



The Federal Republic of Somalia
Federal Government
Ministry of Justice

SECOND QUARTER PROGRESS REPORT

Report submitted to:

Rule of Law Project- Justice and Corrections
Governance and Rule of Law Programme
UNDP Somalia

Submitted in December, 2015;

1. REPORT SUMMARY INFORMATION:

Reporting Institution	Ministry of Justice, Federal Government of Somalia
Reporting To	Rule of Law Project – Justice and Correction – UNDP Somalia
Reporting Period	Second Quarter of the Project October – December, 2015
Reporting Against	Letter of Agreement (LOA) between Ministry of Justice and UNDP
Period of Letter Agreement	1 st July 2015 – 30 th June 2016.
Project number	00093042, Rule of Law- Justice and Corrections , supporting the mandate of the Ministry of Justice
Overall Budget	\$1,321,800

2. INTRODUCTION:

Ministry of Justice (**MOJ**) for the Federal Government of Somalia and United Nation Development Programme (**UNDP**) has signed Standard Letter of Agreement for the execution of Rule of Law – Justice and Corrections – Project, centered on the Somali Compact, Peace and State Building Goal #3 (**PSG3**) Justice and as part of the projects under the new Somalia Joint Rule of Law Programme which supports the Somali people and government in creating an enabling environment for stability, rule of law and good governance, the Rule of Law – Justice and Corrections - Project provides support to the strengthening of Somali justice institutions and improving the functioning of the judiciary including provision of technical, advisory and operational support, supporting the operation of mobile courts, support to scholarship and internship programmes, the provision of free legal aid to vulnerable groups, support legal awareness programmes, and infrastructure support and also the project represents the UNDP component of the new Somalia Joint Rule of Law Programme and replaces UNDP’s previous project “Access to Justice Project”.

Now, this progress report presents activities and achievements implemented during the period of second quarter of the project – **October - December 2015**, as provided in the Letter of Agreement (LOA) signed between MOJ and UNDP under Rule of Law Project - Justice and Corrections - for the period of **1st July 2015 to 30th June 2016**, which aims to support the mandate of the Ministry by providing support implementation of entrusted activities contributing ministry’s mandate and to pay salary of thirty (**30**) people combining of 11 qualified senior consultants/advisers and 9 capable junior advisers/drafters as well as placement of 10 law graduate interns (50% of whom are women) to gain valuable work experience at the Ministry with a view to retaining on a permanent basis in future subject to performance and availability of public funds and finally to equip and furnish their offices in the different departments of the Ministry of Justice.

3. KEY HIGHLIGHTS:

During the reporting period of (October - December 2015) there were some new progress, development, oversight activities and changes in the Ministry of Justice including;

1. During in October 2015, Abdulkadir Mahmoud Yabarow, one of the staff members working under rule of law project has been killed and Ali Osman Abdi, another one working under rule of law project has left the job. These two positions are not still filled.
2. During reporting period the Ministry of Justice succeeded to implement constantly activities that going up several methodologies in order to enhance rule of law – justice and corrections -project activities. All the staff members working on the project carried out their duties as indicated in their TORs and prospered to implement almost 90% of the planned activities in this quarter.
3. In general, as the new Permanent Secretary started work in the ministry of justice, it has made profound progress in the Rule of Law Implementation activities as whole led by JISU team by having one after one meeting with the UN Implementing Partners and donors. These meetings which sought the funds so far released and for which activity implemented and also which is the Implementing Partner, took place at different dates but one whole meeting occurred during in October 2015. The achievement was that both the donors and IP have accelerated their part and have each recruited project managers and started signing LOAs with the Somali stakeholders as UNDP.
4. As usual in this quarter there were ongoing activities about drafting of new laws and policies, translating, and reviewing of old laws and policies and providing valuable inputs as well as note points to the laws and policies drafted by other federal institution of the federal government of Somalia led by PLDU team.
5. Ministry of justice carried out comprehensive activities about regional engagement mostly concerning about capacity building and awareness raising in order to enhance relationship between federal ministry of justice and other regional ministries of justice led by JISU team, specially regional coordinators were working hardly to be succeeded these activities.

4. OVERVIEW ON ACHIEVEMENTS AND DELIVERIES OF PROJECT STAFF MEMBERS:

Under conservative supervision and remark from the managerial team of the Ministry of Justice comprising Minister of justice, his deputy, permanent secretary, director general, departments directors and other head sections of the ministry or any other person (s) as may be entrusted by the ministry, the consultants, advisers, legal drafters and law graduate interns provided necessary

support to the Ministry of Justice to strengthen the capacity of its institutional systems, effectively lead and coordinate justice sector, develop legal drafting capacity and build capacity of the staff to formulate legal framework for the provision of legal aid and produce and also disseminate legal awareness materials.

Also the Rule of Law Project team regularly supported the ministry in its relation with Attorney General Office, Bar Association and Lawyers, Legal Aid providers NGOs, Law Faculties and other Civil Society Organizations, facilitating financial management of government annual budget according to the agreements with UN agencies, specially UNDP and other international NGOs, developing a training plan for the Ministry's staff and delivering monthly trainings, monthly consultation meetings, monthly monitoring and evaluation events and recommending capacity development initiatives, shaping Information and Communication Technology facilities, in coordination with Policy and Legal Drafting Unit of the Ministry developed legal and policy drafting, translating, reviewing as well as providing tangible inputs to the policies and laws drafted other federal institutions of Somalia and developing approaches and act as a legal counsellors and policy advisers to the Ministry in all legal matters as well as all justice sector institutions. Finally, providing technical assistance to the assigned departments of the ministry in line within requirement of agreed LOA between UNDP and MOJ as well as the guidance and instructions from the ministry's top managerial team.

5. RESULTS ACHIEVED BY THE MINISTRY OF JUSTICE DURING THIS REPORTING PERIOD;

As indicated in the Letter of Agreement (LOA) between Ministry of Justice and UNDP, during the reporting period, October – December 2015, by the support of consultants, advisers, legal drafter – senior and junior - and law graduate interns, the Ministry of Justice provided, developed and implemented sustainable activities to support to the achievement of agreed results, the subsequent outputs, indicators and with their means of verifications in the LOA as follows;

6. PROGRESSES AND CONTRIBUTIONS MADE ON THE OUTPUTS OF THE LOA, AS PER SOMALIA JOINT RULE OF LAW PRORGAMME;

Output 1: Provided technical assistance, training and awareness campaigns in support of Ministry of Justice priority units or departments (Priority units and departments within MOJ (Capacity Injection, PLDU and JISU) established and strengthened.

- 30th September – 2nd October 2015, three days training on Legal Drafting process, policy development and Nomo-technics have been conducted by the head of PLDU team for 20 members, five of them were women, drawn from justice sector institutions including; Ministry of Justice, Office of the Solicitor General, Attorney General’s Office, the Judiciary, Military Court and Ministry of Interior and Federal Affairs.
- During in October 2015, PLDU team has started, as part of the development of the Somali Legal Glossary; terminologies from Somali Provisional Constitution were selected. Selections of Criminal Procedure Code terminologies are finalized and selection of other laws terminologies is still under process and will be finalized.
- For course of this second quarter, the Ministry of Justice and Judicial Affairs jointly organized and chaired the Somalia Joint Rule of Law Program Steering Committee Meeting of which the participants were from Ministry of Justice, Ministry of Internal Security, SRSO office and UN Implementing Partners which discussed on the review of the project document and 2015 project approach review.
- The Ministry of Justice specially JISU team constant has conducted and also coordinated PGS3 monthly meetings from October 2015 to the current working with all concerned stakeholders including national and international partners. On 22nd October 2015, organized PGS3 Working Group workshop on ROL work plan participated by above 37 members 10th of them women. On 25th October 2015, organized PGS3 Somali working group meeting, participated by 42 people including 10 of them women, on 27th October 2015, organized PGS3 main working group meeting participated by as invited above 88 members 21st of them women. And finally on 10th of December 2015 ministry of justice with its donor co-lead and UNSOM organized the PGS3 Working Group Meeting at MIA-Joint Mission Training Center. The participants were from all justice stakeholders including; nationals, sub national entities, International and UN Partners discussed on the 2015 Review, 2016 Milestones, Fund allocation for the newly emerged states and the operationalization of Sub Working Groups.
- Also JISU team organized and conducted outreach travel missions of MOJ to the Federal member states of Somalia especially on 15 - 20 October 2015 IJA and on 18 – 22 November

2015 ISWA each for five consecutive days by giving capacity building training (20 members per each state “total of 40 people, 3 of them were women) familiarizing them on the ROL and New Deal issues, providing technical assistance in ministry of justice profile, structure, TORs and 2016 work plan and assisted in strategic plan, report and proposal writing skills as well as awareness raising materials.

- In this quarter, it was comprehensively conducted regional coordinating activities by improving direct communication between federal Justice Sector institutions and federal member states justice sectors. Also JISU team regional coordinators perpetually facilitated all activities relating to justice sectors coordination as well as development of events such meetings and training workshops held in the regions those contributing MOJ’s mandate.
- Information, technology and communication adviser has proposed to get and create ID card Printer machine owned by the ministry. Considering that proposal ID Card Printer Machine and its software system was successfully placed in the ministry. This is needed because of the growing number of the staff in the Ministry and security purposes, since there is need that it should be issued ID cards to the staff to prevent threats. The ID cards will also help the staff to access other offices of the government. Currently, the Ministry has itself-sufficient the production of ID cards and solved much compliance.
- Training on Communication and Civic Education was organized and facilitated by the Ministry’s communication and the ICT Advisors, the three-day training on Communications and Civic Education started in the ministry on 11th and ended on 13th October, 2015. 25 participants that comprised of unit heads, junior officers and interns attended the training. To observe gender mainstreaming in the ministry, 10 out of the 25 participants were female participants. Facilitators gave equal opportunities to the female participants who in turn participated proactively.
- In consultation with UNSOM the PLDU Unit has finalised and translated into Somali a concept paper on the consultation of the Somali Justice Model. It is essential to develop a model for the justice and corrections sectors through a consultative process. Many issues, including the structure of the Attorney General’s Office, the recruitment and training of judges at federal and state levels, the relationships between the courts at federal and state levels, and the mandate of the Ministry of Justice, have not yet been fully agreed. The consultation will be conducted on 11th -13th of January.

Output 2: Developed laws, regulations, and policies in support of the justice sector (Enhanced effective justice procedures through development of laws, regulations and policies).

- During in October 2015, PLDU team have carried out an extensive review led by the Head of the unit on the “political parties draft bill” which was initially prepared by the Ad-hoc Parliamentary Committee on Political Parties. The review was officially requested by the Ministry of Interior and Federal Affairs. To date this is the most extensive review we have carried out on any law not prepared by the PLDU. The review consisted of general comments on the drafted bill, prepared both in Somali and English, Article-by-Article in depth comments and language improvement and also provided valuable note points on it.
- Also in October 2015, The PLDU has started preparing a policy paper on the system of licensing advocates in Somalia. The system of licensing lawyers was established in 1975 and amended in 1986. These laws are obsolete in the sense that they require the lawyers in the country be organised in the form of cooperative and that lawyers should pledge their allegiance to the Revolution of 21 October. In addition, to this the practice of licensing lawyers at this time is contrary to the requirements of that law. The Unit is thus in the middle of preparing a policy paper on how to go about changing the law before the actual review. This policy paper is to be finalised by the end of the month.
- The PLDU team had participated and contributed to the final review session on Constitutional Court Establishment Bill in November 2015, chaired by the Speaker of the Federal Parliament in with participants including the Minister and Deputy Minister of Justice, PDLU Unit, Parliamentary Select Committee for Judiciary and Religious Affairs, and Representatives from the Attorney General’s Office. It have been harmonized the draft prepared by the Ministry justice and the one prepared by the Committee from the parliament. This was a very important discussion and we think that our contribution and approach will contribute to the consolidation of our relationship with the Committee. The final draft was submitted to the House Plenary and has since undergone a second reading.
- In having series consultations with PLDU team and MoJ concerned department, the legal aid and legal awareness coordinator finalized the first revision of the “drafted national legal aid policy”; the policy is now ready for consultation hopefully in the first week of January 2016 will be conducted the first primary consultation on the policy.

Output 3: Train and provide technical assistance to Correctional Corps staff on national and international standards (Enhanced capacity of Correctional Corps staff to adhere to national and international standards on detention and corrections).

Note: During this quarter, according to this output no activities have been implemented yet contributing to it. This is because the budget released for the trainings and workshops that would be conducted to contribute for this issue was not enough in the first tranche.

Output 4: Developed standards of performance and internal regulations for justice sector (Enhance government's internal oversight and accountability through development of standards of performance and updating relevant internal regulations).

Note: In this quarter, these activities will be conducted next Tranche including hiring new consultancy as Admin and Finance Consultant and conducting trainings for key staff members of the ministry and also to develop capacity of the MOJ executive management team on public administration and public management will be organized Study Tour to similar post-conflict countries and capacity building training for high managerial team of the ministry.

Output 5: Conducted awareness raising campaigns on justice services and legal rights, with a particular focus on reaching women, children, IDPs, and other vulnerable persons (Increased citizen's awareness of justice matters, with a particular focus on women, children and vulnerable groups, including IDPs and displaced persons).

- During reporting period 2 legal aid coordination meetings between ministry of justice, legal aid providers and other concerned stakeholders has been conducted on 15th October and on 23rd November 2015. In October 24 members from CSO, Attorney General, Supreme Court, and custodial corps attended in the meeting including 10 women and in November 20 members from CSO, Attorney General, Supreme Court, and custodial corps attended in the meeting including 9 women members.
- On 27 – 28 October 2015, it is organized two days consultation meeting on developing legal awareness strategy with the concerned government institutions and civil society

organizations including Ministry of Justice, Ministry of interior and Federal Affairs, Ministry of youth & Sports, Ministry of internal security, Ministry of Women & Human rights, Banadir Regional Court, Police, Custodial corps, Attorney General Office, General Solicitor office, legal aid providers, NOGs, women groups and religious scholars participated by 50 members 11 of them women. The main objective of the meeting was to have the input and advice of these stakeholder to develop national legal awareness strategy and action plan for it.

- Also during in October 2015, the Legal Aid and Legal Awareness Adviser started in preparing and conducting a capacity needs assessment for MOJ in the area of legal awareness and production of outreach material for this issue and now its last action to finalize it.

Output 6: Conduct legal rights awareness raising campaigns increase awareness of women's rights (Enhanced knowledge of specialised areas of law through public awareness campaigns).

Note: all activities concerning this output which are to develop capacity of MoJ staff in producing and disseminating awareness materials tailored to specific target groups, including women, children and IDPs will be implemented next quarter as most of these activities needs development of comprehensive outreach materials in order to disseminate them to the concerned stakeholder and now all heads and staff members of the concerned units including Legal Aid Unit, PLDU, JISU and Capacity Building Unit are nowadays busy the development of such outreach materials.

7. CONCLUSION:

The advisers/consultants, Legal Drafters – senior and junior – and law graduate interns are currently working on multiple areas of operations to implement their respective assignments and coordination. Especially the 10 interns are gaining more experience and deeper understanding of the institution as well as its work place environment. In the next quarter, all staff members of the Rule of Law – Justice and Corrections - Project will finalize main activities as indicated in their TORs to contribute Ministry's priority standards. The consultants are working as a team to overcome the myriad challenges ahead regarding their responsibilities towards the Ministry of

Justice. This particular collaboration is based on teamwork and partnership to achieve some common mutual goals.

On the other hand, during this quarter which the current report covers, the advisers, consultants, legal darters and law graduate interns have been assisting and providing concrete technical backing deeds to the ministry not only limited to their TORs but with general support and filling different spaces where they have seen there is a need. They also provided a key contributions for the re-establishment and refreshing of the basic elements in the areas of Legal drafting, Report writing, Policy drafting, developing training needs of the ministry, ICT and as well as facilitating and mounting Prisons and Corrections. Regularly they used to give skill transfer and guidance for the staff of the Departments of the ministry to better perform and fulfill their mandates in line with priority tasks for the ministry. In addition to that, they provided support to their respective departments/units to help them come up with plans in line with the Ministry's Strategic Plan. This assisted the staff of the departments to exactly get know their duties and responsibilities as well as their daily tasks during the week days. Also this helped the staff to be active and get access to contribute to their departments. These activities underwrote and enhanced the Ministry of Justice to be one of the most improving ministries of the federal government of Somalia in general.