

Evaluation of the UNDP Strategic Partnership for Somalia

Final Report

June 11, 2009

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1. INTRODUCTION AND EXECUTIVE SUMMARY

Adam Smith International has been retained to conduct an evaluation of the strategic partnership between donors in respect of governance and rule of law and security programmes in Somalia. The terms of reference for the evaluation summarise its purpose as follows:

“The purpose of the evaluation is to constitute the basis for an extension and / or remodelling of the strategic partnership and take stock of both the performance of the UNDP Somalia programme in delivering key outcomes related to the Rule of Law (ROLS) and Governance programmes, and the performance of donors as outlined in the partnership documents and in line with standard Monitoring and Evaluation (M&E) requirements.

It is expected that the results of the evaluation will contribute to better informed decision-making in relation to the partnership and programme delivery, foster an environment of learning and promote greater accountability for performance. The evaluation should also lead to an improved understanding of the intended objectives, their status and the factors that influence or contribute to their change.”

We believe that this evaluation will succeed in achieving the purpose set out above.

We would like to thank all those who assisted us in conducting the evaluation, by taking the time for interviews and providing documents. We regret that it has not been possible for the evaluation team to travel to Somalia and meet either Somali beneficiaries or UNDP staff based there. We would like to pay tribute to the bravery and dedication of UNDP staff who have had to work in very difficult and dangerous circumstances. Indeed, some have paid the ultimate price in that they have lost their lives as a result of their work. Without the commitment of UNDP staff – particularly local staff – to work on in the face of high levels of danger, little could have been achieved.

The range of challenges associated with promoting development in the different parts of Somalia is indeed considerable. We hope that this evaluation will play its part in helping to enhance the assistance provided to Somalia and thus in improving the lives of Somalis.

Our findings and recommendations are as follows:

Findings

1. Accountability

UNDP as implementing agent is not properly accountable to the donors, who are in turn not properly accountable for the resources they have allocated. Reforms to improve accountability¹ should be an urgent priority.

2. Reporting

It is not possible to tell from the reports produced for donors the extent to which progress has been made towards outcomes. Reports focussing on activities (inputs) are not useful in assessing this and do not build in accountability for delivering development outcomes. As a result, much of the reporting appears to have presented an overly optimistic or ‘rosy’ picture.

3. Transparency

There has been insufficient involvement of Somali counterparts in decision-making and they do not appear to be given sufficient access to documentation.

4. Focus

The programmes would have benefitted from greater focus, with less ambitious, more realistic and more achievable goals being set.

5. Clarity of finances

The finances of the partnership are not clear. It is not possible to see easily where funds have been allocated and to compare performance between years.

¹ By accountability we mean ability to be held to account over the results. For example a key objective of the UNDP-UK-Denmark Institutional strategy 2008-2011 is to ensure that UNDP “is fully accountable, ensuring that sustainable results and impact are integrated into its business processes and culture”.

6. Differentiation of support between regions

The nature of support to the three Somali regions does not appear to be sufficiently differentiated. Each region is at a different level of development and requires different types of support. While there has clearly been some differentiation, this needs to be refined. It is clear, for example, that Somaliland requires more sophisticated assistance than the other regions.

7. Security

Improved security to create space for development activity is critical. Different donors currently have different approaches to security requirements. The SPUs in Somaliland and Puntland are a critical component of the current security architecture. While reports have identified significant SPU failings, little has been done to address these problems.

8. ‘Virtual development’

There is a risk that the donors and UNDP’s concentration in Nairobi, rather than in-country, leads to the pursuit of very ineffective ‘virtual development’ i.e. development by proxy.

Findings specific to ROLS

9. An inauspicious context for programme operations

For the ROLS programme to stand any chance of delivery it needed some form of effective government in South/Central and to be able to operate in a relatively stable environment. It had neither. ROLS is designed for a post conflict environment and yet has been required to deliver during a time of continuing conflict, particularly in South Central where there has been a marked decline in the influence of traditional leaders.

10. Absence of synergy

ROLS is not a coherent programme with obvious synergy, but rather a grouping of discrete, but worthwhile activities. The documentation is confusing in terms of consistency, audit and identifying the current state of the programme which has not been evaluated since 2004, but has rather developed through an annual iterative process. There is no doubt about the commitment of individuals to achieving individual results within individual components. There is some emerging evidence that individual project managers are beginning to share ideas, but at the programme level there is no such synergy. Some good work has clearly been done. But it is less certain that these results represent overall value for money and that the programme as a whole is coherent.

11. A silo approach

During Phase I there was a lack of coordination between the programme components. This was still the case in Phase II. A lack of regular and effective monitoring and evaluation and results-based management, other than the promulgation of discrete annual reports, does not allow for consolidation of individual project gains and achievements, and programme synergies. The programme appears to be component-driven with too much of a silo approach.

12. Temporal rationale for moving between phases

The rationale for moving between phases is temporal and therefore artificial. It would be better to recognise the developmental and situational changes that reflect actual progress on the ground in the three regions. This seems to have been recognised in the Phase III documentation and is the right approach.

13. Need for coherence in support to the police

If one is to avoid damage limitation exercises and the inherent and wasteful dangers of turning on and off the financial tap, the payment of stipends to the police alone is not sufficient and is liable to be counterproductive unless it is supported by simultaneous and complementary activity. Such a coherent package should include support in the recruiting and training of police, the training of the senior command team and the development of civilian oversight and accountability mechanisms.

Findings specific to governance

14. Lack of coherence

During 2006-2008 the governance projects were disparate and together did not form part of a coherent and comprehensive governance programme. As a result their contribution was fragmented and incomplete. There was no clear link to the ROLS interventions.

15. Design

In the design of the governance projects and the sub-projects within them a) it is not clear that the project documentation was based on a thorough problem analysis, b) objectives and outputs were not always clear, c) initial allocation of time and budget was usually insufficient, d) there was often an apparent lack of risk assessment, e) provisions for ongoing monitoring and evaluation were inadequate, and f) implementation modalities were complicated.

16. Over-ambitious objectives and mismatch of resources

The aims and objectives of projects and sub-projects were too ambitious, wide-ranging and complex. There was also often a mismatch between expected outputs and the modest resources provided. In many cases the main input was staff salaries at circa \$2,000 a month, despite the aims of the interventions being far-reaching and complex.

17. Not a strategic approach in respect of governance

Over the period 2006-2008 it is clear that the donor-UNDP Strategic Partnership was not strategic in its approach to governance. A number of disparate projects and activities were pursued to the exclusion of others. Some donors were too focused on trying to fix central government and were undervaluing the importance of local governance. In the context of a failing TFG in mid-2006, and severe shortcomings in TFG performance in 2007-2008, donors could have potentially achieved greater impact if they had pursued a broader approach.

18. Too standard an approach

The general approach followed in the governance programme does seem to be a rather standard one, without much innovation to account for the very different circumstances of Somalia. Sufficient account does not seem to have been taken of the very low base from which one starts in Somalia.

Findings specific to the partnership

19. Not one partnership

The 'Strategic Partnership' between donors and UNDP is not a single partnership but a series of individual agreements between UNDP and separate donors. The Strategic Partnership has not really operated as a *partnership*, in the full sense of that word, with all parties contributing to commonly agreed strategies whose results are carefully evaluated and which are then adapted in the light of experience and results.

20. No increased effectiveness in aid delivery

Partnership arrangements did increase 'efficiency' in aid delivery to the extent that they reduced the number of *ad hoc* funding agreements that were needed and therefore slightly reduced transaction costs. But there is no evidence that the partnership arrangements significantly increased 'effectiveness' in aid delivery. This report cites weaknesses in strategic planning on behalf of donors as well as UNDP, poor reporting, absence of effective M&E; absence of clear logframes, inadequate attention paid to outcomes, problems in relationships with counterparts and with speed of decision-making and delivery. Moreover, despite some of these problems becoming evident at an early stage, the partnership or multiple partnership structure was not able to address these problems effectively and resolve them.

21. Inadequate supervision of implementing agent by donors

Arrangements for partnership meetings, and attendance at the meetings, have not been adequate to deal with the challenges faced by the Strategic Partnership, such as questions about the overall appropriateness of the partnership strategy, or the monitoring of projects and decisions about sensitive projects.

22. Insufficient investment in strategic advice

Given the lack of a systematic mechanism for on-going review of the partnership strategy, donors and UNDP did not collectively realise until too late that the strategy of supporting the TFG should be revised. This highlights the need for greater investment in strategic advice.

23. Inadequate attention paid to M&E

The framework for and implementation of monitoring and evaluation (M&E) was highly defective, in that there was no clear logframe to define desired outcomes, little M&E was carried out, reporting to donors on M&E was very poor, and M&E was not accorded sufficient importance by either UNDP or donors.

Recommendations:

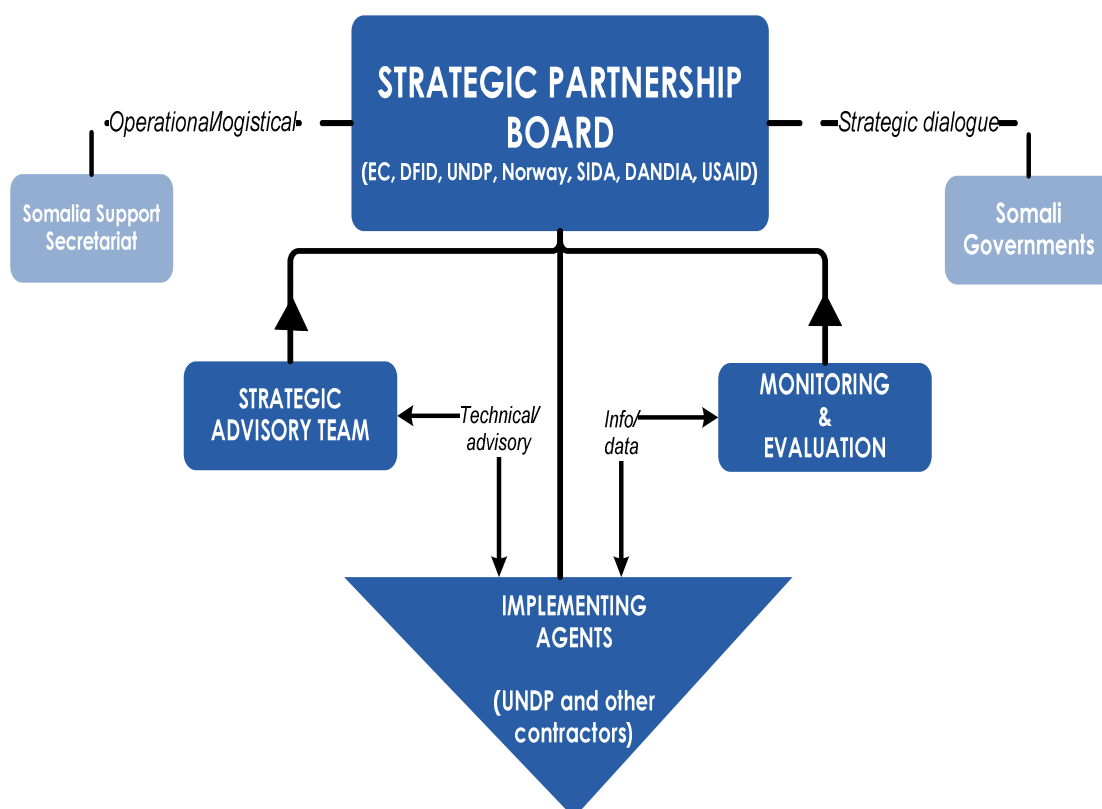
1. Revise the structure of the partnership

We recommend that the partnership should be structured differently in order both for it to operate more effectively in future and to become a genuine partnership. A key to this is the separation of UNDP's role as a financial contributor to the programmes and any role it has as an implementer of the programmes. We assume here that the partnership should tackle both ROLS and governance, although clearly other areas could be added.

We recommend that there should be four main parts of the new structure:

1. The partnership board, including the donors to the programmes, EC, DFID, Denmark, Norway, USAID, UNDP and UNPOS (and possibly others). There should be one partnership agreement which all parties should sign up to. The partnership board would:
 - a. Decide on partnership strategy, acting on advice from partners and the Strategic Advisory Team
 - b. Conduct strategic dialogue with governments
 - c. Review M&E reports and take decisions on adjusting the programmes accordingly.
 - d. Be chaired by an individual from a non-implementing partner and possibly have secretariat support.
2. The Strategic Advisory Team (SAT), which would provide advice on strategy to the board, and comprise experts with sufficient time allocated to provide substantive advice to the partnership board on strategy. The SAT would be contracted by the partnership board or by one of the non-implementing partners on behalf of the board.
3. The independent M&E team, which would report to the partnership board and again be contracted by the partnership board or by one of the non-implementing partners on behalf of the board.
4. The implementing agents, including potentially UNDP, which would be contracted by the partnership board or by one of the non-implementing partners on behalf of the board. They would report to the partnership board in formats determined by the partnership board on the advice of the M&E team. They would also provide monitoring data to the M&E team in formats requested by the partnership board on the advice of the M&E team. Implementing agents should either be chosen by a competitive process or have gone through a competitive process (e.g. to be awarded a framework or indefinite quantity contract for the type of services in question).

The revised structure of the Strategic Partnership would encourage greater separation of policy, strategy and implementing roles and responsibilities and more effective execution of each. It would of course also be possible to have sub-partnership arrangements, such as a separate partnership sub-committee on public financial management, which might include the World Bank. The overall approach is illustrated in the figure below.



2. Introduce effective independent monitoring and evaluation

In any future arrangement a robust independent monitoring and evaluation framework is absolutely essential.

A professional, adequately resourced fully independent M&E team reporting to the donors, not the implementing agent, should be recruited. (By independent evaluation we mean evaluators who are not contracted by UNDP or other implementing agent – since it is the implementer who is being evaluated – and who are not conflicted in any way, such as having a long-standing commercial relationship with the implementing agent).

Monitoring should be carried out on at least a 6-month basis, and should cover overall partnership strategy and issues, as well as specific review of the governance and ROLS programmes (and any other programmes or projects covered by the partnership).

The implementing agent should produce internal monitoring data of a type and format set out by the independent monitoring team and approved by the partnership board.

3. Replace activity-based reporting with outcome-based reporting

Activity-based reporting should cease and be replaced by reporting of progress towards outcomes. Reports should be shorter and produced more frequently and in a timely manner. We recommend that short reports should be issued every quarter, no later than one month after the end of the quarter. A larger annual report should encompass the last quarter and comment on issues in greater detail. Reports should contain a simple financial report in a form which provides a range of useful summary data.

An agreed common logframe should be created against which results can be monitored. Whether this is based on the DFID, EC, DANIDA or other variant is not particularly important. They all involve the same main elements and principles.

A programme logframe, which should contain nested sub-logframes for individual programme aspects, should be produced by an independent specialist with particular knowledge of logframe design. The logframe should be based on a revised strategy.

4. Conduct independent evaluation at a project level prior to designing a new programme

As noted, this evaluation has been a relatively light touch programme-level evaluation. Time, resources, and security constraints have prevented a project-level evaluation. Our information on those projects we have commented on has been partially anecdotal and certainly incomplete. A future strategy and programme should be founded upon a clear assessment of which projects or project components had been successful or otherwise and why. Thus a more thorough project level evaluation should be conducted prior to the design of a new programme. As we have suggested in the brief section on finances, there is also the need for a more thorough review of the finances of the programmes. This could usefully be done at the same time.

5. Commission a specialist team to design a new programme based on a revised strategy

A specialist team should be retained by the donors to revise the overall strategy and to design a new programme based on it. This programme should take into account both this evaluation and the more detailed project-level evaluation referred to above.

6. Ensure that a new partnership closely links ROLS and Governance activities

Any new programme should require much closer linkages between the ROLS and Governance components, with governance activities deployed in much stronger support of ROLS activities.

7. Do not provide new funds for substantive activities until the above measures have been implemented

Given in particular the difficulty of determining under the current arrangements whether desired outcomes are being achieved, it would be imprudent and unwise to provide further funds to support governance and ROLS programmes until the above reforms have been implemented. Existing funds should be used to continue priority programmes. The exception to this should be activities of immediate political importance involving support to the new TFG, discussed in the recommendation below.

8. Provide earmarked and closely controlled funds to support any immediate priorities

Given the time required to put new mechanisms in place it may be necessary to use the existing mechanism in the short-term (say 6 months) to address immediate priorities of high political importance. In these cases ear-marked funds could be provided, with agreement between partners upon the objectives, activities, and timeframes for delivery and intended outcomes of the interventions, (captured in a logframe). Reporting framework(s) should also be agreed beforehand. Given short-term horizons of any ear-marked funding for project activities, it is recommended that progress reports be produced on a monthly basis – supported by detailed financial data on spend and forecast requirements – against objectives, timeframes and outcomes as outlined in project logframes.

9. Make a sustained effort to increase the numbers of programme implementers

Relying primarily on one implementer of assistance is not a good approach, either for the effectiveness of the development assistance or the primary provider. Donors should make a sustained effort to involve other implementers. This will involve a greater focus on addressing security issues and on contracting through donors that have a less restrictive security policy.

10. Address security issues forcefully

Without better security on the ground it will remain very difficult to carry out development activities. With improved security, greater operations on the ground should be feasible in Somaliland and Puntland at the moment, although not yet in South Central. As security improves in South Central small-scale operations should be considered. Improving the effectiveness of the SPU units should be a high priority. A professional security company should be contracted to help implement the reform recommendations and train the units to a much higher level of effectiveness. The same company could also undertake an assessment of other security options, such as encouraging the growth of properly trained private security companies, and or training elements of government police units. Innovative approaches such as airport reform to create a safe base of operations should also be considered.

11. Consider shifting high-risk political activities to UNPOS

For UNDP to be involved in high-risk, highly political activities such as providing financial support to the government in South Central, salaries to police forces or support to political processes risks undermining the other work that it does. It is also appropriately done by a more political body. UNPOS is probably the natural body to carry out such work but it has neither an operational capability nor a capacity to handle significant financial transactions. Bolting on to UNPOS that operational and financial capability by means of a contract with an organisation or group of organisation with the operational and financial expertise to enable UNPOS to implement these programmes would be the fastest way of addressing this problem. Given the absence of an effective UNPOS procurement capacity it would be wise for the procurement process for this add-on facility to be handled by a donor with fast and flexible procurement capability. With regard to the transfer of funds to the new TFG the formation of a tight joint committee of UNPOS, donors and the TFG could oversee a possibly hawala-based transfer mechanism.

12. Develop an effective timeline for reform

It is important to agree a timetable for reform. Designing in detail the new arrangements and implementing them will likely take some 6 months or a little longer. Strengthening UNPOS needs to be done more quickly, perhaps in 2 to 3 months at the most. In the meantime existing arrangements can be continued and utilised where necessary.

ROLS recommendations

13. Focus efforts where most can be achieved

Given the operational difficulties that are likely to continue for the foreseeable future, it makes sense to scale down the ambitions and expectations of ROLS and, whilst not abandoning South Central, to focus most attention on achieving deliverables in those regions of the country where there is the potential to create a positive critical mass and to make a discernible impact in the lives of the Somali people. As acknowledged in the original ROLS strategy document, it continues to make sense to focus heavily on Somaliland in the first instance followed by Puntland and to take opportunities in South Central and indeed elsewhere when they present themselves. South Central opportunities may emerge quite quickly if the new TFG can establish itself with popular support.

14. Provide separately for military engagement

To protect UNDP and ROLS programme integrity, military support activities (which are expected to be done under the auspices of the Joint Security Committee and facilitated by UNPOS) need to be firewalled from ROLS' work with the police. This is also needed to prevent police mission creep towards increased or sustained militarisation, which undermines progress on human rights and increases the chance of abuses. Unless military

needs for developing the new Joint Security Force are addressed, the police will be continually dragged into providing military and/or quasi-military services and lose a civilian police identity. Such military engagement is outside the mandate of UNDP.

15. Greater clarity in any ROLS phase 3

Any ROLS Phase III should clearly identify the spectrum of activity with discrete project activities within and across components. Benchmarks should be evident. This will assist in making clear what in any Phase III can be realistically achieved in the time available with further thought given as to how each of the components can be used to secure sustainability, synergy and leverage for the programme as a whole. This will further assist in determining how funds can be best allocated and used to achieve maximum impact for the people of Somalia, particularly the poor and marginalised.

16. Do not classify SPU costs as development expenditure

Funding for the SPU should not be classified as part of the ROLS programme (law enforcement). These units are providing protection for development workers, not Somalis. While security protection is indeed a necessary cost of operating in Somalia the costs should be attributed to a separate security budget heading so as not to distort the true level of development spending.

Governance recommendations

17. Focus more effort on public financial management

Stronger action should be taken to address the key priority of budgetary and financial management, especially revenue collection. More creative approaches may be required, as well as a tougher stance towards government. For example it is not acceptable for Somali governments to refuse to share their budget documentation with donors. Transparency over budgets should be a precondition for assistance. Other more effective mechanisms for collecting revenue, such as revenue authorities, should be considered.

18. Don't over-reach, keep it simple

The objectives of governance assistance should not be overly ambitious. The focus should be on identifying goals that can actually be achieved and then devoting the necessary resources to achieve them. One should recognise that in these difficult circumstances, resources required to achieve relatively straightforward goals are likely to be much in excess of those needed in other circumstances. More specialist expertise than that which has been deployed in the past is likely to be required.

19. Proceed carefully in providing start-up costs to new governments

A government that cannot raise any revenues is unlikely to be one that can command much support. Neither is one that is too reliant on foreign assistance likely to be long-lasting. Thus new governments should be required to at least partially match external support from their own revenues and phase out external support as quickly as possible. Again, transparency with regard to domestic budgets should be a sine qua non of external support.

20. Accommodate differences between regions

It is important to take greater account of differences in priority needs and absorptive capacity between South Central, Somaliland and Puntland, by tailoring initiatives to the specific situation in each region. This implies providing significantly more sophisticated assistance to Somaliland and assistance of a much more basic level to South Central. Lessons learned from the more advanced regions can be built upon and made accessible to others, to show that with the necessary political will, all Somalis can quickly move from relief to recovery.

Lessons learned:

- Large and complex programmes should have a clear M&E framework anchored in a well-designed logframe.
- Large and complex programmes should always be subject to regular independent external evaluation
- Reports should paint an accurate picture, identifying problems and potential solutions, as well as describing progress towards achieving outcomes

- Financial reporting should identify accurately where resources are being directed and should provide useful information to decision-makers
- Efforts should be focused where progress can most likely be achieved and should not be spread too widely
- Resources allocated to specific projects or activities should be of a quantity and quality adequate to achieving the desired outcomes
- Objectives should not be too ambitious, particularly in an environment like Somalia. Better to aim low and achieve a result than aim high and achieve nothing.
- In a fast-moving and complex environment adequate time and resources should be allocated to reviewing and revising strategy
- When it is not possible or very difficult to operate in a country, ‘development at a distance’, namely that carried out from another country, is unlikely to be effective.
- Considerable efforts should be made to overcome security problems such that donors and their implementing agents can work on the ground in-country.
- When establishing collaborative arrangements between donors and with implementing agents one should ensure that all parties have a common understanding of how these will operate.
- Governance and rule of law/security programmes should be run in conjunction, with each supporting the other.
- Where regions of a country require support of varying levels of sophistication assistance should be adapted to fit these different needs.
- Implementing agents should be appointed as a result of a competitive process or should have gone through a competitive process to gain a suitable framework or indefinite quantity contract.
- Donors should seek to use a variety of implementing agents and not become too reliant on one provider.
- Bureaucratic processes should not be too complex or restrictive to prevent the rapid deployment of resources of a sufficiently high standard when this is necessary.
- Government counterparts should be closely involved in decision-making and should have good access to programme reports.
- Clear commitments should be sought from governments to which support is provided and if they fail to meet their obligations then future assistance should be adjusted as a consequence.

2. EVALUATION METHODOLOGY

The Evaluation commenced on February 23, 2009 with the full mobilisation of the evaluation team. Members of this team were:

- Peter Young (team leader and leading on strategic partnership issues)
- Richard Barltrop (leading on political and contextual issues and advice)
- Anthony Howlett-Bolton (leading on ROLS issues)
- Mark Sheldrake (leading on Governance issues)
- John Moore (contributing on all issues and responsible for organisational matters)

In mobilising quickly and endeavouring to undertake the evaluation through an intense timeframe (intended to consist of 20 days for fieldwork), ASI has recognised fully the urgency of the evaluation. Having been planned since the summer of 2008 – yet delayed due to the unforeseen events of October last year and issues of procuring a service provider for the Evaluation itself – greater urgency has been attached to the exercise widely recognised as being long overdue by all donor partners. We have therefore sought to deliver our findings and recommendations in as timely manner as possible.

Following deployment members of the team spent three weeks in the field, undertaking the following activities:

- Broad literature review providing context and background to the Strategic Partnership and programmatic support;
- documentary analysis of information and data provided by UNDP and donor partners; and
- interviews with UNDP management, programme and project staff, donor partner representatives, Somali counterparts, NGOs and Somalia experts.

We have not used questionnaires and surveys as in our view the information required is too complex for this approach to be viable. We have preferred individual interviews as a key means of getting the full range and depth of information needed. In conducting the evaluation we have sought to adhere to DAC and UNEG evaluation quality standards.²

The modus operandi adopted for the Evaluation was founded upon clear process, a regular dialogue with donor partners and the maintenance of a necessary flexibility in the use of evaluation resources. Prior to the commencement of the Evaluation, ASI met with UNDP (on both 11th and 19th February) to agree the scope of the evaluation, identify key sources of information required and confirm the evaluation's milestones for delivery. Subsequently, a preliminary programme was put in place prior to full team mobilisation on 23 February. During the fieldwork, our Team Leader met at both the beginning and the midpoint of the Evaluation with UNDP senior management to reiterate programme objectives, identify key areas of focus, outline requirements and provide a progress update. As a matter of course, the Evaluation team regularly sought UNDP guidance in scheduling meetings with stakeholders, updating donors on the programme as we went along, and circulating revised meeting lists.

We sought to interview as broad a range as possible of people who could valuably comment on the programmes. We focused in particular on the key actors, interviewing some on several occasions. We interviewed a large number of UNDP staff members in particular. In some cases we sought out additional documents regarding particular interventions following such consultations so as to deepen the evaluation within the time available. We sought to understand the finances of the programmes and to identify where resources had been allocated. Broadly speaking, we sought to ask penetrating and searching questions to establish the actual position and took points raised by earlier interviewees and put those to later interviewees in order to reinforce efforts to triangulate information given.

² <http://www.oecd.org/dataoecd/30/62/36596604.pdf>

Limitations and constraints faced by the Evaluation

This has been a challenging evaluation for a range of different reasons.

- **Travel restrictions:** The inability of the Evaluation team to under site visits has significantly hampered the evaluation by limiting our engagement with beneficiaries and preventing inspection of what is actually happening on the ground, and thus the impact of the programmes. We have sought to rectify this by speaking to some Somali beneficiaries over the telephone and by videoconference, supplemented by personal meetings with some Somalis who were passing through Nairobi.
- **Delays in obtaining information and data:** During the course of the Evaluation, the team experienced significant delays in obtaining information and data. In some instances information central to the Evaluation (and cited as key sources in the ToR) were only supplied some two days before we arrived in the field, which meant that we were unable to absorb the facts prior to starting work on the ground, making the first meetings less productive and rendering the task of investigating further data and identifying other related sources of information (stakeholders, reports and the like), that much more onerous and time consuming.
- **Receipt of incomplete information:** The documents supplied were only a partial set, and we were obliged to request more over the course of the assignment. Critically we were not informed of the types of different document that were available, nor provided lists of documents, so to some extent we were obliged to feel our way forward.
- **Inaccessibility of financial data:** Financial reports across the Governance and ROLS programmes appear not to have been well maintained or consistent. As a consequence it proved difficult and time-consuming to try and gain an understanding of the finances, which has significantly hampered any quantitative analysis that would otherwise be central to any evaluation of this kind.
- **Poor preparation in advance of the Evaluation:** Insufficient preparation had been undertaken in advance of the team's mobilisation. For instance efforts to convene the Reference Group were made with too little time in advance, in part resulting in less than half of the partners attending the inaugural meeting. Generally speaking, insufficient preparation exacerbated the challenge of accessing information and suitable people for consultation. Similarly, a large number of meetings was necessary in order to gain a sufficiently broad sampling of opinion, and many meetings were delayed as interviewees were travelling, having been given little to no prior warning that the Evaluation was to undertaken at this time.
- **Absence of pre-existing evaluation information:** Most critically, due to the absence of a coherent monitoring and evaluation system within UNDP Somalia we found virtually no data that monitors outcomes, making the task of the evaluation immeasurably more difficult.

Given the above factors, and especially because no independent evaluation has been undertaken since the inception of the partnership, the resources allocated to this evaluation were inadequate to the task at hand. We have only been able to conduct a relatively light evaluation at the programme level, not an evaluation at the project level.

We have sought to compensate for these problems where we could, for example by:

- Lengthening by one week the amount of time we spent in the field
- Conducting as many interviews as possible
- Carrying out telephone interviews with beneficiaries located in Somalia

In the case of some findings we have sought information from other conflict-affected countries in order to check whether the Somalia findings tallied with experience elsewhere. Initial drafts of sections were prepared by the team member responsible for that section and then submitted for review to other team members. The team leader managed the editing, review and finalisation of the report. In line with ASI's own quality control procedures an ASI director not part of the evaluation team reviewed the final draft. Overall responsibility for the judgments and recommendations in the final report lies with ASI.

Recommendations for future Evaluations

In the case of future evaluations we recommend that:

- Particular efforts are made to enable the evaluators to get into the field
- Documents are provided to the evaluators at least two weeks in advance
- Descriptions of types of other documents available and lists of them are presented to the evaluators at least two weeks in advance
- Contact details for Government counterparts and other beneficiaries are prepared in advance
- Overview financial data is prepared and distributed in advance
- Requests for additional documentation made to the implementing agent being evaluated are fulfilled by the implementing agent with 24 hours of the request

If these things are done then future evaluations would be considerably more efficient.

3. EVALUATION OF THE PROGRAMMES

The overall political context is a critical backdrop to the programmes. The period 2006-2008 (and into 2009) saw three major changes in the balance of power in south-central Somalia and in competition for control of this region and the national capital, Mogadishu. This posed significant challenges to development actors. By contrast the situation in the self-declared independent Republic of Somaliland and the self-declared autonomous Puntland State of Somalia remained relatively stable. Understanding that context is important and we have set out a fuller analysis in appendix 1. We deduce that the following are the key implications of the political, development, security and likely future context in Somalia for this evaluation:

- Political changes during 2006-2008 were major and must be borne in mind when evaluating the Strategic Partnership and the programmes and projects which it supported.
- Any future partnership or alternative arrangement, and programmes and projects, must not only be theoretically ready to respond to political changes but must do so in practice.
- The partnership (or alternative arrangement) and programmes must be informed by political and conflict analyses which are regularly revisited and updated.
- The very small size of government budgets in Somalia is itself likely to limit the impact of external assistance.
- There is a significant risk that the donors and UNDP's concentration in Nairobi, rather than in-country, leads to the pursuit of highly ineffective 'virtual development' i.e. development by proxy.

3.1 Rule of Law and Security Programme [ROLS]

Overview

An overview of the background to the ROLS programme is set out in appendix 2. Those unfamiliar with the background are advised to read this first. To summarise, the overall goal of ROLS is to strengthen rule of law and security and its anticipated outcome is improved security and protection under the law for all Somalis. The programme has been split into three phases:

- Phase I - 2002 -2005
- Phase II - 2006 - 2008³
- Phase III planned from 2009 - 2011

The documented phases are not based on anything other than time. The transition from one phase to another, whilst referencing 'lessons learned' do not appear to take cognisance of the progress or otherwise of the individual components. The overall approach of Phase II was to consolidate achievements in Phase I and expand the scope of the programme in all regions of Somalia. The overall goal was to strengthen the rule of law and security through the creation and development of competent police and judiciary, bolstered by security initiatives to demobilise militia and downsize standing security forces, control small arms and address the challenges of landmines and UXOs

Programme coherence

Integral to the strategy adopted was the recognition of the need for synergy within the ROLS programme. Particular emphasis was placed on the need for matched progress in law enforcement and judiciary; acknowledging that when progress is lacking in one of these areas, it has a detrimental effect on the sustainability and achievement in the others.

The strategy recognised the need to be responsive to the geo-political situation; the specific dynamics, needs and priorities of geographic areas given the varying levels of security and different political realities in Somalia.⁴

Whilst some synergy does exist at the component level, it is not evident at the programme level. Indeed, it seems to follow a silo approach. UNDP states that their project management approach is based on PRINCE2 principles.

³ The Strategy for Phase II is set out in the UNDP document 'Rule of Law and Security, Programme Strategy, Phase II, 2006-2008.

⁴ See pages 5, & 16-17.

There was nevertheless little evidence of the programme regularly following the required or an appropriate methodology that would deliver the necessary checks and balances that one would expect to satisfy a Senior User, Project Board or Project Sponsor. Local agreements between components do not constitute programme policy and indeed can inhibit it.

Phase III

Phase III recognises the need to ensure inter-project synergies for the programme; for monitoring and evaluation and for the need to hold institutions and counterparts to account with greater emphasis on human rights. At the start of this new phase, one could ask legitimately why the governance and ROLS programmes are not closely linked. No evidence of lateral connections was presented.

As a precursor to Safety & Security support and key to ROLS success is multi-centred decentralisation, ownership by the community and the need for oversight and local governance without which there can be no local legitimacy. A lack of local legitimacy undermines sustainability since when funding is withdrawn there is a risk of sliding back into lawlessness.

An argument has been presented that the Transitional Charter required a regional, not a centralised approach. Therefore the TFG approach violates the Charter through an OAU & Western emphasis on the central state. Confusing state building and peace building creates problems with national institutions such as the police. It ignores reality and attracts little or no support. It is alleged to be non-consensual and illegitimate to many who ask “where is the local administration that supports the institution?” The creation of a local transitional police force under the Joint Security Committee⁵ mechanism can be a way forward as a practical programme step that would not negate local ownership, and this approach emanating from the Naivasha conference is to be commended.

The DFID Assessment in 2004 made reference to the need to think through the required linkages between rule of law and security (e.g. suggested joint work on army and police strategic reviews). There is still a need to regularise the military position. This is outside the remit of UNDP, but not of UNPOS.

Judiciary & Rule of Law should be the centrepiece of any SSR Strategy, as in the absence of a judicial system providing proper oversight and accountability one cannot have a proper police force. Thus, interventions in the absence of such oversight provide a real chance of fuelling militia activities resulting in Human Rights Abuses. The negative consequences readily became apparent in the adverse media publicity in June and December 2008.⁶ It is unclear why little institutional support has been provided, for instance to Ministries of Interior, to bolster such oversight functions.

All the feedback indicates that Somalis get it right with local community based approaches and solutions because this makes cultural and political sense for them. Evidence presented to the Evaluation Team suggests that the Mogadishu Police Advisory Council and the SAACID initiatives are positive examples of the gains that can be made if such community based approaches are adopted. We describe the Police Advisory Council initiative in appendix 3.

Monitoring and Evaluation

The 2004 DFID assessment put forward clearly the following precondition for DFID assistance to ROLS: *“We thus recommend as a matter of urgency that Monitoring and Evaluation expertise be made available to ROLS. This should be a pre-condition for substantive DFID resources”*.

The bombing in October 2008 in Hargeisa by South Central activists raised the Security Phases in Somalia to Phase 4 in general and Phase 5 in Mogadishu. This resulted in a programme review and reprioritisation in November 2008. Nevertheless, this would have only had an impact on service delivery for the last quarter of 2008 and would not have impacted on the ability to deliver during the first two years of Phase II and the first three quarters of 2008.

Despite the fact that in its December 2004 assessment DFID made it clear that *‘A strategic orientation needs to be backed up by adequate monitoring and evaluation systems as well as the recommended political analysis’*, it has taken the bombing at Hargeisa towards the end of Phase II to initiate a refocus and reprioritisation of the programme; although a risk assessment was undertaken earlier that same year.

⁵ See Final Report for the TFG & ARS Joint Security Committee [Naivasha] 20-24 November 2008.

⁶ See Rob Crilly “British Taxpayer funds Somali Police Force for regime accused of War Crimes”, Times on line 2 June 2008, and Human Rights Watch 08/12/2008 pages 10,23-24 and 50-52

Assessment of Phase I by DFID in December 2004 highlighted the main achievement as being the re-establishment of trust between the Somali counterparts and donors by delivering a number of activities. Speaking to Somali counterparts, that trust is now in question, particularly in respect of recommendations 4 & 5 below. Somali counterparts suggest that interventions are designed by UNDP and imposed without community consultation or ownership.

The DFID assessment made seven Key Recommendations:

1. The need for a more strategic approach
2. The need to be more explicit about the time frame and resources needed
3. Base interventions on political analysis and risk assessments
4. The need to enhance ownership and accountability
5. Base interventions on perceptions of service users
6. Better baseline data and assessments
7. The need to support a strategic approach to reform

It noted, *inter alia*, that in order to make the programme more manageable, and to rebuild credibility with partners, UNDP adopted a quick delivery, visible impact approach, based on annual work plans and that these had become the main management tool to plan, deliver and report on activities. The assessment noted that this approach had a number of potential drawbacks. It can lead to setting out a larger number of activities than can be delivered during the year in order to secure funding and it does not allow for the identification of process and impact indicators.

This approach is still in evidence. The Programme is still driven by promulgation of these plans that form the basis of requests from donors, with no discernible link to the originating strategic plan. The Annual reports list a series of activities with no evaluation of their impact or contribution to the outcomes or indicators.

An additional danger of this approach is that funding and spend are difficult to track. Donor money may be diverted from the original objective. That said there is a view from some within UNDP that they should have total freedom to redirect donor money to achieve a more flexible approach without having to go back to the Strategic Partners. Whilst such a view is understandable from an operational perspective, it is unlikely to be acceptable to the major donors who have their own mandates and imperatives to consider, not least their responsibilities to their taxpayers. It is obviously a balance that needs to be struck and requires confidence and trust between the donor partners and UNDP as the chosen implementer.

Whilst the strategy acknowledges the varying degrees of security and the different geo-political realities it does not reflect them clearly enough in their outputs and indicators, thus the programme as a whole can only be considered to have delivered partially against its stated outcomes, but that does not mean to say that individual initiatives have not been successful. Additionally, there is no doubt of the commitment by individuals to achieve individual results within the individual components

ROLS looks as though it is component driven and built from the bottom up, without an overarching strategy for the programme as a whole. Both UNDP staff and donors find the presentation of documentation confusing and would wish it to be simplified. A lack of comprehension inhibits the potential for synergy. Although comment is made about the need to match progress, it does not appear to take cognisance of this. There is a need for clear criteria outputs and benchmarks with finite projects and interventions in components.

Finance

Tracking ROLS spend for the years 2006-2008 has been problematic. Whilst each annual financial report has the same coding, the analysis of the data in the annual report for each year has been different. In 2006, the analysis reflected the components. In 2007, it reflected category. In 2008, it reflects both category and region, but not component. Additional data have been found in years 2007 and 2008. To ensure the consistency of the evaluation, the core data have been reconfigured and rounded, thus total figures will not exactly reflect those promulgated by the ROLS finance team. The figures quoted reflect all donor spend and not just that of the Strategic Partners.

The change in annual reporting styles each year is not conducive to tracking what is actually happening and lacks transparency as to what is included in each budget line. Normally one would expect explanatory notes to accompany the financial reports. They are not contained within the narrative of the annual plans. There is no explanation as to what has happened to the budget under spend for 2006, or why money from one donor destined to be spend in the

two years 2008 & 2009 was all spent in the first year. Donors require the financial reporting to be timelier and more transparent. Other than for the EC, donors complain that no real cognisance seems to be taken of their own reporting regimes.

In evaluating the success of ROLS there are two discrete determinants. One relates to value for money (VfM), in terms of achieving the identified outputs and the other relates to the political imperative to support and to be seen to support the government. In terms of the latter it is a political and not a business judgement.

In terms of the former, the documented outputs for 2006-2008 have not been achieved to any significant extent despite an actual expenditure of some \$26.27M over three years on the core parts of the programme. It may be of course that the ratio of expenditure to outputs/outcomes was no worse than in some other conflict/conflict-transition contexts. Iraq is an example of much higher expenditure on ROLS with poor results, at least in the initial period of expenditure. That said, an initial approach that sought to embrace local communities and thereby legitimise interventions may potentially have achieved better outcomes.

It is interesting to note over the three years that 63% has been spent on administration, personnel and general management.

Table 1

	2006		2007		2008		Total	
	Spent	%	Spent	%	Spent	%	Spent	%
Budget \$M	14.06	39%	11.04	31%	11.06	31%	36.16	
Coordination	1.44	18%	1.79	25%	1.28	12%	4.51	17%
Law Enforcement	3.06	38%	3.03	43%	5.2	47%	11.29	43%
DDR	2.09	26%	1.02	14%	2.21	20%	5.32	20%
Judiciary	1.55	19%	1.2	17%	2.4	22%	5.15	20%
Total	8.14	58%	7.04	64%	11.09	100%	26.27	
Technical Assistance	3.06	46%	3.51	32%	5.3	37%	11.87	37%
Admin & Personnel	3.26	49%	6.87	62%	8.21	57%	18.34	57%
General Management	0.38	6%	0.67	6%	0.95	7%	2	6%
Total	6.7	21%	11.05	34%	14.46	45%	32.21	

Of the expenditure, cumulatively 43% has been spent on Law Enforcement with 20% on each of the other two main components. This imbalance probably has more to do with donor predilection for funding police interventions, usually couched in community policing terms, than to a balanced rule of law approach. The remaining 16% falls to coordination.

Table 2 reflects the Regional spend that is only for the year 2008 and is drawn from draft figures. The spend does not include a contribution from Japan of \$1M, apparently passed through to IOM⁷.

Table 2

	% of LE	% of Jud	% of DDR	% of ROLS
% Somaliland	39%	34%	63%	38%
% Puntland	32%	26%	19%	24%

⁷ Said to be in respect of spending on 'immigration of IDPs.'

% South Central	29%	40%	18%	26%
% Coord				13%

Funding for ROLS is on an annual basis. The original partnership agreements with the Strategic Partners only allow allocation in accordance with criteria laid down by them. To activate release of the funds a semi-proposal for spend of the tranche is required. The partners reply with a view as to balance and once satisfied issue a letter for payment. This can cause cash flow issues if the release of funds is delayed through the need to seek clarification or internal transaction issues relevant to the particular strategic partner. When the funding arrives in New York the projects are alerted and can begin spending in line with the budget.

Project component implementation

Each component has outputs and indicators assigned to it with discernible interventions described in the narrative. Details of activities in each component can be found in the Annual Work plans and reports for the years 2006-2008 respectively. Their relationship to the overarching strategy has already been alluded to.

Law Enforcement

DFID's 2004 assessment recommended that "ROLS work needs to be grounded on a policing strategy, accepted by the Government of Somalia and the authorities in Puntland and Somaliland, to which UNDP and the international community can relate".

A top priority for Phase II was the reactivation of the Somali Police Force in South Central where policing functions are undertaken by uncoordinated groups that are neither accountable to the law nor to local communities.

It appears that the strategy for the output emanated from the strategic reactivation plan⁸ for the Somali Police Force that was prepared following a UNDP sponsored three week seminar held in Kampala in the autumn of 2005 and was designed for implementation in at least three years. The necessity for such a plan was identified in the DFID Assessment 2004.⁹ In essence, the strategy is a post conflict blueprint for the development of a national police force.

Given the geo-political realities, in practice, the strategy could only relate to South Central a region of the country that was still in conflict. It acknowledged the reality of the present situation and particularly noted that in the South Central region the situation was that the policing function was not being undertaken by the SPF.

Indeed, to extend the mandate beyond South Central would ignore the geo-political factors - that the political and practical realities are that the police in Somaliland and in Puntland would be unlikely to merge with an SPF. In respect of Somaliland, there needs to be a political solution to the declaration of independence before the strategy could be implemented. This did not make the strategy wrong in itself, but there needed to be an acknowledgement that at best all that could be achieved under the programme was a move towards compatibility and harmonisation from a project perspective. From a conversation with the Deputy Commissioner, it appears that the Annual Development plans, objectives and actions were never taken forward. The Strategy is still valid and it is recommended that it be formally revisited in Phase III. Also, that the annual development plans, objectives and actions strategy be redrafted and reconfigured to reflect what is realistically achievable in the time available.

As part of the Law Enforcement Programme in South Central, in 2006/07 some 90 SPF police officers were trained in Uganda for three months. The first month was devoted to organisational issues and the remainder to a train the trainer course. These trainers were then used to recruit and train some 2,700 recruits in Armo, under the supervision of the Ugandans. Of the 90 Officers originally sent to Uganda 80 are to undergo further refresher training in Kampala before the end of April. Of the three training centres in South Central the one at Baidoa is inaccessible as it is in al-Shabab hands. The two in Mogadishu are 90% complete. Training is to start in March with the intention of training 4,000 recruits by the end of the year.

Whilst there is an organogram for the police in each of the regions, the reality is somewhat different. The police in Somaliland are poorly paid, those in Puntland are currently not paid and this has also been the case for the UNDP

⁸ See 'A Strategic Development Plan for the Somalia Police Force, "A new beginning"

⁹ See Recommendation 4.3.1 para 116 "To consider the strategic direction of police reform and the drafting of a strategic development plan for policing in Somalia. This plan should inform all future action and be a route map that the UNDP and other international donors can support."

trained police in South Central.¹⁰ When police officers are not paid, they either fail to report for duty, or resort to other means to secure funds to support themselves and their families.

In South Central the senior command team are ex military officers and as such have not been trained to either operate as police officers or to command a police service. There is a vital and urgent need to give them this training. If the Naivasha conference agreement¹¹ to increase the SPF to 10,000 is implemented¹² over the life of Phase III without such action, there is the real prospect of déjà vu, with other critical elements such as civilian oversight and proper command training not being put in place.

It appears that since the bombing in October last year in Somaliland, there is a renewed appetite within the Somaliland Ministry of Interior for police governance and oversight. This happily coincides with the appointment of the new component manager who is keen to ensure that in addition to conducting recruiting and training exercises, parallel work is undertaken to restructure the police organisations in Somaliland and Puntland and to ensure that proper command and control mechanisms are put in place to enable an environment in which police professionalism can develop. There is an intention to appoint a police institutional development adviser rooted in police governance skills with a view to developing best practice. This approach is to be applauded and is recommended to be an early consideration in all the regions. This is an essential requirement of all police capacity building programmes and should be an early consideration.

Support has been given to the police academy in Somaliland for the training of 1,500 officers. Although supported by UNDP, it has been run by the Somaliland police themselves. The 2009 annual work plan for Somaliland proposes to build capacity in the management of investigations, broadening police governance and the understanding of the concept of policing.

Somaliland has 22 middle ranking officers on University Scholarship funded by UNDP. They form part of a strategic development team which is working towards developing a five year police strategy. The Minister of Interior provides sole oversight with no community involvement such as the PAC system in South Central. This should be rectified.

Stipends are paid by ROLS for the SPU and the Police Academy, together with an allowance for MOI. The Government is giving the police a salary and/or food ration, but the budget is limited.

Puntland was fairly stable until December 2007. It has a weak infrastructure, but no revenue. Other than the stipends paid to the SPU, the police are not currently paid. Puntland is engaged in a border dispute with Somaliland and with pirates on the east coast. These factors, together with the fact that their best police were sent to Mogadishu to support the previous president who emanated from the region, have contributed to a deteriorating situation. 75% of the Puntland police are illiterate and poorly trained. Access remains a problem with the potential for kidnap very high and the distortion relating to piracy activities. On a more positive note, in April, 60 station commanders are to be taken to Kampala for training in the first steps of Management.

Special Protection Units (SPUs)

During Phase I, following the killing of internationals in Somalia, Special Protection Units (SPUs) in Somaliland and Puntland were established specifically to provide protection to UN and international agencies operating in the northern parts of Somalia, through the provision of static guards, personal protection and convoy escorts. The creation of these “special” units was achieved through the backing and cooperation of the two governments and support from UNDP’s ROLS programme.

The first SPU was established in 2003, in Somaliland, at a time when international confidence in security had been severely undermined. A similar unit was later created in Puntland in 2005.

The DFID Assessment in 2004 made comment that *‘the SPU is an expensive tactical response....the SPU needs to be put into a strategic context and to be developed into a specialised appropriately equipped and armed, well trained support group to help facilitate successful and effective community policing’*. This has not happened. It remains in its original format and has been the subject of adverse comment with respect to its effectiveness.¹³

¹⁰ See section on police stipends

¹¹ Supported by the Djibouti agreement.

¹² UNDP proposes to train an additional 4,000 this year

¹³ See Rob Andrew, ‘An Evaluation of the Special Protection Units of Puntland and Somaliland for UNDP Somalia’s Rule of Law and Security Programme’ 2007.

A number of recommendations were made to improve the effectiveness of the SPUs. These appear largely not to have been implemented. An official of the Government of Somaliland expressed his concern to us about the weak condition of the SPU there.

Payment through UNDP [ROLS] consists of two elements namely fees and daily service allowances. In addition, the Somaliland SPU staff are paid a salary by the government, but this is not the case in Puntland.

Protection in the Mogadishu area since the 1990s has been provided by the Blue Shirt Organisation funded by UNDP, but controlled by UNDSS to provide armed compound and escort security as well as retain a small quick reaction force. There was also a similar, but smaller arrangement in Baidoa. The staff were directly employed by the owners of the UN Compounds in the town. Contractual arrangements for the Mogadishu Blue Shirts have now also moved to the Landlords and all the security is unarmed. Part of the AMISOM mandate is to provide security for the UN compounds.

Telephone interviews with UNDP project staff in Puntland indicated that 70% of the ROLS budget for 2008 in Puntland was spent on Law Enforcement. Of this 80% was spent on training, capacity building and stipends for the SPU. The remaining 20% was in general support of the police through the provision of vehicles and communication equipment.

This percentage does not match the figures provided by the finance office. Their figure indicates that 57% of ROLS budget for 2008 in Puntland was spent on Law Enforcement. Thus, given that it has been stated that the SPU do not have a normal policing function, it could be said therefore that 46% of the total ROLS Budget for 2008 in Puntland was spent on protecting the humanitarian and diplomatic community alone and does not contribute to meeting the Law Enforcement needs and expectations of all Somalis. It is recommended that, in light of the fact that protection costs will always be necessary to ensure continuation of service delivery outputs, they should nonetheless be accounted for separately.

Stipends

Reference has already been made to the 2,770 South Central Police officers who were trained in the Armo Police Academy in Puntland. The Academy is currently commanded by an officer from the SPF and the majority of the trainers are also SPF.

These officers were entitled to receive a monthly stipend of \$100 from UNDP which was supposed to represent half their salary as a pump priming exercise. The other half being paid by government, albeit that this was never forthcoming. Although the payment was handled by ROLS it is funded from the SISP project in the governance programme. Once engaged in this sort of exercise, it is a difficult activity from which to withdraw whilst maintaining stability.

In July 2008, the EC, along with DFID, withdrew authorisation for payment to police because of the allegations of human rights abuses¹⁴ and the lack of a mechanism or process to follow them up by the TFG. At this time UNDP were still on the ground. It has taken seven months to put in place an acceptable system to allow the EC to re-authorise payment. It should be noted that all UNDP activity in South Central is now handled remotely given the security phase and the fact that there are no slots allocated to UNDP for the region. Whilst it was difficult before, it is now impossible to monitor what is actually happening other than through local agencies. DFID is not prepared to agree to reauthorisation in respect of its contributed funds.

The issue of the payment of stipends is contentious and conflicting views are given. To some, payment is essential to ensure loyalty and command. The Deputy Commissioner made the observation that the lack of certainty of payment resulted in increased absenteeism throughout the SPF and that requirements to attend for duty were not met. Others argue that it has no merit and point to the fact that after the current Police Commissioner was appointed in 2006, contrary to the SPF Strategic Plan,¹⁵ 2,200 SPF were reactivated and have been paid by the Commissioner from local funds. These police officers still received payment when the donors withdrew their authority. It is argued that if the commissioner can pay the reactivated officers he could probably pay everyone, if he were so minded. Revenue *per se* for the region does not appear to be the issue, but rather to where it is diverted.

¹⁴ See Rob Crilly "British Taxpayer funds Somali Police Force for regime accused of War Crimes", Times on line 2 June 2008, and Human Rights Watch 08/12/2008 pages 10,23-24 and 50-52

¹⁵ See 'A strategic Development Plan for the Somalia Police Force, "A new beginning"

It is this issue that attracted so much adverse publicity not only from the articles in the UK press, but also from Human Rights Watch¹⁶ who posit that direct financial support to the SPF as a policy approach through ROLS is flawed and poorly conceived from the outset, given the fact that widespread abuses are reported to be committed with impunity by the police. Further, it is argued that owing to poor accounting mechanisms there is a real danger that donor money will reinforce militia politics by falling into the hands of the militias and their leaders, thereby hindering legitimate operations.

A key question can thus be posed: Did the donors and UNDP adequately discuss the implications of paying stipends to the police? Incidentally, it is worth noting that during 2006 the ICU managed to bring more law and order to Mogadishu than at any time in the previous 15 years and they did this without external assistance.

Discussions with Somali civil sector counterparts who had left Mogadishu two weeks before our meeting led to three disturbing comments. The first indicated that the people who were trained were not police, but rather militia members who kill, rape and loot just like the others. The second related to the selection of the staff who were trained by UNDP alleging that it was not done properly.¹⁷ The third is that there is no discipline, control or oversight function by the Ministry of Interior that is starved of resources. The issue of selection was further explored and it appears that since the appointment of the current Commissioner, the criteria for recruitment selection has not been met thereby giving credence to the observations advanced by Human Rights Watch.

The Evaluation Team has had no opportunity of exploring this further and cannot of course come to a definitive view on the veracity, or otherwise, of any of the allegations. However, given the potential for negative consequences we take the view that donor money should certainly be used to provide support for proper oversight and accountability by both the Ministry of Interior and the Police Advisory Council in terms of recruit selection and operational performance.

Given the intention under ROLS to train a further 4,000 SPF police officers in Phase III and that these will also attract a stipend payment of a minimum of \$100 per head¹⁸, the payments will rise to at least \$8.2M per annum. Should the Naivasha and Djibouti agreements be implemented this figure will rise to at least \$12m per annum. This does not take into account the SPU unit and police academy payments in Somaliland and Puntland which are funded directly from the ROLS budget. A benchmarked exit strategy needs to be determined, by reducing payment, in stages, over an agreed period of time.

Of those that were trained by UNDP in Mogadishu, it is believed that about 2,000 are still under some form of command, but, without the ability to effectively monitor on the ground, no-one is sure of what the real picture is. The reactivation of the stipend payments should provide more accurate figures.

If one is to avoid engaging in damage limitation exercises and the inherent and wasteful dangers of turning on and off the financial tap, the payment of Stipends alone is not sufficient and liable to being counterproductive unless supported by simultaneous and complementary activity as a coherent package. So, for example there should be four elements to the package of re-establishing the police in South Central:

- The recruiting and training of police;
- The payment of stipends;
- The training of the Senior Command;
- The development of oversight and accountability mechanisms.

Should any of these components fail, the package will fail.

Judiciary

In developing the judicial component it is important to keep revisiting the documented strategy and to ensure the separation of powers and the independence of the judiciary; to set up structures that enable oversight, transparency and the dismantling of the culture of impunity.

A baseline has been completed for all three regions.

¹⁶ Human Rights Watch 08/12/2008 pages 10, 23-24 and 50-52.

¹⁷ It was meant to be on a 4.5% clan formula, but according to various commentators was in fact biased.

¹⁸ Constable - Captain \$100, Major – Colonel \$150, Generals \$300, Deputy Commissioners \$900, Commissioner \$1000.

Somaliland is something of a success story.¹⁹ It has moved from a Phase II to a Phase III²⁰ approach. The Judiciary are being paid by the Ministry of Finance and there is evidence of the development of codes and procedures together with an emerging Bar Association. A Strategic Plan for the Judiciary was prepared in 2008, together with identification of a ten point priority action plan and costings. These were accepted by the President. Work remains in progress including Juvenile Justice.

Additionally, an oversight mechanism, code of conduct & judicial monitoring mechanism has been put in place through the High Judicial Council.

ROLS has moved away from the provision of international technical assistance towards support to legal education. This is to be applauded as a sustainable approach consistent with the desires of the Minister of Justice placing emphasis on legal education with scholarships for women and minority groups.

Access to justice is provided through the Hargeisa Legal Clinic established 4-5 years ago. Last year it dealt with 600 cases for Hargeisa which is where the main courts are located. It is intended to replicate this in Boorama in 2009. Apparently there is some difficulty with Hargeisa University which wants to wrestle the administration of the Legal clinic away from them and thereby compromise their independence. This issue is still unresolved, but has attracted the attention of the Minister of Justice. 100 lawyers practice in Somaliland of whom 6 are female. ROLS continues to work with the Bar Association.

The Minister of Justice complained to the Evaluation Team about UNDP bureaucratic delays in funding. He cited a prison build scheduled for six months that took two years to complete. He considers that Somaliland is capable of managing itself, but simply requires funding as the government has a very limited budget. He advises that it is very difficult to recruit judges as good people would rather work for NGOs at a higher salary than for the public service.

UNDP has supplied six vehicles last year for use as mobile courts. An assessment of impact is to be undertaken in 2009.

Puntland was raised to security phase 4 after the 1st Quarter of 2008 owing to the prevalence of kidnappings.

The strategy has been to focus on access to justice. Many district courts are not operating and there is little legal representation. Three vehicles have been supplied as mobile courts which travel around the districts with a Judge, Prosecutor and lawyer on board.

Puntland is still in its infancy suffering from a lack of resources and weakened institutions, with no supporting infrastructure; particularly the Ministry of Justice. 95% Judges are not legally trained and the region has only 14 lawyers mainly in the port town of Bosaaso. No lawyers are working in the Ministry of Justice. ROLS has assisted in reactivating the Puntland Bar Association which collapsed in war and the Legal Aid Programme that uses paralegals operating from 3 centres. There is no other assistance other than through UNDP.

In 2008, ROLS assisted in the establishment of a Law Faculty in University of Puntland in Garowe and is providing scholarships for 46 law students. It has recruited 3 senior lecturers and 2 professors.

The challenges for the future have been identified by the Puntland counterparts as the need for harmonisation of laws, to tackle poor security and to build on the limited capacity of Ministry of Justice and Bar Association. Thus, there is a need for international technical assistance to improve management skills and for capacity building.

In the short term, as a coping strategy for the lack of international technical assistance due to the security situation, ROLS is working with local NGOS and traditional leaders to harmonise the laws. To date, local NGOs have held 3 regional conferences on customary law. In South Central, nothing is currently operating because of the security level. For practical purposes the whole of South Central is treated as security phase 5. All activity is taking place remotely through local partners.

It appears that there is no functioning judiciary in South Central. Training ended with the worsening situation, the withdrawal of UNDP and a lack of availability of serious counterparts to continue the work. Judges were being killed and required protection as they were associated with the TFG.

¹⁹ Details found in Annual Reports 2006-2008.

²⁰ See International Assistance Framework for the Security Sector in Somalia

However, the legal aid programme in Mogadishu is still functioning using a local NGO and the women's Bar Association, but not in Baidoa because of the threat posed by al-Shabab. The Law Faculty of University of Mogadishu still exists. Out of country training for lecturers has been provided and 30 scholarships are being funded. Support to the Law Faculty of Hamar University will start in 2009.

Disarmament, Demobilisation and Reintegration (DDR) and Small Arms Control (SAC)

This component was taken over from GTZ in 2003/2004. The strategy for DDR has been based on 'right sizing' the security forces to free up financial resources so that they can be diverted to social and productive sectors.

DDR requires preconditions such as:

- Peace Agreement;
- Political buy in;
- Agreement between parties.

Where this can go wrong (and indeed did go wrong) was demonstrated after the Puntland DDR exercise. The conflict increased with Somaliland. Young people were recruited to replace the old and infirm ones who were demobilised and the donor community was accused of fuelling conflict. The DDR plug was pulled in Puntland and Somaliland in September 2008, taking into account an evaluation of the Project.²¹

There have been two programmes in nine months in Somaliland and Puntland. The latter was an arms reduction requiring the registration of all the security forces and whilst there is evidence that sixteen thousand have been disarmed there is no evidence that financial resources have been made available for development spending as a consequence as originally intended. It should be noted that there is no provision for the funding of retirement packages by the donor communities or by the regions themselves.

DDR is not being considered in South Central. However UNDP has funded work undertaken by the NGO **SAACID**. This is something of a success story (described in detail in appendix 4). Essentially it involved weapons decommissioning followed by literacy and numeracy training then specialised business training accompanied by micro-grants.

Partly as a consequence of the success of the SAACID model, it is now considered appropriate to move towards Community Based Violence control in Phase III, rather than to engage with traditional DDR. Following an evaluation of DDR in August/September 2008²², a new framework was set up to deal with the closing of DDR over six months.

The component is now moving to a Community Safety and Security Approach to conflict management with a project entitled 'Strategy for Armed Violence Reduction'. DDR is an element of the approach and not the component itself.²³ This is more consistent with Somali culture and more sustainable. Equally it reinforces the traditional role of the elders that has been eroded during the two decades of conflict, particularly in South Central and has attracted the support of Somaliland counterparts for the reasons given.

Small Arms Control (SAC)

The Strategy for SAC is based on community registration and control rather than on arms collection and destruction. It is claimed to be community driven and has received positive feedback from the Somaliland counterparts. SAC is only active in Somaliland. The project is supported by new firearms legislation that is awaiting enactment. By the end of 2006, 8,500 weapons had been registered in the two urban areas outside Hargeisa.

The purpose of the programme that was run in Somaliland was to control weapons proliferation through registration. The upside is that it sensitises people to the issue of being responsible with their weapons. The downside is that it legalises weapons that would otherwise be illegal.

Registration is not an end in itself, but rather a preparatory phase to a fuller small arms control project whereby weapons can be controlled, tracked and traced back to their owners. As elsewhere in the world, weapons will always be a feature of Somali life.

²¹ See Desmond Molloy, UNDP ROLS – DDR/SAC Program, Somalia. Tokyo University of Foreign Studies, August/September 2008

²² Ibid

²³ However, a DDR capacity still needs to be retained because of the nine month lead in time required to effect a DDR intervention.

SAC does not feature in Puntland or South Central as the preconditions are not in existence. It is intended to roll it out in Puntland and to work with the Law Enforcement component by building a SAC element into the police.

Mine action

This component falls outside of the Strategic Partnership and its funding and therefore has not been evaluated. There is no evidence that it has ever been evaluated.²⁴

It is worth noting that whilst the component relates to mine action, the main problem relates to Explosive Ordinance Devices [EODs] left over from the continued fighting and the war with Ethiopia.

Somaliland and Puntland have been successful in setting up Mine Action Centres (MAC) and in reclaiming land. It is now reported to be 70% clear. The MACs now have the capacity to coordinate mine action activities and UNDP are looking to pull out. The security situation²⁵ has adversely impacted on the project as there is a need to comply with international mine action standards which require international supervision on the ground.

Heretofore, the UNDP delivery has been outsourced to UNOPS who have the technical expertise. Whilst this arrangement will remain the situation in Somaliland and Puntland, responsibility for South Central will pass to UNMAS at the end of March. The rationale has more to do with the use of available slots than technical competence.

Human rights and gender

This is a cross cutting component that is mainstreamed into programme initiatives throughout ROLS and therefore has not been evaluated as a separate component. The activities cited in the DFID Assessment in 2004 appear to have now extended beyond Somaliland.

It is worth noting that the lack of effective state institutions has meant that fundamental rights are not guaranteed. The Phase II Strategy has been to ensure a continued focus on its efforts to conduct joint activities with the law enforcement and judiciary components and to continue to build the capacity of civil society. As such, it has been approached as a capacity building exercise.

This component has appeared as a separate identity in the 2008 finance report for the first time. However it remains in Phase III as a cross cutting issue integrated into other activities rather than a separate component.

3.2 The Governance Programme

3.2.1 Review of the governance projects

The contribution of the UNDP-Donor strategic partnership to the Governance programme since 2004 has been through a variety of projects. It is not completely clear how and why activities were divided between the projects. It is now planned to bring these projects under the framework of the SIDP. A brief note on the governance context for these projects is contained in appendix 5. Those unfamiliar with the context are advised to read this first.

These projects and other governance related projects represent a major investment amounting to \$95.74M:

- SICAD - \$12.3 M over three years
- Quest - \$1.4M over two years
- ETA - \$0.760M over three years
- SCMSp - \$21M over two years
- Start-up Package (SUP) \$14.7M over six months
- Somalia Institutional Support Project (SISP) \$25M over three years
- Joint Programme on Local Governance and Service Delivery (JPLG&SD) \$44M over first two years of a five year project
- Media and Civil Society Project \$2.6M over next two years

²⁴ Neither was it assessed by DFID in December 2004.

²⁵ Requiring available slots.

Our overall finding is that while fitting within the broad objectives of the Strategic Partnership these projects were disparate and together did not form part of a coherent and comprehensive governance programme and as a result their contribution was fragmented and incomplete.

General comments on the design of the above projects and the sub-projects within them are that: a) it is not clear that the project documentation was based on a thorough problem analysis, b) objectives and outputs are not always clear, c) initial allocation of time and budget was usually insufficient, d) there was often an apparent lack of risk assessment, e) a lack of adequate provision for ongoing monitoring and evaluation, and f) complicated implementation modalities.

Some of the individual projects are discussed below.

3.2.1.1 The Somali Institutional and Capacity Development Project (SICAD)

The main foci of the project were:

- The establishment of a rigorous institutional and capacity development programme for the TFG and the administrations in Somaliland and Puntland, and to introduce a programme of civil service reform.
- Tertiary education and training providers in the development of Somali human capital in key institutions e.g. Civil Service Training Institutions in all three regions, and the creation and development of 3 permanent public administration institutes at Mogadishu, Hargeisa and Garowe.
- Provision of technical assistance to selected institutions with a human resource planning and coordination role and in development of macro and micro policies. These included Ministries of Planning and Coordination, Finance, Parliamentary Budget Committees, Civil Service Commission and technical assistance to the Central Banks in the three regions.
- Government initiatives to improve public policy making processes.

As a consequence of the broad scope of the Project, the SICAD implementation team worked with a large number of partners. The Government counterparts included the TFG, the Puntland State Government (PSG) and the Somaliland Administration (SA).

Resources	Donor	Award No	Amount US\$
Cost Sharing	DFID	SICAD – 00045227	2,776,762.00
Cost Sharing	USAID	SICAD – 00045227	1,993,000.00
Cost Sharing	World Bank	Capacity Building for Somali Planners-00044139	93,941.53
Cost Sharing	Norway	SICAD – 00045227	893,534.00
Total			5,757,237.53

It is clear from the SICAD annual Reports of 2007 and 2008 that these aims and objectives were too ambitious, wide ranging and complex. There have been considerable difficulties in achieving the desired results at the level of impact, an issue discussed later in this report. There are also serious issues with the accuracy of the reporting.

We have not been able to investigate individual activities in any level of detail. We have tried to look at some activities to a limited extent. For example we have looked at documents relating to the Puntland Civil Service Commission. Internal UNDP documents suggest that the exercise to develop this commission has been a failure. (See detailed comments in section 4.2.2 of this report). Looking at the expenditure on this activity it seems as if the main items were Commission staff salaries. It is difficult to understand how the relatively complex reforms could have been carried out by the Commission without substantive external advice. This is an issue which affects much of the assistance delivered under the Governance programme. We comment further in the section on the ETA project below.

3.2.1.2 Emergency Technical Assistance (ETA)

This project was launched in 2006 and was designed to assist the Transitional Federal Government (TFG) to establish key public institutions needed to formulate policies and strategies, and coordinate their implementation, monitoring and evaluation. At the beginning of 2007 the project was revised to include support to the states of Puntland and Somaliland.

The ETA project works with various TFG institutions including the Office of the President, Office of Prime Minister, and Office of the Speaker, the Integrity institutions and other Transitional Federal Government Institutions. In Puntland and Somaliland, TA implementation partners include Ministries of Planning, Finance, legislative and integrity Institutions.

Resources	Donor	Project Title/Award No	Amount US\$
Cost Sharing	DFID	Technical Assistance/ 53182	807,959
	USAID	Technical Assistance/ 53182	200,000*
	EC	Technical Assistance/ 53182	1,912,979
		Total	2,920,939

While there is evidence of considerable investment in TA inputs, there is little evidence of sustainable impact and the project seems to have made little contribution to the “functioning of state capacities at federal, state and local level for policy making, planning and oversight, including adoption of early recovery strategies”²⁶

For Puntland and Somaliland the ETA project focused on:

- Establishing a core team of advisors in collaboration with the World Bank, as an Economic Management Team with the responsibility to assess, develop and design a realistic economic policy, formulate comprehensive public budget and establish inter-institutional linkages with the other arms of the government (Legislative and Integrity Institutions)
- Providing support to the Parliament to strengthen parliamentary capacity on oversight and scrutiny
- Providing support to economic governance, including integrity institutions, decentralization and civil service
- Providing support to aid coordination and management

It is intended that this project also works to strengthen functional inter-linkages between the Legislative, the Executive and integrity institutions. It is predicted that “at the end of the project” although there are no clear time lines, “the institutions supported will be expected to:

- Have the basic infrastructure to function and be operational in terms of communications and computer software.
- Be able to produce the technical outputs required by their mandates (e.g. producing a recovery and development plan and national budget etc). A foundation will have thus been laid for the next phase of re-establishment of a fully fledged public service.
- A National Capacity building Strategy will be developed in conjunction with the NCSC to provide a comprehensive framework for future projects aimed at supporting the return of governance to Somalia”²⁷.

While progress may well have been made in Somalia and Puntland, the above aims and objectives are too ambitious and general and need to be reviewed to ensure that they are realistic. Objectives must be accompanied by objectively verifiable indicators that are SMART - Specific, Measurable, Achievable, Rational and Time Bound, so that the progress/impact of the project can be effectively monitored and evaluated.

We also have serious concerns as to the nature of the assistance provided. In many cases the main input is staff salaries at circa \$2,000 a month. The aims of the interventions are very lofty and ambitious, and seemingly quite out

²⁶ See goals of the EC and DFID –UNDP strategic partnership initiative

²⁷ See TA Mid-Year Report June 2008

of line with the modest inputs provided. For example, the Somaliland Macroeconomic Unit Activity was meant to achieve the following outputs, interalia:

- “Key Ministries and institutions in Somaliland are operational, efficient and effective for timely service delivery to the public
- Public sector reform and national capacity building strategies developed and implemented
- Transparent and accountable system of planning and budgeting is developed and implemented in a participatory manner
- Aid management and co-ordination systems and structures established
- Develop and implement national strategies for growth and poverty reduction and programs informed by timely policy analysis and research
- Training programmes are in place in core government services, such as strategic planning, financial management and service delivery”

And all this was meant to be accomplished by 7 people paid \$2,000 a month. We spoke about the Somaliland Macroeconomic Unit to one senior official of the Government of Somaliland who told us the following:

“The design of the project had a number of shortcomings. The advisers that had been hired were not of an appropriate calibre. The central problem was the arbitrary amount set for the monthly payment - \$2,000. You cannot attract good quality people with the appropriate skills for this sort of money. They needed a lot of hand-holding which they did not receive. There were no short-term experts provided to help them. One approach might have been to hire bright young people and provide them with a lot of hand-holding and support from experts who would come in and out on a regular basis, but that was missing entirely. There was no support from outside. The only outside contact we had was with the UNDP project managers who were very nice people but did not have the appropriate expertise.”

The point here is that although some generally effective members of the Somali diaspora can be hired for \$2,000 a month to serve in a long-term capacity, they will not have the specialised expertise to accomplish all their tasks. That needs to be supplemented by specialist short-term assistance.

Again if we look at the support to the Central Bank activity, another ETA project, we see a similar picture. The main outputs were supposed to be:

- 1) “Central Bank of Somalia is operational and efficient
- 2) A Policy and Research unit of the Central Bank available to provide support to core centers financial institutions
- 3) Transparent and accountable system of fiscal management, and monetary policy is developed and applied with consideration given to gender”

The main inputs, other than equipment, are four people paid \$2,000 a month and one person paid \$1,000 a month, supplemented by a little training. The rough job specs are as follows:

“A Banking Operations Manager: to develop the capacity for the bank to put in place banking systems
A Supervision Manager: knowledgeable in the latest supervisory techniques.
A Capacity Building/Human Resources Manager: to facilitate human resource administrative procedures
An Advisor on Banking and Macroeconomic: to provide policy advisory services to the bank management.”

In fact this activity has not yet gone ahead because of the situation on the ground. We do not believe that it is possible to find these sophisticated types of central banking expertise for \$2,000 a month.

3.2.1.3 Qualified Expatriate Somali Technical Support Project (QUESTS)

This project was initiated in 2004 to help realise the potential role of the Somali Diaspora in the reconstruction of the country. It has provided limited funding to local institutions in need of short-term technical support, by encouraging the utilization of the Somali Diaspora. UNDP contracted the institutions directly and provided these with a lump sum to support the travel and daily subsistence needs of the engaged professionals.

The role and impact of the Diaspora in revitalising economic development and the social sectors has already manifested itself in Somalia. The positive contribution of the Diaspora has supported households through remittances, but also in the private and social sectors. These contributions have been crucial in establishing civil society and advocating for issues related to human rights, good governance, the environment, and the position and the role of women in society.

The project was executed by UNDP in partnership with Somali Civil Society, the TFG, regional administrations and UN agencies.

Donor	Amount (USED)
DFID	\$575,000
Netherlands	\$185,155
Total	\$760,155

QUESTS was being directly managed by UNDP but has now been suspended and talks are proceeding regarding the transfer of its management to IOM. We have not been able to determine exactly why it has been suspended. Some within UNDP said that it did not have the network to source the returnees. One donor said that insufficient resources had been allocated by UNDP to run the project. Others said that the amount offered to returnees was too small. A more detailed project evaluation would be required to identify lessons learned and recommend future action.

3.2.1.4 The Somalia Constitution-making Support Project (SCMSP)

Preparation of a new constitution for a federal Somalia in an inclusive, participatory manner, and its adoption by popular referendum, will be critical for deepening long-term peace in Somalia. Such a constitutional process is mandated by the Transitional Federal Charter. A Federal Constitutional Commission has been established, and a federal constitution is scheduled to be drafted and then adopted by popular referendum.

A validation process is to be designed and implemented, and a referendum prepared and successfully conducted upon which the adopted Constitution is to be launched with a civic education campaign. Additionally, the Constitution should include explicitly provisions to protect freedom of the press and freedom of expression. Another challenge is the need for harmonisation between the Puntland and Somaliland constitutions and the federal one.

Since the inception of the project, UNDP has coordinated the consortium of international partners including Interpeace, NDI, Novib (Oxfam), Maxplanck Institute and UNPOS. The consortium offered an important platform for technical discussions and sharing of information on the process.

Resources	Donor	Project Title/Award No	Amount US\$
Cost Sharing	Norway	Constitution/Civil Society & Governance	225,007*
	DFID	Constitution/Civil Society & Governance	871,441
	USAID	Constitution/Civil Society & Governance	200,000*
		Total	1,296,448

*

Contributions from Norway and USAID were received in July & June 2007 respectively.

The commission formed under the auspices of the TFG was said to be of generally poor quality and not properly representative of Somali society. Extensive support was given to this committee and some of the non-controversial parts of a constitution were drafted. The commission will now be disbanded and a new one formed.

A revised framework and work plan for constitution-making process has been designed to a substantially reduced timescale. The new changes introduced include limiting the public consultations and civic educations to strategically selected groups since sufficient time is not available for wide consultations. We wonder if that is wise given that:

- the wider educational aspects of the existing programme appear to have been its most valuable, with disparate groups gaining some understanding of the different constitutional options
- it will likely take considerable time and extensive outreach efforts if a consensus on a constitution is to be reached.

However we must stress that we have not had time to study this project in much detail. A full project evaluation would be required before proper conclusions could be drawn.

3.2.1.5 Somalia Institution Development Project (SIDP) - 2009 onwards

This new project is intended to focus on “implementing the institution capacity building first by targeting the ‘machinery of government’ (parliament and central agencies) followed by professional institutions responsible for public administration....focusing on four fundamental pillars of institution development

- Strengthening policy and legislative systems and processes
- Develop human resource capacities
- Improving public administration through support to the public financial management (PFM) system and public accountability
- Developing physical infrastructure and operational support”²⁸

The target beneficiaries are

- Key central ministries and agencies, planning, public works, trade, social and women’s affairs, accounting, audit, central bank, central statistic offices, civil service commissions and institutes
- Executive and legislative bodies; cabinet and parliament

The overall impression is that while there has been extensive consultation, the project design is nevertheless still influenced by a top down ‘bureaucracy’ that has its own built-in culture and modalities. We doubt that its design takes into sufficient account the failings of the approach to date, although at least it has rolled together a number of the activities that were previously separated in different projects for no clear reason.

3.2.2 Overall comments on the programme

In common with our overall finding in section 4 of this report, over the period 2006-2008 it is clear that the UNDP - governance programme has not been strategic but has rather involved a number of disparate projects.

The absence of agreement on the part of all donors to include local governance in the partnership points to the absence of a unified approach and may suggest that some donors were too focused on trying to fix central government, and were undervaluing the importance of local governance. In the context of a failing TFG in mid-2006, and severe shortcomings in TFG performance in 2007-2008, more could have potentially have been achieved greater impact if they had included local governance fully within the scope of the partnership.

There is of course the joint local governance programme which is being jointly managed by five UN organisations, including UNDP, outside the strategic partnership. No-one we spoke to, including UNDP, was at all optimistic that this would be a successful programme, absolutely the reverse. No-one thought that it would be possible for five UN agencies to work together effectively.

²⁸ See Somali Institutional Development Project – Project document 2008-2010 of August 2008.

The partnership priorities also did not include UNDP's Recovery and Sustainable Livelihoods programme, in effect on the grounds that livelihoods was not a 'strategic' priority for the donors. This increased the risk that Somalis would overwhelmingly associate donors and UNDP with political, governance and security work, rather than with projects which more directly benefit poor Somalis (e.g. poverty reduction and employment-intensive projects). However in principle it was reasonable to exclude RSL, provided that this was counter-balanced by donors and UNDP investing adequately in RSL projects directly.

SISP-SUP was effectively a mechanism for direct support to the TFG, but was partially outside the scope of the partnership because DFID chose not to route its support to SISP through the partnership, so it could have more control and oversight. The UNDP Governance programme was or should have been in a position to monitor performance of the TFG. As long as SISP-SUP was being handled by UNDP (rather than UNPOS, as may happen in future for similarly 'political' activities in direct support of the central government), it should have come within the scope of the strategic partnership.

On the issue of whether the programme was conflict-sensitive it can certainly be concluded that the strategy of supporting the TFG was not, given so much support was channelled to the TFG during 2007-2008. Both donors and UNDP should have recognised this sooner. (We of course recognise the global policy environment within which donors were operating at the time – with its emphasis on the global 'war on terror' - and that field representatives of donor organisation often argued strongly against some of the policies that were adopted).

In order to assure conflict-sensitive and even conflict-mitigating reconstruction and development assistance, two factors stand out from previous experiences and analyses of the Somali situation:

- Do not build from scratch but rather capitalise on community strengths and structures already in place, reinforced by the vibrant private sector; and
- Combine broad institutional development with cross-group, community-driven approaches at the local level, for a bottom-up accountability.

The general approach followed in the governance programme does seem to be pretty standard one, without much innovation to account for the very different circumstances of Somalia. Many, including several donors, think that UNDP does not have an effective political economy focus and tends to follow a textbook approach.

Of course part of the explanation for this lack of innovation is the general state-centric approach to development followed by all donors over recent decades, of which there are more recent variations for conflict-affected or fragile countries. However it is fairly clear that standard prescriptions for state-building in such countries cannot easily be applied to Somalia. In South/Central the state-centric approach followed may even have had the effect of increasing conflict.

Sufficient account does not seem to have been taken of the very low base from which one starts in Somalia. It is debatable how much difference technical assistance on macroeconomic planning and budgeting can make to a Ministry of Finance if the ministry has proportionally only 10%-20% of the budget that ministries of finance have in other poor countries. Although data is not available, it appears that in any South-Central or Puntland ministry, only a small percentage of staff are actually paid a salary and exist on their own means. The absorption capacity of available staff is severely limited. An approach that is less ambitious and more tailored to the specific and very challenging circumstances of Somalia is more likely to have a chance of success.

The annual reports used to monitor governance projects are perhaps primarily of use for reporting to senior UNDP management but are of little use to donors or counterparts as an aid to improve the future delivery of programme objectives. With the introduction of results based management, the focus of the reports should have shifted to outcomes and results but most of the reports on governance projects have been concerned with inputs and general progress. It would appear that the ongoing monitoring and evaluation of projects has been ineffective and in some cases non-existent. Furthermore the DFID funded M&E Advisor has had little effect in supporting project staff to increase focus on monitoring results at the outcome level.

The Donor/UNDP/Counterpart steering committees are not effective in their role of monitoring progress of the governance programme. Reports of meetings suggest that very little examination of outcomes.

No governance project evaluations were carried out during 2007 and 2008. The prime focus is on institutional capacity building per se and it is suggested that greater consideration be given to the outcomes or the resultant 'product.'

3.2.3 Recommendations on the way forward

3.2.3.1 Developing a future Strategy

A realistic aid strategy must acknowledge that the new TFG may well fail and ideally design assistance that is 'non-perishable.' (*See appendix 1 addressing context*) Observers of Somali politics agree that even with the hopeful Djibouti accord reached with the moderates in the opposition, odds remain long that a power-sharing deal can be protected against spoilers and hardliners on all sides.

Even if diplomats may be reluctant to discuss a 'Plan B' for Somalia in the event of a new TFG failure, on the grounds that it could become a self-fulfilling prophecy, aid programmes should be based on a realistic assessment of the TFG's prospects of success. Assistance which stands a strong likelihood for enduring impact regardless of whether the new TFG succeeds or fails should thus be an especially privileged aspect of a democracy and governance strategy.

Certain core functions of government – banking and currency control, passports, civil aviation, etc. – should be given special attention as areas for technical support to Somali professionals in the civil service, with back-up plans in place to establish some form of limited international stewardship over those functional agencies in the event of renewed state collapse.

There is a need for an overarching strategic framework that will link, sequence and monitor the various initiatives. Civil service reform should therefore be part of a wider public sector reform strategy that connects with other important building blocks such as public financial management, democratic governance and decentralisation. This offers the opportunity to address cross-cutting issues and build synergy among components.

If there is to be a strategic partnership for governance it should be coherent and comprehensive. The partnership should be inclusive of donors supporting governance projects (e.g. Local Governance, Livelihoods) so that all interested parties are able to contribute and support a coherent and comprehensive strategic framework to deliver a properly coordinated **governance** programme. There are governance projects outside the governance programme a) supported by donors not in the partnership e.g. WB and b) accountable to other programme managers within UNDP e.g. Livelihoods, ROLS and in the case of local governance, led by another UN Agency (UN-HABITAT). It is important that there is a shared vision and understanding of the concept and practice of governance. (See appendix 6 for a note on the concept of governance).

3.2.3.2 Potential components of a new strategy

A greater focus on public financial management and revenue administration

There is clearly a need to allocate greater investment in developing the revenue collection capacities of the central governments (Mogadishu, Puntland and Somaliland).

Somaliland and Puntland produced five year Development Plans from which a First Year Annual Plan was produced for 2007. This comprehensive plan issued through the respective Ministry of Planning and International Cooperation, was researched and developed with support of TAs funded through the UNDP Poverty Reduction and Sustainable Livelihoods programme. The development programmes are ambitious and unrealistic as the fiscal situation is marked by weak revenue sources and an overall imbalance in available policy options on both revenue and expenditures. Aid inflows are directed mainly through Civil Society and NGOs. Substantial remittances are

received from the Somali diaspora with decreasing revenues from customs duty and taxes. There are no approved Government Budgets and with little prospect of enhanced revenue streams, the Plan in its present form is obsolete.

All levels of government need an efficient and sustainable financial management system that provides relevant, accurate and reliable financial information to management at each of the decentralized levels, in a timely manner, not only to ensure that resources are well used for intended purposes, but also to rebuild public confidence. Moreover, this is an essential requirement for development partners to enable them to have the confidence in government that is necessary to underpin development assistance. In addition it is essential that budgetary processes are transparent and participatory to further strengthen public confidence and support.

At present there seems to be a lack of both financial resources and staff capacity to effectively establish this needed financial management system at the federal, regional and district levels in South Central, Somaliland and Puntland administrations. While most governance projects have recognised this need, very little has been achieved. Action has to be taken to address this key priority of budgetary and financial management. More creative approaches may be required, as well as a tougher stance towards government. For example it is not acceptable for Somali governments to refuse to share their budgets with donors. Transparency over budgets should be a precondition for assistance.

It might be worth looking at other more effective mechanisms for collecting revenue, possibly a Revenue Authority. (See appendix 7 for a note on experience with revenue authorities).

Accommodate differences between regions

It is important to take into greater account differences in priority needs and absorptive capacity between South Central, Somaliland and Puntland by tailoring initiatives to the specific situation. There should be a transparent and equitable distribution of resources and interventions between regions in addition to efforts to ensure that interventions support gender equity and disadvantaged groups.

This implies provision of significantly more sophisticated assistance to Somaliland and assistance of a much more basic level to South Central. Lessons learned from the more advanced regions can be built upon and made accessible to others, to indicate that with the necessary political will, all Somalis can quickly move from relief to recovery.

Don't over-reach, keep it simple

The objectives of assistance should not be overly ambitious. Identifying goals that can actually be achieved and then devoting the necessary resources to achieve them is the right way forward. It should be recognised that in these difficult circumstances resources required to achieve relatively straightforward goals are likely to be much in excess of those needed in other circumstances.

Ensure accountability to stakeholders

Implementation and monitoring arrangements need to be transparent and provide for full accountability to beneficiaries (Somali communities/claim holders), national stakeholders (government at all levels plus civil society), and participating donors (those providing funds).

Proceed carefully in providing start-up costs to new Governments

A Government that cannot raise any revenues is unlikely to be one that can command much support. Neither is one too reliant on foreign assistance likely to be long-lasting. Thus new governments should be required to at least partially match external support from their own revenues and phase out external support as quickly as possible. Transparency with regard to domestic budgets should be a sine qua non of external support.

4. EVALUATION OF THE STRATEGIC PARTNERSHIP ARRANGEMENTS

4.1 Nature of the partnership and the relationship between the parties

Strictly, the ‘Strategic Partnership’ between donors and UNDP is not a single partnership but a series of individual agreements between UNDP and separate donors. UNDP also has agreements with other donors outside the strategic partnership, some of whom are also contributing to the governance and ROLS programmes supported by the ‘Strategic Partnership’. To some extent the nature of the partnership reflects the way it was established, with donors signing up at different times.

UNDP has suggested that one joint donor partnership agreement should be considered once the individual agreements run out.²⁹ We agree with this approach and propose a revised structure for the partnership in the recommendations section of this report. This would be a partnership which really is strategic in its choice of what it covers, and which has robust monitoring and evaluation arrangements, and into which donors make more input than merely funds. If instead donors and UNDP continue with a largely unchanged version of the existing arrangements, the word ‘strategic’ should be dropped.

Efficiency and effectiveness

The channelling of funds through the Strategic Partnership to UNDP programmes and projects targeted by the partnership has clearly reduced transaction costs. Occasional delays in donor contributions have sometimes negatively affected programme or project planning. However the alternative method of contributing to individual UNDP projects not via the partnership is intrinsically more time-consuming for both UNDP and the contributing donor, as it requires more meetings, more communications and more paperwork. An additional advantage of the partnership, cited by both UNDP and donors, is the flexibility of being able to transfer funds from one project to another without excessive paperwork.

Thus we can say that partnership arrangements did increase ‘efficiency’ in aid delivery to the extent that they reduced the number of *ad hoc* funding agreements that were needed and therefore slightly reduced transaction costs. But there is no evidence that the partnership arrangements significantly increased ‘effectiveness’ in aid delivery, in the OECD sense of directly leading to better results on the ground. With regard to the specific question of whether the financial resources provided for the partnership were sufficient to achieve intended outcomes, it is difficult to answer clearly in the absence of adequate information on outcomes. What is clear from the analysis set out in this report is the partnership (or in fact multiple partnership) approach adopted did not improve effectiveness in aid delivery. We cite weaknesses in strategic planning on behalf of donors as well as UNDP, poor reporting, absence of effective M&E; absence of clear logframes, inappropriate resources allocated to tasks, inadequate attention paid to outcomes, problems in relationships with counterparts and with speed of decision-making and delivery. Moreover, despite some of these problems becoming evident at an early stage, the partnership or multiple partnership structure was not able to address these problems effectively and resolve them.

A partnership – or just a funding arrangement?

The Strategic Partnership has not really operated as a *partnership*, in the full sense of that word, with all parties contributing to commonly agreed strategies whose results are carefully evaluated and which are then adapted in the light of experience and results. As we see it, this is the central issue relating to the partnership. The partnership is not structured and operated as a genuine partnership, as the various sections of this report make clear. The key question to address for the future is therefore: should the partnership be just a means by which donors contribute funds to UNDP, or should it be a means by which donors also contribute to the formulation, monitoring and control of projects and programmes? This is as much a question for the donors as it is for UNDP. As we note later on in this report, although the limited nature of the existing partnership became evident early on, donors did little to address the issue.

We have examined the different partnership documents signed by the different donors and have not found one to be significantly better than the others. The EC requires UNDP to account precisely for the funds spent and does not permit virement of funds without permission. This has the advantage of better control over finances but the disadvantage of decreased flexibility. Given the difficulties with accurate financial reporting discussed later in this section the EC’s approach seems preferable. USAID does not have a partnership agreement but a grant agreement that is specific to certain projects. The Scandinavian and DFID partnership agreements are rather similar. They

²⁹ See recommendations of UNDP 2007 DFID/EC Strategic Partnership initiative report.

contain various aspirations. For example the Norwegian partnership document states as a benefit that “a partnership would enable Norway to engage with UNDP at a more strategic level, reviewing progress towards outcomes and risk analysis, rather than on an ad hoc basis of individual project proposal.” However the document does not seem to have led to this aspiration being achieved in practice.

Flexibility

It is important to consider whether the partnership framework provided the flexibility needed to adapt strategy to a fluctuating implementation environment. We have seen no evidence to suggest that the partnership strategy was ever significantly revised. For instance:

- Through 2006-2008, donors and UNDP stuck with a partnership which was not strategically structured, in view of the political developments in Somalia during this time. The partnership focused on central governance (in Puntland, Somaliland and South-Central), but partially excluded SISP-SUP (the most ‘political’ or sensitive project). It partially excluded local governance, although greater support for it would have been a strategic counter-balance and complement to the otherwise lop-sided focus of the partnership on central governance and the TFG.
- The failure to make significant changes to the structure and priorities of the partnership contravened even the “Key risks and mitigation strategies” set out in the original 2006 DFID-UNDP partnership agreement.³⁰
- Many factors may have contributed to the assumption by donors and UNDP that they did not need to change the structure and priorities of the partnership. However two key factors are (i) the problem of being based not in Somalia but in Nairobi, which undermines the ability to adapt to changes on the ground; and (ii) the apparent new opportunity given to the TFG by the Ethiopians at the end of 2006, which encouraged a continuing focus by donors and UNDP on the TFG and a continuing assumption that the partnership did not need to be revised.

In short, the Strategic Partnership was *not* up-to-date, responsive and strategically balanced in its goals in Somalia, and the only benefits were really in savings on transactions costs. It would therefore have been more accurate to call it simply a ‘partnership’, or better still a ‘joint funding arrangement’, not to embellish it as a ‘strategic partnership’.

Trust and information sharing

The nature of the partnership and the way it has been operated is also very relevant to the issue of trust between the partners. Trust appears to have broken down between UNDP and some of the donors to the strategic partnership. Some donors believe that they have not been getting straight answers to questions and issues raised and that problems are not being identified and tackled. They believe that UNDP tries to present an overly favourable view, concealing and downplaying problems and critical issues that a real partnership should necessarily address. This is a serious issue because trust, once lost, is difficult to regain, particularly with donors being subject to domestic scrutiny and audit on their use of public funds.

Some donors feel themselves in a very vulnerable situation because they do not know what is going on and when a major controversy arrives will be attacked strongly in the media for giving money to partners who do not provide accurate information as to what is happening. Some donors have been more forthright and voluble than others in raising problems and complaining about them. Others have been less so, causing them to be seen as the ‘good donors’ by UNDP. However, one of the so-called ‘good donors’ has told us that being less critical has not led to any increase in trust by UNDP.

Some have suggested that the key problem *ab initio* was that UNDP and DFID had different understandings of what the partnership meant in practice - DFID intended to have joint control whereas UNDP saw it rather as a means getting additional resources for their activities. However it should be noted that the original DFID-UNDP partnership agreement does not provide DFID with the levers to exert the influence that it was seemingly expecting to wield.³¹ Evidently, though, such differences in perceptions are not conducive to trust.

Partnership meetings

There are a variety of fora for discussion of programme and project issues, including regular project steering committee meetings and Wednesday “coffee morning” discussion sessions. These fora are welcomed by most donors as a means of finding out more about what is happening. Some smaller donors in particular see them as a

³⁰ DFID-UNDP Strategic Partnership Initiative: Somalia 2006-2007, draft project memorandum, 29 June 2006, pp. 18-19.

³¹ Ibid

means of finding out what is going on. The Wednesday meetings in particular were a welcome innovation for some, although others have said that they do not want to delve into the nitty-gritty too much but just have accurate information as to progress against agreed indicators. Other concerns raised by donors include the claims that:

- The meetings largely involve UNDP presenting information, and do not provide enough of an opportunity to delve more deeply and challenge particular aspects.
- Meetings are often poorly prepared for, and information is frequently provided with insufficient time to reflect prior to the meeting, if at all.
- Some partners feel that a disproportionate amount of time and energy has often been dedicated in these fora to technical detail, crowding out opportunity to address strategic considerations.
- The important decisions are made outside of the formal meetings, on a bilateral basis.
- Undue influence is brought to bear from interested parties outside the partnership, such as Italy, which has sometimes attended the partnership meetings despite technically not being part of the partnership.

On balance, it is evident that arrangements for partnership meetings, and attendance at the meetings, have not been adequate to deal with the challenges faced by the Strategic Partnership, such as questions about the overall appropriateness of the partnership strategy, or the monitoring of projects and decisions about sensitive projects benefiting the TFG and the Somali Police Force. The need for partnership meetings to be able to address such questions is accentuated by the limited ability of project steering committee meetings to do so. This is apparent from the minutes of project steering committee meetings.

Donor policies and the partnership strategy

At root, the priorities of the Strategic Partnership during 2006-2008, and in particular the prioritisation of support for the TFG, reflected the policies of donor governments and the United Nations Security Council during this period. In Nairobi, donors and UNDP were not responsible for donor government and UN Security Council policy. However they ought to have understood sooner or more fully what was happening with the TFG and more generally in south-central Somalia, especially if their partnership really was to be “strategic”. Indeed, from the outset of the partnership in 2006 (and even from before)³² they should have more fully realised that their investment in supporting central government in Somalia should be better balanced, and that they should not over-invest in the TFG.

Among donor and UNDP staff, awareness of the problems and risks of the prevailing donor policies and the partnership strategy developed at different times. In some cases, awareness developed much later than it should have: one donor whom we interviewed, said that it was only in mid-2008 that she realised there were serious problems with the strategy of supporting the TFG. Given the lack of a systematic mechanism for on-going review of the partnership strategy, donors and UNDP did not collectively realise until too late that the strategy should be revised. In part, this was because the political preferences of donor governments (e.g. distrusting ICU, supporting the Ethiopian invasion, and supporting the TFG) encouraged sticking with the existing strategy. Also, high turn-over of staff among donors and UNDP in Nairobi meant that at any one time there were very few staff who had worked on Somalia for more than 6-24 months, and especially few staff who had any in-depth knowledge and experience of Somalia. This failure highlights the need for greater investment in strategic advice, which we address in our recommendations.

Political pressures and responsibility

UNDP has argued that it has been put in a difficult position by donors who are responding to political pressures from their respective foreign affairs departments or ministries, and are putting undue pressure on UNDP. In effect, UNDP contends that it has been made to dance to the politically-influenced funding preferences of its various donors, and that as a general consequence it has become too strongly associated with “political” work, such as SISP-SUP and the payment of stipends to the Somali Police Force (SPF), which came out of the SISP-SUP budget but was implemented and monitored by the ROLS programme.

Against this, it must be noted that UNDP could have acted differently. In principle, it could have refused to take on as much work that supported the TFG as it did, or it could have agreed to take on only some projects and to try to share the burden with others. In practice, though, this might have been difficult given that (i) the UN was officially

³² Although dated June 2006, the situation analyses in the DFID-UNDP partnership agreement did not mention the prevailing political and conflict situation in south-central Somalia and the ascendancy of the ICU in Mogadishu. The EC-UNDP partnership agreement, also dated June 2006, did mention the ICU but still did not adequately represent the downward trend in the TFG’s prospects at this time.

committed to supporting the TFG, (ii) UNDP normally aims to work with a central government partner, (iii) UNDP is the dominant development organisation in Somalia, and (iv) few if any aid organisations readily turn down the possibility of funding, but instead tend to follow the money. However, it would have been feasible for UNDP to have undertaken its programmes but expressing its reservations more strongly, and providing more accurate reporting about the problems faced and how they were being tackled. The evaluation finds that UNDP did not do this. We therefore recommend that UNDP take a more robust stance on these needs in the future.³³

A more robust stance would at least entail stronger communication and recognition of problems than occurred during 2007-2008. For example, it is striking that the 2007 Annual Report on the partnership prepared by UNDP for DFID and the EC *did* mention among the “Lessons learned” the problem of UNDP becoming too associated with political work, the need to mitigate this by more “downstream” work, and the need to broaden the partnership focus. However these amber or red flags were partly couched in euphemistic terms as “some specific challenges or vulnerabilities that need to be addressed in collaboration onwards”. In short, the warnings were not flagged clearly enough to be adequately noticed and acted on by donors and UNDP.

For UNDP, the greatest costs of being too strongly associated by some Somalis with support for the TFG, and being seen as too “political”, were that it was eventually targeted for attack, culminating in 2008 in the assassination of its head of office in Mogadishu and the bombing of its office in Hargeisa, in which two staff were killed. For donors, the greatest cost of being associated with support for the TFG was, for DFID and the EC, a limited measure of public and media criticism after the publication of news reports and human rights reports, and the broadcast of a television documentary in May 2008.

SISP-SUP and the payment of stipends to the SPF are discussed in the Governance and ROLS sections of this report. However the controversy surrounding both of these areas illustrates two basic points that are relevant here:

- The monitoring and evaluation framework for the Strategic Partnership should itself have been stronger, so that donors and UNDP could have jointly addressed the problem earlier and to the greater satisfaction of all parties
- Both donors and UNDP need to fully acknowledge the risks of what they support and do, take responsibility for this, and acknowledge mistakes or unintended outcomes when they occur.

Resolving the imbalance in the partnership

UNDP has sought to counterbalance those parts of its work that are funded through the Strategic Partnership and have been seen by Somali critics as “political”, by seeking more funding from donors for its work on local governance and livelihoods – two areas which are part of UNDP’s overall country programme but which were outside the scope of the partnership. In general, funding for these two areas has been less forthcoming than for the areas covered by the partnership. Donors have explained this by saying that: UNDP has too much on its plate already; others are better placed to do such work; and they are not convinced that UNDP will do the work well and report on it effectively. One option for UNDP would have been to reduce its own funding of the ROLS and Governance work and direct that towards Livelihoods³⁴. However UNDP has not pursued this option. This is an indication of the extent to which UNDP has itself favoured the priorities of the Strategic Partnership, and, on the other hand, the extent to which it has felt it has needed to show commitment to those priorities, in order to match donor interest in them.

In the absence of a restructuring of the partnership, or increased donor interest in local governance and livelihoods, an alternative way for donors and UNDP to resolve the imbalance in the work supported by the partnership is for those elements that are seen as being the most political to be transferred to the authority of UNPOS. UNDP has pointed to the benefits of strengthening of UNPOS and the appointment of a strong SRSG as a means to provide greater political clarity and leadership, to reduce dissension among donors and between donors and UNDP, and to take more of a lead on the most politically controversial projects within the Governance and ROLS programmes. Our interviews with UNPOS suggest that they agree with this assessment and approach. We believe that the strengthening of UNPOS to enable it to take on responsibility for political projects could indeed benefit donors and UNDP.

4.2 The approach to the delivery of assistance

4.2.1 Speed and extent of delivery

³³ See “DFID/EC-UNDP Strategic Partnership Initiative: Annual Report 2007”, p. 24.

³⁴ In fact the partnership agreement with Norway does provide funding for work on livelihoods.

Overall, the process of determining what activities should be undertaken appears to have been more supply driven than demand driven. Both the donors and UNDP are responsible for this. The donors have not put themselves sufficiently in the driving seat.

Resources appear to have been dispensed quickly whether or not results were being achieved. We are unable to determine whether this is due to donor pressure to spend budgets or is a UNDP-led drive to commit funds in order to be able to more easily request more, or is caused by some other factor.

It has been evident for some time that the more optimistic scenarios relating to Somalia were unlikely to be achieved and thus it would have been better to apply a more nuanced approach. This would have meant spending resources more carefully and holding back when it seemed that results were elusive. It would have meant examining progress carefully and adapting plans in the light of experience. Instead resources have been spent even when it has been quite clear that results would not be achieved. In general, where UNDP's presence on the ground in Somalia has been scaled back because of insecurity, resource expenditure should also have been scaled back. If it is not possible to operate on the ground in Somalia, in most cases there is little point in continuing to expend resources.

The programmes are large and disparate ones, containing many different elements. It would be preferable to focus resources to a much greater extent and to concentrate efforts on securing results in those areas where work is underway, rather than place too much emphasis on starting new areas of activity. There is a strong perception among donors that UNDP is always seeking extra work and rarely turns any away. The focus that donors see being presented to them is on the prospects of new activities rather than the achievements to date.

A preferable approach would be to abandon programme elements that are not working and concentrate resources on those that do appear to be having an effect. This does not seem to have happened to the extent that it should.

4.2.2 Reporting

There are significant issues with reporting. The reports produced by UNDP for the consumption of donors generally paint a rosy picture and do not describe accurately the reality of project operations and achievements. Problems and difficulties are not properly described, making it difficult to draw appropriate conclusions from the reporting, for example whether and how to undertake remedial activity, change the nature of an activity or abandon it.

The following quotation from the 2007 annual report of the Technical Assistance Project, referring to the TFG, is a good example of the inaccurate reporting that pervades much of the documentation:

“The partial finalisation of the key elements of PFM and the introduction of basic mechanisms of budgetary process, (such as the establishment of inter-ministerial working groups on budget and the strengthening of parliamentary committees and integrity institutions) has allowed for practical budget preparation that includes macroeconomic reasoning as a regular instrument of decision-making mechanisms, better forecasting on revenues and expenditures.”

This was not true of the TFG in 2007 and was never true. In fact it is so far from a description of the real situation as to be totally implausible. Those familiar with issues about developing PFM will know that it wouldn't be an accurate description of the situation in a large number of stable developing countries.

Let us take another example, this time from the 2007 SICAD Annual report:

“In 2007, UNDP facilitated and supported the Civil Service Commissions of all three zones by providing strategic planning training for human resource development and management, visioning exercises for Civil Service Reforms, and the development of transparent, open and merit based recruitment policies..... As a result, a number of policies have been reviewed and amended to comply with international standards of service delivery..... Overall, the three zones have functioning civil service commissions but additional technical assistance will be needed in 2008 to support these commissions to exercise their mandates.”

Again, those who are familiar with issues of merit-based recruitment and civil service commissions in developing countries will know how extremely difficult it is, even in quite a sophisticated developing country, to get a civil service commission to carry out its role properly. It is just not plausible that all three zones of Somalia have functioning civil service commissions with policies that “comply with international standards of service delivery”.

In the course of our work we came across some internal UNDP assessments of counterparts which paint quite a different picture from that distributed in the reports to donors. For example in the SICAD mid-year report 2008 we read the following about the Puntland Civil Service Commission, which is being supported by UNDP:

“The Puntland Civil Service Commission (PCSC) focused on the strengthening of the policy framework and in raising awareness of the Civil Service Reform process and of its mandate. The PCSC was provided with material support and focused its substantive efforts towards consultation with stakeholders to allow for a participatory drafting of the Civil Service Law. As part of this process senior staff (4 female, 21 male) – including all Director Generals – received comprehensive briefing on the draft Civil Service law and workshops were held to sensitize the larger public.”

Note that there is no discussion of outcomes, only activities. However in the internal assessment entitled “Assessment of Letters of Agreement with counterparts/UNDP Puntland,” there is the following assessment of the Puntland Civil Service Commission:

“Strengths:

- A. CSC is a legally established institution

Weaknesses:

- A. Members of CSC not suitably selected
- B. Appropriate codes of conduct not followed by the CSC members
- C. Poor chain of command and no proper organizational structure
- D. Overwhelmed by internal disputes
- E. Lack of technical staff
- F. Lack of government commitment to support
- G. Poor financial, admin and management system
- H. Lack of understanding of UNDP systems
- I. Lack of popularity within the civil service population”

This highly negative assessment suggests that the CSC is far from an operationally successful institution. Yet none of that assessment of the outcome of the UNDP work which started in November 2007 is contained in the report that was sent to donors. The contradictory nature of the two sets of reports lends credibility to donors concerns as expressed above.

Of course the critical problem with the reporting is that it does not address outcomes, but rather activities. This is a direct consequent of the absence of an effective approach to M&E, which we discuss in the section below. With an effective M&E system in place, reporting would in fact be much easier for UNDP. As one donor pointed out to us, outcome-based reporting is not only more useful but also much easier than activity based reporting.

Another, perhaps less important yet still contributory factor, is the type of ‘development-speak’ language that much documentation is written in, which makes it more difficult to understand what is actually being said. It must make it particularly difficult for Somalis. It would be much preferable and add greatly to clarity if the reports were written as far as possible in plain English.

4.2.3 Monitoring and evaluation

It is most regrettable that virtually no effective monitoring and evaluation has been conducted by either UNDP or independent evaluators. It is difficult to understand how the programmes can be sensibly adapted in the light of experience in the absence of M&E. In a very challenging and extremely complex environment (as Somalia was during 2006-2008), effective monitoring and evaluation is essential. It is also noteworthy that the donors generally apply rigorous outcome-based M&E linked to objectively verifiable, SMART indicators in their direct bilateral programmes.

Such M&E that was actually conducted by UNDP was fragmentary and inconsistent, and too focused on inputs and activities, at the expense of paying attention to quality, impact and sustainability, and progress relative to intended outcomes. It is true that M&E has been built into projects in the form of M&E matrices (with indicators, baselines and targets), and some project reporting has made some use of these. But this official M&E system is of little use in measuring progress towards achieving outcomes. M&E staff members have been retained by UNDP at DFID’s expense but these persons do not seem to have been able to undertake effective M&E activity.

Problems with M&E were visible in some of the reports on the Strategic Partnership. For example, the July-December 2007 Strategic Partnership Initiative report stated that the DFID support had:

“enabled support to the building of capacity in the office on Monitoring and Evaluation. In particular, it strengthened the quality of evaluations carried out by improving the selection of consultants and ensuring clarity of scope. Importantly, it provided essential dedicated capacity to drive the PRINCE2 certification of the Country Office. UNDP Somalia today has over 50 staff/personnel certified at the PRINCE2 Foundation Level...”

This seems to be a classic case of focussing on inputs (training in PRINCE2) rather than outputs and outcomes, since the report went on to say:

“The management support to M&E did not contribute substantially to the strengthening of quality of reporting, however. This is in part because the reporting chain is dependent on many factors, and cannot easily be addressed without attention to systemic issues.”

The report then listed various actions to be taken during 2008 to rectify the situation. However, judging by the situation we found in March 2009, these actions do not appear to have accomplished much.

Other than one evaluation of the DDR project in Puntland and Somaliland³⁵, no external project evaluation had been completed by the time of this evaluation in March 2009. According to a UNDP Somalia “Draft Evaluation Plan” from May 2007, an outcome-level evaluation for the ROLS programme was due to have been completed by the end of 2008, a project evaluation of the Judiciary Project was due to have been completed by mid-2008, and evaluations of ETA and SICAD by the end of 2008.

Investment in dedicated overall M&E capacity and advice appears to have made little impact. We understand that after an M&E officer based in Hargeisa left, a regional UNDP M&E specialist and an external consultant conducted an “M&E Support Mission” in February 2008. After this, in April 2008 a new M&E officer was appointed on a one-year contract, funded by DFID and based in Nairobi. It is not altogether clear why these missions and appointments have not done more to improve M&E. Possible factors are inadequate backing from management, resistance from programme or project staff, overly-complicated M&E frameworks, and a lack of access to the field (the current M&E officer had visited Somalia once by March 2009).

It is also regrettable that the donors do not seem to have followed up effectively with UNDP with regard to the lack of evaluation, despite having provided extra resources to UNDP to deal with it. The lack of evaluation and absence of precision in reporting is also evident to at least some of the counterparts in the field who we interviewed.

In subsequent discussions with the evaluation team UNDP management agreed that there was considerable room for improvement in internal M&E. They explained that the volatile situation and constant fire-fighting distracted them from establishing baselines from which progress could be effectively monitored. All the same, it is evident that M&E must be improved, and UNDP Somalia management has acknowledged that there is considerable room for improvement in internal M&E.

UNDP Somalia is obliged by UNDP headquarters to use a web-based management information system called ATLAS. It is said to be based on PRINCE2. References to PRINCE2 and ‘results-based management’ in UNDP reports appear to relate to this system. UNDP kindly gave us a demonstration of the system. Quite apart from its complexity it seems to take several minutes to load each page. From our brief review we noted that much data was missing from it – presumably because staff find the system too burdensome to use. It is clear that this system is so complicated and difficult to use that it is not a viable monitoring or management tool. We put this point to UNDP Somalia senior management who agreed with us. We therefore suggest that this MIS system be disregarded by donors. While it may have to remain an internal UNDP obligation to enter data into it, it cannot be relied upon as a useful management tool for the programmes in question.

Independent external evaluation is a critical missing component of the programme. Much earlier external evaluation of the Strategic Partnership would have been valuable. This short evaluation mission is the first independent evaluation that has been undertaken, almost three years after the commencement of the strategic partnership. This is very surprising and quite contrary to best practice (including that of the contributing donors as far as their direct programmes are concerned). On a programme of this size one would expect independent evaluation to be occurring at least every six months. Regular external M&E retained by, and reporting to, the donors should be an essential element of any programme going forward.

³⁵ That evaluation, by Desmond Molloy, although relatively narrow, was a useful one and resulted in changes to the programme.

At various times UNDP has sought donor assistance in M&E. For example the 2007 Strategic Partnership report, mentioned above, says: “For the future, UNDP would seek support from partner donors in strengthening Sub-Office functions on Monitoring and Evaluation, reporting and External Communication.” UNDP management, in discussions with us on our initial conclusions, stated that they would like advice and assistance in monitoring and evaluation. We do not think that this is the right approach, particularly as it has not worked to date. UNDP as a large and longstanding development organisation is presumably familiar with best practice in monitoring and evaluation. It should not require assistance in this area. Instead for programmes that go forward the standards for internal monitoring and evaluation should be set by external independent evaluators, reporting directly to donors. If UNDP or other implementing agents have problems meeting those standards then they should address those problems internally at their own expense.

To sum up, the weakness of M&E (systems and operation) has been a fundamental flaw in the Strategic Partnership. Quite simply one does not know whether activities and outputs are effective, lasting and of good quality, and how much progress is being made relative to intended outcomes.

4.2.4 Finance, management and administration

It is very difficult to draw intelligent conclusions from the financial information presented, e.g. where are resources actually spent on a regional basis, how much is spent on administration, etc. The financial information regarding the activities of the partnership as a whole is not presented clearly. We have noted discrepancies between financial information presented in different documents, for example between the Letters of Agreement (LOAs) and the tables summarising budget spend under each LOA. Donors have explained that they do not understand the finances. This is clearly a significant problem. We have not had time to undertake a thorough analysis of the financial systems underpinning the programmes. It has proved difficult to get clear answers with regard to relatively simple financial questions. For example, despite repeated requests, UNDP have been unable to provide us with information as to how much resources have been spent in each of the main regions. While there is an analysis for ROLS (see section 3) which attributes expenditure to regions, no such analysis is available for governance. The ROLS analysis suggested that 63% of funds have been spent on administration, personnel and general management. We do not know the equivalent figures for governance and thus for the programme as whole.

We note that other evaluations have questioned whether the UNDP ATLAS system is fit for purpose in this respect³⁶. Further more detailed evaluation of the financial systems and finances should be undertaken.

We have some concerns as to the efficiency of the UNDP administrative system particularly with regard to the storage of documents, given the length of time it has taken UNDP to retrieve documents that we have requested. We note that similar concerns were raised by a recent EU Verification mission, which noted poor filing and the absence of documents related to procurement processes. We have found it very difficult to find the full range of documents that we have been looking for. Key documents appear to be held by project teams and not available to central management unless they are retrieved from particular individuals.

4.2.5 Relationship with counterparts

Based on the limited number of interviews that we conducted with counterparts, largely over the phone, there seems to be some dissatisfaction about the nature of the relationship, centring around decision-making, access to information and speed of implementation. One senior interviewee told us the following:

“UNDP has different approval levels with the result that it takes a very long time to make decisions. We have a high absorptive capacity but a low burn rate, because we can’t plan ahead due to the long and uncertain time it takes to make decisions. Decision-making goes from the Head of the Sub-office to the area project manager, to the programme manager, to the deputy country director to the country director to the procurement committee, all of whom are based in Nairobi and don’t have a good understanding of the situation on the ground.

When a letter of agreement is put through this decision-making chain, changes are made but we are not consulted on them nor kept in the loop. The LOA that appears at the end of the process is different from the

³⁶ See the SIDA report on UNDP Sierra Leone, which states “UNDP in Sierra Leone has clearly had problems in maintaining robust financial systems and proper accounting practices in relation to these programmes. The use of the UNDP ATLAS system for budgeting and payments as well as detailed cash-flow management does not appear to be operating in an efficient manner.”

http://www.sida.se/sida/jsp/sida.jsp?d=118&a=43039&language=en_US&searchWords=sierra%20leone

one that we agreed, but we don't then propose changes because we know it will take another 2 or 3 months for decisions on our proposed changes to be taken. We need predictability in the support we receive."

Some counterparts believe that there needs to be greater transparency and say that they would like reports to be shared with them rather than kept confidential. Whether or not there are reports which should be shared but which are not, this comment reflects a lack of trust and a need at least for greater information sharing between UNDP and beneficiaries. A remark which we heard from several beneficiaries in the field was that UNDP was slow and process heavy. "The slow bureaucratic practices of UNDP are not geared to the reality of Somalia," said one. Of course one must recognise that UNDP is operating in a difficult environment, with three de facto governments and poor security, so decision-making can be problematic. Nevertheless there is evidently still considerable room for improvement.

We have not had time to examine in detail the processes and procedures that UNDP applies, but a brief examination of them suggests that they are complex, perhaps unnecessarily so in some circumstances. One doesn't need to put out to tender all expenditure above \$2,500, for example. Although UNDP has been unable to provide us with the details, it is likely that fee rate restrictions prevent the deployment of good quality senior specialists in several areas.

Another area of concern for donors that is related to what is said to be a culture of accepting too many requests for support, is the absence of challenge to government counterparts over their own performance. There appear to be few benchmarks that are set for government counterparts and when things go wrong there do not seem to be any consequences. Counterparts do not appear to be being set clear targets and benchmarks which they need to achieve in order to qualify for further assistance.

These perceptions are in line with earlier evaluations of UNDP globally. For example, the Multilateral Organisations Performance Assessment Network (MOPAN) 2007 report found that "At times UNDP avoids addressing politically sensitive issues or focuses more on its role as coordinator and less on making substantive contributions of its own." The report also noted a tendency of UNDP "to more often fund projects initiated by itself rather than proposals designed and developed by the government."³⁷

4.2.6 Role of the donors

The donors must share a significant part of the accountability for the outcomes of the strategic partnership. It is not the case that problems that are identified in this report are unknown to donors. They have been complicit in reaching, together with UNDP, the situation today as described in this report. Nonetheless, the fact that these fundamental problems are well recognised is a positive foundation upon which change can be built.

Although many donors have raised concerns about the performance of the partnership they have not done anything substantive about it. Although they state that they are aware of the problems, they have failed to develop a plan to tackle them. They have not really tried hard to make the arrangement work by addressing the key problems. Although issues have been raised with UNDP, no donor or group of donors have gained sufficient traction to achieve necessary reforms in practices.

This report has highlighted the poor quality of the reporting that has been received by donors, notably the fact that it doesn't focus on outcomes and paints an inaccurate, optimistic picture. At least some donors were aware of this. There is also an understanding that the current reporting does not adequately monitor progress relative to intended outcomes. Several donors recommended the establishment of a common logframe, with baselines, benchmarks, indicators and outcomes and that reporting should be simple and clear against that logframe. Several donors admit they don't understand the finances of the partnership and don't know clearly where their money is going.

It is evident that some of the smaller donors are rushed off their feet and don't have time to study the reports produced by UNDP in sufficient detail, or to prepare properly for meetings, or even to attend all the meetings. They just don't have the resources required.

Leaving aside questions regarding the usefulness and timeliness of the paperwork presented, it appears that donors tend not to prepare properly for meetings. They have too many other responsibilities to attend to, and are often distracted by the latest crisis or pressing issue. It is not only the smaller but also the larger donors that do not have the resources to devote to effective oversight and strategic direction of the partnership.

³⁷ MOPAN Survey 2007 Synthesis Report.

Most donors seem, like UNDP, to have been distracted by fire-fighting and have paid more attention to the political 'hot button' issues of the day than to core strategic issues around the programmes. This is perhaps a natural consequence of the pressured lives of the key donor staff, who generally have a large number of things on their plate at any one time.

Looking forward it is necessary to make arrangements to provide donors with:

- Reliable monitoring and evaluation data such that they can come to proper judgments as to whether desired outcomes are being achieved
- Better reporting, with shorter clearer reports focussing on progress towards achieving outcomes
- Strategic advisory support, such that the resources are there to make informed analyses of key issues and decisions

4.3 Issues to tackle in future delivery arrangements

4.3.1 Role and status of UNDP as an implementing agent

UNDP has two personae: one as an aid agency and the second as an implementer of aid projects. In this case UNDP has stated clearly that it is a direct implementer of the activities. It also contributes some funds towards those activities from its own central budget. Its primary role appears to be as an implementer, however.

There is a conflict of interest between the two roles. As a programme implementer one might expect UNDP to be subject to the same rules as other potential implementers, such as NGOs and consulting companies. This would involve a direct contractual or grant relationship with the funders, the clients, who would be able to issue directions in line with contractual responsibilities. The reporting relationship would be clear. A competitive process would be likely used to select the implementer.

Instead to a large extent UNDP sets its own rules as implementer and is not subject to contractual and competitive pressures.³⁸ This is not desirable. Roles and responsibilities are blurred between the donors (clients) and the implementer.

4.3.2 'Monopoly' status of UNDP

It has been said by UNDP staff, donors and others that they have a quasi-monopoly status in the provision of development assistance to Somalia. UNDP itself sees this dominant position as unhealthy. It means that donors have few alternative delivery mechanisms and to a large extent all their eggs are in one basket. This quasi monopoly is not healthy for either the donors or UNDP for a number of reasons:

- a) Monopoly does not encourage innovation, hard work and effectiveness in any situation
- b) Donors are not able to try new approaches
- c) Donors are too reliant on information and analysis from one source
- d) If problems emerge with the monopoly delivery mechanism then delivery is restricted with few alternatives available. For example, following the recent bombings in Hargeisa UN management in New York placed severe restrictions on the numbers on international staff that can be deployed in Somaliland and Puntland. These restrictions are severely affecting the delivery of programmes. As many Nairobi based staff have commented, it is questionable whether these severe restrictions are justified. In any case, the decisions of a remote office in New York are affecting the delivery of the work financed by the donors.
- e) Using one delivery agent runs the risk of tainting all the activities of that delivery agent with the more controversial elements of the programme. For example, it is likely that UNDP's activities in supporting the TFG were the reason why its offices in Somaliland were bombed, although general 'anti-western' animus is also a possible explanation or contributing factor.

Of course we recognise that a desire to comply with the Paris Declaration was likely also one of the motivating factors behind the approach that was adopted. However, as we suggest below there are other ways of achieving greater aid effectiveness than the approach adopted in these circumstances. A related issue is that absence of competition in the choice of implementing agents does not encourage efficiency. It is widely recognised that competition provides the incentives for an organisation to do better. The fact that UNDP is rarely subject to competition may well have an effect on its effectiveness as an implementer.

³⁸ The intricate bureaucratic procedures imposed on UNDP by the UN and UNDP headquarters do not assist it in its role as implementer.

4.3.3 Security

Security is a key constraint, or at least is perceived as such. Increasing the level of security in order to provide more space for development activities should be a high priority. At present different organisations have different approaches to security. A rough summary is presented in appendix 8 but essentially the EC and the three Scandinavian donors have a less restrictive approach. Broadly speaking, donors with restrictions on their Somalia operations find it easier to finance NGOs than contractors.

According to many people we interviewed a key reason that donors have chosen to use UNDP so much in Somalia was that it was able to operate under the prevailing security conditions. It no longer holds that advantage. Donors need to consider how to tackle the security issues. There are broadly two types of issue under the least partial control of donors:

- i) Operating restrictions put in place by various organisations as described above
- ii) The level of security protection that is available on the ground

Security problems differ across different regions of Somalia. Clearly Somaliland has the least security problems. Although civilian targets have been bombed, the same is true of a considerable number of other countries in the world. Arguably the security situation in Somaliland is better than in many countries or sub-national regions in Africa. It should be possible to operate more there. The situation in Puntland is not as good as in Somaliland, but in general it should be possible to operate more there too.

The main protective forces that are financed by donors are the SPU units in Somaliland and Puntland. Reports on the effectiveness of these units have been completed but recommendations for improvements appear not to have been implemented at all. Making the SPUs more effective should be a high priority. A professional company should be contracted by the donors to help implement the reform recommendations and train the units to a much higher level of effectiveness. The same company could also undertake an assessment of other security options, such as encouraging the growth of properly trained private security companies, and or training elements of government police units. The example of the EC's security operations should be studied to determine if they present a model that could be widened.

A key problem is the confused management arrangements regarding the SPUs. In practice UNDSS supplies the management, meaning that the units themselves are not able to develop their management capacity. Instead the Somali management of these units should be developed, with UNDSS acting as only an adviser. There is a good case for seeking to transfer the static guards to three or four licensed commercial security companies, who should receive training to carry out static guarding functions. More complex training should then be concentrated on the remainder of the SPUs which would carry out more complex functions such as mobile security.

The second issue that must be addressed are the restrictions placed on operations by some of the donor organisations and agencies. Of course some of these might be made less restrictive if security protection can be improved and/or a different attitude to risk is taken. The other approach to be taken, however, is to use one of the donors which has a less restrictive policy as the contracting body on behalf of a group of donors. This would imply one of the three Scandinavian donors or the EC as the contracting party. It would be preferable if the donor concerned was fast and flexible in their contracting and contract management procedures.

There are various development activities which would themselves improve the environment for donor operations. For example the UK Foreign and Commonwealth Office has completed some high quality work outlining an improvement programme for Hargeisa airport. If this initiative was followed through, including necessary institutional reform, the reduced vulnerability and enhanced aviation security provision would greatly assist the international community's wider engagement with Somaliland, enabling donor officials and technical advisers to enter the country safely and utilise within the Airport Estate a secure base of operations. Once successfully implemented in Somaliland, similar programmes could be rolled out in Puntland and even in South-Central.

4.3.4 Regional focus

Programmes to support the three different regions of Somalia need to be differentiated and tailored to meet the individual needs of the different regions. Most importantly this means providing a more sophisticated product to Somaliland, which is actively seeking such support. To date Somaliland has consumed the most support from the strategic partnership, so getting this right is important.

One senior Somaliland official familiar with ROLS activities told us the following:

“There is a one size fits all approach devised in Nairobi, despite the situation in Somaliland being quite different from the other two regions. We need programmes tailor-made for Somaliland which requires a more sophisticated level of support than the other two regions. For example the police training that we receive is too basic. We would like more specialised training, for example in how to deal with IEDs, in close protection and in anti-terrorism. There is too much emphasis on quantity of support and not enough on quality. We know we have lots of shortcomings. There should be more evaluation of progress so we can correct mistakes.”

Another senior Somaliland official familiar with the governance programme stressed the following:

“We would like to get a more advanced type of assistance than we can get from UNDP. To deliver on policy change we need a higher quality of assistance. Sometimes we get the feeling that the UNDP is just giving money without expecting any results. They may have to just go through the motions in the other zones but in Somaliland we could actually achieve results. We want to move from the humanitarian phase to the development phase. We need real experts to engage with who challenge us.

The situation here is quite different from countries like Uganda and Tanzania. There is a real vacuum in capacity. The UNDP approach of a bit of training here or there is not going to work. One needs a lot more creative approach. A long-term engagement is required. There needs to be a lot of support from people with real expertise. They need to help develop policy and set up processes and then maintain the relationship and continue to provide help.”

There seems to be some uncertainty as to whether coherent support to Somaliland would in some way constitute political commitment to Somali independence. We cannot see why this should be the case. In other cases throughout the world support is provided to entities that wish to be states but have not yet achieved recognition. It is surely in the interest of the international community as well as the population of Somaliland that Somaliland develops strongly and becomes stable and secure. This suggests that a strong programme, directly tailored to Somaliland requirements, should be designed and implemented.

Similarly, a strong programme, directly tailored to Puntland’s requirements, should be designed and implemented for Puntland. This will need to be less sophisticated than that for Somaliland. Lastly the package for South Central will need to be even more basic, with very simple, but achievable goals.

4.3.5 Alternative approaches to aid delivery

One concern of some donors is to be able to develop a strategic dialogue directly with the governments of Somaliland and Puntland (and South-Central, if the new TFG succeeds in establishing itself). They feel that the involvement of UNDP as a form of middleman blunts their ability to do this. One suggested solution is for the Somali donor group to engage in such a dialogue, perhaps in the form of sub-groups of leading donors for each region. Another approach is to use the revised partnership model that we propose below.

We certainly agree that donors need to engage more strongly and directly with the programmes that they are funding as well as with the governments concerned. This means a less risk-averse and more forward approach. It is also necessary for donors to staff up to a greater extent to match the size of their programmes. As soon as the security situation permits more donor staff should relocate to Somalia.

There is clearly a demand from Somali officials for more direct engagement. One official told us:

“We sense a lot of goodwill and seriousness on the part of donors, but the problem is that the relationship is intermediated through UN agencies. The donors need to engage directly with government. It would be possible for the donors to develop together with the government some clear indicators of progress and then find a way to report on them simply and accurately.”

There are also good prospects that the new TFG, if it establishes itself, will take a more mature approach to aid and wish to engage in a sensible dialogue with international partners. President Sheikh Sharif Sheikh Ahmed said in an interview in February 2009 that he expected donors would increase their support, but that “For our part, we have to change the way things are done and make sure that any money given will be used appropriately and in the manner intended, that it will reach the people.”³⁹

³⁹ “Somalia: ‘The Somali people do not want any more fighting’”, interview with President Sheikh Sharif, IRIN, 12 February 2009.

With regard to the implementation of aid programmes, it should be possible to use a much wider range of delivery agents. There are a variety of modalities that could be utilised, including grants to NGOs, and consortia of NGOs and consulting companies. A particularly promising approach is the delegated co-operation agreement between donors in which donors pass money to one of them, who then contracts an implementer, with subsequent joint control by contributing donors of the operation of the contract. The basic approach is as follows:

- Donors agree on a joint approach
- Identify donor who has fast contracting flexibility and is able to handle duty of care issues (Donor A)
- Other donors contribute funds in respect of programme to Donor A
- A memorandum is drawn up between the donors regarding operation of the programme, covering:
 - Programme objectives and components
 - Joint selection process for implementing agents
 - Monitoring and evaluation
 - Beneficiary liaison
- Essentially the above are done jointly

We suggest that the use of multi-donor trust funds is avoided. These often tend to be very inefficient, procedure heavy and slow, with disbursement often occurring years later than planned.⁴⁰ Once their money has been contributed, donors to these trust funds have very few levers to address the problems that emerge.

⁴⁰ The MDTFs in Sudan are good examples of this problem.

5. FINDINGS AND RECOMMENDATIONS

5.1 Findings

Findings

1. Accountability

UNDP as implementing agent is not properly accountable to the donors, who are in turn not properly accountable for the resources they have allocated. Reforms to improve accountability⁴¹ should be an urgent priority.

2. Reporting

It is not possible to tell from the reports produced for donors the extent to which progress has been made towards outcomes. Reports focussing on activities (inputs) are not useful in assessing this and do not build in accountability for delivering development outcomes. As a result, much of the reporting appears to have presented an overly optimistic or ‘rosy’ picture.

3. Transparency

There has been insufficient involvement of Somali counterparts in decision-making and they do not appear to be given sufficient access to documentation.

4. Focus

The programmes would have benefitted from greater focus, with less ambitious, more realistic and more achievable goals being set.

5. Clarity of finances

The finances of the partnership are not clear. It is not possible to see easily where funds have been allocated and to compare performance between years.

6. Differentiation of support between regions

The nature of support to the three Somali regions does not appear to be sufficiently differentiated. Each region is at a different level of development and requires different types of support. While there has clearly been some differentiation, this needs to be refined. It is clear, for example, that Somaliland requires more sophisticated assistance than the other regions.

7. Security

Improved security to create space for development activity is critical. Different donors currently have different approaches to security requirements. The SPUs in Somaliland and Puntland are a critical component of the current security architecture. While reports have identified significant SPU failings, little has been done to address these problems.

8. ‘Virtual development’

There is a risk that the donors and UNDP’s concentration in Nairobi, rather than in-country, leads to the pursuit of very ineffective ‘virtual development’ i.e. development by proxy.

Findings specific to ROLS

9. An inauspicious context for programme operations

For the ROLS programme to stand any chance of delivery it needed some form of effective government in South/Central and to be able to operate in a relatively stable environment. It had neither. ROLS is designed for a

⁴¹ By accountability we mean ability to be held to account over the results. For example a key objective of the UNDP-UK-Denmark Institutional strategy 2008-2011 is to ensure that UNDP “is fully accountable, ensuring that sustainable results and impact are integrated into its business processes and culture”.

post conflict environment and yet has been required to deliver during a time of continuing conflict, particularly in South Central where there has been a marked decline in the influence of traditional leaders.

10. Absence of synergy

ROLS is not a coherent programme with obvious synergy, but rather a grouping of discrete, but worthwhile activities. The documentation is confusing in terms of consistency, audit and identifying the current state of the programme which has not been evaluated since 2004, but has rather developed through an annual iterative process. There is no doubt about the commitment of individuals to achieving individual results within individual components. There is some emerging evidence that individual project managers are beginning to share ideas, but at the programme level there is no such synergy. Some good work has clearly been done. But it is less certain that these results represent overall value for money and that the programme as a whole is coherent.

11. A silo approach

During Phase I there was a lack of coordination between the programme components. This was still the case in Phase II. A lack of regular and effective monitoring and evaluation and results-based management, other than the promulgation of discrete annual reports, does not allow for consolidation of individual project gains and achievements, and programme synergies. The programme appears to be component-driven with too much of a silo approach.

12. Temporal rationale for moving between phases

The rationale for moving between phases is temporal and therefore artificial. It would be better to recognise the developmental and situational changes that reflect actual progress on the ground in the three regions. This seems to have been recognised in the Phase III documentation and is the right approach.

13. Need for coherence in support to the police

If one is to avoid damage limitation exercises and the inherent and wasteful dangers of turning on and off the financial tap, the payment of stipends to the police alone is not sufficient and is liable to be counterproductive unless it is supported by simultaneous and complementary activity. Such a coherent package should include support in the recruiting and training of police, the training of the senior command team and the development of civilian oversight and accountability mechanisms.

Findings specific to governance

14. Lack of coherence

During 2006-2008 the governance projects were disparate and together did not form part of a coherent and comprehensive governance programme. As a result their contribution was fragmented and incomplete. There was no clear link to the ROLS interventions.

15. Design

In the design of the governance projects and the sub-projects within them a) it is not clear that the project documentation was based on a thorough problem analysis, b) objectives and outputs were not always clear, c) initial allocation of time and budget was usually insufficient, d) there was often an apparent lack of risk assessment, e) provisions for ongoing monitoring and evaluation were inadequate, and f) implementation modalities were complicated.

16. Over-ambitious objectives and mismatch of resources

The aims and objectives of projects and sub-projects were too ambitious, wide-ranging and complex. There was also often a mismatch between expected outputs and the modest resources provided. In many cases the main input was staff salaries at circa \$2,000 a month, despite the aims of the interventions being far-reaching and complex.

17. Not a strategic approach in respect of governance

Over the period 2006-2008 it is clear that the donor-UNDP Strategic Partnership was not strategic in its approach to governance. A number of disparate projects were pursued to the exclusion of others. Some donors were too focused on trying to fix central government and were undervaluing the importance of local governance. In the context of a

failing TFG in mid-2006, and severe shortcomings in TFG performance in 2007-2008, donors could have potentially achieved greater impact if they had pursued a broader approach.

18. Too standard an approach

The general approach followed in the governance programme does seem to be a rather standard one, without much innovation to account for the very different circumstances of Somalia. Sufficient account does not seem to have been taken of the very low base from which one starts in Somalia.

Findings specific to the partnership

19. Not one partnership

The 'Strategic Partnership' between donors and UNDP is not a single partnership but a series of individual agreements between UNDP and separate donors. The Strategic Partnership has not really operated as a *partnership*, in the full sense of that word, with all parties contributing to commonly agreed strategies whose results are carefully evaluated and which are then adapted in the light of experience and results.

20. No increased effectiveness in aid delivery.

Partnership arrangements did increase 'efficiency' in aid delivery to the extent that they reduced the number of ad hoc funding agreements that were needed and therefore slightly reduced transaction costs. But there is no evidence that the partnership arrangements significantly increased 'effectiveness' in aid delivery. This report cites weaknesses in strategic planning on behalf of donors as well as UNDP, poor reporting, absence of effective M&E; absence of clear logframes, inadequate attention paid to outcomes, problems in relationships with counterparts and with speed of decision-making and delivery. Moreover, despite some of these problems becoming evident at an early stage, the partnership or multiple partnership structure was not able to address these problems effectively and resolve them.

21. Inadequate supervision of implementing agent by donors

Arrangements for partnership meetings, and attendance at the meetings, have not been adequate to deal with the challenges faced by the Strategic Partnership, such as questions about the overall appropriateness of the partnership strategy, or the monitoring of projects and decisions about sensitive projects.

22. Insufficient investment in strategic advice

Given the lack of a systematic mechanism for on-going review of the partnership strategy, donors and UNDP did not collectively realise until too late that the strategy of supporting the TFG should be revised. This highlights the need for greater investment in strategic advice.

23. Inadequate attention paid to M&E

The framework for and implementation of monitoring and evaluation (M&E) was highly defective, in that there was no clear logframe to define desired outcomes, little M&E was carried out, reporting to donors on M&E was very poor, and M&E was not accorded sufficient importance by either UNDP or donors.

5.2 Recommendations:

1. Revise the structure of the partnership

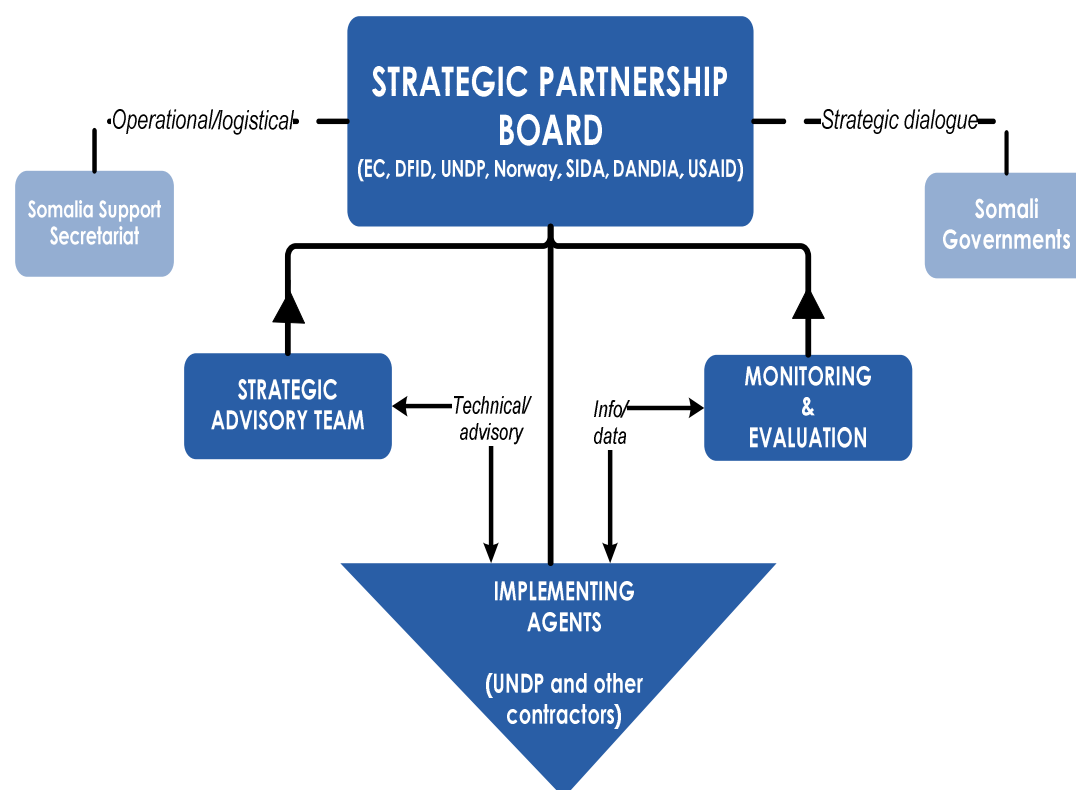
We recommend that the partnership should be structured differently in order both for it to operate more effectively in future and to become a genuine partnership. A key to this is the separation of UNDP's role as a financial contributor to the programmes and any role it has as an implementer of the programmes. We assume here that the partnership should tackle both ROLS and governance, although clearly other areas could be added.

We recommend that there should be four main parts of the new structure:

1. The partnership board, including the donors to the programmes, EC, DFID, Denmark, Norway, USAID, UNDP and UNPOS (and possibly others). There should be one partnership agreement which all parties should sign up to. The partnership board would:

- a. Decide on partnership strategy, acting on advice from partners and the Strategic Advisory Team
 - b. Conduct strategic dialogue with governments
 - c. Review M&E reports and take decisions on adjusting the programmes accordingly.
 - d. Be chaired by an individual from a non-implementing partner and possibly have secretariat support.
2. The Strategic Advisory Team (SAT), which would provide advice on strategy to the board, and comprise experts with sufficient time allocated to provide substantive advice to the partnership board on strategy. The SAT would be contracted by the partnership board or by one of the non-implementing partners on behalf of the board.
3. The independent M&E team, which would report to the partnership board and again be contracted by the partnership board or by one of the non-implementing partners on behalf of the board.
4. The implementing agents, including potentially UNDP, which would be contracted by the partnership board or by one of the non-implementing partners on behalf of the board. They would report to the partnership board in formats determined by the partnership board on the advice of the M&E team. They would also provide monitoring data to the M&E team in formats requested by the partnership board on the advice of the M&E team. Implementing agents should either be chosen by a competitive process or have gone through a competitive process (e.g. to be awarded a framework or indefinite quantity contract for the type of services in question).

The revised structure of the Strategic Partnership would encourage greater separation of policy, strategy and implementing roles and responsibilities and more effective execution of each. It would of course also be possible to have sub-partnership arrangements, such as a separate partnership sub-committee on public financial management, which might include the World Bank. The overall approach is illustrated in the figure below.



2. Introduce effective independent monitoring and evaluation

In any future arrangement a robust independent monitoring and evaluation framework is absolutely essential.

A professional, adequately resourced fully independent M&E team reporting to the donors, not the implementing agent, should be recruited. (By independent evaluation we mean evaluators who are not contracted by UNDP or

other implementing agent – since it is the implementer who is being evaluated – and who are not conflicted in any way, such as having a long-standing commercial relationship with the implementing agent).

Monitoring should be carried out on at least a 6-month basis, and should cover overall partnership strategy and issues, as well as specific review of the governance and ROLS programmes (and any other programmes or projects covered by the partnership).

The implementing agent should produce internal monitoring data of a type and format set out by the independent monitoring team and approved by the partnership board.

3. Replace activity-based reporting with outcome-based reporting

Activity-based reporting should cease and be replaced by reporting of progress towards outcomes. Reports should be shorter and produced more frequently and in a timely manner. We recommend that short reports should be issued every quarter, no later than one month after the end of the quarter. A larger annual report should encompass the last quarter and comment on issues in greater detail. Reports should contain a simple financial report in a form which provides a range of useful summary data.

An agreed common logframe should be created against which results can be monitored. Whether this is based on the DFID, EC, DANIDA or other variant is not particularly important. They all involve the same main elements and principles.

A programme logframe, which should contain nested sub-logframes for individual programme aspects, should be produced by an independent specialist with particular knowledge of logframe design. The logframe should be based on a revised strategy.

4. Conduct independent evaluation at a project level prior to designing a new programme

As noted, this evaluation has been a relatively light touch programme-level evaluation. Time, resources, and security constraints have prevented a project-level evaluation. Our information on those projects we have commented on has been partially anecdotal and certainly incomplete. A future strategy and programme should be founded upon a clear assessment of which projects or project components had been successful or otherwise and why. Thus a more thorough project level evaluation should be conducted prior to the design of a new programme. As we have suggested in the brief section on finances, there is also the need for a more thorough review of the finances of the programmes. This could usefully be done at the same time.

5. Commission a specialist team to design a new programme based on a revised strategy

A specialist team should be retained by the donors to revise the overall strategy and to design a new programme based on it. This programme should take into account both this evaluation and the more detailed project-level evaluation referred to above.

6. Ensure that a new partnership closely links ROLS and Governance activities

Any new programme should require much closer linkages between the ROLS and Governance components, with governance activities deployed in much stronger support of ROLS activities.

7. Do not provide new funds for substantive activities until the above measures have been implemented

Given in particular the difficulty of determining under the current arrangements whether desired outcomes are being achieved, it would be imprudent and unwise to provide further funds to support governance and ROLS programmes until the above reforms have been implemented. Existing funds should be used to continue priority programmes. The exception to this should be activities of immediate political importance involving support to the new TFG, discussed in the recommendation below.

8. Provide earmarked and closely controlled funds to support any immediate priorities

Given the time required to put new mechanisms in place it may be necessary to use the existing mechanism in the short-term (say 6 months) to address immediate priorities of high political importance. In these cases ear-marked funds could be provided, with agreement between partners upon the objectives, activities, and timeframes for

delivery and intended outcomes of the interventions, (captured in a logframe). Reporting framework(s) should also be agreed beforehand. Given short-term horizons of any ear-marked funding for project activities, it is recommended that progress reports be produced on a monthly basis – supported by detailed financial data on spend and forecast requirements – against objectives, timeframes and outcomes as outlined in project logframes.

9. Make a sustained effort to increase the numbers of programme implementers

Relying primarily on one implementer of assistance is not a good approach, either for the effectiveness of the development assistance or the primary provider. Donors should make a sustained effort to involve other implementers. This will involve a greater focus on addressing security issues and on contracting through donors that have a less restrictive security policy.

10. Address security issues forcefully

Without better security on the ground it will remain very difficult to carry out development activities. With improved security, greater operations on the ground should be feasible in Somaliland and Puntland at the moment, although not yet in South Central. As security improves in South Central small-scale operations should be considered. Improving the effectiveness of the SPU units should be a high priority. A professional security company should be contracted to help implement the reform recommendations and train the units to a much higher level of effectiveness. The same company could also undertake an assessment of other security options, such as encouraging the growth of properly trained private security companies, and or training elements of government police units. Innovative approaches such as airport reform to create a safe base of operations should also be considered.

11. Consider shifting high-risk political activities to UNPOS

For UNDP to be involved in high-risk, highly political activities such as providing financial support to the government in South Central, salaries to police forces or support to political processes risks undermining the other work that it does. It is also appropriately done by a more political body. UNPOS is probably the natural body to carry out such work but it has neither an operational capability nor a capacity to handle significant financial transactions. Bolting on to UNPOS that operational and financial capability by means of a contract with an organisation or group of organisation with the operational and financial expertise to enable UNPOS to implement these programmes would be the fastest way of addressing this problem. Given the absence of an effective UNPOS procurement capacity it would be wise for the procurement process for this add-on facility to be handled by a donor with fast and flexible procurement capability. With regard to the transfer of funds to the new TFG the formation of a tight joint committee of UNPOS, donors and the TFG could oversee a possibly hawala-based transfer mechanism.

12. Develop an effective timeline for reform

It is important to agree a timetable for reform. Designing in detail the new arrangements and implementing them will likely take some 6 months or a little longer. Strengthening UNPOS needs to be done more quickly, perhaps in 2 to 3 months at the most. In the meantime existing arrangements can be continued and utilised where necessary.

ROLS recommendations

13. Focus efforts where most can be achieved

Given the operational difficulties that are likely to continue for the foreseeable future, it makes sense to scale down the ambitions and expectations of ROLS and, whilst not abandoning South Central, to focus most attention on achieving deliverables in those regions of the country where there is the potential to create a positive critical mass and to make a discernible impact in the lives of the Somali people. As acknowledged in the original ROLS strategy document, it continues to make sense to focus heavily on Somaliland in the first instance followed by Puntland and to take opportunities in South Central and indeed elsewhere when they present themselves. South Central opportunities may emerge quite quickly if the new TFG can establish itself with popular support.

14. Provide separately for military engagement

To protect UNDP and ROLS programme integrity, military support activities (which are expected to be done under the auspices of the Joint Security Committee and facilitated by UNPOS) need to be firewalled from ROLS' work with the police. This is also needed to prevent police mission creep towards increased or sustained militarisation, which undermines progress on human rights and increases the chance of abuses. Unless military needs for

developing the new Joint Security Force are addressed, the police will be continually dragged into providing military and/or quasi-military services and lose a civilian police identity. Such military engagement is outside the mandate of UNDP.

15. Greater clarity in any ROLS phase 3

Any ROLS Phase III should clearly identify the spectrum of activity with discrete project activities within and across components. Benchmarks should be evident. This will assist in making clear what in any Phase III can be realistically achieved in the time available with further thought given as to how each of the components can be used to secure sustainability, synergy and leverage for the programme as a whole. This will further assist in determining how funds can be best allocated and used to achieve maximum impact for the people of Somalia, particularly the poor and marginalised.

16. Do not classify SPU costs as development expenditure

Funding for the SPU should not be classified as part of the ROLS programme (law enforcement). These units are providing protection for development workers, not Somalis. While security protection is indeed a necessary cost of operating in Somalia the costs should be attributed to a separate security budget heading so as not to distort the true level of development spending.

Governance recommendations

17. Focus more effort on public financial management

Stronger action should be taken to address the key priority of budgetary and financial management, especially revenue collection. More creative approaches may be required, as well as a tougher stance towards government. For example it is not acceptable for Somali governments to refuse to share their budget documentation with donors. Transparency over budgets should be a precondition for assistance. Other more effective mechanisms for collecting revenue, such as revenue authorities, should be considered.

18. Don't over-reach, keep it simple

The objectives of governance assistance should not be overly ambitious. The focus should be on identifying goals that can actually be achieved and then devoting the necessary resources to achieve them. One should recognise that in these difficult circumstances, resources required to achieve relatively straightforward goals are likely to be much in excess of those needed in other circumstances. More specialist expertise than that which has been deployed in the past is likely to be required.

19. Proceed carefully in providing start-up costs to new governments

A government that cannot raise any revenues is unlikely to be one that can command much support. Neither is one that is too reliant on foreign assistance likely to be long-lasting. Thus new governments should be required to at least partially match external support from their own revenues and phase out external support as quickly as possible. Again, transparency with regard to domestic budgets should be a sine qua non of external support.

20. Accommodate differences between regions

It is important to take greater account of differences in priority needs and absorptive capacity between South Central, Somaliland and Puntland, by tailoring initiatives to the specific situation in each region. This implies providing significantly more sophisticated assistance to Somaliland and assistance of a much more basic level to South Central. Lessons learned from the more advanced regions can be built upon and made accessible to others, to show that with the necessary political will, all Somalis can quickly move from relief to recovery.

5.3 Lessons learned

- Large and complex programmes should have a clear M&E framework anchored in a well-designed logframe.
- Large and complex programmes should always be subject to regular independent external evaluation

- Reports should paint an accurate picture, identifying problems and potential solutions, as well as describing progress towards achieving outcomes
- Financial reporting should identify accurately where resources are being directed and should provide useful information to decision-makers
- Efforts should be focused where progress can most likely be achieved and should not be spread too widely
- Resources allocated to specific projects or activities should be of a quantity and quality adequate to achieving the desired outcomes
- Objectives should not be too ambitious, particularly in an environment like Somalia. Better to aim low and achieve a result than aim high and achieve nothing.
- In a fast-moving and complex environment adequate time and resources should be allocated to reviewing and revising strategy
- When it is not possible or very difficult to operate in a country, 'development at a distance', namely that carried out from another country, is unlikely to be effective.
- Considerable efforts should be made to overcome security problems such that donors and their implementing agents can work on the ground in-country.
- When establishing collaborative arrangements between donors and with implementing agents one should ensure that all parties have a common understanding of how these will operate.
- Governance and rule of law/security programmes should be run in conjunction, with each supporting the other.
- Where regions of a country require support of varying levels of sophistication assistance should be adapted to fit these different needs.
- Implementing agents should be appointed as a result of a competitive process or should have gone through a competitive process to gain a suitable framework or indefinite quantity contract.
- Donors should seek to use a variety of implementing agents and not become too reliant on one provider.
- Bureaucratic processes should not be too complex or restrictive to prevent the rapid deployment of resources of a sufficiently high standard when this is necessary.
- Government counterparts should be closely involved in decision-making and should have good access to programme reports.
- Clear commitments should be sought from governments to which support is provided and if they fail to meet their obligations then future assistance should be adjusted as a consequence.

Appendix 1: The Context

For this evaluation to be an accurate and reliable source of recommendations, it is important to be clear about the context in Somalia during 2006-2008 (the period covered by the strategic partnership), and the prospects in 2009 and beyond. The context, the changes in it, and the timing and significance of those changes, have implications for judgements about the strategic partnership between donors and UNDP Somalia, and judgements about and recommendations for UNDP's Governance and Rule of Law programmes.

Political context

The period 2006-2008 (and into 2009) saw three major changes in the balance of power in south-central Somalia and in competition for control of this region and the national capital, Mogadishu.

- (ii) **Pre-2006 - December 2006: failing TFG, rising ICU.** At the start of 2006 the Transitional Federal Government (TFG), which had been created as a result of the 2002-2004 Eldoret/Mbagathi reconciliation process in Kenya, had still not managed to establish itself in Mogadishu. This failure was due to the lack of popular support for the TFG in Mogadishu and surrounding areas. After briefly trying to establish itself in Jowhar in 2005, the TFG therefore began to establish itself in Baidoa, a town approximately 250km north-west of Mogadishu. In February 2006 the TFG convened the Transitional Federal Parliament for the first time, in Baidoa. However, short of resources and public support, and not committed to sharing power with opposing political forces in Mogadishu – in particular the Islamic Courts Union (ICU) – the TFG remained slow and ineffective even at establishing its presence in Baidoa during 2006. Meanwhile in mid-2006 the ICU expelled from Mogadishu the warlords who had been responsible for most of the insecurity and violence in the city. The ICU consolidated its control of Mogadishu, greatly improving security in the city during the second half of 2006, and extending its control to Kismayo and the Lower Juba Valley. At the same time, the Shabaab military wing of the ICU sought to confront the TFG in Baidoa, eventually engaging the TFG and pro-TFG Ethiopian armed forces in December 2006.
- (iii) **January 2007 - May 2008: a second 'opportunity' for the TFG.** The prospect of TFG failure and collapse led Ethiopia to launch an open invasion of Somalia in late December 2006. Ethiopian troops rapidly captured Mogadishu and routed the ICU, causing it to break up and its leaders and members to flee or go underground. At the start of 2007, the TFG in theory therefore had a new opportunity to try to establish itself in Mogadishu, under the protection of the Ethiopian military presence and the African Union Mission in Somalia (AMISOM), a small 'peace support operation' which began to deploy in March 2007. European donor governments, the US, countries in East Africa, and the UN espoused the idea of a 'window of opportunity' for the TFG, though some governments also called in varying degrees for the TFG to pursue reconciliation with opposition forces and form a more inclusive government. This did not happen, and was always unlikely to happen given the weakness of international pressure for reconciliation, the attitude of the TFG president Abdullahi Yusuf and his supporters, and the superficial advantage given to the TFG by the Ethiopian military presence and protection.

Key events and indicators in this period included:

- **January 2007.** The TFG president declares a state of emergency and sacks the speaker of parliament, Sharif Hassan, who had opposed the Ethiopian invasion and had been prominent in efforts at dialogue with the ICU
- **February 2007.** Prime Minister Gedi orders forced disarmament campaign in Mogadishu which is unsuccessful. Fighting in Mogadishu between ICU remnants and TFG and Ethiopian troops increases, causing an exodus of civilians and a humanitarian crisis along the Afgooye road south of the capital.
- **July-September 2007.** A National Reconciliation Congress (NRC) is held in Mogadishu but excludes key ICU and opposition leaders and is seen by many Somalis as futile. The decisions of the NRC call for the TFG to continue to pursue reconciliation and implementing tasks required by the Transitional

Federal Charter (TFC), including drafting a federal constitution and preparing for elections before the end of the term of the TFG in 2009. Meanwhile former members of the ICU establish the Alliance for the Re-liberation of Somalia (ARS) in Asmara, Eritrea.

- **October 2007.** Deployment of second battalion of Burundian troops brings AMISOM strength to 3,400 out of mandated strength of 8,000.
- **November 2007.** Prime Minister Ali Gedi is sacked and replaced by Nur Hassan Hussein (known as Nur Adde). New 15-member TFG cabinet is appointed, drawn largely from outside the parliament, but fails to assert authority over President Yusuf and his supporters.
- **February 2008.** Nur Adde starts private negotiations with Hawiye clan leaders in Mogadishu but efforts are undermined by TFG security forces 'counter-insurgency' raids and attacks on the Bakhara Market in Mogadishu.

- (iv) **May 2008 - March 2009 and beyond: a negotiated transition to a unity government.** The third significant change in the political context began in May 2008 with the convening of reconciliation talks in Djibouti between the TFG and the Djibouti-based wing of the ARS. The talks led to the signing of the Djibouti Agreement in June, but implementation of this was delayed by the need for further talks, by disputes within the TFG, and by uncertainty about an Ethiopian withdrawal. Gradually, however, the Djibouti Agreement brought about a transition from the TFG to a new government of national unity.

Key events and indicators in this period included:

- **May - October 2008.** Talks between the TFG and the ARS-Djibouti lead to the Djibouti Agreement signed in June and a political declaration signed in October. The Djibouti Agreement provided for a renewable 90-day cessation of hostilities to come into effect 30 days later, and for a Joint Security Committee to be formed.
- **August 2008.** Attempt by President Yusuf to oust Prime Minister Nur Adde is foiled. Yusuf and Nur Adde agree plans for replacing Mohammed Dheere, the mayor of Mogadishu, and reforming TFG security services.
- **November 2008.** Ethiopia mediates between Yusuf and Nur Adde in dispute over appointment of new cabinet
- **December 2008.** Yusuf resigns as president and is replaced by Sheikh Sharif Sheikh Ahmed, leader of the ARS-Djibouti and a former ICU leader
- **January 2009.** Ethiopian army withdraws from Mogadishu and Somalia; Shabaab militia capture Baidoa. Attacks on AMISOM increase.
- **February 2009.** Sheikh Sharif appoints new, enlarged cabinet of 32 ministers and starts talks with clan elders in Mogadishu on stopping violence in the city.

In contrast with the situation in south-central Somalia, during the period 2006-2008, the situation in the self-declared independent Republic of Somaliland and the self-declared autonomous Puntland State of Somalia remained relatively stable. Notable developments included:

Somaliland. In April 2008 the Somaliland parliament extended the term of the president by one year and postponed elections to 2009. In December 2008 new fighting broke out in the Sool and Sanaag regions, which are disputed by Puntland and Somaliland.

Puntland. In December 2007 the Puntland president Mohamed Musa Hersi dismissed Puntland's parliament and resorted to effectively ruling by decree. In January 2009 a new president, Abdurahman Mohamud Fole, and a new cabinet of 18 ministers were appointed.

Development context

During 2006-2008 the quality of governance, and the levels of rule of law and security, varied significantly across the three constituent regions of Somalia – south-central Somalia, Puntland and Somaliland. Key aspects are:

- **Acutely low budgets.** In per capita terms, government budgets in Somalia during 2006-2008 were in the regions of only 5%-15% of the size of budgets in other comparably poor countries. The draft TFG budget for 2007-2008 (which was not approved by parliament) was about US\$12m, equivalent to not more than US\$5 per head of population in south-central Somalia. In 2008 the Somaliland budget increased by 27% to US\$51m, though this was still equivalent to only about US\$15 per person in Somaliland, and roughly half of the budget was allocated to security and defence. In 2003 and 2004 government expenditure was equivalent to less than US\$10 per person per year in Somaliland and Puntland.⁴²
- **Agencies.** During 2006-2008 UNDP's position as almost the only international development organisation in Somalia was accentuated, to the degree that even UNDP officials considered its position 'overly dominant'. Most of the few (mainly humanitarian) international NGOs in Somalia withdrew. Many Somali NGOs remained active, but most of these were small and operated only in narrow parts of the country. During this time the World Bank did not have a permanent presence in Somalia.
- **Donors.** During 2006-2008 international donors for Somalia continued to be based in Nairobi. Outside the strategic partnership, the wider mechanisms for donor coordination were the Somalia Donor Group within the Somali Support Secretariat, and an array of donor-UN-NGO working groups established in 2007, in connection with the UN Transition Plan for Somalia for 2008-2009. Because of staffing and travel constraints, donors in general spent little time in Somalia and UNDP field-based project staff had little direct contact with donors. The EC maintained a small field presence in Somalia, but no other donors had any presence in-country.

Security context

During 2006-2008 security deteriorated severely in south-central Somalia for Somalis, foreigners and development organisations. Security for foreigners and development organisations deteriorated less sharply in Puntland, and less so in Somaliland, until UNDP's office in Hargeisa, Somaliland, was bombed. The spectrum of threats included improvised explosive devices, car and suicide bombings, fighting between armed forces, mortar and grenade attacks, assassinations, killings, shootings, ambushes, kidnapping and piracy.

- **Security for Somalis.** During 2007-2008 the fighting in Mogadishu caused some 870,000 people to flee Mogadishu (around two-thirds of the city's population) and brought the total number of displaced people in south-central Somalia to around 1.1 million. Many thousands of people were killed or injured in the protracted violence. Fighting also escalated in other parts of south-central Somalia (such as Kismayo and near Galkacyo) primarily between the Shabaab and Ethiopian and TFG forces, but also later between the Shabaab and rival groups.
- **Security for aid workers.** Security deteriorated sharply during 2007-2008, as aid workers and UNDP were increasingly targeted. Examples of incidents in 2008 included: in April a UN car was shot at in Garowe; in June the regional head of a Somali NGO, the Center for Research and Dialogue, was assassinated in Beledweyne; in July the head of the UNDP office in Mogadishu was assassinated, and in October the UNDP office in Hargeisa was hit by a suicide car bomb. In total, during 2008 at least 35 aid workers were killed and at least 26 were kidnapped.

Future context, 2009-2010

A key part of this evaluation is to provide recommendations on (i) options for future partnership arrangements between donors and (ii) UNDP Somalia's Governance and Rule of Law programmes. The recommendations contained in the subsequent sections of this report are therefore made in awareness that the operating context may well change.

At the time of the conduct of this evaluation (February-April 2009), the outlook in south-central Somalia was in flux. Looking beyond changes in the immediate term, three broad scenarios can be outlined for the political and security situation over the rest of 2009 and through 2010:

⁴² For comparison, the budget of Ethiopia in 2008 was equivalent to around US\$70/capita, the budget of Southern Sudan in 2008 was equivalent to at least US\$120/capita, and the budget of Kenya in 2007/08 was equivalent to around US\$220/capita.

Indicator	Best case	Most likely case	Worst case
Government in Mogadishu	<ul style="list-style-type: none"> ▪ Good progress in reconciliation ▪ New TFG cabinet is stable 	<ul style="list-style-type: none"> ▪ Slow or limited progress in reconciliation with opposition groups ▪ TFG cabinet subject to some internal conflict, and rifts over appointments 	<ul style="list-style-type: none"> ▪ Reconciliation stalls ▪ Government is severely handicapped by internal splits
Security in Mogadishu and south-central Somalia	<ul style="list-style-type: none"> ▪ Sustained stabilisation in Mogadishu ▪ Attacks on AMISOM stop ▪ Security improves greatly 	<ul style="list-style-type: none"> ▪ Armed attacks on government, infrastructure or AMISOM are sporadic ▪ Security improves but improvement is fragile ▪ Government control of parts of city is sometimes interrupted 	<ul style="list-style-type: none"> ▪ Armed attacks on government and AMISOM continue ▪ No improvement in security ▪ Government does not maintain control of city
Governance	<ul style="list-style-type: none"> ▪ Technocratic administration operates below cabinet 	<ul style="list-style-type: none"> ▪ Only partly technocratic administration operates below cabinet 	<ul style="list-style-type: none"> ▪ Turbulence in cabinet severely limits effectiveness of administration below cabinet
Rule of law	<ul style="list-style-type: none"> ▪ New heads of security, police and armed forces are effective and accelerate improvements in law and order 	<ul style="list-style-type: none"> ▪ Conflict between heads of security, police and armed forces, and other government figures, slows down improvements in law and order 	<ul style="list-style-type: none"> ▪ Heads of security, police and armed forces are unable to assert city-wide authority
Donors and aid inflows	<ul style="list-style-type: none"> ▪ Increased development funds flow in ▪ International donor conference based on RDP is held in 2009 	<ul style="list-style-type: none"> ▪ Increased development funds flow in, but impact is constrained by modalities regulating use ▪ International donor conference not held before 2010 	<ul style="list-style-type: none"> ▪ Development funds inflows are static and subject to interruption/suspension ▪ International donor conference not scheduled
UNDP field presence	<ul style="list-style-type: none"> ▪ Able to re-establish and scale-up presence in south-central and Mogadishu ▪ Field presence in Puntland and Somaliland is scaled up fully 	<ul style="list-style-type: none"> ▪ Slowly re-establishes presence in south-central and eventually Mogadishu ▪ Presence in Puntland and Somaliland is scaled up 	<ul style="list-style-type: none"> ▪ No increase in presence in south-central or Mogadishu ▪ Presence in Puntland is static ▪ Presence in Somaliland is scaled up
Somaliland	<ul style="list-style-type: none"> ▪ Security improves ▪ Elections are held in 2009 ▪ Marked increase in aid 	<ul style="list-style-type: none"> ▪ Security returns to pre-2008 norms ▪ Elections are held ▪ Slight increase in aid 	<ul style="list-style-type: none"> ▪ Continued threat of attacks by militant groups ▪ Elections postponed ▪ No increase in aid
Puntland	<ul style="list-style-type: none"> ▪ Security markedly improves ▪ Government is stable ▪ Increased aid 	<ul style="list-style-type: none"> ▪ Security improves ▪ Government undermined by internal divisions ▪ Slight increase in aid 	<ul style="list-style-type: none"> ▪ No improvement in security ▪ Change of government ▪ No increase in aid

In practice, the path of events over 2009-2010 may of course cut across these scenarios and is likely to contain unforeseen developments.

Implications for this evaluation

The following are the key implications of the political, development, security and likely future context in Somalia for this evaluation:

- Political changes during 2006-2008 were major and must be borne in mind when evaluating the Strategic Partnership and the programmes and projects which it supported.
- Any future partnership or alternative arrangement, and programmes and projects, must not only be theoretically ready to respond to political changes but must do so in practice.
- The partnership (or alternative arrangement) and programmes must be informed by political and conflict analyses which are regularly revisited and updated.
- The very small size of government budgets in Somalia is itself likely to limit the impact that external assistance has.
- There is a risk that the donors and UNDP's concentration in Nairobi, rather than in-country, leads to the pursuit of virtual development.

Appendix 2: Background to and phasing of the ROLS programme

UNDP has been providing support for a number of years to re-establish security and the rule of law in Somalia, through the Somalia Civil Protection Programme, which started in 1997, replaced in 2002 by the Rule of Law and Security Programme (ROLS). It was assessed in December 2004⁴³ during Phase I. This has been used as the starting point for the evaluation.

The Strategic Partnerships evolved in 2006 and 2007 and therefore UNDP base document is the Phase II Programme Strategy⁴⁴ which sets out the overall objectives and programme components. It should be noted that UNDP is the chosen vehicle for service delivery by the Strategic Partners and therefore is the major, if not only, actor on the ground; giving the closest guarantee for continuity. Thus, to achieve programme coherence requires donor coherence.

Programme Assumptions

ROLS is a post-conflict programme that is being implemented in a conflict environment in South Central, a deteriorating overall security situation and in the absence of effective government and infrastructure. It also operates under de jure constraints, namely the obligation to treat Somalia as one country when it is in reality three different jurisdictions.

Thus some programme weaknesses can be traced to assumptions made in the absence of pertaining reality. Key assumptions included that the TFG:

- had legitimacy on the ground
- were able to hold and control key areas
- were politically competent to progress with reconciliation and power sharing.

These assumptions, which may well be equally relevant to the new expanded TFG, have had a negative practical impact on service delivery necessitating a need for a regional approach. Indeed, in consideration of the varying levels of stability, the operational tactic appears to have been to pilot interventions firstly in Somaliland and then to roll it out into Puntland. South-Central is a separate consideration.

Security context

The crisis in Somalia affects the way that UNDP and the donors are able to disperse funds. It is not business as usual as experienced elsewhere in the world. It is a *sine qua non* that the security situation in Somalia allows UNDP to

⁴³ UNDP Somalia, Rule of Law and Security Programme, DFID Assessment Mission, Final Report 14.04.05.

⁴⁴ 'Rule of Law and Security Programme - Programme Strategy - Phase II 2006 – 2008'

function. There is a need to ensure that all UNDP staff and assets are properly protected. Regional security and development disparities have and will continue to have a direct impact on the ability of UNDP to carry out reforms. Somaliland is the most stable region, followed by Puntland. South Central is the least stable.

When the UN decides that the Security Phase should be increased to level 4, a UN slot system is implemented. This is based on a risk assessment relating to:

- Medical facilities
- Evacuation
- The number of armed vehicles
- Communications

Slots are time based and availability is dependent upon demand. This particularly affects those employed under UNDP contracts who are often unable to perform their functions when out of country.

- Security Phase 5 is a total suspension of operations
- Security Phase 4 places immediate restrictions on access; activates the slot system allowing only emergency humanitarian and crisis actions. Armed vehicles must be used
- Security Phase 3 implements family relocation – single person posting
- Security Phase 2 requires heightened alert
- Security Phase 1 requires precautionary measures
- Security Phase 0 allows total freedom of movement

Somaliland was raised from Security Phase 3 to Phase 4 after the bombing in October 2008. It is likely to return to Phase 3 within the next few months. UNDP staff have not withdrawn and everything is still in place. International UN staff have reduced from 75 to 32. UNDP Staff have 18 in Somaliland. Of these 7⁴⁵ are permanent and the others rotating. Somaliland has 35 slots in total. After the bombing, UNDP has been allocated 4 rotating slots for ROLS with 1 additional rotating slot at a time for Somaliland and the same for Puntland. There is also 1 additional slot for the SPU adviser.

Puntland was raised from Security Phase 3 to Phase 4 during the first quarter of 2008 owing to the deteriorating situation in respect of kidnappings. There are five⁴⁶ permanent international staff. Puntland has 22 slots with 3 for UNDP – which includes 1 for the Head of Office.

There are no private security companies in Somaliland and therefore UNDP Staff in Somaliland and Puntland are protected by the Special Protection Unit (SPU).⁴⁷ The SPU are trained and paid for by UNDP to protect international and diplomatic staff and are not deployed to normal policing duties.

South Central is at Security Phase 4 and Mogadishu at Phase 5. These regions have no slots allocated and therefore all activity is remote.

The Programme

The overall goal of ROLS is to strengthen rule of law and security. The anticipated outcome is improved security and protection under the law for all Somalis. The programme has been split into three phases:

- Phase I - 2002 -2005
- Phase II - 2006 - 2008⁴⁸
- Phase III - 2009 - 2011

The approach and objectives emanate from the UNDP Country Programme Strategy for 2006-2008. Section 1 of the strategy provides background information on the state of rule of law and security in Somalia at the time of promulgation and contextualises ROLS. Section 2 sets out the strategy for the three years 2006 - 2008 and highlights the programme's approach in the different regions of Somalia, whilst defining the indicators for achieving outputs. Section 3 identifies the key annual targets and includes an overall budget for Phase II. It also includes a review of Phase I.

⁴⁵ Two are UNDSS staff

⁴⁶ Two are UNDSS staff

⁴⁷ See section below on ROLS Law Enforcement for explanation.

⁴⁸ The Strategy for Phase II is set out in the UNDP document 'Rule of Law and Security, Programme Strategy, Phase II, 2006-2008.

The Phase II programme strategy was presented to donors and counterparts in the second quarter of 2006 and approved.

Phase III

Whilst technically in Phase III, The strategy has not yet been promulgated as a separate Project Implementation Document (PID) which one would have anticipated. However, the strategy for this phase can be discerned from the UNDP €16M comprehensive proposal to the EC submitted in December 2008. This proposal is currently being redrafted into the UNDP version of a PID.

Recognising the need to have greater impact on the ground, current thinking from within the management team and by Somali counterparts is that ROLS should not be locked into infrastructure and institutions, but work with communities, building capacity at community level with a bottom up approach. This approach is to be supported.

A recent document prepared for DFID⁴⁹ correctly identifies that in respect of drivers for change, there is a need to:

- Facilitate constructive change NOT drive it;
- Facilitate local governance in the absence of government;
- Harness the dynamics of local response.

ROLS phased approach

The documented phases are not based on anything other than time. The transition from one phase to another, whilst referencing 'lessons learned' do not appear to take cognisance of the progress or otherwise of the individual components.

However, in practice the phases followed a more pragmatic approach:⁵⁰

- Phase 1. To establish bodies, infrastructure and institutions;
- Phase 2. Institutional development through capacity building;
- Phase 3. Implementation.

This approach has now been further refined and is consolidated in Phase III.

Whilst there was a review of the mission by DFID in December 2004, there has been no evaluation of Phase II that would legitimise a move to Phase III on the grounds of performance, nor from a recognition of the fact that the difficult working conditions have meant that there are different levels of achievement in each of the three regions.

A partnership has recently been established with the UN Bureau for Crisis Prevention and Recovery. They will provide technical assistance through the establishment of partnership framework and funding agreements. It has been agreed that they will conduct an evaluation of ROLS in 2009, but no arrangement has been made to date.

Phase II approach

The overall approach of Phase II was to consolidate achievements in Phase I and expand the scope of the programme in all regions of Somalia. The overall goal was to strengthen the rule of law and security through the creation and development of competent police and judiciary, bolstered by security initiatives to demobilise militia and downsize standing security forces, control small arms and address the challenges of landmines and UXOs.

The phase was guided by two overall outcomes one focused on the rule of law and the other on security. With regard to the rule of law, the overall result was the establishment of functioning basic structures and processes for the administration of justice in all regions of Somalia. With respect to security, the overall result was to ensure a comprehensive DDR programme as part of a broader security sector reform within the wider context of reconciliation efforts.

⁴⁹ DFID: Somalia: Drivers of Change Analysis, January 2009

⁵⁰ See International Assistance Framework for the Security Sector in Somalia

Appendix 3: Note on the Police Advisory Committee (PAC)

The PAC was set up in Mogadishu in April 2007, by the then Deputy Minister of National Security & Home Affairs - a Human Rights Lawyer. Following training a pilot commenced in 8 districts. Owing to its success, this expanded to all 16 districts, established women and children desks at each police station and started monitoring the Central Prison. Because of the deteriorating security situation, it is now operating in only 14 districts. It is financially supported by UNDP at a cost of \$120k per annum. The ultimate aim is for local ownership by the community with a view to funding being provided by them. This is some way off.

PAC has trained station commanders from each station as well as 2 elders per station. This goes some way to reinforcing the culture of traditional authority. Each morning PAC visits police stations to monitor human rights violations and to protect and maintain the rule of law in respect of unlawful detentions. If members are unable to resolve an issue locally the matter is referred to the Ministry for intervention by the police command.

The PAC Council has a Trust Board comprising of two lawyers, two human rights activists, two police majors and two members of civil society. This board receives complaints from the public and serves as something of an independent complaints authority.

The Council is looking to distance itself from the government and to establish itself as a more independent body as criminal gangs identify PAC members with the government and thereby make them legitimate targets. It has received the support of the Islamic courts as a force for good.

It has now formed a higher board of six members with a view to reducing government involvement to that of a regulatory body. The higher board is intended to independently represent the community.

Key to the success of this community based project was the vision and commitment of the founder who, by virtue of her political appointment, was able to secure the support of the government and personal buy-in of the Prime Minister. All of these ingredients were necessary. It is recommended that, subject to more detailed evaluation, this concept be developed through Somalia using local community elders and NGOs.

Appendix 4: Note on SAACID DDR programme

SAACID is a not-for-profit, non-political, Non-Governmental Organisation (NGO), that focuses on practical measures to enhance the life-options of women, children and the poor.

It was established in October 1990 under Somali presidential law as a community-based organisation. At that time there was no local NGO presence, but that didn't stop some dedicated Somali women - committed to the development of their people - from establishing the first Somali women's NGO.

These women realised the vital role played by NGOs in developing countries - and their ability to directly alleviate suffering and engender hope. They also saw a desperate need for intervention in Somalia and proposed not to sit back and watch. As indigenous people, they had a unique ability to access the grassroots; and have since been able to implement many very successful projects in concert with local communities - growing to become one of the largest local NGOs in Somalia.⁵¹

From between 10 August 2003 and 28 July 2004 with \$ 150K of funding from UNDP, SAACID ran a pilot DDR programme in 6 of the 16 districts of Mogadishu. This was the first voluntary weapon's destruction programme conducted in Mogadishu City.

Three hundred people were invited to participate. One hundred and fifty of the 300 places went to active militia. The other 150 places were divided equally between men and women from mainstream civil society (75 men and 75 women).

As a result of this success, in November 2005, SAACID signed an agreement with UNDP to implement a \$560k Phase II Demobilisation, Disarmament and Reintegration Programme (DDRP) in Mogadishu, Somalia. This programme was a scaled-up programme that logically built upon the programme that SAACID had implemented in

⁵¹ See www.saacid.org

partnership with UNDP in 2003-4.⁵² It targeted 512 hardcore freelance militia in the city. All 16 districts in Mogadishu participated in the programme; with each district selecting 32 freelance militia for the programme.

SAACID believed that the participation of all districts as genuine stakeholders in the programme was essential for the grassroots development of sustainable security in the city. Without the participation and support of district-level leadership and communities, no real reconciliation and security can ever be developed. This view is to be supported.

The first month of the programme included mobilisation workshops; selection of militia; registration of militia; testing of weapons for functionality; decommissioning of weapons; and the signing of contracts with militia and community leader guarantors. The next phase was to register all 512 militia for 3 months of numeracy and literacy training.

The last Phase was two months of specialised business training classes and six months of phased micro-grants; or 10 months of vocational training and a three tranche micro-grant rollout. Of the 512 who started 505 completed all elements of the programme. Of the 7 that did not complete, 5 left the country and 2 were killed. A tracer study in the autumn of 2008 was able to positively track 407 who had participated originally.⁵³

The SAACID initiative was not a real DDR approach, but rather a Community Safety and Security Approach to conflict management. It reflected a local peace process to disarm militia and allow them to move on rather than a time limited forced arms reduction process that is usually associated with DDR. Given that the local peace process should feed into the national peace process (rather than the latter being imposed), local community involvement is the most appropriate approach which has the best prospect for securing sustainability.

Appendix 5: Note on the background to the governance programmes

Formerly the TFG struggled and currently the Government of National Unity is struggling to establish institutions and stabilize the country and the large segments that remain outside any governmental control. Puntland operates largely autonomously and Somaliland has been acting as an independent state. Violence against media, civil society, government, and citizens remains a part of life.

There is a range of major issues associated with the functioning of the executive arm of government in all three regions with particular problems in the area of finance, planning, staffing and management. There are significant problems with revenue and expenditure management, exacerbated by the low revenue base, compounded by years of conflict and weak revenue management. Weak planning and budgeting at state and locality level results in there being little or no relationship between plans, budgets and actual expenditure out-turns.

Such development plans that exist are part of a top-down process and do not reflect the needs, demands and ownership of citizens. Moreover, plans are developed with little or no consultation with communities. Development plans should be linked to the budgeting process and thus represent what is 'doable' in the proposed timeframe. Instead there is substantial deviation between what the budget proposes and what actually gets funded, insofar as much gets funded at all.

Civil Society has effectively been marginalized in South/Central and to some extent in Puntland, however many NGOs have established a firm community base and offer organizational capacity to deliver services. Civil society organizations in Somaliland were banned prior to 1991 but have emerged during the same timeframe and have assumed an increasingly important role in providing services and advocating for various causes before the government.

The Governments of Somaliland and Portland have developed comprehensive 5 year Development plans (2007 – 2011), setting out their own vision, future challenges and priority activities. However, budgetary provision is not in place and implementation deferred. A large number of constraints have affected programme implementation, including:

⁵² <http://www.saacid.org/DDRP.html>

⁵³ See SAACID Tracer Survey December 2008.

- Lack of security in state and unresolved political and power sharing issues
- targeting of UNDP in Mogadishu and Hargeisa;
- the severe lack of resources in government budgets;
- the disproportionate interest of donors in supporting the TFG, at the expense of investing in the Somaliland and Puntland governments, and in local governance more generally, (notwithstanding the fact that Somaliland has ended up receiving a high proportion of non-humanitarian aid because of the difficulty of spending it in South Central)
- Weak institutional capacity and low management and implementation capacity
- Weak organization and coordination between civil society stakeholders
- Disputes over federal structure and status of regions
- Weak/non-existent electoral institutions
- General deterioration of human capital, lack of professional training and abrasion of relevant skills over the past 15 years
- Reluctance to involve civil society in ensuring accountability with regard to public finances
- Lack of confidence in formal banking sector among Somalis
- High cost of doing business in Somalia due to absence of security

Appendix 6: Defining governance

There are many different perceptions of the concept and practice of Governance. It is important that there is a shared vision and understanding of (Good) Governance in order to provide a coherent working framework for the UNDP Governance Programme. The priorities and implementation plan can then be varied/adjusted according to the pace of development and the prevailing political/security situation.

UNDP's 'global' definition of governance is the exercise of economic, political and administrative authority to manage a country's affairs at all levels, which clearly has implications for equity, poverty, quality of life, responsiveness to citizen demands and the ability to meet global pressures with appropriate policy actions.

DFID sets out three characteristics for good governance:

- State capability – the extent to which leaders, governments and public institutions are able to get things done; to formulate and implement policies effectively.
- Accountability – the ability of all citizens, civil society and the private sector to scrutinise leaders, governments and public institutions and hold them to account. This includes, ultimately, the opportunity to change leaders by democratic means.
- Responsiveness – whether public policies and institutions respond to the needs of all citizens and uphold their rights.

Clearly good governance is a fundamental pre-requisite for conflict transformation. An overall coherent strategy that provides the basis for effective management including policy and financial planning, implementation and evaluation does not exist. If such a strategy were in place, it would provide a comprehensive and holistic framework for implementing and coordinating the many individual projects and activities.

It is suggested that the main focus of a strategy on governance in Somalia should be to:

- enhance capacity of governing institutions at federal, state and local levels in South Central, Somaliland and Puntland to plan, deliver & monitor a programme of early recovery/development that is equitable and inclusive, responsive, and accountable to citizens.
- improve capacity of key training/research/development/institutions that support the 'machinery of government' in the field of the constitution-making process, policy formulation, development planning, budgetary and financial management, staffing & decentralised service delivery

- promote and support community governance and the role of civil society in the planning and delivery of public services

Appendix7: The Rwanda Revenue Authority: A possible model

Many countries that have suffered from years of state division, ethnic conflict and growing economic malaise have demonstrated the importance of establishing a revenue authority to increase the revenue generation capability as a first step towards reconciliation and recovery. There are lessons to be learnt from the experiences of Sierra Leone⁵⁴, Rwanda⁵⁵, Uganda⁵⁶ and others in the region who have made significant progress in raising domestic revenue towards reconstruction and development.

In the aftermath of Rwanda's national collapse and genocide, the Revenue Authority was created in 1997. The civil war had left one million people dead and nearly three million refugees in exile, the fabric of society had been torn apart, the state and economy had collapsed and infrastructure destroyed. In 1997, the Rwandan state was still in the process of reconstruction but had begun to move to the point where longer-term development issues could begin to be contemplated alongside the ongoing need to deal with issues of regional insecurity as well as social and political fragility within its borders. The emergence of the successful revenue authority as a performing organisation is in many respects symbolic of this wider drive for national reconciliation and reconstruction. The Rwandan government had been able to mobilise the support of *cooperation partners* such as DFID (the Revenue Authority's principal external partner) and the IMF⁵⁷ which provided targeted assistance on tax policy matters and a major source of financial and technical assistance.

The Rwanda Revenue Authority (RRA) plays an integral role in government's broader political vision and development strategy. It is seen as playing a strategic role in:

- increasing the country's domestic revenue generation capability, which is critical to enabling the country to finance its development objectives and poverty reduction strategy, and to reduce its dependence on outside assistance;⁴
- creating an enabling environment for private
- sector development and attracting inward investment;
- contributing to developing a culture of participation and citizenship as part of a wider process of establishing the norms and practices of democratic governance,⁵ and of bringing government closer to the people; and
- encouraging public confidence in government as an institution able and willing to lead the Rwandan people from misery and strife towards self-esteem and prosperity.

The period also saw the placement of technical assistance (TA) personnel in a number of line management positions, combining advisory and training functions with selected implementation responsibilities. Advisers were also posted to work alongside senior management to assist in developing stronger management systems and corporate planning and monitoring processes.

During this period, the RRA saw revenues increase from 9% to 12.5 % of GDP, while its standing among the public at large and the tax paying community in particular seemed to be improving. It also saw management emerge with a stronger sense of purpose and ownership of the organisation and a growing understanding of the relationship between change, capacity and performance.

⁵⁴ Reference <http://www.nationalrevenuesl.org/> Sierra Leone Revenue Authority's mission is to "to design and implement effective strategies and programmes to collect and account for all tax revenues at a minimum cost while facilitating trade, investment and the movement of people across the borders of Sierra Leone through an efficient, transparent and taxpayer friendly service delivery" The Board of Directors includes Minister of Finance, Governor of the Central Bank and a Legal Practitioner.

⁵⁵ Reference www.rra.gov.rw/rra_article16.html

⁵⁶ Reference www.ugrevenue.com

Within the machinery of government, the following are of special significance:

- *The President* has from the outset played a significant role in promoting the RRA, in encouraging Rwandans to pay their taxes and in insisting on public service integrity, transparency and accountability. The president has also led a campaign of zero tolerance towards corruption.
- *The Ministry of Finance and Economic Planning* is the RRA's parent ministry and is therefore directly responsible as board member for monitoring the policy framework and operations of the organisation. It also provides the policy links between domestic revenue mobilisation and broader strategies of macroeconomic management, public sector reform and poverty reduction.
- *The Ministry of Commerce* (including the Investment Authority) is a board member and a critical stakeholder from the point of view of managing the relationship between the collection of revenues and creating an enabling environment for private sector investment and development.
- *The National Bank of Rwanda* is a board member and a critical stakeholder in terms of monitoring the link between domestic revenue generation and the management of fiscal and monetary policy.
- *The Ministry of Public Service* has a special interest to see how the agency model on which the RRA is based works in the Rwandan context, and to draw lessons for the wider process of public service reform (capacity building, performance improvement and service delivery).
- *Revenue authorities in the East African region* have been an important source of knowledge, expertise and peer support and have helped the RRA to avoid the mistakes made by others.

Some Success factors

- A locally driven transformation process
- Clear mandate and expectations to perform
- Strong and visionary leadership supported by effective management
- An organisational status offering space but also protection
- Getting the organisation right - balancing 'hard' and 'soft' elements of capacity
- Looking in but also out - managing the external environment
- A pragmatic and incremental change process

Appendix 8: Security approaches of the different donor organisations

- **UNDP:** Governed by United Nations rules set in New York which – as of March 2009 – restrict to a very small number international personnel in Somaliland and Puntland and prevent deployment in South/Central.
- **DFID:** Restricted quite severely, even in Somaliland. Concerns over 'duty of care' for staff and contractors in Somaliland.
- **USAID:** restricted very severely. Every staff member or contractor travelling to any part of Somalia has to get permission each time from a senior official in the state department.
- **EC:** Much less restrictive. The EC operates with both staff and contractors in Somalia, and maintains offices in all 3 regions. The EC does not formally acknowledge a "duty of care" obligation in the same way that DFID does. It has its own security management operation in Somaliland.
- **Sweden:** No fixed policy. Decisions are taken by the Embassy on a case by case basis.
- **Denmark:** Approaches security issues on a case by case basis. Staff travel occasionally to Somaliland. Funds large Danish NGOs to operate in Somalia such as the Danish Refugee Council
- **Norway:** Does not have any restrictions. Staff travel frequently to various regions of Somalia.

Appendix 9: Persons interviewed.

Bruno Lemarquis	Country Director	UNDP Somalia
Eric Overvest	Deputy Resident Representative	UNDP Somalia
Laurel Patterson	Assistant Resident Representative	UNDP Somalia
Moe A. Hussein	Liaison Officer, RC Office	UNDP Somalia
Eddie Boyle	Deputy Programme Manager, ROLS	UNDP Somalia
Abdullahi Sheikh Ali	Policy Analyst, RC Office	UNDP Somalia
Timothy der Weduwen	Law Enforcement Project Manager, ROLS	UNDP Somalia
Daniel Ladouceur	DDR Project Manager, ROLS	UNDP Somalia
Alejandro Bendana	Programme Manager, ROLS	UNDP Somalia
Simon Ridley	Judiciary Project Manager, ROLS	UNDP Somalia
Mona Fetouh	Monitoring & Evaluation	UNDP Somalia
Annie Anahid Demirjian	Programme Manager, Governance	UNDP Somalia
Phillip Cooper	Deputy Programme Manager, Governance	UNDP Somalia
John Kiyaga-Nsubuga	Project Manager, Governance	UNDP Somalia
Ignatius Takawira	Deputy Project Manager, Governance	UNDP Somalia
Aues Scek	Deputy Project Manager, Governance	UNDP Somalia
Hodane Yousouf	Deputy Project Manager, Governance	UNDP Somalia
Mira Mariano	Area Project Manager, Garowe Governance	UNDP Somalia
Varsha Redkar-Palepu	Acting Project Manager, SCMSP	UNDP Somalia
Mohammad Jawari	Adviser, SCMSP	UNDP Somalia
Ebenezer Talbot	M&E Reporting Officer	UNDP Somalia
Caroline Rusten	Project Manager, Local Governance	UNDP Somalia
Joane Morrison	Project Manager, Joint local governance	UNDP Somalia
Mona Fetouh	M&E Officer	UNDP Somalia
Abdul Aziz Ahmed	Head of Sub-Office, Garowe	UNDP Somalia
Simone [...]	Judiciary Project Officer	UNDP Somalia
Balma Yahaya	Head of Sub-Office, Hargeisa	UNDP Somalia
Jonathan Hargreaves	Deputy Head	DFID Kenya & Somalia
Emma Morley	Somali Governance Advisor	DFID Kenya & Somalia
Dan Silvey	Conflict Advisor	DFID Kenya & Somalia
Gemma Norrington-Davies	Programme manager	DFID Kenya & Somalia
David Bell	Former staff member	DFID Kenya & Somalia
Keith Biddle	Former police adviser	DFID
Betina Gollander	Counsellor	Royal Danish Embassy
Hellen Gesare Bonuke	Programme Assistant	Royal Danish Embassy
Anne Maria Madsen	Former Counsellor	Royal Danish Embassy
Katerina Zinn	Counsellor – Development Cooperation	Embassy of Sweden
Maura Barry	Somalia Program Director	USAID
Richard Hands	Counsellor	European Union
Rina Kristmoen	Counsellor	Royal Norwegian Embassy, Nairobi
Joseph F. Trimble	Somalia Affairs	US Embassy Nairobi
Walid Musa Abdelkarim	Director Political Affairs	UNPOS
Nick Pyle		UNPOS

John Lovdal	Resident Senior Program Officer Institute for International Affairs	National Democratic
Mohamed Nur Mohamud	Senior Program Officer Institute for International Affairs	National Democratic
Mohamed Mohamud	Programme Manager	Muslim Aid
Sally Healy	Horn of Africa Specialist	Chatham House
Ron Isaacson	Senior Operations Officer	World Bank
Tony Burns	Director of Operations	SAACID
Bashir Jama	Deputy Commissioner	Somalia Police Force
Jerry McCann	Regional Director	Interpeace
Jeremy Brickhill	Security Advisor	Nairobi
Rob Andrew	Security Adviser	Nairobi
David Bilcliffe	FCO Aviation Adviser	Somaliland
Fahma Ahmed Nur	Police Advisory Council	Mogadishu
Yonis Hashi	TFG Focal Point, and Planning, Mogadishu/Nairobi	TFG Ministry of Finance
Nur Wahiliye	Former Director General, Planning, Mogadishu	TFG Ministry of
Mohamed Ali Americo	Ambassador, TFG	Nairobi
Ali Issa Abdi	Managing Director, Social Policy Institute (HESPI)	Horn Economic &
Ali Ibrahim	Minister of Planning,	Somaliland
Ahmed Hassan Ali	Minister of Justice	Somaliland
Mohamed Arteh	Adviser to the Minister of Interior	Somaliland
Omar Haj Said	Director General, Civil Service Commission	Somaliland
Mohamed Boqoreh	Director, Civil Service Institute	Somaliland
Dr. Mohamed Samater	Adviser to the Minister of Planning	Somaliland
Mohammed Jama	Adviser, Ministry of Family Affairs, Social Development and Gender Policy	Somaliland
Ismail Addo	National Demobilisation Commission	Somaliland
Abdullahi Mohammed	Concerned Committee of Somalis, NGO partner for DDR	Somaliland
[name not known]	Director General, Minister of Planning	Puntland
Said Farah Yare	Director General, Good Governance Bureau	Puntland
Ali Mohammed Isaaq	Director General, Ministry of Planning and International Cooperation, Puntland	
[name not known]	Director General, Ministry of Justice, Religious Affairs and Rehabilitation, Puntland	
[name not known]	Director General, Ministry of Security and DDR	Puntland

Appendix 10: Documents reviewed

STRATEGIC PARTNERSHIP

1. UN Transitional Plan for Somalia 2008-09	July '07
2. UN Country Programme Document for Somalia	June '07
3. UNDP Programme Risk Assessment 2008-09	
4. DFID – UNDP Strategic Partnership Initiative Somalia 2006-2007 <i>Project Memorandum</i>	29 June '06
5. Form of Admin Arrangement for Cost-Sharing between DFID and UNDP	Sept '06
6. Form of Admin Arrangement for Cost-Sharing between DFID and UNDP (unsigned)	
7. Form of Admin Arrangement for Cost-Sharing between DFID and UNDP (signed)	Oct '06
8. Amended Form of Admin Arrangement for Cost-Sharing between DFID and UNDP (signed)	Nov '07
9. UNDP <i>Request to DFID for disbursement of funds to UNDP and cost extension</i>	10 June '08
10. EC-UNDP, Partnership Proposal June '06 – May '08	June '06
11. EC-UNDP, Partnership Proposal June '06 – May '08 (<i>version 2</i>)	June '06
12. Norway UNDP Strategic Partnership Initiative April – Dec 2007 <i>Project Memorandum</i>	25 May '07
13. Sweden UNDP Strategic Partnership Initiative 2007-09 <i>Project Memorandum</i>	16 Aug '07
14. Sweden Administration Agreement	Nov '07
15. Government of Denmark and UNDP Cost Sharing Agreement	Dec '07
16. Government of Denmark and UNDP Cost Sharing Agreement, <i>authorisation of funds transfer</i>	23 Jan '08
17. Government of Denmark and UNDP: Annex 1 to Agreement <i>project briefs on ROLS and Governance</i>	
18. USAID UNDP Agreement	June 2007
19. USAID Modification to Grant Assistance	June 2008
20. UNDP Programme Results 2006	
21. Outcome Monitoring Report 2006	

22. European Community Contribution Agreement, <i>Somalia Emergency Budgetary Support Project (SEBSP)</i> May 06-Feb 07	
23. UNDP Corporate Strategic Plan 2008-2011	18 July '07
24. DFID/EC-UNDP Strategic Partnership Initiative, Annual Report 2007	
25. Strategic Partnership Progress Report July-Dec 2007	
26. An Evaluation of the Special Protection Units of Puntland and Somaliland – <i>including comments on Report from Keith Biddle</i>	15 Oct '07
27. Somali Reconstruction and Development Programme: <i>Deepening Peace and Reducing Poverty</i> ("clean version")	Oct '07
28. External Consultation Process for the DFID Somali Programme Country Plan July/August 2008	Sept '08
29. Evaluation of Somaliland Cadastre Survey Project 2008	Oct 2008
30. UNDP Somalia organograms 2008 (prior to Oct '08 attacks)	N/A
31. UNDP Somalia, <i>Programme Review and Reprioritisation</i>	Nov '08
32. SOAS <i>Drivers for Change Analysis</i>	Jan '09
33. National Reconciliation Congress Initiative Report, April – Dec 2007 9 th Draft	23 Jan 2008
34. National Reconciliation Congress Initiative Report, April – Dec 2007 Final	
35. Donor Bulletin <i>w/ b 30 June</i>	
36. Correspondence from UN Resident Representative <i>Limited UNDP accountability and monitoring capacity in South-Central Somalia</i>	30 July '08
37. UNDP/DFID Quarterly Progress Review Meeting, minutes	2 July '08
38. South Central Asset Inventory Verification – Final Report, January 2006 to June 2007	June '08
39. DFID-UNDP Strategic Partnership Initiative 2006-2007 <i>Report of the Light Touch Review Mission 21st-26th July 2007</i>	July 2007
40. Joint EC DFID comments on the Annual Partnership Report 2007	
41. Partnership Framework (Logframe) DFID UNDP, June 2006-December 2007	
42. DFID field visit, Hargeisa January 2008 <i>Back to Office Report</i>	Jan '08
43. DFID Country Engagement Plan for Somalia	Nov '04
44. Somalia Disapora Consultation <i>online consultation: Summary Responses</i>	July–Aug '08
45. Somalia Disapora Consultation <i>people met</i>	July–Aug '08
46. DFID – UNDP Strategic Partnership Initiative Somalia 2006-2007 <i>DFID</i>	Sept '07

<i>Annual Review</i>	
47. DFID Somalia Country Governance Assessment	Nov '08
48. UNDP Somalia <i>Annual Financial Reporting 2008</i>	
49. M&E Support Mission to UNDP Somalia (Usman Akram)	Feb '08
50. Monitoring and Evaluation Strategy <i>Draft 2009</i>	Dec '08
51. UNDP Somalia <i>Progress Towards 2008 Annual Targets</i>	Jan '09
52. Letters of Agreement, UNDP Puntland	2007-2008
53. Letters of Agreement <i>Combined Assessment Somaliland</i>	Jan '09
54. ICG meeting, Brussels Feb 2009 <i>Proposed Work plan of Proposed Interventions</i>	Feb '09
55. SIDA Support to UNDP in Sierra Leone, Evaluation 2008:49	Aug 08
56: Recreating Somali Political Systems Today. IDS	Jan 09
57. A Survey of Mogadishu's Economy	Aug 02
58. UNDP Somalia guide for sub-offices	Aug 08

RULE OF LAW AND SECURITY PROGRAMME

59Co-ordination Work Plan	May '06
60. Small Arms Control Project <i>Civilian Weapons Registration Pilot Initiative in Somaliland</i>	July '05
61. DDR and Small Arms Control, Work Plan 2006	May '06
62. Gender and Human Rights, Annual Work Plan 2006	May '06
63. Justice and Human Rights, Annual Work Plan 2006	May '06
64. Law Enforcement, Annual Work Plan 2006	May '06
65. DDR and Small Arms Control, Work Plan 2006	May '06
66. Annual Report 2006	N/A
67. EC ROLS Monitoring Report	Feb '06
68. Co-ordination Work Plan 2007	N/A
69. Gender and Human Rights, Annual Work Plan 2007	May '07
70. Judiciary, Annual Work Plan 2007	May '07
71. Law Enforcement, Annual Work Plan 2007	May '07
72. UNDP Somalia Annual Report 2007	
73. UNDP Somalia Annual Financial Report 2007	

74. Gender and Human Rights, Annual Work Plan 2008	
75. Judiciary <i>version 4</i> , Annual Work Plan 2008	
76. Law Enforcement <i>version 4</i> , Annual Work Plan 2008	
77. Mine Action <i>draft 3</i> , Annual Work Plan 2008	
78. DDR/Small Arms Control, Mid-Year Report 2008	
79. Law Enforcement Project, Mid-Year Report 2008	
80. Judiciary Project, Mid-Year Report 2008	
81. Mine Action Project, Mid-Year Report 2008	
82. DDR/SAC Programme Evaluation Report	Aug/Sept '08
83. SAACID DDR Militiamen Tracer Survey Concept	May 2008
84. Annual Financial Report 2009 <i>Draft 1</i>	
85. Police Advisory Committee, <i>consolidated</i>	Sept '07–Ap.'08
86. Civilian Weapon Registration Project Report, May-Oct 2008	Feb '09
87. Phase II and Ph III Programme Document	Nov '08
88. EC UNDP Verification Assignment	16 Jan '09
89. International Security Framework for Security Sector in Somalia	Jan '08
90. ROLS Somalia Assets Verification Inventory List <i>TFG – Baidoa Assets Inventory Physical Verification Sheet</i>	
91. ROLS: Unverified Assets with TFG Counterparts	
92. Information letter to Mogadishu Blue Shirts	23 Jan '09
93. LOA Tracking Table	Jan '09

GOVERNANCE PROGRAMME

94. Governance Work Plan 2006	
95. Qualified Expatriate Somali Technical Support Project (QUESTS), Second Phase Project Document	Jan '06
96. Somali Institutional and Capacity Development Project, Mid-Year Report 2007	
97. QUESTS, Mid-Year Report 2007	
98. ETA Project, Mid-Year Report 2007	
99. Democratic Governance Thematic Trust Fund Mid Year Report – NOT DATED	
100. Somalia Constitution-Making Support Project, Mid-Year Report 2007	

101.Somalia Institutional Support Project (SISP) Mid Year Report 2007	
102.Somalia Institutional Support Project (SISP) Mid Year Report 2007 <i>updated financial section</i>	31 August 2007
103.Constitution Making Support Project, Annual Report 2007	
104.Community Based Peace Support / Local Governance Project, Annual Report 2007	
105.Technical Assistance Project, Annual Report 2007	
106.Qualified Expatriate Somali Technical Support Project (QUESTS), Annual Report 2007	
107.Somali Institutional and Capacity Development Project (SICAD), Annual Report 2007	
108.ETA Work Plan 2008, first quarter	
109.SICAD Work Plan 2008_ <i>all zones</i> _first quarter	
110.QUESTS Work Plan 2008, INCOMPLETE	28 Feb
111.Constitution Annual Work Plan Budget Sheet 2008	28 Feb 2008
112.UNDP Joint Programme on Local Governance and Decentralized Service Delivery – all zones Annual Work Plan 2008	19 Feb 2008
113.Constitution Making Support Project, Mid-Year Report 2008	
114.District Based Peace Building and Reconciliation in Somalia, Mid-Year Report 2008	
115.Technical Assistance Project, Mid-Year Report 2008	
116.Community Based Peace Support / Local Governance Project, Mid-Year Report 2008	
117.Qualified Expatriate Somali Technical Support Project (QUESTS), Mid Year Report 2008	
118.Somali Institutional and Capacity Development Project, Mid-Year Report 2008	
119.UN Joint Programme Document Local Governance and Decentralised Service Delivery <i>11th Draft</i>	1 April '08
120.UN Joint Programme on Local Governance and Decentralised Service Delivery <i>Grant Application</i>	
121.The District Based Peace Building and Reconciliation Project and the Community Based Peace Support Project, Somalia Review Report 2008	19 Nov 2008
122.The Somalia Constitution Making Support Project, Project Document	Sept '08
123.Linking Civil Society and Media to Peace and State-Building Project Document	Jan '08

124.Somali Institution Development Project, Project Document 2008-2010	August '08
125.Civil Society and Media Project, LPAC minutes	February '09
126.Local Governance, Peace Building and Service Delivery	May '08
127.UN Joint Programme Document for Local Governance and Decentralised Service Delivery, <i>11th Draft</i>	April '08
128.UN Joint Programme Document for Local Governance and Decentralised Service Delivery, <i>UN Habitat Grant Application</i>	
129.Emergency Technical Assistance Project <i>Project Progress Review Support to the Macroeconomic Unit of the Ministry of Planning, Somaliland</i>	March '08
130.Governance (CBPS Project) Somalia Assets Verification Inventory List <i>TFG – Baidoa Assets Inventory Physical Verification Sheet</i>	
131.Governance (SISP Project) Somalia Assets Verification Inventory List <i>TFG – Baidoa Assets Inventory Physical Verification Sheet</i>	
132.SISP Unaccounted for Assets –Transitional Federal Parliament	
133.SISP: Unverified Assets with TFG Counterparts	
134.Governance: Unverified Assets with TFG Counterparts	
135.Central Bank of Somalia Letter of postponement from DG Sharif Mohamed Hassan	
136.Report on International Airports in Somaliland	August 08
137.Steering Committee Minutes 2006-2008	

Appendix 11: Terms of reference for this evaluation

EVALUATION OF STRATEGIC PARTNERSHIP:

1) PURPOSE

The purpose of the evaluation is to constitute the basis for an extension and / or remodelling of the strategic partnership and take stock of both the performance of the UNDP Somalia programme in delivering key outcomes related to the Rule of Law (ROLS) and Governance programmes, and the performance of donors as outlined in the partnership documents and in line with standard Monitoring and Evaluation (M&E) requirements.

It is expected that the results of the evaluation will contribute to better informed decision-making in relation to the partnership and programme delivery, foster an environment of learning and promote greater accountability for performance. The evaluation should also lead to an improved understanding of the intended objectives, their status and the factors that influence or contribute to their change.

2) BACKGROUND & CONTEXT

The aim of the strategic partnership is to enhance the effectiveness and efficiency of UNDP and international support to Somali reconciliation and state building. The partnership aims at a more strategic focus on key priority areas, efficiency gains for UNDP and donors, increased flexibility and a more predictable flow of funding.

Under the overall goal of reconciliation, stability and improved governance and rule of law in Somalia, the partnership is focused on three programmatic outcomes:

- (i) State building: Functioning state capacities at federal, state and local level for policy making, planning and oversight, including adoption and initial implementation of early recovery strategies (mainly addressed by ETA, Quest and SICAD project, SISP project being evaluated separately)
- (ii) Reconciliation, Constitution and Electoral Processes: Constitution, reconciliation and national governance processes and electoral system founded on democratic principles (mainly addressed by Constitutional Dialogue project)
- (iii) Rule of law and Security: Rule of law, access to justice and security strengthened with competent civilian police force, judiciary and custodial corps in compliance with international human rights standards (ROLS project)

These outcomes derive from the UNDP Results and Resources Framework for Somalia 2007 and 2008. They address the priority challenges in Somalia of creating an enabling security environment, promoting reconciliation and state building. Together these outcomes will create the foundations and environment for the successful implementation of wider poverty reduction programmes and the achievement of the Millennium Development Goals (MDGs) in Somalia. These outcomes also reflect the DAC Principles for Good International Engagement in Fragile States.

3) OBJECTIVE AND SCOPE

The objective of the evaluation is to assess the impact, effectiveness and efficiency of the strategic partnership arrangements between UNDP and donors and how the results achieved by the UNDP Somalia Country Programme contribute, together with the assistance of partners, to a change in development conditions within Somalia. The evaluation will focus on the current partnership agreements and on evaluation of programmes within the timeframe of the current partnership agreement.

The scope of the evaluation will encompass a desk review of the following aspects of the partnership:

- a) Evaluation of the partnership arrangement
- b) Evaluation of the programmes covered under the partnership frameworks

Overall the evaluation will focus on intended objectives and outcomes and the extent to which the partnerships, programmes, soft assistance, partners' interventions and synergies among partners contributed (or not) to the achievement of these.

a) Evaluation of the partnership arrangements

The evaluation of the partnership arrangement will entail a detailed review of the managerial aspect of the partnerships and their effect on UNDP programming in Somalia. The evaluation team will be expected to review the "added value" of the partnership arrangements and the related issues of efficiency and effectiveness. The findings of the evaluation will form a basis for the extension and / or remodelling of the strategic partnerships.

More specifically the evaluation of the partnership frameworks will focus on:

- o Assessing whether the partnership arrangements have contributed to increased efficiency and effectiveness in aid delivery to Somalia

- Assessing of the performance of the donors in delivering defined partnership inputs for e.g. funding, technical expertise etc.
- Assessment of financial resources provided for the partnership: was the allocated amount sufficient to achieve intended outputs and outcomes
- Assess the capacity of UNDP and its partners to manage and absorb new funds; expand existing projects and start new ones
- Assessing whether the partnership framework provided the necessary flexibility to adapt strategy and activities to a constantly changing programme implementation environment;
- Assessment of complementarity of UNDP's programmes with other projects in different sectors/implemented by different agencies, Non-state actors etc.
- Assessment of UNDP's approach to risk management (especially political and security risks) and scenario planning and its implementation both at the partnership and programme level and provide recommendations on ways that it can be strengthened.
- Assessment of UNDP and donors in terms of accountability over funds and project/ programme direction in the Somali context
- Assessment of M&E systems of UNDP and donors in order to identify a common system that can be used by all partners
- Assessment of the use, efficiency of management/coordination structures (i.e. steering committees etc) and how they relate to other coordination bodies
- Assessment of constraints
- Compilation of useful lessons learned;
- Draw attention to any other significant issues and concerns of relevance to the life cycle of the partnership.
- Recommendations on the way forward

b) Evaluation of the Programmes

This aspect of the evaluation will focus on carrying out a desk review (based in Nairobi) of the progress to date in implementing the programmes funded through the partnership in order to assess how they are contributing to the delivery of the overall objective (programmatic outcomes) of the partnership framework.

In specific terms, the evaluation of the ROLS and Governance programmes is intended to cover the following:

- Assess the implementation strategy as outlined in the programme and partnership documents and the extent to which it was effective in facilitating quality delivery of programme objectives;
- Assess whether the intended programme objectives (outcomes) were relevant, appropriate and strategic to national goals, UNDP mandate and the Reconstruction and Development Plan. If the planned outcomes have been changed, how, why and under what circumstances has this happened?
- Assessment of UNDP's contribution to the progress towards or achievement of the outcomes;
- Assess the performance of partner institutions in delivering project outputs and outcomes as per overall Project and Country specific work plans (desk review);
- Assessment of expenditures to achieve defined outputs and outcomes; were the actions to achieve the outputs and outcomes efficient?(see efficiency definition in OECD DAC Glossary)
- Assessment of constraints if any which may have affected programme implementation and corrective measures undertaken;
- Are programmes based on a Conflict analysis? Are they frequently updated?
- Are programmes conflict sensitive?
- Compilation of useful lessons learned from the evaluation;
- Draw attention to any other significant issues and concerns of relevance to the life cycle of the programmes;
- Recommendations on the way forward;

4) PRINCIPLES & QUALITY

- Methods of assessment of results should be specified,
- There should be transparency about data sources used, and their weaknesses and strengths, and how this affects the soundness of the findings.
- Findings should be evidence-based.
- Information should be cross-checked (triangulated)
- There should be logic coherence between evidence presented, findings, conclusions and recommendations.
- Inclusiveness of views should be considered: meaning that stakeholders are given the opportunity to comment on findings, conclusions, recommendations and lessons learned. Moreover, the evaluation report reflects these comments and any substantive disagreements.
- The evaluation report should knowledge any constraints and limitations that have impacted the evaluation.
- Attribution and contributing factors should be addressed.

The evaluation is expected to be carried out in line with UNEG evaluation standards particularly standards 3.16 - 4.18 and the DAC Evaluation quality Standards.

5) EVALUATION RESOURCES

The following documents will be made available to the evaluation team, among others:

- Partnership Documents (including EC standard contribution agreement)
- Country Programme Document
- Rule of Law and Security Programme Document
- Governance and Reconciliation Programme Document
- UN Transitional Plan for Somalia (UNTP)
- Somalia Reconstruction and Development Plan (RDP)
- Donor Country Strategy papers
- Partnership Reports
- Project Reports
- Project Evaluation reports
- Annual work plans 2006-2008
- Any other relevant documents to be provided by partners

The Contractor shall provide the following goods/services:

The evaluation exercise will be carried out in three phases described in the table below.

Phase	Activities
1) Inception	Team leader identifies key issues to explore and develops an evaluation work plan based on 2 days of meetings with UNDP and key donors in Nairobi.
2) Implementation	Full evaluation team conducts consultations with UNDP senior management, programme and project managers, and donors over two week period. Information (data) collection

3) Report submission	Submission of draft report to UNDP 2 weeks after Implementation phase. Final report submission no later than 2 weeks after receiving feedback from UNDP on the draft report
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The evaluation team leader will agree with UNDP the key issues to be explored during the inception phase. This will involve a visit to Nairobi to meet with UNDP and some key donors. The outcome of these meetings will direct how the evaluation is to be carried out, bringing refinements, specificity and elaboration where necessary to what is set out in these terms of reference. The output of this phase will be a detailed work plan that will both guide the evaluation team and provide UNDP with a list of priority meetings to be arranged for the implementation phase.

A Reference Group (RG) comprising the Donors and UNDP with an advisory mandate will be established.

The RG will provide inputs to the evaluation team at all stages of the evaluation process, especially , at the implementation stage by providing information/data and the closing phase by reviewing the evaluation report.

The evaluation team leader will report to UNDP which will support in arrangement of meetings and coordinate inputs from UNDP and donors to the team. UNDP will provide a designated focal person within UNDP Somalia to which the team-leader will report. Logistical support will be provided by UNDP CO. The evaluation exercise is expected to be completed in **no more than 20 working days**.

A final evaluation report should be submitted **no later than two weeks** after receiving feedback from UNDP on the draft report.

Outputs:

The evaluation exercise will lead to the preparation of a report that describes the evaluation and puts forward the evaluators' findings, implementable recommendations and lessons learned and devises a strategy for way forward in relation to the partnership arrangement. The report will be short (no more than 30 pages) and focused on the critical issues. It will have three main sections: (1) Partnership Evaluation (2) Governance Programme Evaluation (3) Rule of Law and Security Programme Evaluation. Each section will follow the logic derived from the information collected.

Required Qualifications for the Evaluation Team

The evaluation will be carried out by a team composed of a senior consultant (Head of Mission) and two international evaluation experts. The Team Leader should ideally be familiar with the work of the team members.

The evaluation **Team Leader** is expected to be:

- A reliable and effective team leader possessing extensive experience in conducting evaluations and a proven record delivering professional results
- Postgraduate degrees in Political Science, Public Administration, law, Development Studies, or any relevant social science field
- Individual professional experience of at least 10 years in project design, implementation, appraisal and evaluation
- General background in capacity building, peace building, social policy and social change analysis, in particular with post conflict countries
- Proven ability to work in sensitive political, professional and cultural environments and to establish rapport with a broad range of actors and agencies-government and donors;
- Acquainted with UNDP's results-based management orientation and practices and / or familiarity with DFID/EC/USAID/NORAD/SIDA systems and procedures preferable. Strong evaluation experience a must.

- Experience in the region
- Good report writing skills, with particular strength in producing reader-friendly, plain English documents

International Judiciary and Security Sector Evaluation Expert

- Masters Degree in law;
- Minimum 7 years of overseas experience in a post-conflict/development context preferably in the areas of justice, security sector, law enforcement or governance policy development and within UNDP/other UN agencies system or DFID, EC, NORAD or USAID;
- At least 10 years of experience in justice and security sector development and judicial reform programmes (policy, capacity building, advocacy);
- Knowledge and experience with formal and informal judiciary systems
- Experience in evaluation and M&E mechanisms ;
- Initiative, ability to work independently, sound judgment and good interpersonal skills;
- Experience and knowledge of the socio-political context of Somalia would be an asset, in particular in relation to the justice and security sector.
- Proven ability to work in sensitive political, professional and cultural environments
- Familiarity with evaluation standards and principles;
- Familiarity with results-based management concepts and the logical framework approach;
- Ability to communicate in Somali or Arabic language would be an asset;
- Ability to present information in transparent and comprehensive manner
- Excellence in both written and conversational English;

International Institution Building Evaluation Expert

- Masters Degree in relevant social science area, preferably related to governance and/or capacity development
- Minimum 7 years of overseas experience in a post-conflict/development context preferably in the areas of Institution Building and within UNDP/other UN agencies system or DFID, EC, NORAD or USAID;;
- At least 10 years of experience in areas relevant to governance, implementation of reform, institutional development, social change
- Knowledge and experience in the evaluation of Governance and capacity building projects;
- Strong experience in assessing an institutional change/capacity focused project in terms of core project implementation issues.;
- Initiative, ability to work independently, sound judgment and good interpersonal skills;
- Experience and knowledge of the socio-political context of Somalia would be an asset, in particular in relation to institutional and capacity development issues;
- Proven ability to work in sensitive political, professional and cultural environments
- Familiarity with evaluation standards and principles;
- Familiarity with results-based management concepts and the logical framework approach;
- Ability to communicate in Somali or Arabic language would be an asset;
- Ability to present information in transparent and comprehensive manner;
- Excellence in both written and conversational English;