



MINISTRY OF INTERIOR, FEDERAL Affairs AND DEMOCRATIZAION

TERMS of REFERENCE

Consultancy on conducting **study on District Border Demarcation**

Type of Contract: Individual Contract/Only Somali Nationals can only apply
Duration of the assignment: 2 months (based on deliverables).
Duty station: Garowe.
Reporting to: Director General of MolLG
Program specialist, UNDP/JPLG.

Background

At the time of the establishment of Puntland in 1998, there were only five regions comprising 20 districts, but today there are nine (9) regions¹ and 50 districts. Some of the previous districts became regions and its previous villages became districts without border consideration. Those newly formed regions and districts are based on clan satisfaction, and there is no formal border demarcation. In this case, there are boundary disputes among districts which require immediate solution before Puntland elections in 2019 are launched². (Include an appendix that lists all regions of PL, and showing old and new districts).

The District Electoral Law was passed in August 2012 following considerable debate regarding boundary demarcation. Boundaries for the districts were never demarcated. This was an issue of particular sensitivity because of its impact on relative (perceived) clan numbers in each district and clans' (perceived) ability to dominate district councils depending on where the boundary was drawn³

Lack of clear district boundaries were among factors attributed to failure of elections and to embark on more robust democratization before 2019 requires Puntland to meet certain prerequisites including carrying out reliable district delimitation as this was one of the stumbling blocks during and one of the most controversial issues encountered during failed elections in 2013. Now, there is plan to resume democratization before presidential election in 2019, it is likely that clan disputes or conflicts may occur during the voting elections or even prior to the election date resulting from lack of districting. There are disputes among the neighboring

districts based on the resources and locations that they are representing. These issues have not been addressed yet and there is no boundary demarcation taken place.

The district delimitation has profound consequences for the electoral system; shaping constituencies through a delimitation process can affect the fairness of elections and hence political representation. This makes the process of district boundaries delimitation fundamentally political task: boundaries create losers and winners in any elections.

Objective of the Assessment

The overall objective of the assignment is to conduct comprehensive study on the status of the district boundaries conflict in Puntland with special focus on legal, social and political complexities surrounding the issue.

The study is expected to provide recommendations to MOI on the political and legal measures needed to take to address the issues of delineation of district boundaries in Puntland.

Tasks and Deliverables

Key Tasks

- a) Preparation of the inception report
- b) Developing the tools for collection of information and data needed
- c) Conducting field work in the key target areas
- d) Preparation of the assessment report in English
- e) Presentation of the main findings in in-house workshop for validation
- f) Inputting comments from the in-house workshop in the report
- g) Validation of the draft assessment report in validation workshop for stakeholders.
- h) Producing the final assessment report based on the validation inputs and corrections.
- i) Conduct GIS mapping depicting and taking coordinate points along disputed areas.

Key deliverables

The required outputs of the study are:

- 1) Inception Report.
- 2) Development of the study tools.
- 3) Conducting field work and meeting with the key target groups.
- 4) Producing the study report.

- 5) Conducting validation workshop.
- 6) Producing the final study report.

Duration and Payment Modality

The National legal expert will be hired by the Ministry of interior through a competitive selection process participated by UNDP. Duration of assignment will be 2 months and Payment will be made based on deliverables.

- I. First Payment – 50 % of the amount will be paid upon submission of deliverable 1 and 2(Final & agreed inception report)
- II. Second Payment – 50 % will be paid upon completion of deliverable 3, 4, 5 and 6.

Qualification and Competencies:

Education:

- Advanced university degree in law, policy development or related discipline.
- Minimum 10 years' experience in research conducting, research design and data collection, laws and policy practices, reviewing, rules, regulation, procedures in aligning with policies,
- Experience in and knowledge of writing and reviewing policies, legislations and laws including experience in the design and facilitation of multi-sector policy and legal review
- Previous experience in developing /analysing/ implementing planning strategies/policies/ legal frameworks-preferably in partnership with Governments.
- Excellent written and oral communication skills in both English and Somali language.

VII. Application procedure

All applications should be marked as “National expert on conducting **study on District Border Demarcation** ” and can be addressed to barqash04@gmail.com Please make sure to cc moidgoffice2015@gmail.com & abdurazak.hassan@undp.org and info.moifad@plstate.so

Applications addressed exclusively to the one of the above email addresses **would NOT be considered. And we ONLY accept applications sent via email.**

Each application should include the following:

- A. Cover letter explaining why you are suited for the position,
- B. An updated CV showing relevant qualification and work experience.

The deadline of this post is **9th Nov .2019**

Qualified female candidates are encouraged to apply