discussion and there is a sense of ownership around the Constitutional Review Process. Citizens were asked to vote preferred





SOMALIA UN MPTF

executive system for the country and 54 % voted President and prime minister (the current system) and 46% President and vice-president. Through online pool, citizens also gave their opinion on government term (parliament & executive), eligibility for a cabinet minister, nationality for political appointments and official language.

Public Consultations on Human Rights in context of Provisional Constitution Chapter 2

Human rights are at the heart of the constitution, its not only determining relationships between the individual, groups and the State, but also permeating State structures, and decision-making and oversight processes. The fundamental rights and freedoms recognized and guaranteed in the Somali constitution chapter 2. From 28 to 30 May 2019, the project support a public consultation on Fundamental Rights and the Duties of the Citizen in context of Provisional Constitutional Chapter 2 held in Baidoa, South-West State. The forums intended to educate the Somali civil society and citizens about their various articles on fundamental human rights guaranteed in the Somali Constitution. The participants recognizes a number of inalienable human rights, including freedom of speech, freedom of assembly, freedom of religion, the right to keep and bear arms, freedom from cruel and unusual punishment, and the right to a fair trial by jury. The forum attended by 146 participants (M:81 F:65) from civil society organization and general public from South-West state.



Women attending Public Consultations forum on Human Rights in context of Provisional Constitution in Baidoa. 28 May 2019. Photo credit: MoCA

Output 3: Key actors implement outreach strategy and civil society engagement in the constitutional review and implementation process

Constitutional Review bodies developed strategy and work plan for consultation process

In the beginning of the March 2019, the constitutional reviews bodies met and develop a plan for consultation on the amendments proposed under the constitutional review process. During the five days gathering, the three constitutional review institutions worked to develop a common approach and strategy as well as a work plan for consultation process, identified the key constitutional review issues requiring consultation, and outlined the key stakeholders to be consulted on the reviewed chapters for Somali provisional constitution. Harmonized public outreach, consultative strategy, and joint implementation strategy were developed and agreed with OC, ICRC, and MOCA in Djibouti. Constitutional Review consultative meetings also held in Garowe, Mogadishu, and Kismayo with Support from UNDP. Public outreach and consultations will also be implemented in all federal member states, such as, awareness raising meetings, discussion forums, town hall meetings, workshops, media campaigns, Public Forums (Groups), seminars/training, publications and Social Media and planning to reach most of the citizens.



Constitutional Review Bodies in a joint working retreat in Djibouti. 2 March 2019. Photo credit: MoCA



SOMALIA UN MPTF

Training of Trainers (ToT) on Civic Education and Public Outreach in Jubaland

The Ministry of Constitutional Affairs, with the support of UNDP Constitution Support Project, conducted a Training of Trainers (ToT) on Civic Education and Public Outreach from 27 to 30 May in Kismayo. The training aimed at building the capacity of the civic society organizations and government officials of Jubaland region on civic education and public outreach, as well as to prepare civic educators to carry out wide ranging civic education and public outreach activities on the constitutional review process. The training attended by more than 75 participants from Jubaland Civil Society Organizations (CSOs) as well as civil servants from Jubaland ministries. As a result of the training, it is expected that trained civic educators will be able to carry out civic education campaigns to inform Somali people about the constitutional review process.



*Woman participants received certificate of completion of Training of Trainers (ToT) in Kismayo. 30 May 2019
Photo credit: MoCA*

Civic Education Consultative Workshops on Constitution Review Process in Jubaland State

The project supported Ministry of Constitution and Federal Affairs, Jubaland to organize two civic education consultative workshops on the constitution review from 11-13 and 15-17 June in Kismayo. The workshops attended by a range of community groups representatives includes; Kismayo District Women Association, Disability Advocacy Groups, Youth Advocacy organization, Council of JSS Traditional Elders and representatives from various government institutions, Members of Constitutional and Legal Affairs Committee, Jubaland State Assembly, other JSS based civic society organizations and intellectuals. Consultative meetings served as a platform where the public had the opportunity to understand and debate on the issues revolving around the ongoing Constitutional Review Process. Participants also appreciated the important role that Somali people in JSS are playing in the ongoing national discussions on finalizing the Review Process of the Constitution.



Public consultations and civic education campaign to address constitutional review issues

The key players in the constitutional review process tasked to promote and facilitate public consultation to ensure that the review process is based on public consultation with Somali people that enable society to understand their constitutional rights and duties. During the reporting period, the Parliamentary Constitutional Review Oversight Committee (OC) conducted various regional public outreach consultations to create awareness among citizens on their constitutional rights and duties. The OC conducted a well-attended and participatory consultative meeting in the form of forums with federal member states, religious leaders and civil society in Mogadishu, Kismayo and Garowe.

OC presented quarterly progress report on Constitution Review process to the Parliament (UH and HoP)

On 17 April 2019, the Parliamentary Constitutional Oversight Committee (OC) presented quarterly report of constitutional review process to the Upper House of Somali Federal Parliament. The OC also presented a report of the constitutional review process to the first session meeting of House of People (HoP), the report is about the



SOMALIA UN MPTF

achievements, challenges and way forward. The report presented on technical review of chapters from 1 to 9 of the provisional constitution.

Output 4: Project effectively managed

Project Board Meeting

On 20 March 2019, the Project Board meeting of the Constitutional Review Support Project was held in Mogadishu, to discuss the progress, achievements and challenges on the constitutional review process. The meeting was attended by representatives from MoCA, IRCIC, OC, and by representatives from UNDP and UNSOM. Donor partners Norway, Sweden, Denmark and Switzerland also attended the meeting. The Deputy Minister updated the progress made by MoCA since the last project board meeting, which included consultations in all Federal Member States and the Banadir region, and the completion of the technical review of 10 chapters of the Provisional Constitution. It was suggested that the inclusive politics roadmap needs to be revised with new timeframes to ensure the constitution review process is finalised by 2019, and recommended that Joint Meetings should be continuously held to improve information sharing among key players. During the meeting, the donor partners Norway, Sweden, Denmark and Switzerland also reiterated their commitment and support for the completion of the constitutional review process.



*Representatives from MoCA, IRCIC, OC, UNDP, UNSOM, donors, partners at Project Board meeting, Mogadishu, 20 March 2019
(Photo: UNDP/Somalia)*

Opening of the new IRCIC Building

On 18 February 2019, an opening ceremony was held for new offices for the Independent Constitutional Review & Implementation Commission (ICRIC) in Mogadishu. The Speaker of the Upper House, Abdi Hashi Abdullahi; ICRIC Chairperson, Dr. Mohamed Dahir Afrah and commissioners, the late Minister of Constitutional Affairs Abdirahaman Hosh, and members from the Parliamentary Oversight Committee, attended the event, along with UNDP Resident Representative, a.i. Mr George Conway, and UNDP Deputy Resident Representative a.i, Nahid Hussein. Construction work on the ICRIC offices started in September 2018 and was successfully completed in February 2019. The offices were built by UNDP as part



Speaker of the Upper House and representatives from ICRIC, MoCA, OC, UNDP and other leadership of FGS at opening ceremony. Mogadishu, 18 February 2019. (Photo: UNDP/Somalia)

of UN support to the constitutional review process, with funding from Norway, Denmark, Sweden & Switzerland. The new ICRIC offices will enable the Commission to finalize the drafting of the constitution and carry out their constitutional work in an inclusive, consultative way. The new premises will also assist the ICRIC staff and commissioners in their public consultation and outreach work.



SOMALIA UN MPTF

Operational support

Regular operational support has been provided to the MoCA and ICRIC. This included the rehabilitation of offices and equipment; salaries of young graduates and national/international experts and other running costs i.e. provision of internet, communications, stationaries, air conditioners and transport.

Other Key Achievements N/A

Challenges (incl: Delays or Deviations) and Lessons Learnt:

- The constitutional review process is highly politically sensitive and touches upon core contentious issues between federal government and federal member states. Due to political differences, some challenges may emerge. While a common understanding is emerging on key priorities, underlying tensions and recurrent antagonisms between the key players, the executive and the legislative and the federal and regional levels, risk to undermine the progress achieved so far and to further delay the process.
- The continued conflict in Somalia is a major challenge. The experience and best practices of many countries in similar circumstances shows that the negotiation and establishment of a constitutional democracy can only take place in conditions of peace or while building peace. Besides the absence of peace, constitutional negotiations have not properly taken into consideration the reality that Somalia is emerging from a collapsed state with little to no institutional structures or memory.
- Over the past ten years, the country experienced the persistent and chronic destabilization of government because of abuse of some democratic rights that are established by the constitution. Part of this problem lays in the lack of clear separation of powers between the President, Executive and the Legislature. For the sake of stability and the building of institutional memory, a review of these provisions is urgently required.
- The constitutional text does not reflect the current political realities. This anomaly is a challenge that the MoCA will address to promote the rule of law and good governance. Some regional administrations have already started the process to developing their state constitutions. There is therefore the challenge of harmonizing these constitutions with the Federal Constitution.
- The absence of political parties, clear competing political ideologies, and a clear national vision reduces the constitutional negotiations around the interests of individuals and clans which continues to be major challenge.

Peacebuilding impact (for Joint Programmes receiving PBF funding only)

- The constitution would be reviewed and adopted in an inclusive and transparent manner, which would set up the institutional and legal framework for Somalia, defining the nature of relations between the center and regions, determining the status of Mogadishu and crystalizing the type of federation Somali wish to build, propose framework for universal one person-one vote elections in 2020-21. The Constitutional Review Process must address complex issues between FGS and FMS such as allocation of powers and resources, hold numerous civic education and consultative meetings to bolster a consensus-driven approach. The process will have impact on the peacebuilding and on the political processes ongoing in Somalia.
- The constitution of Somalia thus also has a crucial reconciliation peacebuilding function, as it defines a social contract between the state and society – the lack of which has been a key element in the civil war and failed reconciliation processes. An inclusive constitutional development process that is perceived as legitimate by all



SOMALIA UN MPTF

stakeholders is, therefore, an indispensable condition for working towards sustainable development for all in Somalia.

- Inclusivity is critical to the constitutional review and has a crucial impact on peacebuilding and state-building. Without consensus, the Constitution will not be seen as legitimate. For this reason, the project will continue to embrace a conflict prevention-based approach to identify and engage all key actors in the process. This will help to avoid the perception of marginalization and limit spoilers who may hamper and delay the process. Also, careful consideration would have to be given to mitigate the risk of a further possible tensions between the executive and legislature at the federal level.
- Regular consultations between the Federal Government and the federal member states are also critical. In this regard, it is also necessary to empower and build the capacity of the Federal Member States to ensure that they are able to effectively and realistically negotiate the interests of the regions. The review of the federal constitution will provide the legal architecture / foundation of the Somali federal state. This process is complex and requires appropriate and in-depth consideration from political, diplomatic, technical, operational points of view.
- Similarly, the project is doing its utmost efforts to engage civil society in effective political dialogue and supports inclusive constitutional review process. The project supported MoCA to consult with civil society organizations on the constitutional review process. MoCA assured CSOs that the review process will be inclusive and transparent and in collaboration with the political leaders of federal and state levels, civil society organizations and entire Somali citizens.

Catalytic effects: N/A

Gender

Gender equality and reflect women’s aspiration is an essential component of the constitutional review roadmap and is a key aspect of sustainable peace and for more inclusive Somali society. The project particularly envisages the inclusion of women and representatives from women organization to actively participate in the meetings, forums, dialogues at federal and state level to get inputs into the constitution review process, so that they would be able to play larger roles in the political, social and economic life of their country after the adoption of the constitution. Project also supporting women’s groups and women’s advocates throughout the constitutional review process, and developing capacity of Women’s advocates to participate in the review process. Special efforts are made to include the voices of women and youth whose contribution to sustainable state and peacebuilding in Somalia must be recognized at the highest political levels.

Proportion of gender specific outputs in Joint Programme ⁸	Total no. of Joint Programme Outputs	Total no. of gender specific Outputs
	3	1
Proportion of Joint Programme staff with responsibility for gender issues ⁹	Total no. of Staff	Total no. of staff with responsibility for gender issues
	2	1

Human Rights

⁸ Gender Specific Outputs are those that are specifically designed to directly and explicitly contribute to the promotion of Gender Equality and Women’s Empowerment.

⁹ Staff members are those contracted to undertaken work for the Joint Programme including full time staff, consultants, advisors, interns, etc. Staff members with responsibility for gender issues are those who have gender related activities included in their Terms of Reference.



SOMALIA UN MPTF

Has the Joint Programme included a protection risk assessment in its context analysis, including on gender issues, and taken measures to mitigate these risks to ensure they are not exacerbated or new risks created?	Result (Yes/No)
	Yes
No. of Joint Programme outputs specifically designed to address specific protection concerns.	Result (No.)
	0
No. of Joint Programme outputs designed to build capacity of duty bearers to fulfil their human rights obligations towards rights holders.	Result (No.)
	3
Other	
Does the Joint Programmes have a national cost-sharing component (i.e. funds and/or other resources provided by the FGS and/or FMS (including in-kind contributions)? (if 'Yes', describe below).	Results (Yes/No)
	No
Have FMS(s) been engaged in one or more of the following: design, planning, implementation, coordination and/or monitoring of the Joint Programme.	Results (Yes/No)
	No
Describe nature of cost sharing:	
Communications & Visibility	
<p>The project team recorded project activities in the form of written reports, pictures, successes and achievements and regularly shared project newsletters to the donors, partners and stakeholders. The news articles related to accomplished activities of the project regularly posted on UNDP CO website ad social media platforms (Facebook and Twitter). The visibility with public and donors on the achievements of activities improved through MoCA website as well as ICRIC and OC social media (Twitter & Facebook). In addition, the project has recruited Communication and Public Outreach Advisor and officers for the constitutional review institutions ICRIC, MOCA, OC to promote their constitutional work. All the three key constitutional review institutions regularly posting their constitutional work to the social media and websites. After recruiting communication officers and advisors for MoCA, ICRIC & OC they are working on communication and visibility plans, preparing messages for local radio and TV Programmes, newsletters, banners, slogans and Social Media to enhance the public's awareness and understand that the Constitutional Review Process.</p> <p>During reporting period, the MoCA has also produced short documentary about the achievements of the constitutional review process explaining how the process is going, challenges met during the review process and how constitutional mandated bodies are committed to the finalizing the national document. The Ministry has also developed quarterly news bulletin/newsletter, produced three radio dramas on the importance of the constitution and citizen rights and on aired by key media houses in FMS and Banadir region. From January to April 2019, the OC has run consultation with Somali people through Social Media to get public opinion on some of the important articles in Provisional Constitutions and more than 40,000 people gave their opinions and point of views.</p> <p>https://twitter.com/MoCASomalia</p> <p>https://twitter.com/BFSDastuurka</p> <p>https://www.flickr.com/photos/undpsomalia/47131679112/in/photostream/</p>	



SOMALIA UN MPTF

Looking ahead

In the coming months, the constitutional review bodies will hold public outreach and consultations with all stakeholders on the reviewed chapters, resolution of adoption on Constitutional Amendments will be debated and approved by the Federal Parliament in 5th and 6th session in 2019 and review process will complete at the end of December 2019.

The project will continue providing ongoing capacity building, institutional and technical advisory support to all the constitutional review bodies and the key players includes MoCA, ICRC and the FMS in coordinating and overseeing a smooth constitutional review process in Somalia. The project will also sustain support to the Technical Working Group (TWG) which comprise of technical teams from OPM, ministry of constitutional affairs to conclude political negotiations between the FGS and regional levels on key political constitutional matters.

Continuing implementation of the civic education strategy through an inclusive and transparent manner. Technical Advisory services to the Ministry of Constitutional Affairs and other key players in drafting of the constitutional text.

The project will sustain support to the constitutional bodies for initiating of public and political consultation across the country and reaching of all Federal Member States for consultation. Support to undertaking of civic education campaigns that will target all sectors of the society.



SOMALIA UN MPTF

ANNEX 1. RISK MANAGEMENT

Type of Risk ¹⁰	Description of Risk	Mitigating Measures
Political Organizational	Constitutional Oversight Committee does not take sufficient support from the leadership to progress constitutional review and implementation agenda.	Project has been developed in close partnership with the Speaker and Committee Chair + specific TA resources are dedicated to upskilling the Committee.
Political Organizational	Coincident timing with other political processes, such as the Electoral Consultative Process, affected negatively on the momentum of the constitutional review.	Project supported the national stakeholders in the revision process providing options to maintain the vitality of the process.
Environmental Political	Constitutional National Stakeholders coordination and cooperation mechanism delayed and not progressing, thus undermining the revision.	UN to provide advice on coordination mechanisms and provide support for the development and implementation of these mechanisms. Provision of technical advice of constitutional experts to provide options to the national stakeholders on possible solutions for the process and its particular issues.
Environmental Political	Delays in progressing constitutional dialogue due to break down in relations between Federal Government and IRAs / other stakeholders.	UNSOM to take the lead in working closely with FGS and NFP to support political dialogue and negotiation with regions, including Puntland.
Environmental Security	Outbreak of violence or serious deterioration of the security environment in Somalia.	Programme team to adjust programme activities to changes in the security situation. The project to work on increasing the participation of the civil society organizations, universities, legal aid centers and paralegals to implement project's activities.
Environmental Political	Serious deterioration in relations between UN and the NFP Or/and Government.	Maintenance of respectful, collaborative approach and transparency; vigilance in regards to developments relating to continued transition in Somalia.
Social and Environmental Risks	Risk 1: Duty-bearers do not have the capacity to meet their obligations in the Project	The project is providing capacity development activities to all duty bearers as part of the core project activities and goals. This initiative is contributing to the project's goal to enhance operational and technical capacity of the duty bearers.
Social and Environmental Risks	Risk 2: Rights-holders do not have the capacity to claim their rights	The project includes capacity building activities in promoting the right holders to have the skills and knowledge to advocate for their rights and carries out activities with regard to outreach and public consultations of the constitution including Outreach/Public consultation meetings etc.
Social and Environmental Risks	Risk 3: The proposed Project would have adverse impacts on gender equality and/or the situation of women and girls	Project ensures that gender mainstreamed across all of its activities such as recruitment of female interns for the Ministry of Constitution Affairs and capacity building trainings for the staff Special considerations given to qualified female candidates and strongly encouraged to apply.

¹⁰ Environmental; Financial; Operational; Organizational; Political; Regulatory; Security; Strategic; Other.



SOMALIA UN MPTF

ANNEX 2. MONITORING AND OVERSIGHT ACTIVITIES

Monitoring Activity	Date	Description & Comments	Key Findings / Recommendations
Project Board Meeting – Constitution Review Support Project	20 March 2019	<ul style="list-style-type: none"> To discuss on the progress and challenges in the review process. Attended by representatives from MoCA, IRCIC, OC, and by representatives from UNDP and UNSOM. Donor partners Norway, Sweden, Denmark and Switzerland also attended the meeting. 	<ul style="list-style-type: none"> MoCA highlighted the progress made by MoCA since the last project board meeting, which included consultations in all Federal Member States and the Banadir region, and the completion of the technical review of 10 chapters of the Provisional Constitution. The meeting suggested that the inclusive politics roadmap needs to be revised with new timeframes to ensure the constitution review process is finalised by 2019, and recommended that Joint Meetings should be continuously held to improve information sharing among key players. During the meeting, the reiterated their commitment and support for the completion of the constitutional review process.
Constitutional Review Bodies meeting to review constitutional review roadmap	4-7 February 2019	<ul style="list-style-type: none"> The meeting discussed progress made, any existing challenges in the implementation and review of the joint roadmap for the constitutional review, and to agree on next steps for the process. The meeting attended by MoCA, ICRC, OC, UNSOM, UNDP, donors, partners 	<ul style="list-style-type: none"> A technical committee comprising nine members from the three institutions reviewed the roadmap of the constitution review process. The committee agreed that the implementation of the roadmap is on track, but made some readjustments to timelines for some of the public consultations activities. On the way forward, the three key institutions promised to keep the momentum and work together to finalize the constitution review process by December 2019.



SOMALIA UN MPTF

ANNEX 3. TRAINING DATA

#	Target Group		Dates	# of participants			Title of the training	Location of training	Training provider
	Ministry. District or UN staff	Others		M	F	Total			
	1.	Civic Society Organizations (CSOs), government			27-30 May 2019	40			
Totals:									



SOMALIA UN MPTF

ANNEX 4. PHOTOS OF THE ACTIVITIES (JAN-JUN 19)



On 7 February, Prime Minister Hassan Ali Khayre participated in a joint working session of the Constitutional Review Bodies in Mogadishu



On 25 March 2019, the OC hold meeting with Speaker Mohamed Mursal and deputy Speaker Abdiwali Ibrahim Modey on constitutional review process



On 18 February, Speaker Upper House along with representatives from UNDP, the ICRIC and MoCA on opening of the ICRIC offices



On 22 May, ICRIC has submitted to OC the last chapters 10-15 of Provisional Constitution for review



On 9 February, Parliamentary Constitutional Oversight Committee (OC) review chapters 6-9 submitted by ICRIC



On 8 April, representatives of Constitutional Review Bodies with federal member states at 6th MoCA Forum in Kismayo discussing constitutional issues



On 7 April, the President Jubaland State with CRP bodies and representatives from regional assemblies in a joint conference of pre-consultation in Kismayo



On 20 April, new Minister of Constitution Mr. Salah Jama met with constitutional review bodies (ICRIC & OC), discussed how to proceed the collaboration and accelerate the work on CRP



On 31 May, MoCA-FGS and MoCA Jubaland co-organized training of trainers on civic education and public outreach held in Kismayo