



JOINT PROGRAMME DOCUMENT

Country: Somalia

UNDAF¹ Outcome: (1) RDP: Decentralised service delivery achieved in all of South-Central Somalia, Puntland and Somaliland; (2) UNTP: Local governance contributes to peace and equitable priority service delivery in selected locations

Expected Outcomes: (1) Local governments have basic structures, systems and resources to fulfil prioritised roles and responsibilities; (2) Communities, private sector and local governments have better means and capacity to deliver equitable basic services; (3) All key stakeholders participate in equitable and inclusive community and village-level planning, policies and development; (4) Land is more equitably managed and accessed resulting in reduction of disputes

(Sub-)National partner(s): Transitional Federal Government, Government of State of Puntland, Government of Somaliland, Regional Councils, District Councils, Legislatures, Municipal Associations, International and Local NGOs/CSOs, private sector

<p>Executive Summary The UN Joint Programme on Local Governance and Decentralised Service Delivery for Somalia is a 5 year Programme of ILO, UNCDF, UNDP, UN-HABITAT and UNICEF. The Programme is aligned to the programming frameworks of the Somalia Reconstruction and Development Programme 2008-12 and the UN Transition Plan 2008-9. It is envisaged to achieve as wide coverage in Somalia as resources and conditions allow with a comprehensive approach to rendering local governments as credible and professional service providers, increasing public investment in basic services, and strengthening civic awareness and participation in local decision-making and development. The strategy pursued will comprise: (i) policy and legal frameworks for decentralisation, local government, service provision and land, (ii) institutionalising local government systems, vertical and horizontal inter-government linkages and civic education initiatives, (iii) investment in public services and goods through testing the Local Development Fund model, direct service provision and promotion of public-private partnerships, and (iv) processes and systems for housing, land and property disputes and resolution. Throughout the Programme, strong emphasis will be placed on gender and women in local government, human rights and local governance, and good governance principles of transparency, accountability and participation.</p>																			
<p>Programme Title: UN Joint Programme on Local Governance and Decentralised Service Delivery Programme Duration: 01/042008 to 31/12/2012 Fund Management Option(s): Pass-through with UNDP as Administrative Agent Results and Resources Framework: Includes indicative activities for the duration of the Programme. Budget: A detailed budget has been prepared for Phase 1, corresponding to the UNTP period 2008-2009. Over 50 % of the programme resource needs for Phase 1 are reported to be in the pipeline.</p>	<p>1st year workplan total budget 37,187,000</p> <p>Existing resources from Programme partners for year 1 as of 13 March 2008:</p> <table border="0"> <tr> <td><input type="checkbox"/> Government</td> <td>TBD</td> </tr> <tr> <td><input type="checkbox"/> ILO</td> <td>no core funding</td> </tr> <tr> <td><input type="checkbox"/> UNCDF</td> <td>\$595,000</td> </tr> <tr> <td><input type="checkbox"/> UNDP</td> <td>\$3,700,000</td> </tr> <tr> <td><input type="checkbox"/> UN-HABITAT</td> <td>\$197,000</td> </tr> <tr> <td><input type="checkbox"/> UNICEF</td> <td>\$11,175,000</td> </tr> <tr> <td><input type="checkbox"/> Donor ...</td> <td>TBD</td> </tr> <tr> <td><input type="checkbox"/> Donor ...</td> <td>TBD</td> </tr> <tr> <td>Unfunded budget:</td> <td>\$23,716,000</td> </tr> </table>	<input type="checkbox"/> Government	TBD	<input type="checkbox"/> ILO	no core funding	<input type="checkbox"/> UNCDF	\$595,000	<input type="checkbox"/> UNDP	\$3,700,000	<input type="checkbox"/> UN-HABITAT	\$197,000	<input type="checkbox"/> UNICEF	\$11,175,000	<input type="checkbox"/> Donor ...	TBD	<input type="checkbox"/> Donor ...	TBD	Unfunded budget:	\$23,716,000
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Development Programme 2008-12 (RDP).

ACRONYMS

AWP	Annual Work Plan
CSO	Civil Society Organisation
DC	District Council
FAO	Food And Agriculture Organisation
HACT	Harmonised Approach to Cash Transfers
HLP	Housing, Land and Property
IDP	Internal Displaced Person
ILO	International Labour Organisation
IOM	International Organisation for Migration
JNA	Joint Needs Assessment
JP	Joint Programme
JPSC	Joint Programme Steering Committee
LDF	Local Development Fund
LOA	Letter of Agreement
M&E	Monitoring and Evaluation
MDG	Millennium Development Goal
MOSS	Minimum Operational Security Standards
MOU	Memorandum of Understanding
NGO	Non-Governmental Organisation
OHCHR	Office of The High Commissioner for Human Rights
P/L	Puntland
PCU	Programme Co-Ordination Unit
RC	Resident Co-ordinator
RC	Regional Council
RDP	Somali Reconstruction and Development Programme
S/L	Somaliland
S-C	South-Central Somalia
SICAD	Somali Institutional Capacity Development Project (UNDP)
SWAP	Sector-Wide Approach
SWS	Sector-Wide Strategy
UN	United Nations
UNCDF	United Nations Capital Development Fund
UNCT	United Nations Country Team
UNDG	United Nations Development Group
UNDP	United Nations Development Programme
UNESCO	United Nations Education, Scientific and Cultural Organisation
UN-HABITAT	United Nations Human Settlements Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNOPS	United Nations Office for Project Services
UNOSOM	United Nations Operation in Somalia
UNTP	United Nations Transition Plan for Somalia
USD	United States Dollar
WFP	World Food Programme

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Section 1: Background and Analysis

1.1. Programme Framework

The United Nations Transition Plan (UNTP) for Somalia is the common strategy, plan and programming framework for 2008 to 2009 of the agencies, funds and programmes of the UN in Somalia. The UNTP also states what the UN will contribute during 2008 and 2009 to the objectives of the Somali Reconstruction and Development Programme 2008-2012 (RDP), which is the product of the Joint Needs Assessment (JNA) for Somalia carried out by the UN, World Bank and Somali partners in 2006.

The UN Country Team for Somalia will structure its work around five strategic outcomes: (i) Key federal, Somaliland and Puntland institutions administer and manage core government functions more effectively; (ii) Local governance contributes to peace and equitable priority service delivery in selected locations; (iii) Improved security and protection under the law for all Somalis; (iv) Children, youth and vulnerable groups have increased, more equitable access to quality education and health services; and (v) Vulnerable and marginalised groups have improved sustainable food security and economic opportunities.

The RDP ‘pillars’ or goals are: (i) Deepening peace, improving security and establishing good governance; (ii) Investing in people through improved social services; and (iii) Creating an enabling environment for private sector-led growth to expand employment and reduce poverty. Three main themes cut across these goals: (a) Peace-building, reconciliation and conflict prevention; (b) Capacity building and institutional development; and (c) Gender and human rights. These overall goals and the areas covered by them are set out in volumes I-IV of the RDP². Decentralising service delivery through the establishment of inclusive participation local governance systems in all regions of Somalia is a priority clearly conveyed in the Joint Needs Assessment of 2006 and the ensuing RDP.

As a means to work towards these outcomes, the UNCT for Somalia is advocating UN Joint Programmes in the pursuit of broader UN reform. Such an approach should build on the competencies of each UN agency/organisation involved, promote a one-UN programme team and presence, create a common framework for programme results, improve co-ordination and effectiveness between the UN agencies/organisations and ultimately lead to greater impact in Somalia’s progression towards the MDGs of 2015.

1.2. Situational Analysis

Some basic facts:

- Education, water and health reported as top priority services in the JNA of 2006
- Less than 25% of Somalis have access to clean water
- Less than 28% of Somali children (1/3 girls) are enrolled for primary education
- Public investment in basic services is minimal; non-state actors provide majority
- Financial resources for local governments rarely exceed \$4.00 per capita

Somalia is a country of collage where the Somali state exists in a *de jure* capacity, pockets of prosperity exist, and low and high-intensity conflict have persisted over the past 16 years in certain areas. Since the final downfall of the central government under Siad Barre in 1991, Somalia is still one of the poorest countries in the world; in the 2001 UN Human Development

² UN and World Bank, ‘Somali Reconstruction and Development Programme: Deepening Peace and Reducing Poverty’ (Nairobi: UN and World Bank, 2007)

Index it was ranked 161 out of 163 (the last official ranking for Somalia). The population of Somalia is estimated at 7.7 million people (UNDP, 2005), with over 73% of the population reportedly living on an income of less than USD 2.00 per day. Approximately two-thirds of the population live in rural pastoral areas and one third in urban areas, a division that is virtually mirrored by the extent of poverty: extreme poverty is high among rural and nomadic populations, estimated at over 53%, compared to urban populations, estimated at 23.5%.

Urban unemployment across Somalia is estimated at 60%. Urbanisation is increasing rapidly with many groups, especially internally displaced people, migrating to more developed areas in search of better livelihoods and employment and away from conflict zones. Urbanisation is fuelled not just by insecurity and conflict: drastic changes in the economy registering major increases in urban service-based activities and in regional trade play a major role, in addition to recurrent crises in rural based production. People tend to be on the move in search of livelihood opportunities ostensibly to be found in the urban centres where new productive sectors are particularly dynamic. To illustrate, the population of the port city of Bossaso in northern Puntland has increased over the past 20 years from 20-30,000 people to the current estimated 165,000 people. The flows and numbers of internally displaced people and returnees are frequently changing, which puts a strain on already limited resources and capacities of local authorities. For example, between February and April 2007, over 400,000 people were reported to have left Mogadishu following conflict in parts of the city, and the period May-June 2007 saw a return of around 127,000 people to Mogadishu. Over 4,500 people were displaced by flooding in Middle and Lower Shabelle regions in June 2007.

Somalia's political system is clan-based, with political leaders largely drawn from clans and sub-clans, and in recent years, a penetration of extremist groups. The ethics of their leadership has tended to be exploitative and not necessarily for the public good with regards to exercise of public office and spending of public monies. In spite of the bleak indicators, however, the Somali people have used their own social networks based on family and clan and resources, particularly through Diaspora, civil society and religious groups, and invested in and maintained some essential services, such as primary schools, Koranic schools, health clinics and water wells. Somali remittances have been instrumental in creating private sector initiatives and preventing even deeper poverty.

During the course of the Joint Programme, three significant political events will take place across Somalia: (i) local elections in Somaliland and Puntland, which are expected end of 2007/beginning of 2008; (ii) the expiring mandate of the Transitional Federal Government end of 2009; and (iii) Parliamentary elections in Somaliland 2010. The UN Transition Plan illustrates some political scenarios, giving best case, most likely case and worst case and reference to these should be made for understanding the possible implications for the UN system in Somalia, as well as the Joint Programme.

1.2.1. Decentralisation and Local Governance in Somalia

A decentralised approach across Somalia is a response to the widespread rejection of the centralised and undemocratic governance system of Somalia's last central governments 1961-1969 and 1969-1991. The period 1993-1995 saw investment on the part of the UNOSOM and other development partners and NGOs in building up local government structures and promoting 'bottom-up' approaches. This continued until the departure of UNOSOM in 1995. Since then, the establishment of local government structures has proceeded at different paces and depths across the three areas of Somalia. Today's vision of local governance is the establishment in all Somali regions of local governance systems, and the support to existing

systems, that are: (i) participatory and inclusive of all population groups, (ii) facilitate the delivery of good quality, reliable, affordable and sustainable services to all citizens, (iii) contribute to reconciliation, (iv) are comprised of locally elected bodies that are accountable to the citizens, and (v) avoid domination by any party that does not necessarily represent the voice of the community (as reported in the JNA, 2006).

Somalia and its jurisdictions are currently guided by three separate legal frameworks – The Transitional Federal Charter (2004), the Puntland Charter (1998), and the Somaliland Constitution (2001). All three specify decentralisation as the core political, functional, fiscal and administrative system of governance, with significant devolution of power to the district level for delivery of local services.

Article 11 of the Transitional Federal Charter provides for a decentralised system of administration based on federalism and four levels of governance: 1) The Federal Government; 2) state governments (two or more, based on free will); 3) regional administrations; and 4) district administrations. The Charter also stipulates:

- Fair and equitable appropriation and allocation of resources, and that land should be used and managed in a manner which is equitable, efficient, productive and sustainable.
- All appointments in the service of the government are based on qualifications and fair distribution among the citizens (Article 13).
- The government promises to promote participation of women in all aspects of society (Article 29).
- Recognition of all international human rights conventions and treaties.
- Encouragement of the establishment of the civil society and social development institutions for the public, the regulation of the establishment of private health centres and clinics, and promotion of social welfare of the rural population.

The Somaliland Constitution and the Puntland Charter are consistent with the Federal tier approach, with the top (State Executive) and bottom tiers (District Councils) comprising responsibilities for regulatory functions and service delivery, and the middle tier (Regional Governors) providing political, security and representational linkages. Basic functions relevant to social welfare and livelihoods form part of the decentralisation model, including education, health care, water supply, sanitation, agricultural, livestock and forestry extension services, local regulation of business, town planning, and construction and maintenance of primary roads and public housing. Local policing and local maintenance of the rule of law are also to be decentralised. To fulfil these functions, District Councils have been given the responsibility of mobilising local resources. Somaliland and Puntland are more advanced in putting in place decentralisation systems, compared to South-Central Somalia.

In recent years in Somalia, the creation of District Councils has been done largely through a political process of reconciliation and peace-building. This political action has preceded a detailed local governance framework, although the general principle of decentralisation is already provided for in the Constitutions/Charters of the Somali governments. The salient feature of these new District Councils is that they are generally seen as a building block for post-conflict governance and a new direction. The procedures for their establishment are seen as transitional, with democratic elections as the intended and preferred mechanism for their establishment in the future. The quality of the selection process is important for their legitimacy and their future performance. It must be as inclusive as possible, without excluding or marginalising minority groups and allowing the participating of women and youth, with some

progress on reconciliation, settlement of disputes, transparency through prior public information and sensitisation, and decisions on ‘power-sharing’ and representation taken in advance of the selection.

South-Central Somalia

Ten regions make up the area of South-Central Somalia. The model of governance and structure differs across the area in that districts (below the region level) have been formed by community selected local councils, self-declared or self-appointed administrations, appointed administrations, or even community organisations running day-to-day administrative affairs. The institutional framework for establishing formal regional and district administrations in South-Central Somalia, as envisaged in the Transitional Federal Charter, has been developing since 2004. At the TFG level, a Department of Local Governance, under the Ministry of Interior, has recently been established to co-ordinate the establishment of district and regional councils. Two regions, Bay and Bakool, were formally established in April and July 2007 respectively as result of a process of community engagement and reconciliation.

Somaliland

In Somaliland, local government structures gradually moved from clan-based local authorities to more legitimate and representative structures after 1991, and resulted in a local government law end of 2001 and elections of councillors and mayors in 16 districts in 2002. Of these elected district councils, 12 have reportedly changed their executive committee, the Mayor, Deputy Mayor and Executive Secretary more than once over the last 5 years. Progress in decentralising administrative functions has been slow and little achievement has been made with regards fiscal decentralisation. Sources of local revenue include land registration and annual property fees, store licensing fees, livestock taxes and customs taxes at ports. However, over half of district budgets tends to be spent on staff salaries and allowances.

Puntland

The Puntland State of Somalia was established in 1998. Although a smaller area than Somaliland, Puntland has created 35 districts since 2002, almost doubling the 18 districts it had prior to 1991. In 2003, Puntland issued a Local Government Law, which gives power to the Ministry of Local Government and Rural Development to supervise local authorities. Districts have been, and continue to be, established by selection of councillors and a mayor on the basis of a clan, sub-clan and sub-sub-clan system. In 2005, over 70% of revenue for Puntland was reported to have been generated through customs taxes, mainly at the port of Bossaso on the north coast. Fiscal resources for regional councils and local governments outside of Bossaso are therefore meagre, and even then are often diverted to pay staff salaries and allowances and to counteract emergencies, such as drought.

The regions of Sanag and Sool in north-east Somalia are contested by Somaliland and Puntland, and access to those regions is limited.

Women and Local Government

A major challenge for democratic governance is that inclusion of women is not considered relevant or important by many Somalis, either from a rights approach or as a practical measure to promote development. This is despite the fact that political representation is a core concern for Somalis. Women are generally considered a political and social minority and are excluded from decision-making processes and therefore participation.

There are some signs that the authorities are beginning to take the matter seriously. Supplementing Article 29 of the Charter, which states that at least 12% of all Members of the

Transitional Federal Parliament should be women, the Transitional Federal Government issued a decree in November 2006 providing for a quota of 30% women in district and regional councils and in all bodies, i.e. national commissions, local committees and conferences, and an initiative of 30% quota for women in civil service recruitment with specificity to decision-making levels. This decree has been adopted by the TFG and Puntland. Nevertheless, only 8% of seats in the Transitional Federal Parliament have been granted to women, since many political parties/clans rejected the opportunity to put up women as political candidates.

Somaliland saw the election of only two women Local Councillors in 2002, in Berbera and Gabiley Districts. In 2005, Gabiley Local Council elected the first and only woman to the post of Deputy Mayor. Women groups have been active in conducting civic education on women's empowerment and sensitising men in the process. The Authorities have expressed for the process to go in a "gradual and natural way", and not something that is "imposed".

In Puntland, the picture is more promising, where the percentage of women councillors in District Councils is higher and generally meeting the target quota of 30%. In Alula district, formed this year, 16 councillors are women. Furthermore, in these new District Councils, at least one of the Council Committees is headed by a woman.

Civil Society

Following the collapse of the Somali state and the subsequent years of conflict, civil society has emerged as an important social and political force. Civil society organisations (CSOs) are active in service provision, are contributing to peace, reconciliation and development, and have taken on some of the traditional functions of the state, such as dispute resolution and delivering social services.

Clan elders and traditional and religious leaders are perceived by a vast majority of the population, especially in rural areas, to be the source of governance. They have primary responsibility for land management and dispute settlement, co-existing with Shari'a and secular courts to provide justice. They are therefore critical for any state-led reconciliation, legitimising the establishment of new councils, mobilising communities in planning and local development and improving land dispute resolution mechanisms. Some religious groups have emerged as providers of relief, education and justice. Some CSOs have provided an avenue for women to participate in public life; others are a platform for advocacy on human rights and gender issues.

Local NGOs are concentrated in the major cities; rural pastoral areas are underserved by both local and international NGOs. Most rely on international support to finance their activities. Broadly, Somali NGOs/CSOs suffer from a range of constraints, including their credibility where they may be perceived to be politicised by clan politics and power relations, lack of accountability and inadequate transparency, a tendency for vague and ambiguous mandates and low impact in their activities. They are also poorly regulated and co-ordinated by Somali Authorities, implying there is very little co-operation and partnership between government and NGOs/CSOs. Regarding media, it is generally very weak in capacity and coverage. It also tends to be state-controlled, particularly in Somaliland; independent media exists in Mogadishu.

Recognising, however, that social services have largely been delivered by local communities and NGOs/CSOs over the past 16 years, it is important that this self-sustaining system is taken into account and civic education initiatives address the role of local authorities and their contribution and responsibilities over the social sector.

1.2.2. Service Delivery

Education, water and health were reported by the JNA to be the top priority services for Somalis. Indeed, extremely low level indicators of human development were reported to exist in Somalia. Somalia has one of the highest infant, child and maternal mortality rates in the world, with 25% of children dying before the age of five. Less than 25% of Somalis have access to clean water, and less than 28% of Somali children (a third of whom are girls) are enrolled for primary education.

Service delivery is generally constrained by a lack of trained human resources, physical facilities, limited access to financing, and the government's limited capacity to provide a sustainable policy and regulatory framework. Across the three areas in Somalia, financial resources are often incommensurate with mandated responsibilities. The majority of resources, often over 60%, are absorbed by salaries and allowances of staff, and security. Levies and fees collected were reported in the JNA to rarely exceed \$2.00 per inhabitant per year in rural areas, and \$4.50 per inhabitant per year in urban areas. This is well below the norm for Least Development Countries which is between \$20 and \$50 per capita. These capacity and resource deficits render Somali local authorities weak in the face of committing to local development and designing and delivering basic services.

In response to the lack of public investment in social services, non-state actors (i.e charities, NGOs and the private sector) are mostly providing basic services, often financed through remittances from the Somali Diaspora. However, access to services, such as education, is largely rationed through the payment of a fee, meaning that the system suffers the same inefficiencies as a private system. In other words, those who have the financing gain access to education, whilst those who are poor are excluded. In Puntland, the current funding system for education is reported to meet the needs of less than 30% of primary school-age children. For other services, access is more balanced as even private water and sanitation providers may cross-subsidise cost and provide lower-cost access to non-affluent users. This can be substantially strengthened by stronger guidance, regulation and oversight by the government. Currently the poorer sections of urban population must rely on informal water distribution mechanisms where cost is in excess of standard rates applied by Water Agencies through official connections.

Education

Regional and District Education offices across Somalia have very limited capacity and resources. As a result they are largely unable to fulfil their mandates of delivering quality, basic education. Much infrastructure has been destroyed over the past 16 years, leaving mostly dilapidated and resource-scarce structures remaining. Community Education Committees (CECs) have played a crucial role in managing and administering schools across Somalia. In the continued absence of Government funding, they have played a critical role in resource mobilisation and sustainability. Approximately 90% of schools are currently managed by CECs, but under 40% of those have trained members. To ensure these committees continue to play a role in the development of local education, ongoing training and links with District authorities are vital.

Public investment in education is inefficient. For example, the allocation of funds for education in Puntland is under 2% of the state budget. This level is low even compared to other low income countries, where public expenditure on education usually exceeds 8% of total government expenditure. It should be increased to around 15-16% to see an improvement in service delivery.

Water and Sanitation

The governance of the water sector in Somalia varies widely in structure and capacity. In Somaliland, the Ministry of Water and Mineral Resources has established regional offices, although there is a need to strengthen their capacity significantly. In Puntland, the State Agency for Water, Energy and Natural Resources has a more centralised but at the same time outsourcing approach, with full support to private sector management. In South-Central Somalia, structures at the district and regional level are weak or non-existent. Other basic services, such as water and solid waste removal, receive some limited private sector investment, but lack government guidance.

Water and sanitation service delivery has already a strong foundation in local governance. After the collapse of the national government local authorities took over the regulation of service delivery, which has evolved into strong public-private partnerships in all parts of Somalia. Tax on water revenue is a key source of income for local government. Experiments with public-private partnerships, related to solid waste management are ongoing in Puntland and Somaliland. In South-Central Somalia clean-up operations have been used as a component of stabilisation and peace-building strategies.

Infrastructure

Most of the country's transport infrastructure is in ruins, increasing transport costs for goods and services and in some cases forcing re-routing of transport through less efficient alternatives. With exception of a few transport corridors, most of the road network linking rural agricultural and livestock production areas to major urban markets and ports, and urban to urban linkages is virtually impassable. In the rural areas, there is complete absence of infrastructure necessary for agriculture production, flood mitigation or environmental protection. The urban centres fare no better, with lack of, run-down or limited services and marketing infrastructure.

The lack of viable institutions and capacity to plan, manage and operate vital infrastructure compounds the problem. There are nascent efforts to institute legal and regulatory frameworks to facilitate financing and cost-recovery of infrastructure services, but the few local authorities initiating this do not yet have requisite credibility to facilitate an enabling environment for public and private sector investment in infrastructure development.

Land Management

In urban areas, a fast and virtually unchecked process of land grabbing is occurring, taking advantage of a weak legal framework and a planning vacuum; cities grow as private demand for land dictates and city authorities are forced to 'catch up' with infrastructure development. Equally serious, land potentially available for housing the poor is fast being eroded by spiralling land prices, land speculation and low-density horizontal development. Examples of public-private partnership in land development have been few and scarcely efficient, though external agencies' interventions have at times registered success in re-settling urban poor and IDPs and delivering basic services. Legal and regulatory reform is urgent as well as the introduction of basic planning instruments to guide and control urban development and land occupation.

Public-private Partnerships

The *status quo* of non-state service providers is evidently insufficient in level and coverage of social services. Providing these services directly or through public-private partnerships is therefore considered to be the most important "deliverable" for local governments, after reconciliation and the creation of credible, local authorities through a participatory process. A few public-private partnerships initiatives have been launched mostly targeting water supply and

solid waste management. In a number of urban centres, IDPs collect and dispose solid waste from business areas on an *ad hoc* basis for a daily wage. In Hargeisa and Garowe, the municipal councils have structured this service into public-private partnerships by procuring NGOs to provide this service on term contracts. The important hallmark will be cost-sharing and resource mobilisation through fee-for-service or taxation so as to achieve more equitable redistribution of services.

1.2.3. Linking Local Governance and Decentralised Service Delivery

Since the current model of service delivery is inadequate for providing quality services and equal access to services for the majority of Somalis, it jeopardises progress towards the universal MDGs. The JNA of 2006 revealed that a new paradigm is required that links local governance and service delivery with the core result being resource mobilisation and participatory, accountable management of public/social resources and goods.

Service provision relies largely on the local authorities being able to perform their responsibilities, manage resources appropriately and to earn trust with their constituents. If in the education sector, for example, over 70% of school-age children are not enrolled, it can be safely concluded that government support and public investment are essential for Somali development. Only government can mobilise the quantum of resources required through taxation. Moreover, only government can and is obliged to ensure equitable access and coverage of all the population through fiscal redistribution. In the short and medium-terms, a mix of government, private and non-state resources will be necessary for improving performance of service delivery, and local governments will need to develop mechanisms for supporting education with local resource mobilisation and fiscal transfers. Policy needs to be formulated to build a long-term sustained effort where every Somali can participate in and contribute to development through decentralisation, transparent and accountable local governance.

Linking local governance and decentralised service delivery in Somalia:

- Support local governance as a core reconciliation and peace-building strategy
- Take advantage of the momentum in decentralisation and ongoing establishment of District Councils in Puntland and South-Central Somalia
- Enhance the role and capacities of local governments in service delivery
- Increase resource mobilisation for essential services and local development
- Improve participatory and accountable management of public and social resources and goods
- Accelerate improvement and access to essential services
- Accelerate progress towards the MDGs

1.3. Current Efforts in Decentralisation, Local Governance, Urban Development and Service Delivery

1.3.1. Transitional Federal Government

In South-Central Somalia, under the terms of the Transitional Federal Charter and with support from UNDP and UNOPS, the Transitional Federal Government (TFG) is proceeding to establish Regional and District Councils in area under its control. The process followed is as described in section 1.2.1. It has entailed substantial community mobilisation and reconciliation in order to gain confidence and support from all clans within a region and districts, a representative and multi-stakeholder District Preparatory Committee that prepares for the election of District Commissioners, Vice Commissioners and upwards to the election of the Regional Governor. This process has been completed in Bay and Bakool regions, with positive results, Gedo is

nearing completion and neighbouring regions Hiraan, Middle Shebele, Galgadud and Modug are being assessed for initiating the same process, further to requests and expressed readiness from the communities.

Somaliland

The Somaliland Ministry of Interior is planning to re-evaluate remaining districts for the election process. Its intention is to develop an innovative selection process of any district unable to qualify for an elected council and to devise an inclusive process for selecting a council for that district. Somaliland Authorities are encouraging women to participate in politics and is reportedly expecting many women to run for office in the 2007 elections. A Management Information System is being established to compile data for planning and identifying gaps.

Hargeisa municipality is developing by-laws, which could be adapted for other districts in Somaliland. It is acknowledged, however, that the financial management systems are poor, which impacts upon revenue collection and allocation of resources for services. General lack of land information systems also imply that only a fraction of potential revenue on property taxes is actually collected; Hargeisa and, more recently, Boroma now have functioning GIS and significant increases in revenue have already been registered in Hargeisa.

Puntland

The Puntland Ministry of Local Government and Rural Development has been supporting District Councils in developing district action plans. The Ministry is planning to establish an inter-ministerial local governance secretariat and to recruit two local government advisors. A Local Governance Task Force exists. Beginning of 2007, the Task Force conducted some sensitisation on the decentralisation process and the need to establish viable local governments for the improvement of service delivery, and to inform communities on the recent Puntland State Government policy to increase women's participation in decision-making at all levels of government. The government is also finalising a legal framework for NGOs.

1.3.2. Civil Society

Civil society organisations, both organised and non-organised, are playing a vital role in service delivery, local governance and in social safety nets. The following are some key national NGOs that have built sectoral experiences in local governance, education, human rights, peace, human rights, environment, women empowerment and other areas working with the participating UN-agencies:

Somaliland: Formal Private Education Networks (FPENS), Academy for Peace and Development (APD), Consortium for Somaliland NGOs (COSONGO).

Puntland: Puntland Development Research Centre (PDRC), We Are Women's Organisation (WAWA).

South-Central Somalia: Center for Research and Dialogue (CRD), Coalition of Grassroots Women Organisation (COGWO), Peace and Human Rights Network (PHRN).

Traditional elders are important constituencies for peace building and conflict resolutions as the bulk of the disputes in Somalia are today resolved outside the formal judiciary system. International NGOs including Oxfam Netherlands (NOVIB), Interpeace and Saferworld are supporting civil society initiatives and provide capacity building. Oxfam Netherlands, in particular, has been training many organisations across Somalia and has built pool of local consultants as part of its Somali Civil Society Institutional Strengthening (SOCSIS) programme. UNA (Italian NGO consortium) has recently built up valuable experience in service delivery

(water, sanitation, basic infrastructure projects) within the framework of the Somalia Urban Development Programme.

1.3.3. UN Agencies/Organisations

International Labour Organisation (ILO)

ILO has been implementing employment-led early recovery programmes since 2002. These programmes comprise emergency public works and services through local-resource based approaches commonly referred to as “labour-intensive construction”; local economic development programmes linking resources and institutional mapping, entry level activities and long-term development, basic services and sustainable livelihoods; support to basic planning, sequencing and co-ordination of sub-projects; and business and enterprise development. Two key aspects of ILO initiatives - resource and institutional mapping as a basis for local level planning and community contracting to capacity build district councils and communities to deliver services and implement projects - will be extended and scaled-up in the Joint Programme.

United Nations Capital Development Fund (UNCDF)

UNCDF will play a vital role in designing and implementing the Local Development Fund mechanism for Somalia, following its experiences with Local Development Programmes, Local Development funds and fiscal decentralisation in Least Developed Countries. The LDF is perceived a key mechanism to enhance sustainable and responsive social service delivery in Somalia, and provides a space for capacity building, piloting of systems and procedures, comprehensive planning at local level and accountability measures.

United Nations Development Programme (UNDP)

UNDP has been supporting the formation of district and regional councils in South-Central Somalia through a district-based reconciliation process in partnership with the TFG and with implementation by UNOPS. Newly formed Councils together with traditional and community leaders are receiving a 21-day training course; district/regional office buildings are being rehabilitated/constructed and furnished. The Local Governance Department of the Ministry of Interior, TFG, is being supported with technical staff and trainers. A similar department with training capacity is under development in Puntland. The creation of a specialised Local Governance Institute and institutes specialising in general public administration (Somaliland) and public and business administration (Mogadishu) are under development. Some 165 young professionals have recently completed a certificate (one year) course for financial planners, through a consortium of 6 institutes of higher learning. Under the leadership of The World Bank, UNDP is participating in public finance management assistance for Somaliland and Puntland, and is developing activities to increase accountability in financial management by the TFG. UNDP is also supporting civil service reform, institutional development for government institutions, gender policies and women’s empowerment, including affirmative action policies, mainstreaming of HIV/AIDs, development of ICT for government and distance learning institutes, Diaspora technical missions, projects for sustainable livelihoods and early recovery, capacity building of the police and judiciary reform and capacity building.

United Nations Human Settlements Programme (UN-HABITAT)

UN-HABITAT has been pursuing an integrated approach in institutional reform for the urban sector, municipal governance, community participation, land and property management, finance management, basic services and infrastructure and local economic development. For the Joint Programme, in the urban sector, UN-HABITAT will build on its several years of experience gained through the Somali Urban Development Programme (SUDP) which was meant as an

umbrella programme for the urban sector, involving UNDP, ILO and UNA. The earlier EC funded Governance Leadership Training Programme (GLTP) aimed at training local leadership and civil society in urban governance practices. Activities have been mainly implemented by local Authorities and NGO partners and involved training in local leadership and management for councillors, elders and local communities in 16 towns across Somalia. Main achievements of the SUDP are: upgrading of markets and slaughterhouses while improving management structures (in 9 towns), setting up GIS based property taxation systems, leading to increased municipal revenue, and improved municipal finance systems in 11 towns, setting up an urban planning framework for main urban centres, including plans for integration of IDPs and returnees, and improving solid waste management systems in 8 towns. Additional funding of more than 8 million US\$ was raised for sub-projects under this umbrella programme. A new current focus is on land management (incl. security of tenure for displaced), dispute resolution systems and support to land legal reform in Somaliland and Puntland.

United Nations Children’s Fund (UNICEF)

UNICEF has an ongoing programme on basic service delivery for women and children with a strong element of community participation through supporting schools, water systems, health centres (including staff training), as well as building the capacity of local authorities. UNICEF and other NGOs have been providing training to the established Community Education Committees for several years in resource mobilisation, administration and child tracking. UNICEF is involved in a pilot community-driven recovery and development project to improve service delivery in three districts of Somaliland and Puntland, with support from DFID, UN-HABITAT and the World Bank. The project employs a number of strategies which include community-based planning, local authority capacity development and strengthening the link between communities, local government and central government. As such, the pilot project aims to empower community members to set the development agenda for social service planning and oversight; to participate in policy dialogue; and to influence government from an informed position.

1.4. Lessons to be Applied

The following captures some lessons from past and current activities in Somalia and other transition contexts related to decentralisation, local governance and service delivery:

- The programme design should be **strategic and evolving**, and sensitive to national and sub-national contexts, rather than pre-defined. **Risk analysis and issue management** are therefore important.
- The programme design should **promote national/local ownership** to the fullest extent; therefore participation of government and civil society counterparts is important in the design and development of new systems and monitoring and reviews of the programme.
- Each region in Somalia has a **different reality and a different structure** which the programme should take into account, particularly when supporting the formation of councils through a reconciliation process and implementing capacity development support.
- The programme should be ready to support an **effective visioning process** at the regional and district levels by the Somali people/authorities, and avoid advocating specific forms of decentralisation. Nevertheless, a strategy or policy for decentralisation and local governance in Somalia requires **political buy-in** and needs to be supported by **clear and simple legislation**. In all instances, the programme’s partners should be **clear and firm on the human rights** elements of decentralisation.

- Care should be taken not to perpetuate an inappropriate local governance system that is overly bureaucratic and expensive to operate. Local government institutions should be **lean, professional and efficient**. The programme should also be sensitive to the **absorptive capacities** of local governments to plan, budget and administer; sector agencies and private sector partners to deliver goods and services; and local governments and communities to manage and maintain assets.
- The use of **performance measures** for local governments can provide a powerful incentive for building local government capacity and improving performance.
- The programme should be designed to support **changes in roles and norms**; again, risk analysis and issue management are crucial.
- The programme should promote the greatest feasible **involvement of Somalis** in planning, management and budgeting of local expenditures. It is important that a **'home grown' systems** are developed for the Somali context and established.
- Land legal reform, property information system and dispute resolution mechanisms should **respect existing clan, religious and secular legal practices** in Somalia if they are to advance.
- The programme should **offer process consultation, coaching and learning-by-doing** rather than prescriptive expertise.
- **Public education** is an important component for duty bearers and citizens alike. It is therefore important that the public also have an opportunity to review the programme.
- The programme should give priority to **achievable targets** with early actions that involve all key local stakeholders and can demonstrate **quick and visible results**. On that basis, the programme should **build on successes promptly** to encourage adoption of good practices and reforms.

1.5. Programme Scope

1.5.1. Results overview

The UN Joint Programme on Local Governance and Decentralised Service Delivery is designed to contribute towards:

- (i) The Somali Reconstruction and Development Programme 2008-12 target outcome of *'Decentralised service delivery achieved in all of South-Central Somalia, Puntland and Somaliland'*
- (ii) Outcome 2 of the United Nations Transition Plan 2008-9: *'Local governance contributes to peace and equitable priority service delivery in selected locations'*
- (iii) Millennium Development Goals: 2 (*achieve universal primary education*), 3 (*promote gender equality and empower women*), 4 (*reduce child mortality*), 5 (*improve maternal health*) and 7 (*ensure environmental sustainability*).

In addition to the UNTP outcome on local governance and service delivery, the UNTP sets out four related sub-outcomes, which are the cumulative impact of the outputs the Joint Programme is expected to produce. These are summarised in the following sections and are presented in greater detail together with key indicative activities in the Results and Resources Framework (Annex 1).

1.5.2. Sub-outcome 1

Local governments have basic structures, systems and resources to fulfil prioritised roles and responsibilities

This sub-outcome area is the foundation for local government performance and efficiency to deliver services. The Joint Programme will develop and put in place systems for Regional and District Councils to be recognised and legitimate, function professionally, perform effectively, and to be responsive, representative, participatory, transparent and accountable to their citizens.

Five outputs are expected:

1.1. *Regional and District Councils are established and strengthened using participatory processes starting from community reconciliation*

The establishment of District Councils includes many activities, ranging from formal and legal steps to community mobilisation and sensitisation, and consensus building by local leaders. The Joint Programme will support the establishment of councils where they have not yet been established through consensus-building modalities, a coherent establishment policy, orientation for Councillors and community leaders in conflict resolution techniques and participatory processes, and promotion of inter-government relations through Regional and District Forum. The Joint Programme will also provide start-up packages of subsidy and office infrastructure support for councils selected.

1.2. *Regional and District Councils and communities receive a comprehensive training package, differentiating between urban and rural areas*

This will be done through orientation training for Councillors and communities in key governance principles, leadership and roles and responsibilities, induction training for local government administrative staff in the secretariat and services departments in key management functions and processes, and support to continued research, training and learning in local governance through specialised institutes/departments.

1.3. *The revenue base is enlarged and transparent financial management systems are set up*

This entails development of systems in public financial management and procurement for local governments, with a strong emphasis on transparency and accountability, providing specialised training for local government officials, a communications strategy for mutual accountability between local governments and the public, and a verification mechanism for local government functioning and performance aimed at line ministries and Regional Councils.

1.4. *Merit-based recruitment systems are developed, with better women's representation*

The Programme will review and improve local government policies and systems on human resources and staff development, ensuring common standards, equity in recruitment and staff development, and a specific [sub-] policy on affirmative action.

1.5. *Regional and District Councils have policies, administration and systems to manage priority/development programmes*

To strengthen the enabling environment for local governments, particularly District Councils whose functions and powers have not been clearly articulated, to operate and be effective, the Joint Programme will support the review, reform and development of existing decentralisation policies and local government legislation. The Programme will support the institutionalisation of a participatory and emergency planning system for Regional and District Councils and local government performance assessments. The Programme will also provide ongoing technical assistance and bespoke training in core local government functions, including management, administration, planning, finance and procurement aimed at administration and key services departments.

1.5.3. Sub-outcome 2

Communities, private sector and local governments have better means and capacity to deliver equitable basic services

The focus of this sub-outcome is public investment in basic services in urban and rural areas, improving delivery of basic services through public-private partnerships and relevant institutional frameworks, and access of the public to basic services. Particular emphasis is on primary and secondary education, water and sanitation, and ensuring gender equity in both provision and access.

Two outputs are expected:

2.1. *Citizens in all districts have improved water, health, sanitation and education services that are managed in partnerships between the stakeholders, facilitated by a Local Development Fund and other mechanisms*

In line with district/community/village plans and priorities, the Joint Programme will support policy and legislation development for social infrastructure, strengthen the framework for government and community relationships on basic services, establish solid waste facilities and improve solid waste management, and construct/rehabilitate water supply systems and establish water supply management structures in selected urban and rural areas.

2.2. *Local government and communities implement priority social investment projects focusing on improved service delivery facilitated by a Local Development Fund*

The Local Development Fund (LDF) is a facility for transferring fiscal resources to local government and a funding mechanism for infrastructure, social capital and productive community projects that are based on district and community level plans. In the process the LDF strengthens the capacity of local governments to plan, budget and provide resources for local development projects. It is therefore an integral instrument of decentralisation policy. The Joint Programme will move towards the establishment of one single fund with three windows, one each for Somaliland, Puntland and South-Central Somalia complete with operational procedures and capacity building for managing, implementing, monitoring and auditing the fund. The Programme will also provide training to key local government officials and conduct civic education to maximise community participation and investment. In order to address the priorities for Somalia, the LDF will have funds earmarked for education, water, sanitation facilities and services and infrastructure. It is the ambition to gradually introduce a LDF mechanism, once districts have reached certain benchmarks in terms of governance and management capacities. In the meantime, priority needs in service delivery and infrastructure will be covered directly, using streamlined procedures developed within the LDF to the extent possible.

2.3. *Relevant authorities have developed context-specific communication strategies on social issues, including AIDS*

This will entail capacity building of regional and district councils in identifying key social messages and successful communication channels to regularly disseminate information and raise awareness, for example on hygiene, education, water usage, AIDS and waste.

1.5.4. Sub-outcome 3

All key stakeholders participate in equitable and inclusive community and village-level planning, policies and development

Participation of communities in development is the main theme of this sub-outcome. This implies a fusion of top-down and bottom-up processes in terms of implementing a government system for participatory planning and budgeting, openness on the part of authorities to pursue multi-stakeholder engagement in processes, such as defining priorities and plans, drafting of by-laws and identifying locations of public facilities, and ultimately that citizens invest and are

given a say in the development of their locality, district, municipality and region. Gender equality and confidence building activities are important themes.

Two outputs are expected:

3.1. *District development plans integrate community action plans and specifically refer to IDPs and other marginalised groups, and emergency preparedness*

This entails support to the integration of top-down and bottom-up planning and budgeting processes through connecting different local planning exercises and development plans – community, urban, economic – with district level planning and budgeting and upwards to regional planning. The Programme will support the implementation of the planning and budgeting processes at the different levels, and will support project design, development and implementation based on the plans produced that may benefit from the mechanisms in outputs 2.2.1 and 2.2.2.

3.2. *Communities receive training on leadership, governance, participation and community mobilisation*

To stimulate relations between local governments and the citizens they serve, support will be given to Councillors and other government officials to discuss council affairs with the public and to implement a communications strategy for enhancing trust and transparency. The Joint Programme will also conduct civic education on policies, laws, roles and responsibilities, elections and other important areas, ensuring equal access to information, and training in participation for community groups. To measure change in public confidence in governments in Somalia, the Joint Programme will conduct annual public perception surveys.

1.5.5. Sub-outcome 4

Land is more equitably managed and accessed resulting in reduction of disputes

The contribution of the Joint Programme to this outcome will be through support to legal and policy development of an overarching Federal/State land policy, land related laws and by-laws at the municipal level, technical support to the establishment of a land management system, and processes for housing, land and property disputes and restitutions. Consensus building, conflict resolution techniques and gender considerations will be factored into policies and systems alike.

4.1. *Local government policies and by-laws addressing priority issues related to land administration are drafted*

For policy formulation and legal drafting the Joint Programme will support the formulation of land policy, ensuring consensus building in the process; drafting municipal by-laws in key land issues such as land use, taxation, tenure and information management in 10 selected districts; drafting land laws and regulations. The Programme will also provide training to public land officials and implement pilot land administration/management projects in the same selected districts.

4.2. *Procedures, institutions and mechanisms in place for housing, land and property (HLP) disputes and restitutions in Federal/Somaliland/Puntland*

To address housing, land and property disputes and restitutions, the Joint Programme will focus on (i) the institutional framework through a supporting the establishment of a national housing land and property commission and district housing land and property disputes resolution committees; (ii) developing the procedures and mechanisms for disputes and resolutions; and (iii) conducting advocacy and awareness raising for local government officials and rule of law institutions and citizens.

1.5.6. Phased Approach

In line with the timelines of the UNTP 2008-9 and the RDP 2008-12, the Joint Programme will be rolled out in two phases over a period of 5 years and will ultimately cover all regional and district Councils in Somalia where conditions permit:

Phase I: December 2007 to December 2009

This phase will entail two parts:

December 2007 to April 2008:

- A transition period for the participating UN organisations to phase out their existing projects related to local governance, urban development and services and phase in to the Joint Programme by 01 April 2008 (refer to Annex V for details of transition process).
- Preparations for establishing the Joint Programme in time for the UNTP, such as establishing the Programme Co-ordination Unit and Programme offices, and developing Terms of Reference, monitoring and evaluation tools, Annual Work Plan for 2008, work plans for each 'area' and further developing the Local Development Fund strategy and mechanism through consultations with national stakeholders, participating UN organisations and donors so as to allow for a thorough assessment of its feasibility. In parallel, related manuals, technical documents and methodologies will be review and developed.

May 2008 to December 2009

- Rolling out and implementation of the Programme according to the respective Annual Work Plans with a blanket target coverage of 46 districts by end of 2009 (i.e. 50% of rural and urban districts). Focus will be on founding and/or strengthening a local governance system and technical support in mechanisms and processes and investment in projects for delivering basic services.

Phase II: January 2010 to December 2012

- Consolidation and implementation of the Programme according to the respective Annual Work Plans with a blanket target coverage of all remaining regions and districts by end of 2012 (i.e. all rural and urban districts), resources and security conditions permitting.

1.6. Programme Strategy

1.6.1. Overview

Supporting good governance (transparency, accountability and participation) and effective and efficient management in Regional and District Councils, coupled with jump-starting social investments that accelerate the achievement of concrete results and contribute to building popular support and credibility for the nascent local government institutions constitute the broad strategy of the Joint Programme.

1.6.2. Overall strategic principles

The following overall strategic principles will guide the Joint Programme during its implementation:

- *Harmonisation* (Examples: harmonisation of donor funds into one overall fund for local councils; harmonisation of rates for DSA, salary stipends/performance based pay)
- *Coordination* (Examples: coordination between partners and stakeholders to ensure complimentary approaches and efficient management)
- *Piloting, learning-by-doing, and reviews:* as a rule, experiences from the ground will inform policy development, roll-out approaches, etc; and roll-out will be phased to ensure sufficient (absorptive) capacity on the ground. Regular reviews of procedures will take place to assess soundness and regular changes to these procedures will be made as required. In addition, service

delivery systems in certain sectors will also require a pilot approach to learn lessons; *Predictability*: donor funds available through the Local Development Fund mechanism should be announced to the beneficiary district councils at a specific time of the year for them to kick start the local planning and budgeting process; and the councils should be ensured a certain minimum of annual allocations for investment to facilitate multi-year planning, preparation for maintenance cost , etc.

- *Transparency and Accountability*: transparency of operations should be a guiding principle for all actors and stakeholders involved in order to set good governance standards. Accountability should be included in all processes. For example, the planning process needs to have a step where the council informs its constituency of output of the previous year’s investments at district level.
- *Simple and Action Oriented*: (Example: All procedures and processes should be designed with a clear view of simplicity to facilitate action., such as the operation manuals must be sufficiently simple to allow the councils to carry out the planning within a reasonable time frame and at a reasonable cost
- *Encompass roll-out and exit strategies*: all designs, systems and procedures including salary stipends must be developed with the clear vision that they shall be rolled out to cover all districts, regions and zones, and that the government over time should be able to cover a larger part of these fund requirements through intergovernmental transfers coupled with local government own source revenues.

1.6.3. Implementation

Given the complex environment in Somalia and the diversity of its political and social characteristics, the Joint Programme will need to be flexible to accommodate realignment/s of its strategies and investments. Prevailing local conditions, levels of Somali and international engagement and support and success in early activities (detailed in section 1.6.8) will generally determine the pace and progress of Programme implementation.

To reflect the differing levels of advancement in local governance across Somalia, the four sub-outcomes and their respective outputs and activities are not necessarily sequential. This implies that several activities under different sub-outcome areas may be undertaken simultaneously, and the starting point for activities may differ from district to district. For example, establishment of District Councils and the participatory processes therein will be characteristic of South-Central Somalia in the first phase, compared to self-assessment of District Councils as a platform for capacity building in Somaliland.

To achieve the geographical coverage envisaged, the Programme will adopt the model of training of trainers and a cascading system of assistance based on performance. In providing assistance, the Joint Programme will adapt to local needs and priorities as far as possible, although some activities will be generic, such as trainings in participatory planning and operation of the LDF. The Programme will be prioritised in locations where it will actively contribute to peace and equitable, priority service delivery. There will be flexibility for districts (urban and rural) to advance at their own pace, however by the end of the Programme period it is expected that all districts across Somalia should have achieved some minimum standards of performance, even if some have exceeded.

Districts

According to the phased approach, all Councils once formed and that are accessible will receive a minimum package of orientation training, basic civic education, infrastructure support and capacity development. Subsequent stages of assistance to Councils will be results-driven and performance-based. It is the ambition to pilot the Local Development Fund in 20-25 districts

during the first 2 years of the Programme. Districts will be eligible once they reached certain benchmarks with regard to governance and management capacity. In the initial phase, allocation of funds to the districts will only require that they have established a district council through a participatory process that is approved by the central government institutions. Later in the implementation period, allocation of LDF funds for those eligible districts will be based on meeting certain benchmarks and qualifications so that there will be no *a priori* allocation of equal or a set amount of resources to districts. This approach is to create incentives for good performance. In areas, where government-owned fiscal transfer mechanisms are not yet in place, Districts will receive minimum support with regard to service delivery and infrastructure development.

Criteria to determine the districts for each phase and benchmarking methods will be developed in consultation with government counterparts and endorsed by the Joint Programme Management Committee. Guiding principles for selecting districts and rolling out the support are attached in Annex VI. In the start up phase where allocation criteria are yet to be established, an equal amount will be allocated to all eligible districts.

Urban and Rural Areas

The Joint Programme will be pursued in both urban and rural areas simultaneously. Support will therefore be provided to district councils in both urban and rural areas. Attention will be given to specific requirements and conditions in each setting, such as technical assistance in urban planning for towns and cities and appropriate water systems for rural areas. Otherwise, the Joint Programme will apply the same focus on capacity development and service provision for both.

Area Work Plans

During Phase I of the Joint Programme, the UNTP will be implemented through the Annual Works Plans of the UN Country Team. To facilitate implementation planning, these will be defined according to the areas of South-Central Somalia, Somaliland and Puntland. In the same manner, the Annual Work Plans for the Joint Programme will be defined for the three areas and encompassed in the wider UN work plans.

1.6.4. Promoting Somali Government Ownership

Transferring increasing co-ordination responsibilities and ownership by government at all levels of Somalia in improving local governance policies, systems, financial management, resource mobilisation and service delivery will be a strategy of the Programme. From the outset, it is expected that the Federal/State Governments will assume a leadership role in the formulation and improvement of policies, systems, mechanisms etc. and the Programme partners will provide technical assistance and facilitation as required.

For ensuring their leading role in co-ordination and offering strategic guidance to the Programme, the Federal/State level counterparts will co-chair a Local Governance and Service Delivery Committee as the main co-ordination mechanism of the Programme in that area (see section 2.2.2 under Management and Co-ordination Arrangements for more details). In the same vein, the Programme may consider funding a Somali technical co-ordinator within the Federal/State level counterparts to act as Government counterpart and liaison to the area Programme Co-ordination Unit (PCU). This would be good practice for moving gradually towards a national execution modality.

Over time, it is envisaged that the Local Development Fund (LDF) will be integrated into intergovernmental transfer systems, as these are strengthened, from the Federal/State level to the

District level. To establish the mechanism, the Programme will liaise with the TFG and with Somaliland and Puntland authorities to agree on the role and place of the LDF within their public sector planning and budgeting systems. In designing the operational procedures, it is important that representatives for each Federal/State Government, district governments and other stakeholder groups participate in their design. For more details see section 1.6.6 below.

The role and responsibilities of Regional Councils are not conveyed clearly in existing Somali frameworks. However, the Joint Programme will strengthen their co-ordination functions with respect to data collection, needs, priorities and plans from the districts in that region, linkages between the central and district tiers of government, and monitoring and oversight of districts. By supporting regional, district/municipal fora and associations, it is hoped that the role of the regions will become clearer and more functional. Support from the Joint Programme in this respect is expected to be in the form of logistics and facilitation as required.

In order to be more strategic in positioning the Programme, offices will be set up, where conditions permit, within the premises of the Federal/State level counterparts rather than UN premises.

1.6.5. Links to Central Government and Sectoral Policies and Systems

The links defined below demonstrate the links between the Joint Programme under Outcome 2 and Outcomes 1, 3, 4 and 5 of the UNTP 2008-9:

- **Constitutional process** (UNTP outcome 1): The Transitional Federal Charter stipulates the drafting of a new constitution for a federal Somalia by 2009, which is to be adopted by popular referendum. It is hoped the preparation and drafting of the new constitution will be the result of an inclusive and participatory process. Some of the contentious issues expected to arise include decentralisation/federal structures, the future role of traditional governance structures, electoral models, judicial and legal structures addressing the roles of customary and Shari'a Law, citizenship rights, promotion and protection of the rights of minority groups and solutions to contested land issues. The Joint Programme will make an important contribution to this process of dialogue through increased awareness and role of communities in defining and realising their local development, and the Programme's emphasis on transparency, accountability and participation.
- **Public financial management** (UNTP outcome 1): The World Bank is providing leadership on the public financial policy and framework for Somalia. The Joint Programme will work within this framework for local governments and be engaged in technical support such as training and establishing the Local Development Fund mechanism (described in section 1.6.6) as a means for increasing fiscal transfers from central government/line ministries to local governments.
- **Systems for planning, reporting, budgeting and procurement** (UNTP outcome 1): In developing similar systems for local government, the Joint Programme will ensure compatibility with those in place at the federal/state level.
- **Civil service policies and human resources** (UNTP outcome 1): In developing local government staffing policies and conditions for service, recruitment system and affirmative action policy (30% quota for women), the Joint Programme will ensure compatibility with those at the federal/state level. The same vision applies to both central and local government levels: lean, professional, efficient institutions, functioning with competent civil servants, capable of planning, providing key regulatory functions and engaging partners to deliver public services and promote local development. The Joint Programme will also establish a Local Governance

Institute in Puntland which is expected to be one of three centres of excellence for the Civil Service in Somalia.

The Programme's policy on salary stipends for civil servants or council staff will be set in accordance with policies set by the UN Country Team or other co-ordination or advisory bodies for Somalia, and it will be the Joint Programme Steering Committee to reinforce its application. Given the low revenue base of local governments, the matter is often a sensitive one. The policy will need to balance sustainability issues with the building up of local governments and the short-term realisation of activities. The policy may be for across Somalia or a policy specific to each area. Once the policy has been endorsed, it will be applicable to all the participating UN organisations of the Joint Programme.

- **Social Services** (UNTP outcome 4): Strengthening capacity in data management, planning, financial management, general administration, monitoring and evaluation will apply to social sector administration within District Councils, as well as the council executive, as a means to increase access to quality education and health services. The Joint Programme will also support authorities and communities in emergency planning and response, which covers social services, and in implementing communication strategies on social issues. For further explanation on linkages related to service delivery and the interrelation between UNTP outcomes 1 (general capacity of central government, outcome 2 (delivery of basic health and education services at the local level – Joint Programme) and 4 (coverage and quality of basic service provision in health and education), refer to Annex VII.
- **Land policy and legislation** (UNTP outcome 3): Policy and legislation development related to equitable access to land and efficient land management will be carried out, and the formulation of procedures and mechanisms for housing, land and property dispute resolution and restitution will be done in co-operation with rule of law initiatives for Somalia. Similar co-operation will be pursued for strengthening associated legal institutions for processing housing, land or property dispute claims.
- **Livelihoods:** (UNTP outcome 5) While the Joint Programme will develop local planning procedures and fiscal management systems required for local direct investment projects and implement some pilot community-led projects, projects specifically addressing sustainable livelihoods, employment creation and emergency preparedness are part of outcome 5. This comprises projects to rehabilitate/construct and manage livelihoods-related community infrastructures and assets, local economic development assessments ('LED'), development of legal, policy and microfinance frameworks for enterprises and business services for community-based livelihoods and community capacity building and training. These activities will increase the sustainability of the community-led projects implemented within the Joint Programme.

1.6.6. Inter-government and Community Linkages

The Joint Programme will encourage the formation of links between local government bodies, the community and the private sector, so as to increase local capacity to deliver basic services in the longer term (for example, through public-private partnerships) and eventually to end emergency service delivery needs. This means that the Joint Programme will simultaneously support a "top-down" process of political development of local government and a "bottom-up" empowerment of communities to participate in local governance and service delivery. The Local Development Fund is expected to be critical in balancing these processes. Equally, horizontal linkages for local governments will be supported through a regular regional forum for all

regions in a Federal State/State and District Forum for all districts in a Region to discuss issues of common importance.

1.6.7. District development planning and the Local Development Fund

An important component of the programme is the development of a harmonised district planning system that is tailor made to the specific context in Somaliland, Puntland and South Central Somalia. This planning system will enable the districts to design *one* plan based on a participatory process, and all funds to the districts – whether they are from the Joint programme or from other sources, and whether they are earmarked or discretionary – can be allocated according to the prioritization made by the district in the planning process.

Several types of funds are available to the Joint Programme. Some funding arrangements have been in place for a period of time, such as the development funds provided by UN-HABITAT through the SUDP project. Over time with the development of the Local Development Fund mechanism, efforts will be made towards harmonising all funding into the LDF. The LDF will be developed to serve as a fiscal transfer mechanism for the development of social investment at the local level for improving service delivery.

The strategic principles that will guide the elaboration specifically of the LDF in Somalia will be the following:

- *Piloting, learning-by-doing, and reviews:* The LDF should start early as a pilot, in order to ensure a complementarity with the formation and the training of district councils (councils are directly trained to manage participatory planning and service delivery); first experimentation of the LDF shall inform the expansion of the mechanism and regular reviews shall be performed to fine tune the system;
- *Predictability:* donor funds available through the Local Development Fund mechanism should be announced to the beneficiary district councils at a specific time of the year for them to kick start the local planning and budgeting process; and the councils should be ensured a certain minimum of annual allocations for investment to facilitate multi-year planning, preparation for maintenance cost , etc;
- *Transparency and Accountability:* transparency of operations should be a guiding principle for all actors and stakeholders involved in order to set good governance standards. Accountability should be included in all processes. For example, the planning process needs to have a step where the council informs its constituency of output of the previous year’s investments at district level;

The Local Development Fund (LDF) component of Outcome 2 is the *key mechanism to make decentralised service delivery sustainable*. Annex VII provides more information on the LDF model and lessons learned from its application elsewhere in the world.

Operationalisation of the LDF

In order for LDF to be implemented in Somalia, the following steps are required:

1. *Mobilise funds.* While donors will provide the major share of the LDF in the early phase the intention over time is to mobilize increasing resources from other sources, such as own source revenues (could be cost sharing arrangements before a legal framework for tax collection from own source revenues is in place); donations (in particular from Diaspora); and intergovernmental fiscal transfers.

2. *Design a viable manual for a district planning and investment process.* Manuals for development planning, procurement and investment procedures for fund allocations will have to be finalized with the overall principles in mind (simple and easy to understand and implement, integration of planning and budgeting, downward accountability to the electorate, etc.). A critical aspect of the manual will be to ensure that the funds provided are allocated to *investment and recurrent costs* according to a specified formula. This will be needed to ensure that the level of investments is acceptable in order to address the MDGs (for example 10 or 20% incremental and 80 or 90% investment).
3. *Allocate funds to the districts according to an allocation formula.* Priority will be given to the districts that have completed the training. In the medium term, the aim would be to make annual allocations through public announcements in order to kick start the annual planning process and to ensure some level of *predictability* of funds availability to give perspective to the planning process.
4. *Constantly look at options for increased government ownership by working with stakeholders to improve systems and procedures.*
5. *Consult with relevant stakeholders in the three zones in order to agree on the following:*
 - Minimum capacity needed at central government level (Ministries of Local Government, Interior, Planning, Finance) to support the implementation of the Joint Programme.
 - Minimum capacity needed at local government level. This will take place along with revision of the development planning and LDF manuals. This is critical to ensure government ownership in order to facilitate intergovernmental fiscal transfers through LDF in the medium or long term.

It is anticipated that executive staff will be needed for each of the four departments at the council level (Finance and Planning, Social Services, Land Management, and Security). Further to this, the capacity of the ministries will have to be facilitated, in particular to establish a capacity building unit and an M&E unit. The actual costs of this will be discussed as part of an effort by the UN partners to harmonize salary stipends and DSAs.

6. *Ensure that implementation takes place during an appropriate time line* and that it addresses the needs and priorities as outlined in the development plans.
7. *Design an appropriate monitoring, evaluation and reporting framework.* This includes establishment of a baseline in a given area, setting targets for local service delivery (e.g. number of specified investment goods, number of girls attending school, etc.), periodic reporting on target achievements, feedback procedures, documentation of lessons and fulfilment of outputs. One monitoring, evaluation and reporting framework will be necessary to report on output and over timer also on outcome. An M&E framework for the LDF has been developed by UNCDF and used in other countries and a review of the option for using this system for the joint program will take place once the Programme Coordination Unit has been established.
8. As the overall legal framework for the three zones (the Transitional Federal Charter 2004, Somaliland Constitution 2001, and Puntland Charter 1998) all specify decentralization as the core political, functional, fiscal and administrative principle of

governance, implementation of the LDF may begin on a pilot basis before a detailed decentralization policy is adopted, though of course the development of such a policy is intrinsically related to the LDF and will be promoted as a priority.

For a substantial period of time, extensive technical assistance (managing participatory processes, strengthening the involvement of the civil society, civil engineering, and any other sectoral technical support), will need to be supplied by the relevant agencies, as on-the-job training, supporting development and implementation of projects. This technical assistance has to be funded outside the LDF.

The district planning and investment process and the Local Development Fund (LDF) for Somalia

- A harmonized district planning and investment process will be developed to provide the framework for the development of one single, integrated development and investment plan for each district regardless of funding source.
- The district planning and investment process will support and provide control and validation of planning, budgeting, procurement, service delivery, auditing, and monitoring & evaluation at district level
- The LDF will serve as a platform for enhancing the fiscal space at district level, to attract and promote both internal and external revenue in the long term
- The LDF supports the strengthening of intergovernmental transfer systems and thereby creates the space for government and donors to transfer resources to local governments
- The LDF will provide the major source of discretionary funding for the district plans
- The LDF can accommodate capital expenditure and incremental costs for service delivery, as provided for in the district plans.

Fund management

Management processes and operating procedures of the LDF will be uniform, and their design will be done in consultation with representatives of each Federal/State government, district governments, local stakeholder groups, the participating UN-agencies and other international organisations active in service delivery and infrastructure development. That being said, care must be given to carefully account for the specific regional realities and capacity level in the modalities for implementation of the LDF in Somaliland, Puntland and South-central Somalia which may require adjustments in the speed of implementation and management structure.

There will not be a separate operational manual for the LDF. The allocation of the LDF and the management of it will be integrated into the district planning and investment guidelines. The management and operation of the LDF will involve staff from relevant government departments at all levels: (i) central government for policy matters, planning and allocation of government and donor resources for districts, (ii) ministry staff at the regional level for linkages between their line ministry and districts within the region concerned, in addition to some technical support to districts, and (iii) district staff for managing LDF resources and facilitating discussions on the allocation of funds for district and community projects (see conceptual diagram Annex VII). In the interests of rebuilding local government in Somalia, final responsibility for deciding on the use of LDF funds and approving proposals is assigned to the

district councils, as long as decisions are based on proper participatory processes as designed in the district planning and investment guidelines.

In respect to implementation, the LDF mechanism is linked up to the other processes of the Joint Programme in a very integral sense. The pursuit of the LDF depends on the *establishment* of the governance structures and processes, as well as the *District Councils and community focal points* which feature under *outputs 1.1 & 1.2*. The District Councils must endeavour to have *development plans* which respond to community needs as well as sector priorities as produced under *output 3.1*. Further, there must be a district budget which is a financial plan for all the prioritised projects and services in the respective district development plans, thereby relying again on *output 3.1*. The *funding* of this determined and approved budget from the district development plans then becomes the onerous function of the LDF. The preparation of the district plans and the respective budgets by the District Councils supported by the participating UN organisations (*output 3.1*) becomes a key criterion for accessing the LDF, i.e. *outputs 2.1 & 2.2*.

UNDP will be the Administrative Agent for the Joint Programme with clear fiduciary functions (refer to section 2.3.2). Other participating UN organisations will be playing leading roles in contributing to the establishment of sound systems and procedures for planning, service delivery, land administration and management. Until such time as a fully harmonized system and associated rules, procedures, overall framework will be established, UN-HABITAT will be in charge of the development of district planning and investment process in urban districts (regional capitals), while UNDP will lead the process in rural districts. Systems and procedures created will be based on, to the maximum extent, common principles and structures and will be increasingly harmonized during the course of the joint programme in a process that will engage all participating agencies, facilitated by the Joint Programme Management team. UNCDF unique investment mandate will be recognized by all participating agencies throughout all these processes.

In this process, all UN agencies will provide important input from their experiences, and the aim will be that the central governments take a lead on the Somali side to ensure the transition towards one integrated planning system. UNCDF will be responsible for setting up and managing the LDF funding mechanism, including all implementation modalities and transfer mechanisms. All UN agencies will be using existing transfer systems until the LDF mechanism is set up, fully operational and is proven to be efficient. The UN partners will in collaboration assist the central governments in an annual review process to improve planning and investment guidelines along with increasing capacity on the ground and lessons learned during the process. Typical aspects that will be added in a step-by-step manner are procedures for accessing LDF resources, introduction of an allocation formula, disbursement and performance measures, and incentives. Once the national reconciliation process is successfully concluded and the institutional linkages between Somaliland, Puntland and the Federal Level are clarified, this set-up could be revisited. UNDP and UNCDF through area project managers in the three different zones and through collaboration in the Program Coordination Committee will see to it that the relevant steps are fulfilled before funds are released, ensuring quality control of process as described above. Finally, UNCDF will contribute to the development of an appropriate monitoring, evaluation and reporting framework for the reporting on all funds that are transferred to the districts through the development planning and investment process and capable of evolving towards the establishment of systems and procedures at national level. UNCDF experience in the development of such mechanisms elsewhere will guide this process.

The assigned UNCDF fund manager to the Joint Programme will work in close collaboration with the Programme Coordination Unit and with the project managers of the other participating UN organisations to determine and undertake tasks such as training, capacity enhancement, performance measurement, fund raising and reporting on funds allocated to the districts through the development planning and investment process.

The vision of the Joint Programme is to ensure sustainable governance and improved service delivery in Somalia, thus a gradual transfer of functions will evolve, but this will have to be monitored and corresponding measures taken on a gradual basis. Even when a district has reached the benchmarks and becomes eligible for the LDF, all approvals and transfers should initially be countersigned by the representative of the participating UN organisations (double signature).

Priorities for the first stage of implementation

The district development planning and investment process aims at establishing clear procedures for decision making, priority setting, budgeting, procurement, and implementation. Extensive work will be required in 2008 and 2009 to work towards harmonizing existing tools as well as guidelines into one harmonized set of manuals. Secondly, local administrations must have up front clear expectations about what extra resources (human, technical, logistic) are required for service delivery and what conditions are required to secure such support. The district development and investment process and subsequent allocation of funds will provide input to periodic review and revisions of the systems and procedures. While extensive technical support is required in the start up phase, the intention is to move towards increased government ownership, more extensive use of intergovernmental transfer mechanisms as these improve and become more accountable, and enhanced local government own source revenues.

1.6.8. Sector-wide Strategy/Approach

A sector-wide strategy (SWS) and approach (SWAP) for education is envisaged for Somalia. Discussions have started to conceptualise the SWS, but the process could take several months to complete. It is expected to address the policy and regulatory role for the federal/state government and to build on existing education structures at community and district levels and with the private sector. A SWAP works through all tiers of government. The requirements for a SWAP are functioning local governments that are applying transparent, accountable and efficient public financial management. Capacity development of district councils is thus critical and a prerequisite. The investment and experiences of the Joint Programme are therefore expected to play an important part in informing the SWS and in promoting an appropriate degree of local government involvement and assignment of functions in a decentralised context, particularly where the Local Development Fund will be operating.

1.6.9. Early Results

Establishing and building the credibility of local authorities is an important strategy for building peace in Somalia, particularly for the first phase of the Programme. The strategy for achieving and demonstrating early results will be approached in five ways:

- Simple, basic systems for general administration, planning and financial management and systematic roll-out.
- A basic support package of a start-up grant for new District Councils to support basic minimal operating costs for the first year and basic infrastructure support consisting of rehabilitation/ reconstruction of a public office/building, basic furnishings and equipment, and basic transportation.

- ‘Peace dividend’ projects following establishment of new Councils that entail public goods and services, for example a market trading area or rural feeder road for increasing market access.
- Civic education and outreach for involving constituents in local government plans and initiatives and for conveying early efforts.
- Piloting a harmonized planning system and Local Development Fund in 20-25 districts

1.6.10. Synergies with Humanitarian Assistance

For provision of legal assistance and counselling related to housing, land and property disputes, particularly for IDPs and returnees, and strengthening local capacities in monitoring disputes and resolutions, the Joint Programme will engage and co-ordinate closely with other UN agencies and various international NGOs that are implementing such support and activities. Since protection is an important factor in the face of land issues, the Joint Programme will need to link its support to existing protection endeavours, particularly those of OCHA, OHCHR and UNHCR. In supporting the district and community-level planning process, the Joint Programme will ensure that emergency planning is factored in and that needs of marginalised groups, including IDPs and returnees are addressed.

1.6.11. Sustainability

The Joint Programme will support lean and efficient systems for local government in a way that local government should not be over-burdened with complicated bureaucratic methods that consume unnecessary time and resources. At the same time, the Joint Programme will seek to institutionalise these systems through a substantial and ongoing capacity development approach (as described in section 1.7.5), supporting annual and ongoing exercises, such as participatory planning and budgeting, community monitoring of projects and land administration, and building permanent Somali training institutions, such as the Local Governance Institute in Puntland. The Joint Programme will also be sensitive to the absorptive capacity of the various institutions it will support. Trainings and public information will be conducted as much as possible through local Somali organisations/experts and in Somali language in order to enhance understanding and Somali ownership.

The Local Development Fund is envisaged to be the inter-government financial transfer system for governments in Somalia. With the LDF covering capital/development expenditures as well as recurrent costs, the Joint Programme will commence with a pilot approach in order to demonstrate planning, allocation, management systems and community participation, and to test it as a viable model that can be replicated across all districts in Somalia. In this manner, the Programme will promote resource mobilisation and government cost-sharing for selected districts to reach a level of financial sustainability, i.e. once started in a district the LDF must continue annually at least for the duration of the Joint Programme; a calculated approach to expansion will therefore be applied.

1.7. Cross-cutting Approaches

Within the Joint Programme, all local government training and planning, policy and legal framework development will address the cross-cutting themes of peace-building and reconciliation, human rights, gender, capacity development and AIDS. Representation and participation of women and marginalised groups in local governance activities will be constant.

1.7.1. Peace-building and Reconciliation

As conveyed in the Somali Reconstruction and Development Programme 2008-12, conflict-sensitive assistance to Somalis relates to the potential impact of policies and programmes on the conflict environment and aims to ensure that interventions do not contribute to conflict escalation but instead, if possible, to conflict de-escalation. In this light, the Joint Programme will strive to:

- Reduce the potential inter-clan tensions through developing systems and mechanisms for equitable distribution of resources/social services.
- Promote participatory planning to ensure that plans and development initiatives cover all clan groups and result in decisions that address people's priorities.
- Ensure that governance functions are clan neutral and inclusive, learn from and build on existing institutions and processes that are functioning and proven effective.
- Encourage inter-community initiatives as far as possible.
- Provide ongoing training in conflict resolution and good governance and human rights principles for councillors and community leaders/clan elders.
- Promote and engage champions of peace in councils' work.
- Establish grievance redress mechanisms in district councils.
- Promote or support social activities that mobilise youth, women and different clans generally to spread campaigns on social issues.

1.7.2. Gender Equity

To address gender issues within local governance, in particular women's representation and role in public life, and access to basic services, the Joint Programme will pursue the following:

- Support the Somali authorities and community committees in development and implementation of specific affirmative action policies and gender-based revenue collection, budgeting and planning.
- Ensure gender issues are incorporated into all local government policies and laws, and that local government systems and processes are equal and fair.
- Advocate that council staffing and council committees and steering groups encourage participation of women and strive to meet at least the 30% minimum as specified in the applicable legal/policy frameworks. Participating UN organisations and implementing partners should also strive for a similar level of representation in meetings or consultations they conduct.
- Develop capacities of local governments and community leaders for gender analysis based on disaggregated data, so that they understand the gender-based causes of discrimination, and for monitoring of investments to determine if funds are spent on services that women require, such as ante-natal care or have primary responsibility for, such as water.
- Ensure local government practices are consultative, participatory and actively encourage the involvement of women and marginalised or vulnerable groups, and that plans and services are sensitive to their specific needs.
- Ensure that civic education initiatives reflect the diversity of the Somali social structure reach out to all citizens. Ensure also that efforts are made to render access to information equal and they take into account gender considerations.
- Conduct sensitisation on gender and women's rights and public role, especially aimed at local government officials, clan elders and women leaders, and mobilise women's groups/networks in the process to also advocate greater women's representation.

- Ensure that in the development and implementation of the LDF, specific attention is given to local level realities of both men and women's access and control over resources.
- In developing curricula and training materials, ensure that gender and its different constituents are addressed.
- Support specific initiatives aimed at supporting a critical mass of women in active public life, such as leadership and advocacy training, orientation in human and women's rights, and strengthening of women's networks.
- Ensure close co-ordination and collaboration with other gender-specific activities and closely related programmes with mutual interest in gender issues, such as UNDP's Rule of Law and AIDS Programmes, and programmes of UNAIDS, UNIFEM, UNFPA and others.

1.7.3. Human Rights

Building good governance requires an integrated justice system that is accessible to all and utilises the strengths of the various systems and mechanisms operating in Somalia under traditional, religious and secular systems. The Joint Programme will actively link local governance with rule of law through human rights as a cross-cutting approach. In order to enable duty bearers³ to develop their capacity, so as to be held accountable for their work performance and to meet their obligations as far as possible to respect, protect and fulfil human rights, and to empower rights-holders to claim and exercise their rights, the Joint Programme will pursue the following:

- Ensure that policies, laws and by-laws promote equality and are non-discriminatory, but contain positive measures (affirmative action) where considered critical.
- Advocate and monitor that public services are available, affordable, accessible and acceptable.
- Advocate voluntary, meaningful and effective participation, inclusion of and outreach to minority and marginalised groups in local government processes, staffing and other forms of engagement.
- As with gender, ensure that human rights are incorporated in local governance curricula and training materials, as well as civic education initiatives.
- Advocate or establish as necessary a channel for the 'voiceless', such as on new policies, adjudication of land disputes, planning processes.
- Develop capacity of rights-holders in certain specific rights related to local governance, particularly associated with access to information and participation, receiving feedback on decisions and use of public funds, representation in decision-making, and conducting specific activities in selected areas for marginalized groups and minorities.
- Include special measures for marginalised groups and minorities, as well as women, in the local government merit-based recruitment system and strive to support some coaching.
- Advocate property rights, namely security of tenure, especially for women.

³ Duty-Bearers are primarily State actors and institutions that have obligations to discharge in response to the entitlements and claims of rights-holders. Rights-holders are all individuals or groups whose rights should be taken into account when assessing and analysing specific development challenges, in the identification of priorities and in programme planning and implementation. (Human Rights Based Approach to Programming Standard Checklist for Strategic Planning)

1.7.4. AIDS

To address AIDS issues related to local governance and services, the Joint Programme will ensure compatibility with the UN Joint Programme on HIV and AIDS which cuts across the five outcomes of the UNTP. For this Joint Programme, the strategy will be to:

- Support implementation of a broader governance strategy on AIDS at the local level in terms of co-ordination mechanisms and increasing understanding of the issues, management and roles and responsibilities.
- Facilitate the development and implementation of communication strategies on AIDS for local governments, and work through regional and district councillors, AIDS Committees, and mobilise clan elders, women and youth as means for spreading core messages and increasing public understanding.
- Ensure HIV and AIDS are addressed and factored in local, district and regional planning processes.
- Support implementation of local government workplace policies on AIDS through ensuring relevant content in trainings and materials for local government staff.

1.7.5. Capacity Development

In supporting Somalia in building its capacity and strengthening its institutions, the Joint Programme will pursue a structured and comprehensive approach to capacity development that is relevant to the situation/context or institution/organisation at hand:

- **Situational Analysis:** (i) Reviewing and assessing staffing human resources capacity and identifying gaps; (ii) Conducting and providing training in needs assessment, resource and financial data collection and assessments; and (iii) Basing capacity development on existing capacities, structures and systems.
- **Policy design and systems development:** (i) Developing/improving decentralisation, local government and relevant thematic policies, drafting legislation and supporting implementation of policies and laws/by-laws; and (ii) Developing and institutionalising new fundamental local government systems, such as planning, finance, procurement and human resources.
- **Institutional establishment and reform:** (i) Supporting development of local government structures; (ii) Providing office infrastructure support through rehabilitation of offices and provision of basic office furniture, equipment and transportation; (iii) Establishing a specialised local governance institute and departments for ongoing and standardised learning; (iv) Developing adequate skills in core functions of local government through training and learning-by-doing in critical technical areas, and facilitating techniques in leadership, change management and conflict resolution; (v) Conducting orientation/workshops for local government officials and citizens alike on democratic governance principles, gender, women in local government, existing laws and frameworks for local government, roles and responsibilities, transparency, accountability and participation; (vi) Establishing a Local Development Fund for increasing allocations for local development and role of local government and building social capital; and (vii) Supporting networking and strengthening of inter-government relations.
- **Implementation – service delivery, civic education and participation:** (i) Facilitating citizens' participation in basic infrastructure and service design/delivery decisions when defining strategies and deciding on budget allocation; (ii) Promoting demand for local government performance and capacity development by engaging and strengthening public-private partnerships and partnerships with civil society, (iii) Providing technical support to design, development and implementation of local development projects; (iv) Engaging existing village or community level apparatus for

consultations and local development; (v) Engaging local civil society/Groups of Elders in housing/land/property disputes and restitutions; and (vi) Using local training institutes as far as possible.

- **M&E and Learning:** (i) Developing faculty and training curricula on local governance for civil service and academic institutions for continued research and learning; (ii) Providing training in monitoring and evaluation for both local government officials and local communities; (iii) Supporting monitoring and evaluation of performance of local governments using performance standards (to be developed); and (iv) Implementing results-based management.
- **Resource Mobilisation:** (i) Establishing a Local Development Fund mechanism at the District level for increasing fiscal transfers and local resource mobilisation for greater public investment in basic services and peace-building initiatives; and (ii) Encouraging and facilitating public-private partnerships in undertaking infrastructure projects and delivery of services.

1.8. Risks and Challenges

Certain risks and challenges that relate to the Joint Programme and may impact upon performance and progress have been identified:

- **Weak institutions** at all levels in terms of lack of or limited human and financial resources to carry out responsibilities and engage in local development, and poor or lack of physical infrastructure for local governments and other institutions. Councils may not be able to absorb the investments of the Joint Programme or funds allocated to them through the LDF, which could result in a backlog of unspent funds.
- Success in **South-Central Somalia** is largely contingent on the ability of the Transition Federal Government (TFG) to guide the local governments in policy development and regulation, and to be able and credible to provide leadership in developing districts. There will need to be a fine balance between government and community-led processes.
- Some **resistance to change** is expected where consultative processes have not the norm for decades. Such resistance might manifest itself among government officials in adopting new participatory and merit-based processes and increasing work responsibilities through a heightened role in service delivery, and by communities in embracing new principles, particularly associated with the engagement and role of women in public life.
- **Commitment to decentralisation** by Somali Authorities in Somalia is uncertain. Revenue collection is currently centralised and devolution of authority is not yet manifesting despite verbal commitments. Failure of central governments to buy into the LDF, either for lack of funds or commitment to decentralisation and empowering local governments, would undermine efforts to mainstream the LDF and its longer term sustainability.
- A **rural/urban divide** implying that the pace of support may differ, absorptive capacities are likely to be weaker in rural areas and logistical difficulties may arise more in rural areas.
- **Competition for resources** between local governments and communities is expected in implementing the Local Development Fund mechanism, although some competition between districts might in fact produce positive developments. Local politics or influence of clans or elites risk capturing a greater proportion of funds.
- **Inclusion vs. exclusion** is a reality in Somali society whereby minorities, women and youth are normally excluded in local affairs.

- There is a risk of **weakness or absence of civil society** for representing and articulating demands and rights of communities and encouraging participation.
- **Localised or generalised violent conflict** is a substantial risk to the Programme. If localised only, the Programme should be able to continue in areas that are less affected. If conflict becomes widespread across most or all of Somalia, the Programme would not be feasible in its current form. Implementation will be where access is possible given security assessments and where basic conditions are in place. (Indicators for this to be developed.)
- **Natural disasters**, such as flooding, drought and therefore food insecurity, are commonplace in Somali and result in significant movements of people. In such events, priorities for development and strengthening governance may change.
- **Co-ordination** of the participating UN organisations and their partners in implementing the Joint Programme will require considerable time and dedication, yet it is of paramount importance.
- **Start up costs and fixed costs** of the Programme are likely to be high and adequate resources will need to be secured without compromising Programme implementation. This is particularly the case for the LDF that requires funds annually for it to be sustained.

To monitor, respond and prepare for risks, the Joint Programme will employ three methods:

- As part of the Programme's monitoring and evaluation system, set up and maintain risk logs that feed in to a risk management strategy.
- Develop a risk management strategy, which is updated on a periodic basis.
- Pursue scenario-setting and contingency planning as part of the annual work planning process.

Section 2: Management and Co-ordination Arrangements

2.1 Role of the Participating UN Organisations

In accordance with the Guidance Note on Joint Programming of the UN Development Group, each participating UN organisation to the Joint Programme will subscribe to a common Programme results and resource framework, monitoring and evaluation framework, work plan, budget, co-ordination structure and resource mobilisation strategy. This means that all the participating UN organisations are equal in their status and there is no overall lead of the Joint Programme. However, UN-HABITAT is designated lead agency for Outcome 2 of the UN Transition Plan for Somalia, to which the first phase of the Joint Programme is aligned. After 6-12 months, the Programme Steering Committee will review the overall management set up with regards to the role of Project Coordination Unit and that of the Lead Agency.

The contribution of each participating UN organisation towards the Joint Programme will be featured in both the Results and Resources Framework and Annual Work Plans. These will be used as the basis for orienting the transfer of funds for implementation. Each organisation will have accountability for the resources received and the programmatic areas agreed upon. Each will therefore be responsible for its own portfolio/project work plans, partnerships arrangements and corresponding legal documents or contracts, and non-substantial budget revisions as per its own rules, regulations and directives. In pursuing the Joint Programme, the same organisations agree in principle to share information and analysis, for example derived from technical reports and analysis, meeting minutes, lessons and other strategic documents of importance.

In addition to the portfolio of activities within the Joint Programme, the participating UN organisations are equal members of all the decision-making and co-ordination mechanisms of the Joint Programme. For Programme results tracking and reporting, the participating UN organisations may perform a ‘lead agency’ function for the four expected sub-outcomes of the Programme (refer to section 2.5.5 for more details). The Joint Programme Steering Committee will approve the distribution of participating UN organisation/s to each sub-outcome and the Terms of Reference to guide this ‘lead agency’ responsibility. The Project Manager of the respective ‘lead agency’ is expected to be the focal point.

Normally for joint programmes of more than one year, individual UN agencies/organisations integrate joint programmes into their operational multi-year programme/project documents. The start of the UN Joint Programme on Local Governance and Decentralised Service Delivery will absorb ongoing related projects of the participating UN organisations and their varied timeframes and funding timelines. From the time of signature and approval of the Joint Programme Document to 31 March 2008, the participating UN organisations will be required to phase out existing projects (where applicable) and phase in to the Joint Programme by 01 April 2008, in accordance with the transition process outlined in Annex V. A list of existing projects and their relation to the Joint Programme is provided in same annex.

2.2 Programme Decision-making

2.2.1 Joint Programme Steering Committee

A Joint Programme Steering Committee will be established to provide strategic guidance and oversight to the Joint Programme, review progress in terms of Programme performance and the conditions of local governance and service delivery. It will also exist to ensure coherence and collaboration between the partners of the Joint Programme and the Joint Programme and national/local authorities’ priorities.

Members of the Steering Committee will be all signatories to the Joint Programme, (i.e. Head of Agency level or delegated to a manager with decision-making authority), representatives of donors contributing to the Programme and government counterparts. Other stakeholders may be awarded member or observer status as approved.

The Steering Committee will be guided by Terms of Reference. It is expected that the Steering Committee will meet on a bi-annual basis, and otherwise as required, with UN-HABITAT as chair in order to facilitate its role and responsibilities as ‘Lead Agency’ for outcome 2 of the UNTP. This arrangement will be reviewed after the end of the Phase 1 of the Joint Programme. The main responsibilities of the Steering Committee are expected to include:

- Provide guidance on the broad focus and priorities for the Joint Programme ensuring alignment with the UNTP, the RDP and national priorities.
- Review and approve Programme-level budgets and annual work plans, and approve substantive Programme and budget revisions.
- Advise on resource mobilisation strategy for the Joint Programme and set policy for allocation of donor funds, taking into account needs, priorities, and absorptive capacities. Also advise the Senior Programme Manager on any unprogrammed/unspent funds.
- Exchange relevant information, share examples of best practices and consider any matters related to the enhancement and implementation of the Joint Programme and its various components.

- Discuss issues related to decentralisation, local governance, urban development and service delivery and how they impact upon Joint Programme and how the Joint Programme can impact upon them. Identify any significant challenges, risks and opportunities that may arise, and advise the PCU and participating UN organisations on appropriate action.
- Review Programme performance against the intended results, i.e. outcome, sub-outcome and outputs.
- Initiate reviews of the Joint Programme and in particular on the management arrangements, and advise on follow-up actions related to review and/or evaluation findings and recommendations, including audit.
- Review the possibility of selecting other UN organisations to participate in the Programme through the same fund management arrangement. Any such decision should be based on demonstrated operational and absorptive capacity and expertise.
- Advise on an appropriate exit strategy that enhances the sustainability of local governments and provision of basic services.

2.2.2 Programme Working Group

The Programme Working Group is an existing UN Somalia working group addressing cross agency programming issues. The Joint Programme agencies within the Programme Working Group (Programme Working Group – JP) will advise and guide the PCU on harmonized implementation in the three zones, overseeing M&E mechanisms, overseeing reporting, and performance evaluate the Senior Joint Programme Manager. The PWG is composed of the deputy or deputized level members of each UN agency who have delegated authority from their respective HoAs to advance the tasks of working towards a harmonized country programme.

2.2.3 Senior Joint Programme Manager

A Joint Programme Manager will take the lead in monitoring and co-ordinating implementation of the JP activities. The main responsibilities of the JP Manager include:

- Provide overall guidance and direction to the Programme, ensuring it remains within any specified constraints and in accordance with the results and resources framework.
- Review and appraise detailed Programme-level annual work plans and budgets, monitoring and evaluation framework and plan, substantive Programme or budget revisions and annual review reports, and make recommendations to the Joint Programme Steering Committee as required.
- Set budget tolerance levels for the Programme that should be respected by the Project Managers of the participating UN organisations.
- Review and approve quarterly work plans, progress reports and final reports, and endorse any proposed deviation from agreed work plans/budgets before they are submitted to the Joint Programme Steering Committee for approval. Provide directions and recommendations to ensure that the agreed deliverables are produced satisfactorily according to work plans. Provide *ad hoc* direction and advice for exceptions when tolerances are exceeded, and make recommendations to the Joint Programme Steering Committee when required.
- Give input to resource mobilisation efforts undertaken in accordance with the resource mobilisation strategy and make recommendations to the Joint Programme Steering Committee as necessary.
- Propose to the Project Steering Committee resource allocations of un-earmarked funds to the participating UN organisations, following the policy set by the Joint Programme

Steering Committee, through the applicable fund management arrangement (pass-through).

- Exchange relevant information, share lessons and examples of best practices and consider any matters related to the enhancement and implementation of the Joint Programme and its various components.
- Analyse possible countermeasures/management actions to address specific risks and make recommendations to the Joint Programme Steering Committee as required according to the scope of the risk.
- Lead all Programme reviews, including the annual review exercise, end of first phase review and evaluations.
- Notify operational completion of the Joint Programme to the Joint Programme Steering Committee.
- Review the need for co-location of UN agency staff involved in the Joint Program to ensure maximum coordination and team work, and advice the agencies accordingly.
- Review the options for using the capacity of agency specific project managers in addressing cross cutting issues such as policy, capacity building, and institutional development.
- Review the need for additional technical assistance within the cross cutting areas and in particular within M&E.
- Provide guidance to the UN agency staff involved in the Joint Programme and provide input to their agencies in the performance assessment of the staff.

2.2.4 Local Governance and Service Delivery Committees

At the Federal/State level in Somalia, the Joint Programme will establish Local Governance and Service Delivery Committees to guide, monitor and review the Programme in the respective areas. The Committees will be co-chaired by the designated Government counterpart of the Ministry of Interior (TFG and Somaliland) or the Ministry of Local Government and Rural Development (Puntland) and the participating UN organisations on a rotating basis. The Committees will be responsible for reviewing and recommending area annual work plans, reviewing progress and performance of the Programme, analysing opportunities and risks, and giving strategic guidance to Programme implementation in that area. These Committees will also appraise the performance of the LDF in the respective area and advise on further improvements as necessary. The Area Programme Co-ordinator, or responsible party, (and the national technical counterpart if appointed) will report on implementation status to the Committees. The Committees will be guided by Terms of Reference, convene quarterly and feed upwards to the Joint Programme Steering Committee through the PCU.

2.2.5 Technical Working Group

Given the elaborate technical content and intensive capacity development approach of the Programme, the PCU advisors and project managers will meet frequently and work towards co-location in order to set and monitor standards in terms of quality, effectiveness and cultural appropriateness, and review and approve the major technical elements. These might include training content and materials, methodologies for delivering training or workshops, sequencing of technical assistance in the same geographical location, reviewing publications or construction standards.

Members of the Technical Working Group will include all senior technical staff of the participating UN organisations, and relevant technical experts from government or communities according to the agenda. To keep the Technical Working Group active and relevant, it will meet frequently rather than on a time bound basis.

2.3 Fund Management Arrangements

2.3.1 Pass-through Mechanism

Based on agreement of the participating UN organisations, the pass-through fund management arrangement will be adopted, and UNDP will be the Administrative Agent, the agent through which all donor contributions will be channelled (see diagram in Annex IV). It will become effective as a mechanism upon signature of the Joint Programme Document and applied as soon as the first donor contribution to the Programme is received.

2.3.2 Administrative Agent

In its role as Administrative Agent, UNDP will be responsible for:

- The administration of funds received and disbursed, and disbursing funds;
- Disbursement of funds to the participating UN organisations according to the policy set by the Joint Programme Steering Committee;
- Consolidating budgets for approval;
- Consolidating financial reports;
- Refining consolidated narrative reports according to donor reporting requirements;
- Providing consolidated financial and narrative reports to all necessary parties.

The Administrative Agent will enter into a Memorandum of Understanding (MOU) with each participating UN organisation based on the portfolio of activities that have been mutually agreed in line with the common work plan, and a Letter of Agreement (LOA) with each donor contributing to the Joint Programme. Under the MOU, each participating UN organisation will assume full programmatic and financial accountability for the funds disbursed to it by the Administrative Agent. The Administrative Agent will recruit finance staff specifically for this role. In the Joint Programme, the Administrative Agent, UNDP, will also be a participating UN organisation.

2.3.3 Donor Relations

With the donors contributing to the Joint Programme, the Administrative Agent will enter into a Letter of Agreement, which will set out the terms and conditions governing the receipt and disbursement of funds. As a principle, donors will be encouraged to channel funds using the pass-through mechanism as soon as the Joint Programme Document is signed, and discouraged from earmarking of funds for specific Agencies or thematic activities. The Joint Programme Steering Committee will play a key role in this respect and advise donors on the priorities for allocation of funds. All contributing donors will receive copies of all progress and substantive reports, be awarded membership to the Joint Programme Steering Committee and be invited during the course of the Programme to participate in monitoring visits.

2.3.4 Accounting, Indirect Costs and Fees

In order to demonstrate transparency in accounting, the Administrative Agent will create a separate ledger account for the Joint Programme. All funds received will be deposited to the Joint Programme Account and recorded by the Administrative Agent. Funds channelled to the participating UN organisations will not be recorded as income. UNDP, as both Administrative Agent and participating UN organisation, will therefore have two ledger accounts for the Joint Programme: (i) one for administering the Joint Programme Account and, (ii) for the receipt and administration of funds disbursed from the Joint Programme Account with respect to its portfolio substantive activities within the Joint Programme and instructions from the Joint Programme Management Committee.

The Administrative Agent is entitled to receive 1% of the amount contributed by donors, to a minimum total of \$20,000 and maximum total of \$100,000, for the costs of performing the functions described above, although this amount may be negotiated. The rate will be stipulated in both MOUs and LOAs.

Each participating UN organisation will recover indirect costs in accordance with its financial rules and regulations. This arrangement will be documented in the MOU signed with the Administrative Agent. The rate of cost recovery may therefore vary between the UN organisations.

The Administrative Agent will issue a financial report and final certified financial statement to donors and participating UN organisations on its activities.

The same Administrative Agent (UNDP) will be the same organisation for administering (i.e. issuing contracts and salary payments) the Joint Programme Co-ordination Unit (PCU - refer to section 2.5.1 for more details). The posts of the PCU will be funded outside of the Administrative Agent fee, since they are programme and not fund management in their remit. The PCU will be funded instead by a 2% overhead, which will consist of the cost recovery rate of 7% (in UNDP's capacity as participating UN organisation and as required by the UNDG Joint Programming Guidelines and ExCom decisions) minus the reinvestment of the generated resources of UNDP back to the Joint Programme. This arrangement amounts to the financing of a national position in the PCU, estimated at USD 25,000 per year. (To illustrate, if the PCU costs USD 500,000 per year, UNDP would take 7% (USD 35,000) after which it would reinvest back part of this amount into the PCU, through the financing of a position for USD 25,000. Subsequently, UNDP would retain USD 10,000 for its administrative costs, which would be equivalent to 2%.) The costs of the PCU will be accounted for under the Joint Programme Account (as detailed above for the Administrative Agent) under a separate ledger.

2.3.5 Agency and Project Level Funds

Agency project-level management, operations (procurement, finance, human resources) and expenditures shall be governed by the rules, regulations and directives of the respective participating UN organisations. Each will have responsibility for approving its own project-related documents, including budget revisions if within tolerance levels. The Joint Programme Manager will set the tolerance levels and will endorse any excessive deviations and substantive budget and project revisions for approval by the Joint Programme Steering Committee.

After the signing of the Joint Project document, fund raising will be done for the joint programme and not for specific agencies. All funds mobilized for the Joint Programme will have to be managed through the AA and joint programme management mechanism. Indeed, to the extent possible, all funding for the Joint Programme will be channeled through the AA, with the exception of (i) core resources of all the UN participating agencies and organizations, and (ii) other resources mobilized by participating agencies through existing partnership agreements with donors prior to the date of signature of the Joint Programme document.”

2.3.6 Cash Management Transfers

The UNCT in Somalia is embarking on developing a harmonised approach to cash management transfers (HACT). Until the system is adopted, cash management will be undertaken according to the financial rules and regulations of the individual participating UN organisation.

2.3.7 Balance of Funds

Any unutilised balance of funds will be held or returned to the Joint Programme bank account until all commitments and liabilities incurred in the implementation of sub-projects/activities have been satisfied and brought to an orderly conclusion. Thereafter, any unprogrammed funds that remain in the Joint Programme account will be returned to the donor/s or utilised in a manner determined by the Joint Programme Steering Committee, the Administrative Agent and the donor/s, and approved by the Joint Programme Steering Committee.

2.3.8 Audit

Since the participating UN organisations have programmatic and financial accountability, each will be responsible for auditing its own contribution to the Programme according to its own existing rules and regulations. The same auditing procedures apply for the Administrative Agent. In light of UN simplification and harmonisation processes, this arrangement might change, and the internal and external auditing may be conducted for all the participating organisations simultaneously. Audit observations and recommendations from auditors should be reviewed and endorsed by the Joint Programme Steering Committee, particularly the participating UN organisations, and appropriate action plan established to ensure that audit queries are addressed. This plan should be monitored by the Joint Programme Management Committee as appropriate.

2.4 Resource Mobilisation

In line with the resource mobilisation strategy for the UNTP 2008-9, a Programme-specific resource mobilisation strategy will be guided by the Joint Programme Steering Committee. All resource mobilisation efforts will be co-ordinated by the participating UN organisations and the UN Resident Co-ordinator's Office and undertaken as a joint effort. The Joint Programme Management Committee will regularly review resource mobilisation efforts and requirements and identify possible sources of funds for overall support.

2.5 Results Management Arrangements

2.5.1 Programme Co-ordination Unit

The day-to-day management and co-ordination of the Joint Programme will be overseen by a Programme Co-ordination Unit (PCU) headed by an international Senior Joint Programme Manager at the central level (in Nairobi unless security conditions permit transfer to Somalia). The selection and performance evaluations of the PCU staff will be undertaken jointly by the participating UN organisations (refer to Annex VIII for TOR); staff appraisal will be done according to the applicable human resources guidelines of the administrative agency (as described in 2.3.4). The Senior Joint Programme Manager will report to the Joint Programme Steering Committee and supervise the central PCU staff comprising a Monitoring and Evaluation Officer, a Reporting and Communications Officer and an Administrative Assistant. In phase I of the Programme, these three posts will provide support to UN-HABITAT for their lead agency responsibilities for Outcome 2 of the UN Transition Plan. Creation of other PCU posts will be subject to endorsement by the Programme Working Group – JP.

The PCU will operate according to Terms of Reference approved by the Programme Working Group - JP. The main responsibilities will be to consolidate all narrative reports, co-ordinate communications and Programme-related documentation, facilitate annual work planning and review exercises, facilitate donor missions and media relations on behalf of the Programme, track results, lessons and risks on a periodic basis, liaise with and report to the Programme's

Committees, liaise with Agency Project Managers and donors, and facilitate the Joint Programme Technical Working Group and Operations Working Group meetings. It will be the responsibility of the Programme Working Group - JP to evaluate the PCU on an annual basis.

In Somalia, the PCU will operate from the three main geographical areas: Baidoa, South-Central Somalia, Hargeisa, Somaliland, and Garowe, Puntland. The Senior Programme Co-ordinator will be responsible for establishing the most efficient and cost-effective co-ordination structure⁴ according to the scope of annual work plans and for overseeing the area PCU offices and area co-ordination. This structure should be looked at as a function and not necessarily a specific unit. PCU functions are expected to be split between activity planning and co-ordination with the Programme partners and government counterparts for the respective area, supporting government counterparts in programme co-ordination (as mentioned in section 1.6.3), undertaking monitoring and facilitating review exercises, and running of the Joint Programme Office (see below) in the respective area. The area PCUs will have skeletal staff with a full-time national Co-ordination Officer and office support staff. The options of using current agency specific staff for these roles should be reviewed before additional staff is hired. All PCU staff mentioned above will be awarded contracts by the same organisation as the Administrative Agent (as described in section 2.3.4).

It is hoped that investment in the management positions and the deployment of senior international personnel to the three areas, will demonstrate the seriousness of the participating UN organisations in pursuing the Programme as one team and in representation with authorities and communities alike.

2.5.2 Agency Project Management

Each participating UN organisation managing and implementing the Programme will recruit a Project Manager to oversee the portfolio of activities mandated to it. The Project Managers will have the lead programmatic and financial accountability for the funds received and the agreed portfolio of activities for their respective organisations. The Project Managers will work closely with the PCU to ensure an appropriate degree of co-ordination and co-operation. For performance and line reporting they will report to their respective Head of Agency or delegated official according to the Agency's rules and regulations. The Programme Working Group - JP will review over time whether the agency specific Project Managers will report to the Senior Joint Project Manager as their first supervisor and to their respective agency as their second supervisor.

The Project Managers will also serve as the focal point for the 'lead agency' (see sections 2.1 above and 2.5.5 below) with respect to co-ordination and reporting on substantive results.

2.5.3 Programme Offices

In order to attain efficiency in Programme management and implementation and to present a unified approach, the Joint Programme will be co-ordinated through four Joint Programme offices or functions: in Nairobi, Baidoa, Hargeisa and Garowe. These offices/functions will be independent of the participating UN organisations and will accommodate PCU staff in Nairobi and each area. Project staff of the each of the participating UN organisations are likely to remain in their respective offices, at least in the initial period of the Programme.

⁴ Such as recruitment of full-time area programme co-ordinators, assigning a 'lead agency' for a given area or rotating the area co-ordination responsibility among the participating UN organisations.

The Senior Programme Co-ordinator will manage the office (PCU) in Nairobi, and oversee the three Joint Programme offices in Somalia. The head of the PCU will be responsible for the establishment and day-to-day running of that office in accordance with the rules guiding UN Common Premises. As far as conditions allow, it will be a strategy that the Programme offices in Somalia will be located in the premises of government counterparts, namely the Ministry of Interior or Local Government and Rural Development at the Federal/State level. Alternatively, a national liaison officer can be based in the offices of the government counterparts. Such an arrangement will increase ownership of the government counterparts and increase direct and regular access and also trust between Programme staff and government officials. Small inter-agency field offices may be considered and established as required and/or existing agencies' offices maintained to become joint programme offices.

2.5.4 Partnerships

The primary partners to the Joint Programme are Federal/State authorities, in particular, Ministries of Interior, Local Government and Rural Development, Finance, Planning and Statistics, Education and Infrastructure of the respective governments, and Regional and District Councils in South-Central Somalia, Puntland and Somaliland, and Municipal Associations where they exist. In addition, as primary beneficiaries of the Programme, all have an important role and say in the development and implementation of the Programme through the Local Governance and Service Delivery Committees mentioned in section 2.2.2 above.

Given their technical competencies and mandates, a number of other UN organisations are expected to be active in the Joint Programme. With respect to public financial management and the LDF, the Joint Programme will ensure collaboration and linkages to the extent possible with the World Bank's Community Driven Recovery and Development initiatives and the World Bank/UNDP supported Public Finance Management Action Plan. Collaboration will be pursued with regards gender and women's role in local governance issues and affirmative action policies with UNIFEM, consideration for emergency planning, protection and inclusion of IDPs with UNHCR and IOM, the Local Development Fund mechanism with FAO and WHO, since many government/community projects may be livelihood or health based, education and schools feeding with WFP and UNESCO, and capacity and delivery of basic health services with WHO.

Each of the participating UN organisations has established partnerships and collaboration with international and local NGOs and institutions alike and also Somali traditional authorities over the last several years. Continued or new partnerships and collaboration are expected for numerous undertakings such as training initiatives, civic education and advocacy initiatives, data collection, community mobilisation and planning, implementation of local development projects and monitoring land dispute resolution and restitution processes. For some civic education initiatives and implementing communications strategies, the Programme will support and strengthen Somali women's networks.

2.5.5 Monitoring, Review and Evaluation

The Joint Programme will be monitored throughout its duration, reviewed substantively on an annual basis and evaluated in accordance with the requirements of the UNCT for Somalia. To ascribe the relevant importance to these processes and to facilitate synthesis and interpretation of progress and performance, the Joint Programme will be guided by:

- (i) A Monitoring & Evaluation Framework, which defines the impact, outcomes and outputs with associated indicators and means of verification as based on the Programme's Results and Resources Framework;

- (ii) Monitoring & Evaluation Plan, which schedules all major communications and M&E activities such as surveys, studies, assessments, reviews, evaluations, and specific M&E capacity building exercises;
- (iii) A Monitoring & Evaluation System that contains common tools and templates (as far as possible) applicable to the participating UN organisations and their implementing agents/sub-contracts. For example, assets and inventory control, financial and narrative reports formats, risk logs and field monitoring forms, and a common system for generating feedback and lessons. The M&E System will also clarify the monitoring, review and evaluation roles and responsibilities at the different levels of the Programme for internal monitoring, monitoring and review committees for external monitoring, and detail the principles of joint monitoring.

These documents will be produced within the initial period of the first phase of the Joint Programme for endorsement by the Programme Working Group - JP and approval by the Joint Programme Steering Committee.

For reporting, the participating UN organisations will be responsible for preparing the following reports:

- (i) Financial and narrative progress reports based on the contribution received and activities mandated within the Programme (Agency-specific reports) on a quarterly and annual basis (or otherwise determined by the Programme Working Group - JP);
- (ii) In their capacity as 'lead agency' (refer to section 2.1 above), substantive reports for results and progress toward the sub-outcome/s assigned every six months;
- (iii) Final financial and narrative reports after completion of the Joint Programme and including the final year of the Joint Programme;
- (iv) Final certified financial statement.

The financial reports will be submitted to the Administrative Agent and narrative reports to the PCU for consolidation and onward submission to the Programme Working Group – JP for approval. The approved reports will be disseminated to all key stakeholders identified and will feed into the reports for Outcome 2 of the UN Transition Plan for Phase I of the Programme.

For reviewing performance and progress towards results, and also issues and opportunities, the Programme will undertake periodic reviews to examine:

- (i) Process: co-ordination between the participating UN organisations, partnership strategy and effectiveness of PCU;
- (ii) Results: progress towards outputs and sub-outcomes, issues and opportunities arising, progress on cross-cutting approaches, progress towards UNTP and RDP outcomes, and progress towards MDGs;
- (iii) Next steps: lessons to be applied, opportunities, risks, and Programme strategy for the next period.

The Programme will undertake a substantive review at the end of each calendar year so that the findings feed into the annual work planning exercise for the following year. During phase I of the Programme, these reviews will feed into the higher level outcome reviews of the UN Transition Plan and reporting on Somalia's progress towards the MDGs. Other periodic reviews may be requested by the Joint Programme Steering Committee or Programme Working Group - JP.

In 2009, at the end of Phase I of the Programme, an independent comprehensive mid-term review of the whole Joint Programme will be undertaken. It will focus on assessing programme

relevance, effectiveness and efficiency of management and implementation, programme effectiveness and the sustainability of results and recommend action to be taken in response to the findings.

An independent outcome evaluation will take place towards the end of the programme, expected mid-2011, to analyse the extent to which the Programme is contributing to the results foreseen in the RDP, and the extent of change in the development conditions associated with local governance and delivery of services in Somalia. This exercise will also include a review of programme performance with respect to results achievement (effectiveness), the efficiency with which results are achieved, the sustainability of results achieved, lessons from the programme design, implementation arrangements, management and partnerships.

The Programme will adopt certain principles to ensure rigorous and effective monitoring and review:

- Dedicate sufficient resources for monitoring, review and evaluation in terms of staff and budget throughout the Programme period;
- Track and review lessons from within the Programme, and review lessons from countries in similar contexts for input to the Programme as relevant;
- Encourage active on-site ‘field’ monitoring and scheduled visits to bring about close co-operation with implementing agents/partners and stakeholders;
- Pursue joint monitoring with stakeholders, government, non-government and donors as far as possible;
- Arrange for the mid-term review and evaluations to be conducted by external evaluators.

2.5.6 Communication

Each participating UN organisation shall take appropriate measures to publicise the Joint Programme and to give due credit to the other participating UN organisations. Information given to the press, to the beneficiaries of the Joint Programme, all related publicity material, official notices, reports and publications, shall acknowledge the role of the host government/s, the donors, the participating UN organisations, the Administrative Agent and any other relevant parties. In particular, the PCU will include and ensure due recognition of the role of each participating UN organisation and national partner in all external communications relating to the joint programme.

Section 3: Work Plan and Budget

3.1 Annual Work Plan

For each year of the Joint Programme, an Annual Work Plan (AWP) will be developed as per the format of the UNDG. Based on this plan, a work plan for each of the three areas in Somalia will be developed for the same period. The PCU will play a leading role in guiding the process at both HQ and area levels in Somalia, normally in the last quarter of each calendar year. The area work plans will be defined by Local Governance and Service Delivery Committees in South-Central, Somaliland and Puntland once they have been established. The Programme Working Group – JP will be responsible for reviewing and endorsing the resultant AWP for the whole Joint Programme for upward approval by the Joint Programme Steering Committee. The AWP for 2008 is attached in Annex II.

Given the operating context in Somalia and relatively high levels of risk, contingency planning will be necessary during the annual planning exercise.

3.2 Budget preparation

Each participating UN organisation will prepare a separate budget, consistent with its procedures, for the mutually agreed parts of the Programme it will be managing. The PCU will prepare a consolidated budget for each activity of the Programme, consistent with the format of the Annual Work Plan, as part of the annual planning process at the end of each calendar year. The approval process is the same as for the AWP.



JOINT PROGRAMME DOCUMENT

Country: Somalia

UNDAF¹ Outcome:

(1) RDP: Decentralised service delivery achieved in all of South-Central Somalia, Puntland and Somaliland;
(2) UNTP: Local governance contributes to peace and equitable priority service delivery in selected locations

Expected Outcomes:

(1) Local governments have basic structures, systems and resources to fulfil prioritised roles and responsibilities; (2) Communities, private sector and local governments have better means and capacity to deliver equitable basic services; (3) All key stakeholders participate in equitable and inclusive community and village-level planning, policies and development; (4) Land is more equitably managed and accessed resulting in reduction of disputes

(Sub-)National partner(s):

Transitional Federal Government, Government of State of Puntland, Government of Somaliland, Regional Councils, District Councils, Legislatures, Municipal Associations, International and Local NGOs/CSOs, private sector

Executive Summary

The UN Joint Programme on Local Governance and Decentralised Service Delivery for Somalia is a 5 year Programme of ILO, UNCDF, UNDP, UN-HABITAT and UNICEF. The Programme is aligned to the programming frameworks of the Somalia Reconstruction and Development Programme 2008-12 and the UN Transition Plan 2008-9. It is envisaged to achieve as wide coverage in Somalia as resources and conditions allow with a comprehensive approach to rendering local governments as credible and professional service providers, increasing public investment in basic services, and strengthening civic awareness and participation in local decision-making and development. The strategy pursued will comprise: (i) policy and legal frameworks for decentralisation, local government, service provision and land, (ii) institutionalising local government systems, vertical and horizontal inter-government linkages and civic education initiatives, (iii) investment in public services and goods through testing the Local Development Fund model, direct service provision and promotion of public-private partnerships, and (iv) processes and systems for housing, land and property disputes and resolution. Throughout the Programme, strong emphasis will be placed on gender and women in local government, human rights and local governance, and good governance principles of transparency, accountability and participation.

On behalf of UN participating organisations

ILO

UNDP

UNICEF

UNDP on behalf of UNCDF

UN-HABITAT

Section 5: Annexes

1. Results and Resources Framework
2. Joint programme management and co-ordination structure
3. Terms of Reference for Senior Joint Programme Manager
4. District roll-out and selection strategy
5. Explanatory note 1: Local governance, service delivery and funding mechanisms