Project Title	Support to Arab Countries efforts in Transitional Governance Processes
SP Outcome(s):	Fostering inclusive participation and Strengthening accountable and responsible governance institutions
Expected Outcome(s):	Improved inclusive participatory processes in policymaking
Expected Output(s):	Constitutional drafting and governance reforms in transitioning countries benefit from international best practices and are developed through inclusive and participatory processes
Implementing Partner	UNOPS
Responsible Parties	UNOPS, UNDP

Brief Description

The purpose of this project is to better accompany democratic transitions in the Arab States region, and in particular to ensure that constitutional drafting and governance reforms in transitioning countries benefit from international good practices and are developed through inclusive and participatory processes.

The project will also look at producing and managing knowledge on the situation and on potential solutions to it, including making it available in Arabic, in order to better inform debates, as well as facilitate the exchange of ideas and involvement of all stakeholders.

Programme Period:	2010 - 2013	
Key Result Area (Strategic Plan)	Democratic Governance	
Atlas Award ID:	_____	
Start date:	1 November 2011	
End Date	31 October 2012	
PAC Meeting Date	_____	
Management Arrangements	Direct Execution UNOPS Implementation	

Total resources required		$1,000,000
Total allocated resources:	$800,000	
• Regular		$800,000
• Other:		
○ Donor		_____
○ Donor		_____
○ Donor		_____
○ Government		_____
Unfunded budget:		$200,000
In-kind Contributions		_____

Agreed by (UNDP):   Date:

    Amat Al Alim Alsoswa
    Assistant Administrator & Regional Director
    UNDP Regional Bureau for Arab States

Agreed by (UNOPS):   Date:

I.   SITUATION ANALYSIS

The Arab region is experiencing a defining moment in its modern history. The events that have been occurring in several Arab countries since December 2010 – January 2011, have ushered a process of transformative change and a rupture with governance malpractices. Millions of women and men across the region have issued a resounding call for change. Youth have voiced in new ways their aspirations for a say in the decisions that affect their lives, and for transparent and accountable governance. Ideas of democracy and freedom these days are expressed in Arab countries openly in the street and are not as before confined to small meetings or chat rooms. However, these ideas are not yet prevailing in all or most Arab countries. What we witnessed, are successful movements of change in two Arab countries (Tunisia and Egypt) and attempts for change in some others, such as Algeria, Bahrain, Jordan, Libya, Morocco, Oman, Syria, and Yemen.

As a whole, the Arab region appears to be embarking on a major revision of the long standing social contract which has underpinned governance structures of the region. The relationship between State and citizen has become strained by virtue of rising expectations of an increasingly well informed and educated public confronting the diminishing ability of the State, in the ever more liberalized economic system, to offer jobs and other opportunities for engaging in decisions which affect their lives and aspirations.

The analysis of the causes of the revolutions/popular uprisings in the Arab region (Tunisia, Egypt, Libya, Bahrain, Yemen) shows that, even taking into account all the differences between the countries, which are relevant, at the root are critical developmental failures common to all in the region and a general causal relationship between the deficits in governance, freedoms and social justice, on the one hand, and poverty, huge inequalities (social, economic and political), unemployment and lack of perspectives for youth on the other. Weak and non-accountable institutions, States as instruments for patronage, politics and oppression, and in general prevailing autocratic governance structures that facilitate exclusion and corruption, play a central role in the explanation and will need to be addressed as a matter of priority.

While in Egypt and Tunisia, regimes were overthrown and countries are building new governance approaches to meet popular aspirations, in other countries, demands for change have been firmly resisted, although governments have found that strategies based on repression are not as effective as previously. Some governments have responded to the challenge by seeking to reform existing systems in order to manage citizen demands rather than risk being swept away by ignoring or rejecting popular aspirations.

Tunisia and Egypt have each embarked on a process of reconstructing their political systems. In both countries, the centrepiece of the transition is the process of writing a new constitution. While there is vigorous debate about all questions connected with the constitutions, there is virtually no dissent from the view that constitutional redesign is among the most critical political task for both nations.

In Morocco, a July referendum paved the way for a new constitution, introducing more freedoms and gender equality. The constitution was approved by 98 percent of those who voted. But critics dispute the validity of the referendum, saying that only 13 million of 20 million eligible Moroccans were registered to vote and that the constitution fails to enshrine significant separations of powers within the government.

In response to the January protests, the new Jordanian government was tasked with advancing "real political reform", and raised fuel and food subsidies and civil servants' pay in a bid to quell

opposition. The king set up a National Dialogue Committee to seek consensus on reforms. The new government has revised spending priorities and reversed some previous spending cuts, and now faces the difficult task of balancing the demands of the protesters and those of the entrenched elite, as well as satisfying activists' desire for higher living standards while retaining long-standing government priorities of economic reform and development.

We are still at early stages of the transition processes. It may be expected that more contentions among the different political groups emerge, particularly in the case of drafting new constitutions. The result is that the Arab region is now more divided and polarized than ever. Divisions along resources (LDCs, MICs, and NCCs) will be coupled with divisions along the nature of governments. Those that will withstand the street movements will be more sensitive to the language of democracy and human rights, as it would make reference to a new democratic model that may just have emerged next door instead of "an idea of the west" as previously.

II.   STRATEGY

UNDP's approach is to foster inclusive national ownership and participation in the transition process, enhance the openness and responsiveness of institutions, and facilitate a healthy and pro poor nexus of governance and development. As per the UNDP "Strategy of Response to Transformative Change Championed by Youth in the Arab Region", UNDP will promote fora where inclusive and informed debates about policy choices can be held and step up its efforts to reach out to and build the capacity of civil society actors to engage with the state in analyzing socio-economic and political development, and supporting the democratic transition.

A number of countries in the region have chosen to reform or even completely re-write their constitutions as the starting point to their democratic transitions. Indeed, although formal institutions can only operate effectively within a social dynamic that is conducive for democratisation, some institutional arrangements are more conducive to democratic outcomes than others. Factors include effective balance of powers between institutions, including a strong parliament, as well as mechanisms for continuing citizen engagement rather than only during elections, and adequate legal frameworks to foster active and democratic political parties.

But just the substantive provisions of constitutions are not enough. In recent years, there has been an increasing identification of constitution writing and democracy. The process itself of how a constitution is written has become the focus: it would seem inappropriate to lay the basis for democratic governance in an undemocratic manner, especially when the demand for a new or amended constitution is internally generated – as has been the case in the region.

The purpose of this project is to better accompany democratic transitions in the Arab States region, and in particular to ensure that constitutional drafting and reforms in transitioning countries benefit from international good practices and are developed through inclusive and participatory processes.

UNDP will make available technical expertise and facilitate the exchange of experiences between countries from within or outside the region to support transition efforts, with special emphasis on constitutional development and reforms.

UNDP will help facilitate the views of women, youth, civil society and other stakeholders such as private sector, and provide national and regional platforms for inclusive dialogue, ensuring that all voices are heard in the transition processes.

UNDP will align its activities with the institutional processes that are agreed upon nationally. As the public space is growing and new political forces come into play, social dialogue processes will have to be developed. The challenge will be the growing number of actors on the political scene, as well as the danger of polarization they represent.

In the near future, there will be several occasions when dialogue processes will be needed. In Jordan and Morocco, support may be needed to accompany the reform processes that governments have engaged in. While neither Egypt nor Tunisia have a clear mechanism for writing a new constitution, international best practices in this area seem to establish that constitutions should be written in a manner that includes all significant political forces, be truly participatory at various stages, and have a significant public element.

Knowledge to better inform discussions will be produced and/or made available in Arabic for easy accessibility. UNDP will help countries access knowledge that they may have identified as relevant or necessary, either by translating available material into Arabic, dissemination, and/or commissioning and developing new knowledge products. Support in this area will also aim at organizing the access to knowledge for all actors in order to allow for a better level of debate.

While countries like Egypt, Jordan, Morocco, and Tunisia are mentioned in this document and are the obvious focus of the project at this point in time because of their particular situation, the project will support all countries in the region that are undergoing transitions in non-conflict situations.

The project will be demand driven, and support will be provided upon request from COs and/or Governments. It is likely that most activities will benefit a number of countries at the same time – for example, the translation or development of studies/papers on Constitutional reform processes would be useful to all targeted beneficiaries. At the same time, the project will remain flexible enough to be responsive to the dynamics and rapidly evolving situation in the region and targeted countries. As such, and while the main focus of the project is to better accompany democratic transitions in the Arab States region, and in particular to ensure that constitutional drafting and reforms in transitioning countries benefit from international good practices and are developed through inclusive and participatory processes, its scope may be further expanded to include areas that would be impacted by such reforms, or may be related to these processes.

III.   RESULTS AND RESOURCES FRAMEWORK

Intended Outcome:
Improved inclusive participatory processes in policy making
Outcome indicators, including baseline and targets:
Indicator: Number of formalized consultative processes involving concerned groups in Constitution drafting/reform in beneficiary countries
Baseline: Local communities/NGOs/CSOs are seldom involved or consulted in decision making processes that have a direct impact on their lives
Target: At least one consultative process organized in each beneficiary country, by which government seeks feedback from concerned groups during the Constitution drafting process.
Applicable Key Result Area (from 2008-11 Strategic Plan): Democratic Governance
Partnership Strategy: The project is part of the UNDP regional response strategy that has been developed and as such is also part of its overall resource mobilization and partnership strategy.
Project title and ID (ATLAS Award ID):

INTENDED OUTPUTS	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES	INPUTS
Output: Constitutional drafting and reforms in transitioning countries benefit from international best practices and are developed through inclusive and participatory processes	1 Provide advisory services and technical expertise as requested in support of Constitution drafting, and institutional reforms introduced as a consequence of the transition process (e.g. electoral reform, human rights protection, etc.) ▪ Identify relevant and appropriate experts ▪ Facilitate travel arrangements for identified experts ▪ Coordinate and facilitate experts' missions and support 2 Facilitate in country and regional meetings ▪ Identify stakeholders ▪ Bring stakeholders together by providing a space for all voices to be heard 3 Develop knowledge on issues relevant to the situation, and/or that may support COs' work ▪ Conduct research and analyse findings	UNDP UNOPS	Consultants: $350,000 Travel/DSA: $150,000 Promotion of exchange of experiences (travel/DSA): $100,000 Sub-contracts (meetings/translation/printing): $400,000 TOTAL: $1,000,000

	▪ Disseminate knowledge produced in order to make available to all 4 Translation ▪ Facilitate translation of knowledge products into Arabic in order to make them broadly available		

IV. MANAGEMENT ARRANGEMENTS

The project will be implemented for a period of 12 months under the Fast Track Procedures, in order to be able to provide fast, quality, and timely support in response to the demands of the above described special situation in the region. The Regional Bureau will assess the situation and needs and, in consultation with BOM and BCPR, may approve an extension if required.

As per the Fast Track procedures definition, the proposed intervention is both strategic and time critical, thus justifying the application of said procedures:

Strategic:
Used in this context to describe situations where UNDP involvement in a crisis, or rapid expansion of UNDP programmes in a specific context, is considered essential for delivering development results, to remain relevant, and to maintain or build the organization's reputation;

Time Critical:
Used in this context to denote the need to deliver development results within a very short or medium-term timeframe within which UNDP must make a contribution or impact in order to remain a relevant player in the development arena.

While the project will be UNDP executed, as all RBAS Regional Projects, it will be implemented by UNOPS. UNOPS will be responsible for the use of project funds through effective process management and well established project review and oversight mechanisms. As such, UNOPS will submit to UNDP quarterly and annual financial progress reports, accounting for the use of project funds.

UNOPS and the Project Manager will also sign a budgeted Annual Work Plan with UNDP on an annual basis, as per UNDP rules and regulations.

Project Board:

A Project Board (PB) will be comprising designated representatives from COs of countries benefitting from the project's services and will be chaired by UNDP/RBAS. As the project will be implemented by UNOPS, UNOPS will be assuming the role of Project Supplier on the Project Board. The Project Board will carry out the following functions:

- Ensure that the project output is achieved in the defined timeframe;
- Review the project progress and suggest adaptations to the evolving situation in the region, in order to ensure optimal responsiveness to the region's needs;
- Review the project expenditures against activities and output; and

The Project Board will be the group responsible for making, by consensus, management decisions for the project and holding periodic reviews. In order to ensure UNDP's ultimate accountability, the final decision making rests with UNDP in accordance with its applicable regulations, rules, policies and procedures. Project reviews by the Project Board will be carried out as necessary when raised by the Project Manager.

Project Manager:

A full-time Project Manager will be designated by UNOPS for the day-to-day management and decision making of the project and will be accountable to the PB. S/he will prepare the detailed

activity and monitoring plan based on the Annual Work Plan (AWP) and Budget and submit it to the PB for approval. The Project Manager will ensure that the project produces the results specified in the project document, to the required standards of quality and within the specified constraints of time and cost. The Project Manager will prepare the progress Reports (substantive and financial) using standard reporting format.

Project Assurance:

Project Assurance will be the responsibility of the Regional Programme Division of UNDP/RBAS. RPD will designate a person different from the Project Manager to fulfil that role. The Project Assurance role will support the PB by carrying out objective and independent project oversight and monitoring functions. This role ensures that the appropriate project management milestones are managed and completed.
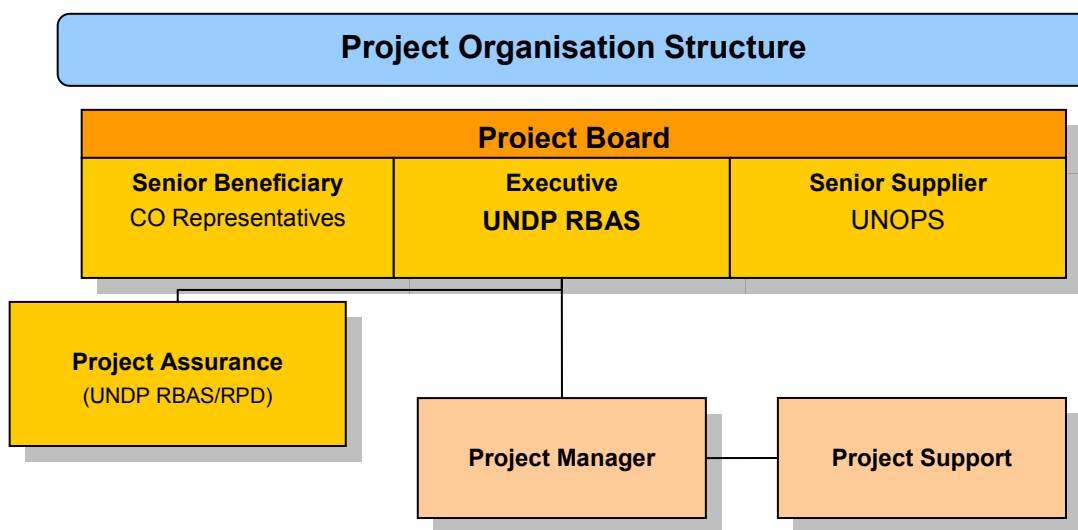
Resource Mobilization:

UNDP will provide $800,000 from RPD's own resources towards the project. According to the established budget, resources will need to be mobilized up to $200,000. Should this target not be met, the Project Board will need to re-evaluate and prioritize demands for support and how available resources are allocated.

Substantive inputs:

The Country Office Division, Regional Center in Cairo and Regional Programme Division in RBAS will provide substantive support to COs in framing their requests for support and in determining their needs, i.e. developing the most precise ToRs to ensure that the expertise they receive best matches their needs.

Day to Day RBAS cooperation
The Country Office Division, Regional Center in Cairo and Regional Programme Division will regularly convene in order to review requests for support received from the countries and the COs, and prioritize provision of services and ensure the best use of available resources.

The project will also coordinate and cooperate with other HQ units as relevant, in order to ensure that it can benefit from all available knowledge that may have been collected globally or in other regions, as well as from other on-going parallel initiatives.

V.   MONITORING FRAMEWORK AND EVALUATION

In accordance with the programming policies and procedures outlined in the UNDP POPP, the project will be monitored through the following:

<u>Within the annual cycle</u>

➢ On a quarterly basis, a substantive Quarterly Progress Report (QPR) shall record progress towards the completion of key results.

➢ An Issue Log shall be activated and updated by the Project Manager to facilitate tracking and resolution of potential problems or requests for change.

➢ Based on the initial risk analysis submitted, a risk log shall be activated and regularly updated by reviewing the external environment that may affect the project implementation.

➢ Based on the above information recorded in Atlas, an Annual Project Progress Report (APPR) shall be submitted by the Project Manager, using the standard report format.

➢ A project Lesson-learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons-learned Report at the end of the project.

<u>Annually</u>

➢ **Annual Review Report**. An Annual Review Report shall be prepared by the Project Manager. As minimum requirement, the Annual Review Report shall consist of the standard format for the QPR covering the whole year with updated information for each above element of the QPR as well as a summary of results achieved against pre-defined annual targets at the output level.

➢ **Annual Project Review**. Based on the above report, an annual project review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment. It shall focus on the extent to which progress is being made towards the output, and that it remains aligned to appropriate outcomes.

VI. LEGAL CONTEXT

The project document shall be the instrument envisaged in the [Supplemental Provisions](#) to the Project Document, attached hereto.

Consistent with the above Supplemental Provisions, the responsibility for the safety and security of the executing agency and its personnel and property, and of UNDP's property in the executing agency's custody, rests with the executing agency.

The executing agency shall:

a) put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;

b) assume all risks and liabilities related to the executing agency's security, and the full implementation of the security plan.

UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of this agreement.

The executing agency agrees to undertake all reasonable efforts to ensure that none of the UNDP funds received pursuant to the Project Document are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.

Annex 1 - RISK LOG

Project Title: Advisory Services for Transitional Processes in the Arab Region	Award ID: TBA	Date: 9 March 2011

#	Description	Date Identified	Type	Impact (I) & Probability (P)*	Countermeasures / Management response	Owner	Submitted, updated by	Last Update	Status
1	National actors may not welcome UN involvement in what are seen as highly introspective processes in any given society	20 August 2011	Political / Political instability	If this happened, UNDP would be discredited and its support would become useless I = 5 P = 1	UNDP support will only be provided upon request,	Project Board			
2	UNDP could be perceived as partisan to transitional governments	20 August 2011	Political	If this happened, the impact of UNDP's support may be compromised or limited with regards to its role as a convener. I = 4 P = 2	UNDP will adopt a participatory and inclusive approach, in order to ensure that all stakeholders and groups are involved and benefit from produced knowledge.	Project Board			
3	Lack of resources to fund the project	20 August 2011	Financial	If this happened, it may not be possible to avail the service of the best experts or to respond to all requests for support. I = 3 P = 3	Should this happen, project management will need to prioritize requests for support received, and only engage in those deemed most critical/with the highest impact	Project Board			

* Probability and impact are rated from 1 to 5 where 1 = very low, 2 = low, 3 = medium, 4 = high, and 5 = very high