

Review of Norwegian Support to Somalia through National DemocraticInstitute (NDI)

Final Report



Frontpage photo:

UN Photo/Tobin Jones



UN Photo/Stuart Price



Norwegian Agency for Development Cooperation

P.O. Box 8034 Dep, NO-0030 OSLO Ruseløkkveien 26, Oslo, Norway Phone: +47 23 98 00 00

Fax: +47 23 98 00 99

ISBN 978-82-7548-705-4 ISSN 1502-2528 Review of Norwegian Support to Somalia through National Democratic Institute (NDI)

Final Report





Project: Review of Norwegian Support to Somalia through NDI

Client: Norad – Section for Development Strategy and Governance

Period: May – July 2013

ACKNOWLEDGEMENTS AND DISCLAIMER

This Report is the responsibility of the consultants and does not necessarily reflect the views of Norad or the Norwegian Ministry of Foreign Affairs or their staff, or any other organization or informant referred to. Any remaining errors of fact or interpretation are the responsibility of Scanteam.

Review Team:

Mr. Vegard Bye, Scanteam

Ms. Sagal Abshir, Independent consultant, Somalia

Contents

Acro	nyms and Abbreviations		ii
Exec	utive Summary		1
1	Purpose of the NDI Program and of this Review		4
1.1	Purpose of the Program		
1.2	Purpose of the Review	4	
1.3	Approach and methodology	4	
2 demo	Searching for a Theory of Change: Peace-building, state- ocracy development in Somalia		
3	Efficiency of the Program		10
3.1	The two periods of the Program	10	
3.2	Norway and NDI	10	
3.3	Challenging Political Context	10	
3.4	Outputs of the Program – activities planned and implemented	11	
3.5	Some views on NDI's work from relevant actors	12	
3.6	The issue of NDI not having permanent presence in Mogadishu	13	
3.7	The overhead issue	14	
3.8	Cost-Efficiency	15	
4	Relevance of the Program		16
5	Effectiveness and impact of the Program		18
6	Sustainability of the Program		20
7	Conclusions and recommendations		21
Anne	x A: Terms of Reference		23
Anne	x B: List of Informants		32
Anne	x C: Documents Reviewed		35
Anne	x D: Objectives, activities and achievements		37
Anne	x E: NDI´s explanation of Overhead costs in the Somalia P	rogram	49

Acronyms and Abbreviations

AMISOM African Union Mission in Somalia

APD Academy for Peace and Development

AVR Armed Violence Reduction

AWEPA Association of European Parliamentarians for Africa

CD Capacity Development

CoE Committee of Experts

CPD Country Programme Document

CPP Civilian Police Project

CSO Civil Society Organisation

CSR Corporate Social Responsibility

DAC Development Assistance Committee (of OECD)

DAD Development Assistance Database

DDR Disarmament, Demobilization and Rehabilitation

DFID Department for International Development (UK official

agency)

DPA Department of Political Affairs (UN)

DPKO Department of Peacekeeping Operations (UN)

EC European Commission

FSP Fragile State Principles (of OECD-DAC)

GROL Governance and Rule of Law

IFCC Independent Federal Constitutional Commission

ILO International Labour Organization

INGO International Non-Governmental Organization

IMF International Monetary Fund

IRI International Republican Institute

JPLG Joint Program on Local Governance and Decentralized

Delivery

LOA Letter of Agreement

MDTF Multi-Donor Trust Fund

MoU Memorandum of Understanding

NATO North Atlantic Treaty Organization

NDI National Democratic Institute

NGO Non-governmental Organisation

NIS Nordic International Support Foundation

NMFA Norway's Ministry of Foreign Affairs

NOK Norwegian Kroner

Norad Norwegian Agency for Development Cooperation

OBP Oceans Beyond Piracy

OCVP Observatory of Conflict and Violence Prevention

OECD Organization of Economic Cooperation and Development

OfD Oil for Development (Norad programme)

OHCHR Office of the High Commissioner for Human Rights (UN)

PDRC Puntland Development Research Center

PFM Public Finance Management

PL Puntland

PREP Program Poverty-reduction and environmental protection

RBM Results Based Management

RC Resident Coordinator (of UN System)

RCO Resident Coordinator's Office

RF Results Framework

ROL Rule of Law

ROLS Rule of Law and Security

SC South Central

SIDA Swedish International Development Cooperation Agency

SIDP Somalia Institutional Development Project

SNM Somali National Movement

SOYDEN Somali Youth Development Network

SPF Somali Police Force

SL Somaliland

SRSG Special Representative of the Secretary General (UN)

SWDC Somali Women Development Centre

TA Technical Assistance

TFG Transitional Federal Government
TFP Transitional Federal Parliament

TfD Tax for Development (a Norad programme)

ToR Terms of Reference

UoH University of Hargeisa

UN United Nations

UNDAF UN Development Assistance Framework

UNDP United Nations Development Program

UNICEF United Nations Children Education Fund

UNOSOM United Nations Operation in Somalia (established 1992)

UNSOM United Nations Assistance Mission in Somalia (established

2013)

USAID United States Agency for International Development

Y@R Youth at Risk

Y4C Youth for Change

Executive Summary

- (1) The Somalia NDI Program has aimed to build capacity in the Executive and the Parliament structures of the transitional federal government towards the establishment of a constitutional basis, aiming to make them "credible authorities", working in parallel with also Norway-supported UNDP activities. Norway/MFA funded the Executive part of this while the USAID supported the organization's work with parliamentary development. The narrative of NDI's engagement in Somalia during this period is to a large extent a story of what has been achieved in terms of federal state-building, with or without NDI's support. The present Review of the Program is based i.a. on a two-weeks mission in Somalia (South-Central, Puntland, Somaliland) in second half of May, 2013, where both the UNDP and the NDI programs where assessed.
- (2) NDI had no prior activity in Somalia when it received the first Norwegian MFA grant in 2005. The later dominant donor, USAID, only came on board two years later. This Review covers two contract periods; the first from November 2009 to June 2011 and the second from June 2011 to May 2012 (altogether 32 months) for a total of NOK 16.71 million. The first phase was limited to the federal level, while the second agreement also included Puntland.
- (3) There is no way one can measure whether the cost-efficiency and even less the cost-effectiveness of this investment in a Program like this. But to the extent NDI was coresponsible for the partial breakthrough in federal state-building and we believe that was the case it was probably a good investment (ref. also point 9).
- (4) Both phases of the Program were planned under highly uncertain circumstances, and it comes as no surprise that quite a few of the planned activities were never implemented while in some cases they were substituted by other activities. It is difficult to judge whether these changes in all cases were justified substantially as well as budget-wise.
- (5) The overall goal for NDI's first phase project was to "assist the transitional government in building coalition governance structures and infrastructures to more effectively implement policies." There is reason to believe that NDI filled important pockets of capacity-building already during this first part of the Program. Due to its very special network and access to senior politicians and top civil servants, and the high degree of trust some of the key actors evidently had in NDI, the organization could move quickly and adjust its plans when e.g. UNDP could not act at the spur of the moment in the volatile Constitution-building process.
- (6) We may distinguish between *means* and *end* within the first phase goal. NDI did deliver on the *means* to assist the Transitional Federal Government (TFG). But due to the political deadlock that impeded the real application of enhanced capacities, effective governing mechanisms were not created. NDI's own surveys also revealed the complete lack of legitimacy of this process. It adds to NDI's credit to have recognized this obvious confidence gap, and tried to adjust its Program accordingly.

- (7) Both NDI and the other actors soon realized that the transition agenda as it manifested itself in mid-2011 was not sustainable. The Mogadishu state-building process apparently found itself in a dead-end street, not least because of the stalled constitutional process and the impotence of the Independent Federal Constitution Commission (IFCC). The decisive tactical move was then the September 2011 approval of a so-called "End of Transition Roadmap" with the establishment of a Committee of Experts (CoE). There is little doubt that NDI along with UNDP played a role both in the establishment of this CoE and as supporters of its work towards the completion and approval of the Provisional Constitution and the indirect election of Parliament and President.
- (8) Before the September 2011 turnaround, NDI had launched a new overall goal: "to strengthen the ability of governing institutions at all levels to address citizen needs and incorporate citizens into democratic processes." Capacity-building is still there, but there is a stronger focus on this as a means to bring citizens into democratic processes. The new immediate objectives are illustrative of this change. Also in this phase the means (strengthening of governing institutions' capacities) were partly reached while the Program's real goal (incorporation of citizens' needs into democratic processes) could never be achieved under the existing circumstances. It is surprising that NDI set such an extremely ambitious goal for itself, after the survey findings prior to the second phase. Notwithstanding the positive work that was implemented in relation to the three objectives, "governing institutions at all levels" were really beyond the reach of NDI, and we are still far from a situation in Somalia allowing "to address citizen needs and incorporate citizens into democratic processes". Some consultative efforts were made with women and youth groups and with embryonic political parties, and even through television and radio broadcasts. But this is still far from the goal, which nobody should have known better than NDI was quite unrealistic.
- (9) The Review Team received many and different views on NDI's performance during the Somalia mission, some more positive than others. There was a tendency to question whether NDI's participation represented a redundant and/or costly intermediary factor; whether the frequent practice of taking a considerable number of Somali actors out of the country was the best approach; and also whether the ample use of European and US trainers (approximately 40% of the total trainers, according to NDI) was appropriate when African trainers could have been more relevant (and probably less expensive) for the purpose. On balance, however, the majority view is that NDI has played a positive role especially in the second phase of the Program as a complement to UNDP to help the Road Map move to a relatively successful conclusion.
- (10) Now that UNDP and other donors have set up offices in Mogadishu, it becomes an increasing comparative disadvantage for NDI not to have a permanent presence there. One may assume that this has to do with the extraordinary security restrictions associated with US organizations. Until this problem is solved, NDI/Somalia will clearly be seen as less relevant to offer its services. The March 2013 decision to allow NDI's Somali staff to travel to Mogadishu, specifically to the government complex of Villa Somalia is certainly a step in the right direction.

- (11) Another contentious issue is the high overhead costs of NDI's operations. As far as the Review Team understands, this has been a major reason why no new funding has been provided by Norway since the end of activities in May, 2012. For the second phase of the Somalia Program, the Review has found that 19.3% goes towards NDI's administrative and overhead costs. This is only half of what has recently been found in another MFA-supported NDI program (Haiti), but still almost the triple percentage of what is normally accepted by MFA. There is presently a HQ negotiation process underway to clarify how these costs are calculated, with the purpose of reaching an understanding, so the Review has no clear conclusion or recommendation on this point.
- (12) The overall conclusion of this review is that NDI has played an important role in supporting the efforts to finalize what has been termed "the transition phase" in Somalia, defined as the approval of a provisional constitution and the selection (rather than election) of top federal authorities. With all its flaws and shortcomings, it was an achievement in itself that all this happened within Somalia, different from all previous (post-Barre) governments that were appointed at conferences held outside the country. But this alone is not sustainable neither for state-building nor for peace-building in Somalia. What has been achieved with support of NDI, UNDP and others will not hold without a very committed and probably long-term follow-up.
- (13) The root problem persists: it is obvious that most Somalis do not feel a sense of ownership to the current Provisional Constitution, nor to the Parliament or the Executive that was formed under it. To the extent NDI has contributed to the positive outcome, NDI has also been hampered by the same shortcomings as the domestic actors the organization has supported in this process: its dialogue partnership has been limited to a political and social elite mostly drawn from the South-Central part of Somalia (to a certain extent involving Puntland representatives, but hardly at all legitimate representatives of Somaliland), very closely linked to clan politics and bargaining, still far away from involving the population at large through democratic means. That said, NDI does seem to be aware of this problem, and focuses a part of its programming on trying to involve civil society, youth and women's voices in the political process.

1 Purpose of the NDI Program and of this Review

1.1 Purpose of the Program

The program has approached the transitional governance context in Somalia by building capacity in the Executive and the Parliament structures of the transitional federal government, aiming to make them "credible authorities" (Norway/MFA has supported the Executive part of this – while the USAID has supported parliamentary development)

In addition to the Mogadishu central / South-Central region, NDI has also since 2011 extended services to the Puntland region (capacity building in executive institutions) (technical assistance, engagement of youth and women as well as community leaders, in the development of the *Provisional Constitution*).

This Review will cover two agreement periods: the first being from November 2009 – June 30 2011; the second being from June 1 2011 – mid 2012 (later prolonged through the end of 2012 by means of a no-cost extension).

The Review will assess activities and output (efficiency) against the inputs and activity plans for each of the phases. Due to space restrictions, a detailed presentation and assessment of activities is shown in Annex D, while only a brief summary is given in the Efficiency chapter (Chapter 3). The effectiveness and impact assessment (measured against the objectives/outcomes and goals of the Program) is presented in Chapter 5 and sustainability in Chapter 6.

According to the ToR, the Norwegian donor understands the program as "contributing to statebuilding and peacebuilding through strengthening the executive branch of government and the relations of the executive to the citizens, and to facilitating the involvement of citizens, especially women and youth, in public affairs."

1.2 Purpose of the Review

The purpose of this Review is to assess the results of the NDI program in Somalia, and its support from Norway, in terms of efficiency, effectiveness and relevance as well as local ownership and sustainability against the agreed goals/impacts and objectives/outcomes, plans, budgets, resources and methodology, and the overarching processes of state building. In particular, the review shall encompass assessment of NDI in terms of strengths and weaknesses in planning and implementing the program.

The focus will be partly on the Program as a whole, and separately for the regional subprogram in Puntland.

1.3 Approach and methodology

This Review covers a crucial period in efforts supported by the international community to bring peace to the Somali population, victim of a twenty year long war along many dimensions and with untold suffering. The Review is done in parallel with a Review of Norway's support through UNDP during much of the same period, the ToR being almost identical for the two Programs. The two Reports will therefore also have some similarities on general aspects, not specific to the two Programs.

Somalia is by many observers seen as the most extreme example of a failed state – actually as the world's only really stateless nation. As we will see, this is only partly true. But still, even the concept "fragile state" is a too optimistic concept to apply in the case of Somalia as a whole. In spite of this, we expressed in the Tender Document for this Review that our intention is to make reference to the conventional wisdom of how international cooperation may function in fragile states.

This Review – like the UNDP Review carried out parallely– will therefore take as its point of departure a discussion about state-building, peace-building and democracy development in Somalia, the validity of these concepts in the Somali context, and the explicit and/or implicit theories of change on which we have found NDI to base its Program.

The working methodology is quite common-sense. A first desk review started when preparing the Tender Document, but the study of most program documents was only undertaken prior to and to a large extent during the field mission. Several key documents could only be retrieved at a quite late stage of the Review process. Particularly for the Team Leader, with no previous experience from Somalia, a general literature research was also necessary in order to better understand the context of the assignment.

The field work covered both UNDP and NDI programs, with program-specific interviews and observations when required. The field work started in Nairobi, Kenya, with very useful briefings by the NDI and the Norwegian Embassy which helped setting the stage for the Somalia mission.

In spite of heavy security restrictions the Review Team was able to visit both regions where the NDI is implementing its program; both the federal capital Mogadishu and the state capital Garowe (Puntland). The mission also included Somaliland, which made it possible to consider the relevance of the Program for that region (or country, which Somaliland considers itself to be).¹

Due to the national consultant's very extensive network, the Team was able to meet with a large and broad number of informants, among them government staff (on federal and state level), partners, beneficiaries, representatives of civil society and the private sector. Group discussions were held when it was possible. In Puntland, we were able to be briefly present at the first day of an NDI training with political parties (financed by USAID), which gave us an opportunity to observe how NDI works when conducting such trainings. The presence of NDI staff in Puntland in relation with this training also made it possible to discuss general matters of interest. (see list of persons met – Annex B).

_

¹ The Team is aware that NDI does not conduct any activities in Somaliland. However, to the extent that there still remains some possibility (or even intention from Somali federal authorities) that Somaliland could be part of a future federal solution, then any review of Somali statebuilding efforts must consider the relevance of these efforts to Somaliland.

Back in Nairobi, a follow-up meeting was held with the Resident Country Director and members of his staff, before a debriefing session was held with the Norwegian Embassy.

The Review has received comprehensive comments to a draft of this Report from NDI, and these comments have been taken into consideration as far as the Team found them relevant. All NDI comments will of course be available to Norad and the Norwegian Embassy for their consideration. Comments and corrections from Norad and Norway's Nairobi Embassy have also been reflected in the Final Report.

2 Searching for a Theory of Change: Peace-building, statebuilding and democracy development in Somalia

NDI's work in Somalia has been very closely linked to – and it seems quite well coordinated with – the Constitution-building and institution-development part of UNDP's Program during the same period. The work of the two institutions in this area seems to have been based largely on similar *theories of change* when it comes to peace-building and state-building. But there is one important difference: where UNDP is also concerned with the management of conflicts caused by environmental, economic and conflict-based shocks, NDI is much more specifically focused on supporting the political and institutional transition process "through effective governance", while also enhance citizen participation and thereby the legitimacy of the same institution. This dual purpose is particularly evident in the second phase of the NDI Program reviewed here, as reflected in NDI's July 2011 proposal, the latest that has been approved for Norwegian support.

A common understanding of what drives conflicts and what capacities for peace exist is seen as crucial, and this implies the rebuilding of trust and cooperation between civilians and authorities, as well as between different clans.²

A basic UN understanding, according to UNDP's 2011-2015 Country Program, is that progress towards peace in Somalia requires authorities to be equipped with the skills and resources necessary to provide basic public services and security. There seems to be a clear recognition of the very limited legitimacy possessed by the state or states, and that this legitimacy needs gradual rehabilitation to make state-building relevant for the population (and thereby, one may assume, to make it meaningful for people to pay taxes). Communities, especially those far from urban centres who have had the clan as the only protector during all those terrible years, need to be convinced that governments act in their interests, or even more basically, that it is relevant for them.

NDI, in its 2011 proposal, seems to have recognized that previous Somali efforts to build consensus around state-building – supported by NDI with Norwegian funding since 2005 – have run into serious problems. Its own focus group research conducted in 2010 revealed that Somalis do not believe that the Transitional Federal Government (TFG) represents their interest. Somalis, the NDI proposal concludes, "are unanimous in their belief that the TFG exists in name only – that its legitimacy derives only from the fact that it has international recognition; Somalis say it has done nothing tangible, is essentially powerless, and has no internal support." (p. 3)

We may assume that this blunt recognition of failure in previous efforts to support the TFG – which NDI itself was part of – is the reason for a significant redefinition of the program. Another reason for change may have been the US "dual track" approach of engaging more with the state level, leading NDI to open activities in Puntland (but not in Somaliland,

² The clan system is absolutely fundamental for the understanding of the Somali society. The classical schlolarly work on this system is: Ioan Lewis: Understanding Somalia and Somaliland: A guide to cultural history and social institutions. Columbia University Press, 2008 (paperbck version)

covered by the sister US organization International Republican Institute (IRI)). While the almost exclusive emphasis previously had been on capacity-building for the transitional task as such, the focus would now be on such capacity-building in order to respond to and manage citizens' needs, to devolve power and introduce democratic systems, and to create dialogue with NGOs and political groups in order to "build trust and support among Somalis".

This is quite similar to the message we found in UNDP's Somalia Human Development Report 2012³: a clear recognition that the international community during the last 20 years has failed in its well-intentioned efforts to bring peace and stability to Somalia, and that one key reason for this has been the top-down approach to state-building and power-sharing. As a development organization, UNDP is logically more concerned with socio-economic drivers of conflict, in Somalia basically the massive youth unemployment. Both programs are therefore preaching the message of bottom-up approach, probably taking it a bit further in theory than we can see in the real work "on the ground".

The gender and generation dimensions play a prominent role in both in UNDP's and NDI's strategy, targeting women and youth.

Several authors have stated that a new model of statehood needs to be developed for Somalia. Some even claim that "the idea of statehood is not very useful for Somalis" (Harper, 2012, p. 201)4. To understand this, one has to go back to their traditional way of life, to the pastoral, clan-based lineage system that worked as an effective way of governing society long before the country was dominated by colonial powers (ref. Lewis, op.cit.). This tradition became very useful when Somalia collapsed as a state, and particularly when it became part of the post 9/11 "War on Terror" narrative, leading to international policy decisions focusing on Somalia as a harbour of terrorism rather than the actually quite encouraging locally-grown solutions the people came up with. As Harper argues, "while the central state was failing, and often because it was failing, Somalis devised some fascinating and exciting alternatives of organizing society" (ibid. p. 198). Extraordinary growth occurred in parts of both traditional and modern segments of the economy, illustrated by booming livestock trade on one side and a spectacular development of telecommunications and the very innovative informal banking sector on the other. "It is as if the Somali society somehow floats above the world," claims Harper in what is perhaps a little romanticised vision, "having reached a postmodern stage of development, beyond the nation-state" (p. 200).

Emerging from grass-roots of society, these solutions do not fit into any conventional model of statehood. Thus, the international community for a long time failed in their sponsorship of an endless number of peace conferences lacking popular legitimacy simply because they were seen as foreign creations. While NDI was never a peace conference sponsors, NDI was for a long period part of this international drive through its technical and advisory support of the institutions generated by these external peace conferences.

-

³ UNDP (2012): Somalia Human Development Report 2012: Empowering Youth for Peace and Development

⁴ Mary Harper (2012): Getting Somalia Wrong? Faith, War and Hope in a Shattered State. Zed Books (London, New York)

The survival strategies during the last twenty years in a literally stateless society – or a hybrid state society in the case Somaliland – will necessarily have to be taken into consideration for any realistic peace-building and state-building strategy in Somalia. It seems that the NDI – like the UN – has finally realized this, at least in theory. This has implications both for the degree of decentralization from state to community, the combination of modern and traditional forms of governance, and the degree of autonomy that needs to be conceded to the various parts of a federal state construction.

The role of the NDI in this process must be seen against the backdrop of more long-term historical efforts of failed and counterproductive foreign interventions in Somalia. The fact that NDI has its origin in the US, and more specifically in one of the two major US political parties, is not without relevance in this context. Outside of the South-Central political elite which has been the real ally of the donor-community "state builders", there is understandably a deep mistrust about the state-building process. As one very well informed observer notes: "The new federal government was to all intents and purposes imposed by the Western "donor"-powers/U.N. under veiled and explicit threats to withdraw financial support". ⁵

When NDI defines as its new overall goal to "strengthen the ability of governing institutions at all levels to address citizen needs into democratic processes", this becomes a very relative aim depending on whether one speaks with a minister in Mogadishu or Hargeisa, a clan leader in any part of the country, or an unemployed youth or woman leader. As so often before, intentions are good, yet the result remains to be seen.

One very interesting aspect of the Somali state-building process is the relative power of Parliament. This seems to be a tradition going right back to the beginning of post-colonialism in the country in the 1960s, when Somalia was generally considered to be among the most democratic countries in Africa. Through NDI's parallel support to the executive and the legislative branches of government (the former being funded by Norway and the latter by USAID), NDI has in a way adopted this crucial philosophy of seeing a strong Parliament as a source of state legitimacy.

This is the context to which the wider international donor community has to adapt – and again there are serious doubts about the extent to which this has happened. We shall see whether NDI's ambitions in this regard have succeeded.

⁵ Dr. Michael A. Weinstein: "Somalia: The S.F.G.'s Strategy of Political Conflict", posted on Dehai News, goroweonline.com, Feb 25, 2013

3 Efficiency of the Program

3.1 The two periods of the Program

As per the Terms of Reference, this review covers two contract periods, namely SOM-09/012 (signed in November 2009) and SOM-11/0021 (signed in July 2011). Total funds disbursed under these two agreements were NOK 16.71 million. The Agreement signed in November 2009 (SOM-09/012) had committed to 3-year funding cycle totalling NOK 14 Million till the end of December 2011. However, this was terminated in June 2011, when only NOK 8.51 million had been spent under the first agreement. The balance of NOK 5.49 million was put towards a new agreement (SOM-11/0021) signed in July 2011, which combined the balance plus a new grant of NOK 2.71 million to make a total of NOK 8.2 million. This was to accommodate an expanded program to include the Puntland Administration and citizen engagement particularly around federalism.

The first period therefore ran for 20 months, from November 2009 to June 2011, while the second grant ran for a total of 12 months from June 2011 to May 2012 (including a one-month overlap in June 2011 and a 5-month no-cost extension from January to May 2012).

3.2 Norway and NDI

Norway has over the years become an important donor of NDI programs in several fragile states and conflict-affected countries. In Somalia, for the period being reviewed, it has been the only funder along with USAID.⁶ NDI has calculated the distribution between the US and the Norwegian contributions, although the time span of the figures are somewhat different. The two phases of the MFA-supported program for a total of less than three years (2009 – 2012) represented 23.6% of NDI's total funding, while USAID contributed 76.4% (approximately USD 9.1 million) over a six-year period (from 2007 – 2013).⁷

3.3 Challenging Political Context

In its 2011 Final Report, NDI highlighted the efficiency challenges raised in working in a highly political context such as Somalia. For example, they note that "there were three prime ministers and three government reshuffles during the course of the program in 2009 as well as, in total, two presidents and five prime ministers since NDI started working with the Somali government in 2005." Each time, NDI would have to start again, focusing its efforts on developing and strengthening relationships with ministers, directors general and several levels of staff to enable the smooth continuation of the program following the aforementioned political shifts.

⁶ Subsequent to the period being reviewed, NDI began a DFID-funded program in February 2013. The National Endowment for Democracy (US) provided some funds from 2006-2007.

⁷ Information received from NDI

Furthermore, they note "The ongoing political infighting between the TFG and TFP (Transitional Federal Parliament) leaders presented the greatest challenge to implementing program activities. This distracted senior executive officials and consequently led NDI to postpone activities as the government sorted out appointments and political reshuffling."

At this point, in mid-2011, the Mogadishu state-building process apparently found itself in a dead-end street, not least because of the stalled constitutional process and the impotence of the Independent Federal Constitution Commission (IFCC). The decisive tactical move was then the September 2011 approval of a so-called "End of Transition Roadmap" with the establishment of a Committee of Experts (CoE), headed by the later Speaker of Parliament Mohamed Jawari. There is little doubt that NDI – along with UNDP – played a role both to establish the CoE and to accompany it closely throughout its work, leading to the drafting and approval of the Provisional Constitution and the indirect election of Parliament and President.

When things did start moving forward in a positive direction during the Roadmap period (between September 2011 and August 2012), NDI were able to adjust appropriately and throw their weight behind supporting the constitutional development process.

3.4 Outputs of the Program – activities planned and implemented

(For more details, see Annex D.)

The first phase of the Program – November 2009-June 2011 – was organized on the basis of three objectives, with a set of planned activities under each. Quite a few of the planned activities were never implemented – while in some cases they were substituted by other activities.

Of important planned activities not implemented was the organization of a technical committee in support of the Federal Government, the establishment of a training unit within the transitional government, and the organization of some study tours. Another apparently missing achievement compared to plans, was the secondment of support staff in the offices of the President and the Prime Minister. However, NDI did work closely with both offices in order to structure their work, and organized training with ministers and staff. Together with UNDP, NDI helped develop a transition strategy and agenda in coordination between the then Parliament Speaker and Prime Minister, and this may have been a first – although moderate – breakthrough for what was called the transition.

An important activity in the first phase was the training of Director Generals (DGs) – supposedly the main continuity guarantors and bearers of institutional memory in the civil service. The DGs also organized step-down training to a larger number of staff. Eventually, the same approach was chosen in Puntland. Another activity of high relevance was the training of women leaders, among them MPs and cabinet ministers. An official website for the TFG was developed with help from NDI, but it was soon substituted. Important public opinion research was done, a national communication strategy was developed, and media training for key government officials was held.

During the *second period of the program* – June 2011-May 2012 – NDI produced more tangible results, guided by three re-defined objectives. We have not seen the 2012 Final Report, so the Review has been based on the quarterly reports.

The most important activity by far in this period was the support to the federal constitutional development process (assessed in Chapter 5). It is noted with concern, though, that the planned support to the regional constitutional process in Puntland – to enhance Puntland's own understanding of federalism – was not given priority. This underlines the serious weakness of not paying more attention to the sub-federal units in this process.

The political party assessment and training continued, for federal as well as for Puntland parties. Interesting activities in support of youth political participation and civic education took place. Active engagement with women in Puntland continued, including in local councils, training an impressive number of women leaders.

In this phase, secondment to PM and President office did take place, i.a. permitting the development of detailed plans of action, and not least improved communication activities around the progress of the transitional roadmap. Training of federal and Puntland ministers, and continued training of DGs (Federal and Puntland) has been noted

But also in this period we have noted non-realized (or at least non-reported) planned activities, such as advisory groups for federal and regional executives, support to Puntland's electoral system, ICT modernization and the establishment of a virtual information center for Somalis.

The fact that quite a few planned activities (actually a significant percentage) were never carried out is perfectly understandable, given the volatile political situation around the process. In some cases, this may actually have been a sign of NDI's adaptation capacity rather than a weakness. There are two questions to raise about this. The first is whether the cost of the modified activities can be justified in comparison to the budget. We have not had the opportunity to make that comparison (ref. Section 3.5. for some stakeholder opinions). The second question is whether these modifications have been sufficiently consulted with the donor. The Norwegian Embassy in Nairobi has confirmed that NDI engaged proactively with the Embassy, highlighting challenges in implementation that led to the partial redefinition of the Program.

3.5 Some views on NDI's work from relevant actors

The Review Mission heard several comments, in Mogadishu as well as in Garowe, claiming that NDI has been a redundant actor in the process. The Review Team does not share this view. NDI *has* made a difference in the process up till now, however sustainable it is.

Justified or not, people have asked why "the Norwegians" have brought in a US institution to convey knowledge and expertise from other sources, for instance (and this was noted by several key informants) from the Oslo Center. Training and mentoring provided by the Norwegian ex-PM Kjell Magne Bondevik has been highly appreciated, "but why was it provided through the NDI?" was a question posed by more than one informant.

Others have questioned the typical NDI modality of bringing Somalis out of the country (to Djibouti, Kenya, Uganda) for workshops and trainings, allegedly to expensive hotels very detached from the Somali reality. The main motive for this may have been security, but there may also have been alternatives in parts of Somalia. This associations with "political tourism" have not always been favourable. It should then be added that earlier on, NDI was

actually one of the very few institutions that managed to organize trainings and other activities inside Somalia (for example in Baidoa), before UNDP was able to do so.

Another criticism has been the NDI's frequent use of European and US (i.e. non-African) trainers. Apart from the cost issue discussed in Chapter 5, this is also a question of what impact a trainer with political and administrative experience from a country more similar to Somalia would have compared to a person e.g. from the US. Although a person like Mr. Bondevik was very welcome with his very special experience and insight in political and parliamentary processes – and there may also be informants who preferred non-Africans, the general view we heard was that an African would be more relevant in these trainings. NDI notes that during the period under review, out of a total of 15 distinct external trainers, 60% were of African (or dual African) citizenship.

On balance, the majority view is that NDI has played a positive role especially in the second phase of the Program – perhaps as a complement to UNDP – to help the Road Map move to a relatively successful end. The Parliament Speaker – himself a key player in this process, is also generally positive to NDI's work with Parliament (not financed by Norway), including the help to prepare Rules of Procedure and develop a 4-year strategy.

In *Puntland*, it is especially the work with Director Generals (DGs), women and youth – and later (without Norwegian support) with political parties that has been appreciated. The support to trainings for DGs had a missing link, however: The DGs complain very much about the lack of a manual that NDI itself had committed to produce.

The support to women leadership training and to poetry workshops – an attempt to reach out to young people – are examples of NDI work aimed at two major target groups in Puntland. But again the question comes up from the beneficiaries: why does not Norway provide its support directly, or alternatively through what is often considered as more cost-effective organizations like Swedish Diakonia (with a long tradition in Puntland) or the Oslo Center?

3.6 The issue of NDI not having permanent presence in Mogadishu.

In the 2011 Final Report, NDI noted that "The significant security risks associated with travel to and within South Central Somalia, prevented NDI from conducting its programming in Somalia. Instead, the Institute conducted activities from its office in Kenya and implemented activities in Djibouti and Garowe." When the Review Team asked about this challenge, NDI pointed out three ways that they are able to mitigate for this lack of presence in Mogadishu:

- 1. The seconded staff within the Offices of the President and Prime Minister provide NDI with a way to provide support on the ground, as well as with visibility and upto-date information. Currently, NDI has seconded an advisor to the Office of the Speaker (with non-Norwegian funds).
- 2. NDI has developed an extensive network of CSOs, who are partners for the focus group opinion research work but have also been useful in the civic education components of the constitutional development process. Prior to creating this network, NDI assessed the capacity of each CSO and their ability to be effective.

These CSOs are spread throughout South-Central Somalia, not just in Mogadishu, and in Puntland.

3. NDI has hired a local coordinator for Puntland, and is in the process of hiring a Mogadishu coordinator, to specifically address this weakness of lack of presence on the ground.

Now that UNDP and other donors have set up offices in Mogadishu, it becomes an increasing comparative disadvantage for NDI not to have a permanent presence there. One may assume that this has to do with the extraordinary security restrictions associated with US organizations, and we are aware that the Country Director has expressed a strong desire to move to Mogadishu. Until this problem is solved, NDI/Somalia will clearly be seen as less relevant to offer its services. The Parliament Speaker has recently expressed similar views to NDI HQs.

As of March 2013, NDI's Somali staff are allowed to travel to Mogadishu, specifically to the government complex of Villa Somalia to conduct activities in the city

3.7 The overhead issue

There has for some time been a discussion between NDI and the MFA about NDI's allegedly too high overhead costs charged to both the Somali Program and other programs. As far as the Review Team understands, this has been a major reason why no new funding has been provided since the end of activities in May, 2012.

The Review has tried to assess this issue based on the NDI budget for the second phase of the Somalia Program, totalling NOK 8.2 million, of which a total of NOK 1.58 million (19.3%) goes towards NDI's administrative and overhead costs. These are called respectively "Program Support" (at 14.4% of program expenses) and "Overhead" (at 9.5% of total budget).

NDI's own explanation of its administrative costs are reproduced in Annex E. The main point of NDI's justification is that the "program support" element should not be considered an administrative cost but should instead be considered a direct program cost, even though the resources (people, experts, back-office processes) are based in Washington DC and serve multiple NDI project offices and programs.

The administrative and overhead costs related to NDI operations have also previously caused problems to the Norwegian MFA. When their program in Haiti was reviewed,⁸ it was found that as much as 38.3% of the total MFA grant (i.e. the double of the Somalia case) was absorbed by a combination of Washington HQ costs, plus the costs of keeping the expatriate field director in Haiti (salary, fringe benefits and additional allowances). What the Norwegian MFA normally accepts for overhead e.g. in support to programs implemented by Norwegian NGOs, is a maximum of 7%. So the contrast here may seem tremendous.

⁸ Norad/ILPI: Review of Norwegian Support to Strengthening Citizens' Political Influence in Haiti through the National Democratic Institute (NDI) (Norad Report 8/2012 Discussion

The Haiti evaluation observed that the budget had been mutually agreed between the two parties; that the NDI had applied the same overhead calculations previously accepted by the US government; and that the same calculations are rather commonplace in contracts between US NGOs and US federal authorities. The conclusion is simply that this is the cost of working through a US NGO.

However, there are obviously different ways to calculate overheads, and several sources coincide that it is difficult to state how much the difference in reality is. Since this issue is presently being negotiated directly between NDI HQs and the MFA in Oslo, there is no reason for this Review to go further into it.

3.8 Cost-Efficiency

Has the 16.7 million NOK disbursed to NDI's Somalia Program been an efficient investment? This is obviously an impossible question to respond to. There is no way one can measure the cost-efficiency and even less the cost-effectiveness of a Program like this, with largely invisible or intangible outputs. There is no building to point to, nor police uniforms that are immediately apparent. The funds are spent on travel and on consultants and on salaries, with the rather abstract goals of "state-building" or "democracy promotion". That said, taking a step back to look at the Somalia political landscape, it is undeniable that there has been significant progress from the days of 2009, and that NDI has indeed played a role in the very significant evolution to today's globally recognized government.

What we have observed is that NDI is an expensive organization. For instance, we observed the number of people airborne to Garowe, Puntland, in order to organize a training of political parties in May 2013 (not financed by Norway). In addition to the international consultant trainer, there were three international staff who had flown in from Nairobi (including the Country Director), plus an additional NDI staff member who doubled as a translator – a total of 5 people. We have also taken notice of all trainings and other activities implemented in other countries. The issue now becomes more and more whether NDI can defend its competitive edge without a permanent presence in Mogadishu.

What MFA has to consider is whether NDI represents the comparatively best source of support to the political and institution-building process in Somalia, to justify these costs. For the future, that will have to be decided on the basis of which priority tasks Norway intends to support in the time to come, and what competitive advantage NDI may bring to the table to solve these tasks.

_

⁹ NDI has clarified that this visit to Garowe had a dual-purpose – to conduct the USAID-funded training and parallel to this, to conduct consultations with Puntland authorities for its DFID-funded activities. NDI asserts "the overall cost to the USAID and DFID programs was less than if the trips had been conducted separately, due to the economies of scale in planning and implementing travel in such an environment."

4 Relevance of the Program

For an NGO, the NDI has had an exceptionally good network among the Somali political elite (particularly in South-Central and partly in Puntland), providing access to play a relevant role in the highly political process of state-building in Somalia: the establishment of the Transitional Federal Government (TFG) as a credible authority. The Norwegian MFA has supported NDI for this purpose since the beginning of its engagement in Somalia in 2005. Support from USAID only started in 2007.

There is reason to ask why Norway chose to use an American organization as an intermediary in its support to such a sensitive political role in Somalia. As far as we have established, this is due to a coincidence of NDI having a Norwegian country director for Kenya in Nairobi with excellent political connections in Norway, and an active interest from some centrally placed Norwegian diplomats with responsibility for Somalia. When the Norwegian MFA was looking for an external actor to play a role in this process with some more flexibility than the UN system, NDI was chosen without any previous experience from Somalia, allegedly because some diplomats were impressed by the work the organization had performed – although of a very different nature - in countries like Kenya and South Sudan.

One may wonder why this happened, and particularly how relevant it has been to use the NDI to bring in a host of international partners that are well-known to Norway. As expressed in NDI's application dated July 2011, the organization would "utilize its institutional knowledge and call upon its network of international experts to support federal and state officials through ongoing consultations and advice so that they can serve as catalysts of change to facilitate this period of political transition", referring to institutions like UNPOS, UNDP, AMISOM, EU, USAID and the US State Department, Sida, Oslo Center for Peace and Human Rights, etc. Has it been logical for Norway's MFA to use a US party-related institution to play this role?

As mentioned in Chapter 4, NDI itself partly recognized in its 2011 application that the efforts of establishing the TFG "as a credible institution" had failed, by referring to its lack of legitimacy (which is of course not attributable to NDI). It is therefore also important that it has tried, through its revised project document, to support efforts to enhance the relevance of this process for the Somali population. Whether this revision contributed to strengthen relations between the political leaders and the citizens of Somalia is still not very clear.

In NDI's relations with the key actors of the Somali state-building and Constitution-developing process, there are few visible signs of consideration for the grass-roots structures that in one way or another have provided survival for ordinary people in Somalia during the years of war (and of course during centuries before that). Despite a global reach, international staff and multinational approach, NDI is perceived to have its core understanding of state-building rooted in its western (US) origin, and its belief in the Westphalian state system. This is not to say that NDI has been alien to the inevitable clanbased political conditioning of power structures in Somalia, e.g. resulting in the 4.5 formula.

Norway has used two main channels for support to state and constitution processes in Somalia: primarily the UNDP, and secondly the NDI¹0. We have looked for, but hardly found, examples of direct overlapping activities, but rather a pretty good complementarity between the two. Where UNDP as the obvious formal representative of the UN and the world community (along with the political UN mission) is at times a quite bureaucratic and therefore also slow actor, NDI can act with much more flexibility, stepping into situations at short notice. To a certain extent, the NDI may have been a gap-filler compared to other actors. That characteristic has been clearly relevant in the rapidly changing Somalia situation over these years.

We may conclude, therefore, that the NDI Somalia Program has been consistent with Norway's overall understanding of the Program (quoted in the ToR) as "contributing to state-building and peace-building through strengthening the executive branch of government and the relations of the executive to the citizens, and to facilitating the involvement of citizens, especially women and youth, in public affairs."

 $^{^{10}}$ But support has also been provided through *Interpeace* (and their local partners in Somaliland and Puntland) as well as $\it Life\ \&\ Peace\ Institute$

5 Effectiveness and impact of the Program

In order to assess the effectiveness of the NDI Somalia Program supported by Norway, we will compare the Review findings to the specific objectives and ultimately to the overriding goals, separately for the two phases.

First phase objective 1: Assist the transitional government in building coalition governance structures and infrastructures to more effectively implement policies.

Overall assessment: Important assistance was provided, but due to lack of real political will and capacities in this period (2009-2011), there was no real impact on effective policy implementation. The support to development of a transitional strategy, however, was a first step in the right direction.

First phase objective 2: Enhance the technical and administrative capacity of the transitional government through support of and technical assistance to ministers, directors general and ministerial staff, and staff in the Offices of the President and the Prime Minister.

Assessment: This objective was met, and technical capacity was probably enhanced as intended. The problem was the political deadlock that impeded the effective use of these capacities for the intended purpose.

First phase objective 3: Establish communication and information mechanisms in the transitional government and among the executive office, legislature, civil society, media and the general public.

Assessment: A communication strategy came out of activities under this objective, some media training was conducted and an official website established, but the impact both on internal and external communication – the latter would be with the general public – was not very clear.

The overall goal of the Program initiated in 2009 was to assist Somalia's TFG (Transitional Federal Government) to create effective governing mechanisms in order to strengthen its administrative capacity to implement the transitional agenda and better respond to citizen needs.

Assessment: We may distinguish between *means* and *end* within this goal. NDI did deliver on the *means* – to assist the TFG – and should be commended for its access to the key decision-makers and professional staff. But due to the political deadlock that impeded the real use of enhanced capacities, effective governing mechanisms were not created. Response to citizen needs was hardly on the agenda during this period.

Second phase objective 1: Assist the federal and regional institutions to strengthen their administrative capacity to implement transitional tasks and respond to and manage citizens' needs.

Assessment: Effective assistance was provided, and during this period there was a decisive breakthrough with the provisional Constitution and federal authorities. NDI played an important support role in this process. To claim that this was a "response to and management of citizens' needs" would be to say too much.

Second phase objective 2: Assist government bodies to enhance their technical abilities of devolving power and introduce democratic systems to govern through electoral mandates.

Assessment: "Devolution of power" is a very vague concept, just like the way "federal system of government" is defined in the Provisional Constitution. The political struggle about relationships between a central federal government and de-centralized units has only begun in Somalia. No real democratic, election-based polity has been laid down so far.

Second phase objective 3: Create avenues for dialogue with non-governmental and political groups to build trust and support among Somalis.

Assessment: Dialogue processes were created, both with youth and women groups. Assessments of the scope for political parties (and a multi-party system) as well as for interest groups were carried out, to a certain (limited) extent allowing them to take part in the constitutional process. This may have been a start – though moderate – to the uphill task of building trust and support among Somalis. But a legitimate question may be raised as to whether this is a logical task for a US-based organization in a so different society as the Somali.

The overall goal of the second phase was to strengthen the ability of governing institutions at all levels to address citizen needs and incorporate citizens into democratic processes.

Assessment: It is surprising that NDI set such an extremely ambitious goal for itself, after the survey findings leading to the second phase. Notwithstanding the positive work that was implemented in relation to the three objectives, "governing institutions at all levels" were really beyond the reach of NDI, and we are still far from a situation in Somalia allowing "to address citizen needs and incorporate citizens into democratic processes". Some consultative efforts were made with women and youth groups and with embryonic political parties, and even through television and radio broadcasts. But this is still far from the goal, which nobody should have known better than NDI was quite unrealistic.

On balance, the NDI Program seems to have succeeded quite well with its institution-development and macro-political work (related to the Constitution), whereas much less has been obtained with the other side of its Program, involving citizens in a democracy-building effort. This may be due to the entire Somali situation – where people struggle for survival pretty much without counting on the state – but also to NDI's very different political-cultural background (although the organization has involved very qualified Somalis in its work).

6 Sustainability of the Program

As we have noted, the September 2012 finalization of the so-called transition period, with the approval of a Provisional Constitution and selection of national leaders is in itself not sustainable without a very serious and patient follow-up. What has been achieved – with support of NDI and many others – will not hold without a very committed follow-up.

When sustainability is assessed, it is normal to ask who "owns" the achievements to which this Program has contributed, the provider of donor-supported services or the beneficiaries. Many would claim – and that seems to be the general view in Somaliland – that this process is mostly owned by the donors and their servants, among them NDI. That would be a too negative observation; the federal Somalia authorities would definitely claim ownership. The problem, however, is that the general public does not feel such ownership, and that is also the limit to the sustainability both of the process and of the NDI support Program.

Is there a demand for the Program in Somalia? Among the South-Central elite, yes; among the public at large, hardly. When people start seeing the benefit of the state, a demand may also appear for the kind of services the Program may provide.

7 Conclusions and recommendations

The overall conclusion of this review is that NDI has played an important role in supporting the efforts to finalize what has been termed "the transition phase" in Somalia, defined as the approval of a provisional constitution and the *selection* (rather than election) of top federal authorities. With all its flaws and shortcomings, it was an achievement in itself that all this happened within Somalia, different from all previous (post-Barre) governments that were appointed at conferences held outside the country. The Parliament was after all more representative, with its reduced size more manageable, with a higher percentage of women (aimed for 30% but achieved 17%).

Still, it is obvious that most Somalis do not feel a sense of ownership to the current Provisional Constitution, nor to the Parliament or the Executive that was formed under it. To the extent NDI has contributed to the positive outcome, NDI has also been hampered by the same shortcomings as the domestic actors the organization has supported in this process: its dialogue partnership has been limited to a political and social elite mostly drawn from the South-Central part of Somalia (to a certain extent involving Puntland representatives but hardly at all legitimate representatives of Somaliland), very closely linked to clan politics and bargaining, still far away from involving the population at large through democratic means.

It is thus very important to recognize that the federal state-building process still finds itself at an early stage in Somalia. A long way remains, to negotiate an acceptable solution with the various sub-national federative units (with or without Somaliland), and not least to involve the public which in the end has to approve of the new Somali State through a referendum and to elect its leaders. It is still unclear which role NDI may play along that road.

One may ask how this could have been done differently, given the security situation and the lack of existing institutions, structures and processes for citizen participation and democratic processes in the country. The challenge will be how to establish such processes as the security situation gradually makes it possible, and also build on the tradition of grassroots politics that after all exists in the country – without degenerating completely to a clan-based system of assuring political legitimacy.¹¹

The theoretical recognition of lessons learned in a stateless society has not been taken fully into consideration in NDI's work with the state-building strategy, leaving questions about the organization's effectiveness both on support to sustainable federal state-building and its capacity to be of relevance in helping bring lasting peace to the country. The serious discussions about decentralization from state to community, the combination of modern and traditional forms of governance, and the degree of autonomy that needs to be conceded to the various parts of a federal state construction have hardly started. Those are the remaining challenges for the years to come.

¹¹ Much experience can here undoubtedly be collected from other African countries which to varying degrees have managed the balance between western and traditional democratic processes.

Recommendations:

To NDI:

- (1) If NDI wishes to remain a relevant actor in the Somalia state-building process, the serious challenges of how to make the process relevant for the various units in the future federation and for legitimate representatives of the public at large (parties, advocacy groups, CSOs but unavoidably also an equitable clan representation) need to be taken more systematically on board in an effort to balance western and African political traditions.
- (2) Another condition for future relevance is to set up a permanent presence in Mogadishu and move the HQ of the Somali Program into the country. To the extent a federal solution that includes Somaliland is being sought by the federal authorities, it will also be necessary to start engaging authorities and other actors in Somaliland, preferably through a presence there.
- (3) Looking ahead at the constitutional work that remains to be completed, NDI should clarify a clear division of responsibilities with UNDP, to avoid overlap and ensure complementarity. This should be done in full understanding with Norway's MFA and other donors.
- (4) Finally, NDI needs to present an acceptable formula for its overhead costs, not only to make it acceptable to the Norwegian MFA but also in order to gain full legitimacy for its role vis-à-vis the various Somalia actors.

To the MFA:

- (1) Independently of achievements until now, Norway's MFA must critically consider the continuation of its work in Somalia through NDI, looking at cost-effectiveness, how appropriate the organization's set-up is for the Somali context in the coming years, and not least what the prospects are for establishing a permanent presence in Mogadishu. The question will be whether NDI represents the comparatively best source of support to the political and institution-building process in Somalia, to justify the high costs of their *modus operandi*.
- (2) In the future, services like those provided by NDI should be based on a demand-driven logic; it is problematic that NDI itself is defining the needs specification. MFA and the Norwegian Embassy should identify priority needs in dialogue with local actors, in close liaison with UNDP, UNSOM and other donors, where various alternative service providers may be considered. Since NDI has developed a special competence on governance issues in Somalia, a framework agreement may be a good and flexible tool. But NDI should not have monopoly on these services, and cost effectiveness criteria or "value for money" will be more prominent in the future.
- (3) Alternative channels for the expertise NDI represents might be considered, such as involving relevant African resource institutions and also working directly through the Oslo Center, NIS Foundation and other groups with very specific competence (the Swedish NGO Diakonia may e.g. be a very interesting alternative in Puntland). The fact that Norway is the only funder of NDI along with USAID and recently DFID underlines that other viable channels probably exist.

Annex A: Terms of Reference

TERMS OF REFERENCE

For a Review of Norwegian Support to state building, peace building and democracy through National Development Institute (NDI) during the Transitional Federal Government of Somalia (SOM-011/0021)

The program, planned and implemented by the National Democratic Institute (NDI) of the USA, will be reviewed in parallel with the Somalia Strategic Partnership Programmes of the United Nationas Development Programme (UNDP). NDI and UNDP have separate programs but reviews will be undertaken concurrently for logistical reasons. The NDI program is directed at strengthening the government and the bureaucracy, and their relations to parliament and to citizens; The UNDP program is comprising the strengthening of public institutions and in particular the constitution and rule of law, and the political and economic situation of citizens. The programs can both be considered as giving support to the process of peace building and state building which was most urgent for the establishment of a legitimate transitional federal government for the citizens of Somalia. The review is undertaken by Norad's Section for Development Strategy and Governance for the Norwegian Embassy in Kenya.

1. Background

Somalia: state and society

The Somali state has long been associated with statelessness and extreme insecurity. Unlike many African states which have experienced ethnic diversity as main cause or driver of conflict, Somalia is one of the few states that are truly ethnically homogeneous. Moreover, Somalia can both linguistically (Somali) and religiously (Islam) be considered homogeneous. Meanwhile, clans have been considered source of conflict, dividing Somalis fighting for resources and power, often as a result of political leaders mobilizing clans for their own purposes. On the other hand it can also be argued that traditional clan elders have had a leading role in conflict mediation. Clan-based customary law has served as basis for negotiated settlements and clan-based blood-payment groups have served as a deterrent to armed conflict.

This state of affairs is closely linked to the harsh repression of the government of Mohamed Siad Barre (1969-1992) which created fear and resentment among Somali people towards the state. Its devide-and-rule tactics have later been held responsible for the failure of clans to unite in a post-Barre government. Following the overthrow of Barre, the country's most powerful figures were in the next 15 years warlords with private militias who often brutalized civilians in their fight for influence and territory. The heritage from the 1988-92

civil war is i.a. unaddressed war crimes, deep inter-clan grievances, stolen property and unresolved property disputes and occupied territory.

Many peace and reconciliation conferences have been held. None of these have managed to come to a lasting agreement on a constitutional form suitable and acceptable for all of Somalia. More sustainable results have been achieved in the case of the self-declared autonomous and regional states of Somaliland (declared independence in 1991) and Puntland (became an autonomous state within the federal structure of Somalia in 1998). This is not to say that Somalia has been without governance structures and practices. Other actors, such as warlords and Al-Shabaab, have taken over tasks normally performed by government in different locations within the Somali territory. These systems, perceived by outsiders as a form of anarchy, in reality used governance tools associated with a modern state, e.g. customary law, negotiations, and the threat of force. The regions of Somaliland and Puntland have acquired significant state capacity.

The peace accord of October 2004 resulted in an agreement on a transitional federal government for Somalia. The mandate for the transitional federal government was scheduled to end in August 2011. In September 2011, the Somalia End of Transition Roadmap was adopted and the transition period of the transitional federal government was extended to August 2012. The roadmap focused on four priority areas: security, constitutional reform, reconciliation and good governance. During the second half of 2012, Somalia concluded the transition period. Somalia got an elected President and Prime Minister, together will a newly-appointed cabinet consisting of just ten ministers, signaling the will of the Somali leadership to move away from the mindset of the past and bring about positive change. The transitional processes have had the strong backing of the African Union, USA, and the European Union.

Somalia is one of the seven pilot countries of the g7+ Group of countries of the New Deal principles.

1.2 The policy of Norway towards support of Somalia

The strategy of Norway for Somalia, adopted in 2010, has as overarching goal to contribute to stability and development through projects that can create peace and national reconciliation, including support to the transitional authorities and the transitional processes. Among the areas selected were peace and reconciliation, institutional development and capacity development (public administration).

The policy of Norway towards states in conflict or fragile situation has as underlying principles the OECD principles on peacebuilding and statebuilding, for example, as

expressed in *OECD* (2007).¹² *Principles for Good International Engagement in Fragile States and Situations*. Ten principles have been formulated: (1) Take the context as the starting point, (2) do no harm, (3) focus on state-building as the central objective, (4) prioritise prevention, (5) recognize the links between political, security and development objectives, (6) promote non-discrimination as a basis for inclusive and stable societies, (7) align with local priorities in different ways in different contexts, (8) agree on practical coordination mechanisms between international actors, (9) act fast, but stay engaged long enough to give cusses a chance, (10) avoid pockets of exclusion.

1.3 The program

The NDI Somali program started in 2005. It has received support by Norway since 2009. It has approached the transitional governance context in Somalia by building capacity in the Executive and the Parliament structures of the transitional federal government, aiming to make them "credible authorities". The Norwegian Ministry of Foreign Affairs has supported a program to develop the Executive while USAID has supported a program of Parliamentary development. Thus, this review will cover only the Executive.

The transitional federal government is based in South-Central Somalia. Since June 2011, NDI's expanded the program to include the region of Puntland and capacity building in executive institutions. The program has comprised technical assistance and the engagement of youth and women as well as community leaders in the development of the national constitution.

During the second period (June 2011 to December 2011) the program's goal (impact) was:

to strengthen the ability of governing institutions at all levels, to address citizen needs and incorporate citizens into democratic processes in Somalia.

The objectives (outcomes) of the program were:

assist federal and regional institutions to strengthen their administrative capacity to implement transitional tasks and respond to and manage citizens' needs,

assist government bodies to enhance their technical abilities of devolving power and introduce democratic systems to govern through electoral mandates,

create avenues for dialogue with non-governmental and political groups to build trust and support among Somalis.

The outputs (abbreviated) covered work plans and organizational chart in the ministries and terms of reference for ministries, administrative frameworks for election, communication

¹² Principles for Good International Engagement in Fragile States and Situations, OECD Publishing. http://www.oecd.org/dac/conflictandfragility/38368714.pdf.

strategy for internal and external communication among government institutions, state formation alternatives to be discussed among the public, good governance adjusted to Somali context, framework for civic education in terms of democracy and public participation, and framework for public consultation.

Thus, we understand the program as contributing to statebuilding and peacebuilding through strengthening the executive branch of government and the relations of the executive to the citizens, and to facilitating the involvement of citizens, especially women and youth, in public affairs.

1.4 The Norwegian Support

The Norwegian Ministry of Foreign Affairs has since 2009 cooperated with NDI to support transitional processes. This has consisted of capacity building to the executive arm of the transitional federal government and its relations with the citizens, and since 2011 support of the Puntland Administration.

This review is to cover two contract periods, namely SOM-09/012 (signed in November 2009) and SOM-11/0021 (signed in July 2011). Total funds disbursed under these two agreements were NOK 16.71 Mill. The Agreement signed in November 2009 (SOM-09/012) had committed to 3-year funding cycle totaling NOK 14 Mill till the end of December 2011. However, this was terminated in June 2011, and a new agreement SOM-11/0021 signed in July 2011 totaling NOK 8.2 Mill. This was to accommodate an expanded program to include the Puntland Administration and citizen engagement particularly around federalism.

Purpose

The purpose of the review is to assess the results of the program in terms of efficiency, effectiveness and relevance as well as local ownership and sustainability against the agreed goals/impacts and objectives/outcomes, plans, budgets, resources and methodology, and the overarching processes of statebuilding. In particular, the review shall encompass assessment of NDI in terms of strengths and weaknesses in planning and implementing the programs.

The results should be presented for the program as a whole and separately for the regional subprogram in Puntland when relevant.

The review shall be concluded with recommendations for possible future support.

3. Scope of work

The review shall cover the two last periods of the Program, i.e. 2009/2010 and 2011/2012. (The last disbursal from Norway was made in December 2011.)

The review shall cover aspects as listed below.

The efficiency and the effectiveness achieved with respect to the stated goal/impact and objectives/

outcomes against plans, budgets/resources and methodology laid down in the program documents/proposals. The focus should be on political, economic, social and cultural obstacles and opportunities in an historical context and formal as well as informal institutions, groups and leaders. In addition, are there any external (foreign) factors that create obstacles? Are obstacles and opportunities different for men and women? Does NDI have sufficient presence (capacity) locally to exploit the opportunities and meet the challenges?

The assessment should refer to explicit or implicit theories of change, or the assumptions that are guiding the program. Does the program have a clear, coherent and consistent set of objectives? Are adjustments called for and if yes, what kind of adjustments?

Regarding the management of the program, the review shall make an assessment of the costeffectiveness of the administrative and organisational set-up, including the role and costs
attributed to the headquarter in Washington, USA. Relevant questions to be considered
include: What measures have been taken during planning and implementation to ensure
that resources are used efficiently? Could the program have been implemented with fewer
resources without reducing the quality and quantity of the achievements so far? To what
extent does NDI have adequate human, technical and physical resources – included
resources locally, to manage the program efficiently? To what extent have the financial
dealings under the program and the reporting facilitated the achievements so far? How can
the framework be enhanced to increase efficiency and results? Does the reporting to the
Norwegian Embassy reflect progress in terms of the budget? Are deviations properly
accounted for?

Regarding the sustainability of the program, the review shall assess to what extent the results of the program are expected to extend beyond the program period. Important questions in that respect are: Who "owns" the programs? Is there a demand for the programs in Somalia? Are the programs forming an integrated part of the wider context? Are women and youth, discriminated groups and the population in rural areas involved? Although of secondary importance, the review shall provide a brief analysis of the role of NDI in view of the historical relationship between the Somalia and USA. Possible challenges should be pointed out.

<u>The relevance</u> of the program shall be assessed with a view to the contribution to statebuilding. The emphasis is on the legitimacy of the new state and its leaders among the

citizens.¹³ A legitimacy analysis making use of political economy analysis will indicate how the relations between the political leaders and the citizens of Somalia can be improved, what should be the priorities and what can an external donor like Norway do to assist.¹⁴

The relevance shall also be assessed with respect to the donor principles of doing-no-harm in fragile states as mentioned above, especially taking the context as the starting point, focusing on state-building as the central objective, recognizing the links between political, security and development objectives, promoting non-discrimination as a basis for inclusive and stable societies, aligning with local priorities in different ways in different contexts, and agreeing on practical coordination mechanisms between international actors.

Developing the formal institutions of the state is central. In that context it is important to assess to what extent the advisors of NDI take into considerations the structures and systems that already exist or have existed in the near past, or whether they primarily build on what is considered superior political systems in other countries, for example, the liberal political order of division of power between the three branches of government.

When assessing the relevance of the program, due attention should be paid to efforts by other foreign or domestic actors who are active in the same field. Who are these actors and are their programs overlapping or complementary? We do not require an extensive analysis of the comparative advantage of each actor.

The review should end with an assessment of the theories of change, or assumptions the on which the program is based. Are they still valid? If a continuation of the program is recommended, is NDI a relevant partner in the future, and if so, with what kind of programs? Which adjustments are warranted, which institutions or actors should be targeted in the future? Is gender an issue in this respect, i.e. should support activities be planned differently for men and women? And the youth?

_

¹³ For example, according to the approach of Séverine Belina, Dominique Darbon, Stein Sundstøl Eriksen and Ole Jacob Sending (2009) *The Legitimacy of the State in Fragile Situations*, Report for the OECD DAC International Network on Conflict and Fragility. This approach is based on the belief that a state is legitimate if the citizens perceive it to be legitimate. Citizens' perception whether a state is legitimate or not is formed by their perception of how the state performs on the duties that the citizens want the state to perform. The duties of the state can include creating possibilities for the citizens to influence public decision-making, public service delivery, safety from violence and aggression, facilitation of economic growth and income, and the respect, or lack of respect, that people in power show for social values and norms, and faith or beliefs. This understanding is also used in OECD-DAC (2008) *Concepts and Dilemmas of State Building in Fragile situations: From Fragility to Resilience*.

¹⁴ See for example Norad (2010), Political economy analysis with a legitimacy twist: What is it and why does it matter? and DFID (2009). Political Economy Analysis. How to Note. Problem-Driven Governance and Political Economy Analysis. Good Practice Framework.

The review shall be guided by "Results Management in Norwegian Development Cooperation – A practical guide" issued by Norad and the Ministry of Foreign Affairs.

4. Analytical and methodological approach

The review will consist of:

Desk research based on program documents such as proposals or plans, agreements, progress reports, financial reports, and other material produced as outputs of the program, to be provided by Norad and the Embassy, as well as relevant studies on Somalia available from the donor community, universities, research institutes, internet, etc.

Fieldwork in Somalia where interviews are to be made with a broad spectrum of key informants, representatives of local authorities, politicians, civil society representatives, media representatives, the staff of NDI, donors and other resource persons. The beneficiaries of the program are most important. Interviewing will take place in Puntland (Garowe), possibly Mogadishu, and Nairobi. Interviews may be undertaken one-on-one or in groups.

The review shall, as relevant, make use of political economy analysis of interest and power relations in state and society with focus on actors and institutions at the local level, and analysis of the legitimacy of the state as indicated above.

Reports

Before departing on the field work, the team shall provide an inception note based on the desk research, outlining the final report, and presented to Norad and the Embassy for approval. The final report shall not exceed 25 pages (excluding annexes), comprising an executive summary of not more than 2 pages, methodology, findings, conclusions and recommendations, expressing the views of the review team. The TOR shall be attached.

The consultants shall, before leaving Nairobi, debrief the Norwegian Embassy on the main findings and conclusions.

A draft final report shall be submitted to Norad within two week after finalization of the field visit. Norad, the Embassy and NDI will then have one week to provide written feedback to the review team. The final report shall be submitted to Norad one week later. The final report shall reflect comments by Norad, the Embassy, and NDI and acknowledge any substantive disagreements. The report shall be written in English. The assignment includes a presentation of the report for Norad, the Ministry of Foreign Affairs, and the Embassy (connected by phone).

A team leader will be responsible for the technical quality of the reports, as well as the editing and quality control of the language. The reports shall be submitted in electronic form to Norad.

6. Implementation

6.1 The team

The team will consist of an international consultant as team leader, and a local consultant (from Somalia or neighbouring countries). The local consultant will be hired by the international consultancy firm/institute and the costs included in the offer.

The review team must as a minimum have the following qualifications:

Experience with international development, including reviews / evaluations of statebuilding, peacebuilding and governance programs and capacity development in that respect,

Knowledge of gender programming,

Knowledge of administrative and financial management of development programs,

Knowledge of the use of political economy analysis in a development context

Familiarity with the social, economic, political and cultural development of Somalia at present and in an historical context,

Each team member must have sufficient knowledge about first aid and stress handling for operating in risk affected areas.

The team leader must be fluent in English. The local consultant must have a working knowledge of English (and preferably the Somali language)

The consultants should familiarize themselves with the Norwegian policy and strategic approach to development co-operation in Somalia.

6.2 Financing and Time Frame

The time frame of the review is up to 8 weeks of which approx. 2-3 weeks in the field. Whereas the team leader will be paid a maximum of 8 weeks, the local consultant will be paid a maximum of 4 weeks. The review is tentatively expected to start at the end of March and be completed the first week of June 2013. The field work is expected to take place at the end of April / beginning of May 2013. The field work will cover both the review of the NDI program and the UNDP program.

The team is tentatively planned to visit Hargeisa (Somaliland), Garowe (Puntland), possibly Mogadishu, and Nairobi. The Embassy is regularly assessing the risks involved in travelling in Somalia. The plans for field work may be changed accordingly.

Hotel costs and per diem will be covered for both consultants in accordance with the official rates of Norway. For the local consultant, these costs will be covered when he/she is away

from home. Air transport will be covered according to economy class tickets. The Embassy, NDI and UNDP will assist in arranging local transportation and accommodation in Somalia.

The Embassy, NDI and UNDP will assist the team in making arrangements for interviews but the team is free to decide on whom to interview. Reasonably priced transportation will be covered according to presentation of receipts when transportation is not provided free of charge. If translation is necessary, the costs will be reimbursed against receipts.

Annex B: List of Informants

(Meetings with relevance only for the UNDP part of this Review have not been included here)

Met in Oslo

Bjarte Tørå, Program Manager, Oslo Center for Peace and Human Rights Somali Parliamentary Delegation Visiting Oslo Center for Peace and Human Rights

Tuesday May 14, 2013 (Nairobi)

Mohamed Abdirizak, Country Representative; Edmond Efendija, Deputy Country Representative; Mohamed Nur Mohamud, Senior Programme Officer, NDI

Wednesday May 15, 2013 (Nairobi)

Paul Simkin, Country Director, Conflict Dynamics International

Kamal Hassan, Chief of Staff, Office of the President, Somali Federal Government

Jan-Petter Holtedahl, Somalia Counsellor; and Dorcas Gacugia, Programme Officer, Royal Norwegian Embassy

Jens Mjaugedal, Norway Special Envoy to Somalia (Telephone)

Thursday May 16, 2013 (Mogadishu)

Abdisaid M. Ali, Country Representative Somalia, NIS Foundation

H.E. Mohamoud Hassan Suleiman, Minister of Finance and Planning, Somali Federal Government

Bashir Yusuf, Owner and Manager, Peace Hotel (Private Sector)

Abdusalam Omer, Governor of the Central Bank of Somalia

Aues Scek, Senior Advisor to the Governor of the Central Bank of Somalia

Friday May 17, 2013 (Mogadishu)

Abdullahi Godah Barre, Member of the House of the People, <u>Somali Federal</u> <u>Parliament</u> (and Former Minister of Planning and International Cooperation)

Abdirahman Omar Osman, Senior Advisor and Spokesperson of the President, <u>Somali Federal Government</u> (and former NDI Technical Advisor to the Office of the Prime Minister)

Saturday, May 18, 2013 (Mogadishu)

Hon. Mohamed Sheikh Osman Jawari, Speaker of the House of the People, <u>Somali</u> <u>Federal Parliament</u>

Monday, May 20, 2013 (Garowe)

Dr. Sayid Mohamed Abdulle, Minister, Puntland Ministry of Planning and International Cooperation

Hassan Said, Chairman of the <u>Puntland Civil Service Commission</u>, and other members of the Commission

Zahra Said, Executive Director, Forum for African Women Educationalists – Somalia Chapter (FAWESOM)

Tuesday, May 21, 2013 (Garowe)

Ali Farah, Deputy Director, Puntland Development Research Center (PDRC)

Dr. Abdiweli Hersi Abdille, Minister, Puntland Ministry of Labor, Youth and Sports

Asha Mohamed Ahmed, Deputy Minister, Puntland Ministry of Women Development and Family Affairs

Wednesday, May 22, 2013 (Garowe)

Group meeting with <u>Puntland Director Generals</u>: Farah Kulmiye Elmi, Director General, Puntland Ministry of Planning and International Cooperation; Ibrahim Hareed Ali, Director General, Puntland Ministry of Livestock; Dahir Mohamed Hassan, Director General, Puntland Ministry of Commerce; Ahmed Hassan Bile, Director General, Puntland Ministry of Labor, Youth and Sports

Visit to <u>NDI training session</u>: Puntland Political Association Campaign and Party Development Training (at PDRC premises)

Mohamed Farah Gashan, State Minister, Puntland Ministry of Good Governance

Evening conversation with NDI representatives undertaking the political parties training, including Mohamed Abdirizak, Country Director.

Wednesday, May 29, 2013 (Hargeisa)

Alex Park, The Institute for State Effectiveness; and Peter Portier, Crown Agents (DFID/Danida Consultants on Somaliland Trust Fund)

Thursday, May 30, 2013 (Nairobi)

Hugh Riddell, Senior Operations Officer for Somalia, Global Center for Security and Development, <u>World Bank</u>

Fatima Jibrell, Founder of Horn Relief/ADESO and former Committee of Experts member

Mohamed Abdirizak, Country Representative, <u>NDI</u>, and team (feedback and follow up questions)

Friday, May 31, 2013 (Nairobi)

Debriefing with Norwegian Embassy: Stein Erik Horjen (Counsellor, Development Assistance), Jan-Petter Holtedal (Consellor, Somalia), Dorcas Gacugia (Programme Officer)

Tuesday June 11 (Oslo)

Rina Kristmoen, Norwegian MFA (by telephone)

Jens Mjaugedal, Norway's Special Envoy

Annex C: Documents Reviewed

Program Documents Reviewed:

SOM-09/012:

- Proposal docs Narrative, Budget Notes and Annex I Results Framework
- Decision/Appropriation Memo
- Contract
- NDI Reports Annual Report (Nov 2009-Dec 2010), Final Report (Nov 2009-Jun 2011) and Global Audit Reports (2010)

SOM-11/0021

- NDI Proposal 7th July 2011
- Revised Contract Budget 16th Aug 2011
- No-Cost Extension Decision Memo 08th Dec 2011
- NDI Reports Global Audit Reports (2011 and 2012); and Quarterly reports for June 1 to September 30, 2011; October 1 to December 31, 2011; January 1 to March 16, 2012; March 17 to June 30, 2012; and July 1 to September 30, 2012

Non-program documents reviewed:

Belina, Séverine, Dominique Darbon, Stein Sundstøl Eriksen and Ole Jacob Sending (2009): *The Legitimacy of the State in Fragile Situations*, Report for the OECD DAC International Network on Conflict and Fragility

Bendana and Chopra (2013): Women's Rights, State-centric Rule of Law, and Legal Pluralism in Somaliland. Hague Journal on the Rule of Law, 2013/1, pp. 43-73

DFID (2009). Political Economy Analysis. How to Note. Problem-Driven Governance and Political Economy Analysis. Good Practice Framework

Interpeace and Academy for Peace and Development: "From plunder to Prosperity. Resolving Resource-Based Conflict in Somaliland."

Institute for Security Studies (2009): "The political development of Somaliland and its conflict with Puntland", Paper No.200, September (www.issafrica.org)

Harper, Mary (2012): Getting Somalia Wrong? Faith, War and Hope in a Shattered State. Zed Books (London, New York)

Lewis, Ioan (2008): Understanding Somalia and Somaliland: A guide to cultural history and social institutions. Columbia University Press, 2008

Menkhaus, Ken (2011): "Background Case Study: Somalia and the Horn of Africa", World Development Report

New Deal Building Peaceful states: http://www.newdeal4peace.org

Norad (2010): Political economy analysis with a legitimacy twist: What is it and why does it matter?

Norad/ILPI (2012): Review of Norwegian Support to Strengthening Citizens' Political Influence in Haiti through the National Democratic Institute (NDI) (Norad Report 8/2012 Discussion

OECD-DAC (2011): Report on International Engagement in Fragile States: Can't we do better? http://www.oecd.org/dac/incaf/48698002.pdf

OECD-DAC (2008): "Concepts and Dilemmas of State Building in Fragile situations: From Fragility to Resilience"

OECD-DAC (2007): "Principles for Good International Engagement in Fragile States and Situations", OECD Publishing http://www.oecd.org/dac/conflictandfragility/38368714.pdf

UNDP (2012): Somalia Human Development Report 2012: Empowering Youth for Peace and Development

UNDP (2012): Somalia Constitution-making Support Project – Final Report.

UNDP (2003): "Somalia and Somaliland: Strategies for dialogue and consensus on governance and democratic transition", Paper Prepared for the UNDP Oslo Governance Centre January 2003

World Bank (2012): World Bank Summary of Financial Diagnostic Assessment of "Audit Investigative Financial Report 2009-10", 30 May

Weinstein , Dr. Michael A.: "Somalia: The S.F.G.'s Strategy of Political Conflict", posted on Dehai News, goroweonline.com, Feb 25, 2013

Annex D: Objectives, activities and achievements

(Based on NDI's own reporting)

Phase 1: November 2009 - June 2011

Objective 1: Assist the transitional government in building coalition governance structures and infrastructures to more effectively implement policies.

Assessing the Transitional Federal Government of National Unity (old funds)

• This exercise was conducted with funds from a former grant, so not relevant in an efficiency analysis of this grant.

Sustaining the Transitional Federal Government: Identifying Best Practices for Effective Governance; and Organizing a Joint Symposium for a Governance Agreement

- The original 2009 proposal discussed NDI assisting the President and Prime Ministers to appoint an ad-hoc technical committee to create a functional management structure and mechanisms; NDI would also contribute international experts to develop suggestions and recommendations. The findings/recommendations of this technical committee would be presented and discussed at a joint symposium including the Prime Minister, ministers and director generals; one year later, NDI would hold a follow up session to help the government evaluate itself and develop new recommendations.
- The 2011 Final Report does not indicate that such a technical committee was appointed. Instead, there seems to have been a January 2010 retreat with 6 TFG Ministers, facilitated by Kjell Magne Bondevik and Oistein Mjarum, resulting in sharing of techniques for working in coalition government and the identification of top priorities and a potential legislative agenda. Also at the same retreat, NDI presented a Manual for the Council of Ministers to the participants; as at the time of the Report, this manual had not received final approval from the government.
- Furthermore, NDI did continue to hold consultations with the Offices of the President and the Prime Minister, to help with their internal communications and efficiency, providing advice on how to strengthen the capacity of office staff. NDI suggested measures to clarify divisions of labor within the office and to clearly define roles and responsibilities to ease tensions and reduce the duplication of work.
- NDI notes "With NDI assistance, the President's Office established and implemented
 a formal schedule for meetings with MPs and ministers managed by the chief of
 Protocol. These regular meetings helped the President's Office to better organize the
 president's agenda and maintain a consistent workflow within the office."

Developing a Joint Transitional Agenda between the Executive and the Legislative

- In order to address the poor working relationship between the executive and parliament, NDI had proposed holding joint seminars with TFG and TFP (Transitional Federal Parliament) officials to discuss and agree on legislative priorities.
- In August 2010, in cooperation with UNDP Somalia, NDI facilitated a working session with members of a joint committee appointed by the Speaker and Prime Minister (13 members including MPs, cabinet ministers and presidential advisor) to develop a transitional agenda. NDI helped facilitate a draft agenda that focused on the development of legislation necessary for the remainder of the transitional period then scheduled to end by August 2011. During the session, NDI supported the joint committee to review the transitional tasks mandated by the Transitional Federal Charter. The committee identified priorities, developed an activity timeline and even identified responsible parties.
- NDI notes that "While the agenda did not receive formal approval from the TFP, cabinet and the President's Office, the development of a transitional strategy after years of delays was an achievable outcome by the transitional institutions." Although this group did not have the opportunity to implement this joint agenda, some elements of this has probably made its way into the Roadmap.

Objective 2: Enhance the technical and administrative capacity of the transitional government through support of and technical assistance to ministers, directors general and ministerial staff, and staff in the Offices of the President and the Prime Minister.

Seconding staff to the Offices of the President and Prime Minister

- ➤ The 2011 Final Report does not indicate that any staff were seconded to the TFG in this period. It seems that NDI made a decision to delay this "due to political infighting among senior officials and high turnover between changing governments and in principal offices... NDI determined that it should delay these activities such a political environment allowed buy-in from senior officials and office staff to implement day-to-day transitional process tasks." (unclear phrase)
- ➤ That said, NDI did continue to hold consultations with the two offices, helping them with process improvements as mentioned above.

Conducting an Organizational Strategy Retreat for Senior Staff from the Principal Offices

NDI had proposed a follow up retreat (the first one had taken place under the former grant) to continue to strengthen the relationship and enhance cooperation between the two offices – it does not appear that this retreat has taken place in this period.

Providing Technical Support to Director Generals on Ministerial Roles and Responsibilities

In Mogadishu, the director generals received technical assistance and trainings from NDI, and also a separate roles and responsibilities workshop was held for

- government officials from many different ministries and offices to educate on the role of the director general.
- ➤ In Puntland, a director generals workshop was held as the pilot program expanded into Puntland.
- ➤ In its own assessment, NDI notes the following accomplishments under this objective:
- With NDI assistance, directors general identified challenges influencing their ability to fulfill their duties, and agreed to discuss their concerns with their respective ministers to improve administrative-political coordination in the executive.
- With NDI assistance, directors general trained their respective staff in step-down trainings. Since March, four in-house trainings occurred in the Ministries of Defense, Labor, and Information as well as the chief of staff in the Office of the former Prime Minister Mohamed Abdullahi Farmajo to build the capacity of departmental heads and other staff. These training were organized and facilitated by directors general who attended NDI workshops.
- With knowledge gained during a workshop in early 2010, the TFG developed internal committees to improve its political work and strengthen internal communication between ministers. Directors general for the Ministries of Defense and Labor organized an assessment of the former National Training Institute.
- With assistance from NDI, the Ministry of Foreign Affairs improved its communication with Somali embassies abroad and established better links and networks with sub-regional and regional level bodies Intergovernmental Authority on Development (IGAD) and the African Union (AU).
- o In Puntland, with NDI assistance, 25 directors general (two female, 23 male) identified the challenges to their positions and developed recommendations to remove those challenges.
- o With NDI assistance, Puntland directors general developed organizational charts, lists of ministerial staff outlining their roles and responsibilities.
- O As a result of the NDI activities, the recommendations suggested during the pilot Puntland directors' general workshop in May were presented to the Puntland public through a radio conference by a director general nominated by the other participants. In addition, the ministers contributed remarks in support of the recommendations during the closing session of the workshop which was covered by Garowe media outlets.

Developing a Training Unit within the Transitional Government

• In the 2009 proposal, NDI put forward the idea of helping the TFG to develop a training strategy and then a training unit, by consulting with the ministries and identifying a potential Somali institution that could assist the government in sustaining the unit. NDI also proposed to provide basic supplies to run the training unit. The 2011 Final Report has no mention of these activities being undertaken.

Gender Mainstreaming in the TFG

- The 2009 proposal outlined some activities to help women ministers and deputy ministers and gender advisors to be more involved in government policy and decision-making. NDI proposed facilitating a session on the gender benchmarks and international instruments; including helping participants to develop strategies and implementing them. Also, NDI proposed bringing together women leaders from the executive and the parliament, with civil society members, to discuss and work together on broader gender issues.
- According to the 2011 Final Report: "In coordination with the Institute's complementary USAID-funded legislative program, NDI held a workshop for more than 20 Somali women entitled Somali Women Speak Out! in Djibouti in November 2010. The participants included 10 women MPs, seven representatives from three government ministries, and nine women from women's civic groups in Somalia. The workshop allowed participants to develop a platform for Somali women on the issues of health, education, political participation, economic empowerment, and peace and reconciliation. This activity provided an opportunity for women in the TFG to hear the concerns of other Somali women and carry the concerns back to their offices and ministries."

Organizing Study Visits for Senior Staff of the Offices of the President and Prime Minister

• NDI proposed taking senior TFG representatives to Northern Ireland on a study tour. This did not happen.

Objective 3: Establish communication and information mechanisms in the transitional government and among the executive office, legislature, civil society, media, and the general public.

Achieving Institutional Goals through ICT Modernization

- In order to improve communication and information sharing within the government and improve access to information for all, NDI proposed working with the Offices of the President and Prime Minister and the Ministry of Information to introduce appropriate ICT tools and strategies. NDI would also provide technical support to the TFG, e.g., to help them in developing RFPs, hiring support staff, budgeting.
- NDI worked with the Ministry of Information to establish an official website for the TFG. The website was launched in August 2009 with funding from the previous Norwegian grant. After December 2010, the TFG stopped updating the website and in January 2011, developed a new Somali government website.

Conducting Public Opinion Research for the TFG

- The TFG "has been plagued with an inability to communicate effectively with a variety of constituencies" and NDI proposed conducting focus group research to help the TFG leaders to better understand and address the viewpoints of citizens on a range of issues.
- Unfortunately, the Final Report does not indicate any such research was conducted (but 2011 proposal referred extensively to it).

Developing a National Communication Strategy

- To deal with a similar problem, NDI proposed working closely with the Office of the Prime Minister and the Ministry of Information in developing a national communications strategy.
- NDI supported the Ministry of Information to create a strategy for working with the media as well as establishing mechanisms for the government's messages to be shared via the internet and radio. In late 2009, NDI assisted the TFG in drafting its first comprehensive national communication strategy, resulting from an NDI-facilitated workshop (funded by the previous Norway grant) held in Djibouti in October 2009. The communication strategy was implemented by the TFG through various methods including through releases by the Somali National News Agency on government and military progress, and through the official website supported by NDI (see above).

Developing Media Relations Skills of Ministers and Ministerial Communications Staff

- NDI found the relationship between the TFG and the media could be greatly improved, and so proposed media training for ministers and government spokespersons.
- This training was held in August 2010 and included senior communication staff from the Office of the Prime Minister and Ministry of Information, the TFG webmaster and staff from Radio Mogadishu.

Phase 2: June 2011 - May 2012

Introduction

In its 2011 Proposal, NDI laid out the reasons for expanding the program in a new agreement – it was important for NDI to stretch beyond Mogadishu engagement to start engaging with regional authorities such as Puntland. As per the proposal:

"Federal-level program activities would continue to second staff support to the Offices of the President and Prime Minister; develop the Council of Ministers; provide technical support to federal directors general; and advance institutional goals through information communication technology modernization.

New proposed activities through December 2011 aimed at strengthening dialogue between federal and regional institutions and officials would: create advisory groups to support federal and regional executives; assess the development of political interest groups; support federal and regional constitutional development processes; establish information resources regarding comparative governance systems; support public opinion research; develop a virtual information center for Somalis; and support youth political participation and civic education. New proposed activities in support to Puntland governance would assess Puntland executive institutions; develop the Council of Ministers; support the development of directors general in Puntland; develop local councils vis-à-vis women's political participation; and support Puntland electoral systems."

We have not seen the 2011 Final Report (we have repeatedly asked for it), so it is difficult to conclude on NDI's final evaluation of its own performance, but we can use the quarterly reports to build a picture of the extent of implementation of proposed activities.

In summary, it seems that the strongest part of the program became the support to the federal constitutional development process, with significant achievements also in supporting the federal executive through secondments and workshops for ministers and director-generals. In the expansion to Puntland, the notable successes were the work with women and youth; there was some work with the director-generals, but more needs to be done.

Objective One: Assist the federal and regional institutions to strengthen their administrative capacity to implement transitional tasks and respond to and manage citizens' needs.

Puntland Institutional Assessment [new activity]

• In the 2011 Proposal, NDI identified the need for a comprehensive review of Puntland governance structures. This was done in the first half of 2011 and the findings subsequently helped determine the strategy of support for Puntland authorities.

Support the Federal and Puntland Council of Ministers [new activity]

- Focusing on the new government being created in the summer of 2011, with a oneyear extension of the transition period, NDI proposed undertaking activities to strengthen the federal Council of Ministers, which historically had been weak. Similar support was proposed for the Puntland Council of Ministers. The proposed activities centered around orientation and training sessions and the updating and operationalizing of the Manual for both Councils of Ministers.
- NDI facilitated a workshop, in collaboration with the Oslo Center and facilitated by Former Prime Minister Kjell Bondevik, for a subset of the federal Council of Ministers to assist them to strategize and develop observations and

recommendations for the implementation of the transitional roadmap. There is no mention of a Manual for Ministers.

Develop Advisory Groups to Support Federal and Regional Executives [new activity]

- NDI intended to establish advisory groups (including representatives from Offices of President and Prime Minister as well as ministries on both the federal and regional state levels) to advise NDI regarding its programming, to identify needs on the ground, and to "serve as the convening actors regarding topics related to the transitional agenda". These advisory groups would provide opportunities for NDI to engage in informal discussions with Somali officials and government staff regarding contentious issues such as internal political disputes delaying the implementation of transitional activities.
- The resources intended for this activity ended up being reallocated to increasing the level of support for the federal constitution development process. Furthermore, it seems the seconded NDI staff ended up helping NDI with some of this advice anyways.

Support the Development of Local Councils in Puntland, including Participation of Women [new activity]

- In the 2011 Proposal, NDI identified the low participation of women in Puntland local council decision making as a problem, and proposed a series of activities including working with the Puntland Ministry of Women's Development and Family Affairs (MOWDAFA) to strengthen the capacities of members of the four elected local councils, as well as producing useful materials.
- To train female local council members, NDI first conducted training-of-trainers (TOT) in Garowe for 56 women from MOWDAFA, covering topics such as leadership, communication, networking and advocacy. The majority of workshop participants were elected local council members, women elders, plus some community and civil society leaders.
- NDI then issued a subgrant to a local organization, Forum for African Women Educationalists Somalia Chapter (FAWESOM) to conduct multiple trainings for local Puntland women interested in politics, thereby reaching more women than originally anticipated. Following the ToT, the FAWESOM facilitator and Musse selected 11 women as master trainers to conduct multiplication (or step down) trainings in 11 districts within Puntland. In the end, 220 women were trained on communication, leadership, networking and advocacy.
- NDI notes that "Through this training, the participants and the ministry further
 cultivated their relationship and the ministry increased its visibility with local
 citizens." And "After the training with MOWDAFA, several participants were able to
 identify previous communication mistakes in advocating for political participation
 and worked to correct them."

• Interview with the FAWESOM-Somalia Chairperson, Zahra Said Nur, confirmed that NDI and MOWDAFA designed the program jointly and that FAWESOM was brought in for operational support – she appreciated that NDI gave them leadership of the project without micromanaging. The only thing she might have done differently was try to hold the trainings for longer than 3 days, to avoid cramming too much information into too short time – though she acknowledges that funding limitations might make a longer training unfeasible.

Objective Two: Assist government bodies to enhance their technical abilities of devolving power and introduce democratic systems to govern through electoral mandates.

Second Staff to the Offices of the President and Prime Minister [ongoing activity, continued with changes]

- NDI seconds staff into the Offices of the President (OP) and Prime Minister (OPM) to strengthen the functions of these offices and secondarily to support critical ministries working to implement the transitional agenda. During this grant period, they seconded three technical advisors (later reduced to two) with strong backgrounds to work in these offices.
- With the help of these NDI technical advisors, the OPM was able to create a detailed plan of action addressing timelines, priority areas, sequence of tasks, challenges and solutions. Furthermore, with the assistance from NDI's seconded staff, the offices of the president and prime minister improved their communication activities around the progress of the transitional roadmap, most evident during the ICG meetings, London Conference on Somalia, the Garowe II Conference and in interactions with civil society actors.

Provide Technical Support to Directors General on Ministerial Roles and Responsibilities [ongoing activity, continued with changes]

• The NDI support to Director Generals continues from the previous program. In this grant period, NDI held the third and final training session on roles and responsibilities of directors general in Kampala, Uganda. The session covered the development of the ministerial budget process and highlighted the role of directors general as accounting officers. During the training, NDI presented the previously-prepared but unfinalized content of the Manual for Directors General to participants. NDI should have since updated, translated and printed the Manual for distribution – it is not clear whether this Manual is currently in use by director generals in Mogadishu.

Support Development of Directors General in Puntland [new activity]

- Like Mogadishu, NDI set out to continue the support of the Puntland director generals. Two training sessions were held in this grant period the first was a workshop on budget processes and the roles and responsibilities of the directors general as accounting officers, jointly conducted with the Puntland State Minister for Good Governance. The second was a joint session with Puntland directors general, the civil service commission and the Transitional Puntland Electoral Commission (TPEC) and covered the topic of multiparty democracy and political parties.
- NDI notes "As a result of NDI's recent assistance, Puntland directors general strengthened their financial oversight capacity to serve as budgetary officers in their respective ministries. This quarter, the directors general who attended the workshop developed ministry budgets for the first time." In the Review Team's conversations with some of the Puntland director generals who had attended the training, they confirmed they had indeed learned of the role of a budgetary officer however in practice, the Puntland budget process is a closed and somewhat opaque process handled solely by the Puntland Ministry of Finance.

Support Puntland Electoral Systems [new activity]

- In the 2011 Proposal, NDI intended to support the upcoming Puntland local and regional elections by providing technology support to TPEC, namely website support and the establishment of a virtual interactive platform to engage with citizens. There is no evidence in the quarterly reports that any of these activities were conducted.
- According to NDI in their no-cost extension submitted in December 2011, this
 activity did not move forward, "due to a lack of interest by NDI's partners in the
 Puntland Electoral Systems..." Furthermore, there have been significant delays in the
 elections originally scheduled for October 2012, the local elections are now
 scheduled for July 15, 2013 with a high probability of further delays.

Support the Federal Constitutional Development Process [new activity]

- Recognizing that there was a strong likelihood of a revamp of the IFCC, NDI was
 prepared to provide support to the new "IFCC" for the final stages of the
 constitutional process. NDI had prepared itself to provide technical assistance,
 provide support for the consultation processes, provide support for a secretariat, and
 involve CSOs and community groups in the civic education process.
- NDI successfully achieved all of the above, supporting the newly created "Committee of Experts" or COE, as well as the TFG Minister of Constitution and Reconciliation and the Prime Minister in the constitutional development process.
- NDI outlines their activities as follows:
 - Held four consultation meetings with the Minister of Constitution and Reconciliation to review the constitution-building process in preparation for the Mogadishu conference in September, which produced the roadmap (that

- established the COE as a 9-member committee). NDI provided advice on the content of the constitution as well as the process of ratification.
- o In collaboration with the UNDP, UNPOS and Conflict Dynamics International (CDI), NDI held an orientation session with the newly established COE. The session facilitated the COE's improved understanding of their mandate for the constitution making process.
- O Held working sessions for the COE and IFCC, which included an orientation workshop to outline the mandate and the workplan for the drafting of and public consultation process of the draft constitution, including a two-day workshop for the COE and IFCC to develop detailed work plans and budgets for these entities. The COE and IFCC members identified the chapters of the Consultation Draft Constitution that would be further discussed during the public consultation process.
- Assisted the CoE and IFCC to create a document for the registration of political parties to be presented to the Principals, including the Minister of Constitution Affairs and Offices of the President and Prime Minister.
- Assisted the COE and IFCC in their planning and initial implementation of public consultations in Somalia and with diaspora communities in Europe and the United States. With assistance from NDI, the CoE developed a questionnaire to guide the public consultations, and created a system to collect feedback processing the information gathered. The system included a form for participants to complete to indicate when their feedback is filed and documented. As part of its complementary United States Agency for International Development (USAID)-funded program, NDI supported the logistics and operations for the public consultations inside Somalia. With joint assistance under this award and the USAID program, the Institute supported logistics and operations of the public consultation efforts of diaspora consultations in London, England; Oslo, Norway; Minneapolis, Minnesota; and Columbus, Ohio.
- Seconded a public consultation coordinator to the COE, responsible for coordinating logistics and travel for the IFCC and the COE with the support of NDI's local partners.

Support the Regional Constitutional Process & Devolution of Power [new activity]

• Rightly identifying that in the context of the constitutional discussions, there was a general confusion regarding the definition and adaptation of federalism in Somalia, NDI proposed to support Puntland by enhancing the Puntland authority's own understanding of federalism (at their request) by providing technical assistance and implementing a series of workshops. This seems to be one of the areas that did not receive a great deal of attention as NDI resources were poured into the federal constitutional development process.

Objective Three: Create avenues for dialogue with non-governmental and political groups to build trust and support among Somalis.

Support Public Opinion Research towards Democratic Governance [continued]

- Continued from the past program, NDI's public opinion research is targeted at helping transitional institutions better understand and connect with their constitutencies.
- The Somalia program's inaugural round of focus group research took place in 2010. With support from the Norwegian MFA and USAID, NDI conducted qualitative research with the support of six Somali CSOs in June 2010. These CSOs employed 21 moderators to facilitate 35 focus group discussions and 35 in-depth interviews in South Central Somalia and Puntland. The final report of the first round was published in December 2010. The second round of research is anticipated to be published July 2011, and in this round, eight CSOs employed 22 moderators to facilitate 54 focus group discussions and 20 in-depth interviews.
- For this grant period, NDI proposed follow-on public opinion research. It is not clear if this took place.

Assess the Development of Political Parties & Political Interest Groups [new activity]

- The 2011 Proposal identified, within the current political context, an opportunity to assess the development of political entities as well as the legal framework supporting a multiparty system. In particular, NDI proposed to assess how Somalia's political movements and groups could develop into formal political parties at the federal level and in Puntland. The Nairobi-based assessment would analyze Somalia's political space in which these movements and groups are operating and how a political party system could emerge and develop a snapshot of the political "universe," legal frameworks at both the federal and regional state levels. In addition, NDI would assess opportunities for assistance to the emerging political groupings.
- NDI conducted a political party assessment in two phases between December 2011 and February 2012, conducting interviews with a total of 10 political associations and parties, totaling 20 people. In addition, NDI met with election commissioners and constitutional drafters including the IFCC and the COE.
- Also, NDI held a workshop in Djibouti for various Somali political parties and political interest groups to review the basic principles and roles of political parties in Somali politics. These sessions included 20 participants who had been previously interviewed by NDI during the first round of the political party assessment. The 3-day workshop was the first joint activity between Somali political parties and interest groups, and served as an opportunity for collaboration and cross-party interaction. As a follow on to this, two months later, NDI held another 3-day Djibouti workshop on minimum standards for political parties for the same participants.
- Following training and encouragement by NDI, COE and IFCC met with members of political party interest groups to discuss the development of a multiparty system. According to NDI, this gave the COE and IFCC exposure to the views and

perspectives of actual political interest groups in Somalia to inform the drafting process, and also allowed political party interest groups became more involved in the constitutional development process.

NDI also completed the report "Somalia: Political Party Assessment Report."

Support Youth Political Participation & Civic Education [new activity]

- NDI identified the need for youth programming and conducting activities aimed at
 engaging, education and supporting political involvement of youth in Mogadishu
 and Puntland (with a specific request by the Puntland Ministry of Education).
 Specifically, NDI set out to support youth groups to celebrate Somalia Day (July 1),
 develop civic education sessions with using theater, drama and poetry and support
 up to 10 dramatic performances in Mogadishu and Puntland.
- On the Puntland front, NDI notes that "as a result of youth political participation programming, 645 youth were exposed to traditional Somali poetry and five students performed traditional Somali poetry to express their opinions about governance and democracy. These performances enabled students to observe ordinary citizens discussing governance issues in a positive manner which encouraged support of the end of the transition." In July 2013, NDI delivered a civic education film documentary to the Puntland Ministry of Education, covering the process of the youth engagement and available as a tool to reach more youth in the future.
- NDI also facilitated two different workshops with youth groups in Nairobi both
 were geared towards helping improve the youth access to and understanding of the
 draft constitution and the constitutional process. With assistance from NDI, 45 youth
 created recommendations on five areas of possible youth contributions including
 good governance, peace and security, constitution, political participation.

Develop Resources for Knowledge Capital [new activity]; Advance Institutional Goals through ICT Modernization [continued with changes]; and Develop a Virtual Information Center for Somalis [new activity]

• These three proposed activities were all designed to improve information management and flow – however they were all pushed to the side by the increased focus on the constitutional development process. As mentioned in the no-cost extension submitted in December 2011, "due to ... the unanticipated level of resources required to implement the virtual information center the Institute has adjusted its program to reduce the emphasis on information communication technology."

Annex E: NDI's explanation of Overhead costs in the Somalia Program

NDI's budget notes¹⁵ describe the need for the overhead costs charged to the Somalia Program:

X. PROGRAM SUPPORT

As a recipient of a significant amount of U.S. federal funding, NDI has been required to develop a cost allocation rate to spread certain expenses among its programs. While NDI recognizes that procedures vary from one donor to another, federal regulations obligate NDI to apply this allocation rate equally to all funders, including both U.S. government agencies and non-U.S. government donors. NDI's cost allocation rate is applied to total direct costs less equipment with a per unit value of \$5,000 or greater and the amount above the first \$75,000 of each subaward. The two components of NDI's cost allocation are Program Support Costs and Overhead:

Program support costs, calculated at 14.4 percent of program expenses, supports in-house technical experts and staff in the program coordination, human resource, operations, information technology and the accounting and financial departments – all of whom provide necessary support to the proposed program.

The allocation from each NDI program is pooled and used to fund these various services. Program support costs have a specific benefit to the programs they support and are often considered "direct costs" by non-U.S. government organizations.

XI. OVERHEAD

NDI's overhead costs are expenses related to the Institute's operations and include costs such as renting and maintaining the headquarters and general administrative costs. These costs, while not specific to this program, are necessary for the overall functioning of NDI and the services and support that benefit all of NDI's programs.

The relationships, institutional experiences and expertise provided by individuals who are funded primarily through NDI's allocation rate are integral to NDI's ability to develop and implement high quality and with high professional standards, innovative democratic development programs. For this proposed program, NDI calculates its overhead costs to be 9.5 percent of the overall budget.

⁴⁵ NDI BUDGET NOTES, SOMALIA: Supporting Transitional Processes through Effective Governance (Addon Submission 24 June 2011, Modified Submission August 12, 2011), June 1, 2011- December 31, 2011

Norad

Norwegian Agency for Development Cooperation

Postal address: P.O. Box 8034 Dep, NO-0030 OSLO Office address: Ruseløkkveien 26, Oslo, Norway

Tel: +47 23 98 00 00 Fax: +47 23 98 00 99

oostmottak@norad.no

