

2020 Annual Narrative Progress Report

of the

Trust Fund to Support the Initiatives of States Countering Piracy
Off the Coast of Somalia



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Report prepared by

The Trust Fund Secretariat, Department of Political and Peacebuilding Affairs, United Nations
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Approved by Under-Secretary-General Rosemary DiCarlo of the United Nations Department of
Political and Peacebuilding Affairs, Chair of the Trust Fund Board

PARTICIPATING ORGANIZATIONS



Food and Agriculture Organization



International Maritime Organization



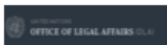
United Nations Development Programme



United Nations Department of Political and Peacebuilding Affairs



United Nations Office for Drug and Crime



United Nations Office for Legal Affairs

CONTRIBUTORS



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DP World



FRANCE



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1. Introduction

- 1.1. Since its establishment in 2010, the United Nations Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia has operated to help defray the expenses associated with the prosecution of suspected pirates and activities related to the Contact Group on Piracy off the Coast of Somalia (CGPCS). The Trust Fund has been overseen by its Board, chaired by the United Nations Under-Secretary-General for Political and Peacebuilding Affairs; and the United Nations Development Programme (UNDP) Multi-Partner Trust Fund Office (MPTFO) serves as the Administrative Agent for the Trust Fund.
- 1.2. The Trust Fund Board membership consists of five Member States (i.e. Kenya, Japan, Republic of Korea, Seychelles, and Turkey), Africa Development Bank, and a private security company named Salama Fikira. A maritime security expert, Mr. John Steed, formerly with the United Nations Office on Drugs and Crime (UNODC), is an observer, as recommended by CGPCS. The Board membership has been rotating on an annual voluntary basis, and the above members will serve as the last Board of the Trust Fund.
- 1.3. Since its establishment, the Trust Fund received a total of USD 15,318,937 in contributions from the following donors, in the order of contribution amount: The United Kingdom, Germany, Norway, Japan, Republic of Korea, the Netherlands, Italy, UAE, France, USA, Kuwait, Qatar, Saudi Arabia, Spain, Turkey, Dubai Ports World, Belgium, and the Philippines. These contributions have financed 45 projects implemented by United Nations Agencies, Funds, and Programmes, of which seven projects were supported throughout 2020. This Annual Narrative Progress Report provides details of those seven projects, which are still ongoing and will have closed by 30 June 2021.
- 1.4. Due to the balance of funds decreasing below the USD 2 million threshold required by the MPTFO to keep the Trust Fund open, the Board decided in 2019 to close the Trust Fund on 31 December 2021, with all projects required to have operationally closed all activities by 30 June 2021. No new contributions have been received since the decision of the Board to close the Trust Fund. The decrease in financial contributions from Member States to the Trust Fund has coincided with the sharp decline in the number of piracy incidents off the coast of Somalia, with no successful ship hijackings for ransom reported since March 2017.

2. Key Developments in 2020

a) State of Piracy off the Coast of Somalia

- 2.1. The United Nations Security Council extended the Chapter VII counter-piracy mandate with the adoption of resolution 2554 of 4 December 2020 which recognized the continued threat of piracy off of the coast of Somalia and related threats inciting or intentionally facilitating piracy operations, including “key figures of criminal networks involved in piracy including those who plan, organize, facilitate or illicitly finance or profit from such attacks.”

2.2. The report of the United Nations Secretary-General on the situation with respect to piracy and armed robbery at sea off the coast of Somalia was issued on 2 November 2020, covering major developments during the reporting period from 1 November 2019 to 31 October 2020. The main developments, trends, and considerations included the impact of COVID-19 pandemic on the international counter-piracy efforts; the absence of reported incidents of piracy off the coast of Somalia during the reporting period, although some partners observed suspicious approaches toward merchant vessels, demonstrating the fragility and reversibility of the situation; and the 1 September 2020 threat assessment by the Combined Maritime Forces and EU NAVFOR Somalia, which concluded that “piracy off the coast of Somalia continues to be largely suppressed due to the combined efforts of naval forces (...) and there is a low risk of piracy attacks as pirate action groups have diversified their activities although they retain the capability to launch attacks.”

b) Contact Group on Piracy off the Coast of Somalia

2.3. On 1 January 2020, Kenya assumed the role of the Chair of the CGPCS for the period from 2020 to 2022, succeeding Mauritius. The work of the CGPCS was significantly limited during 2020 due to the COVID-19 pandemic. Regardless, the CGPCS held its 23rd annual plenary meeting in December 2020 and decided to accept the proposal from the United States, seconded by the Republic of Korea, to launch a new Steering Group for Strategic Planning (SPSG) to develop “a strategic plan to map out future CGPCS priorities, including activities that might be funded through the Counter-Piracy Trust Fund or other existing or newly developed funding mechanisms.” Subsequently, Seychelles formally expressed interest in chairing the SPSG on 30 December 2020, and received endorsement by the plenary.

2.4. In that December meeting, CGPCS also took note of the decision by the Federal Government of Somalia on 9 December 2020, in a letter to the Chair of the CGPCS, to withdraw from the CGPCS with immediate effect and “welcome the planned closure of the [Trust Fund] on 31 December 2021.” Furthermore, the letter stated that the Federal Government “encourages [CGPCS members and donors] aligning future support to the Somali Government’s policies and priorities.” Subsequently, the SPSG took stock of this decision during its 11 February 2021 meeting, and the Chair of the SPSG stated it would engage the Federal Government of Somalia together with other member states participating in SPSG, to “work towards Somalia’s participation, crucial for the work of the SPSG and the CGPCS in general.”

2.5. In addition, CGPCS in its December 2020 plenary meeting acknowledged the continued efforts of the international community to counter and effectively deter piracy off the coast of Somalia, despite the current extraordinary situation of COVID -19 pandemic. CGPCS called for increased commitment and ownership by the countries in the region of efforts to counter piracy and related threats and crimes. The CGPCS Chair noted that she has alerted the international community and the United Nations Security Council on the

premature release of convicted Somali pirates and attempts to breach the Agreement on Transfer of sentenced pirates in a Communiqué dated 18 August 2020.

- 2.6. The CGPCS Chair also commended the years of collective efforts of the international community to deter piracy through the established mechanism for the arrest, prosecution and detention and transfer of Somali pirates. CGPCS thanked UNODC's support for continued monitoring of the situation of convicted pirates and reiterated the need to ensure that the established mechanism is further reinforced and called for individual and collective action to prevent any attempt which may hinder its proper functioning. The CGPCS welcomed the release of remaining three Iranian seafarers from FV Siraj vessel, who were held captive for nearly five years and five months inside Somalia in inhumane conditions. The CGPCS commended the key role of the Hostage Support Partnership (HSP) in negotiating towards their safe release as well as the support provided by ISWAN (International Seafarers' Welfare and Assistance Network) to their families. The CGPCS Piracy Survival Family Fund (PSFF), which was administered by ISWAN provided grants for the survivors of Somali piracy, and their families, to provide a range of support during and after captivity. CGPCS recognized the need to continue supporting these initiatives.
- 2.7. The CGPCS's Strategic Planning Steering Group (SPSG) held its inaugural meeting on 11 February 2021 under the leadership of Seychelles as the former chair of the CGPCS. The SPSG, whose Terms of Reference were adopted during the 23rd CGPCS Plenary session in December 2020, agreed that a new "Strategic Plan should review CGPCS priorities and address the issue of resources, which is a matter of concern."

3. Overview of the Trust Fund in 2020

a) Overall Status of the Trust Fund

- 3.1 In 2020, a total of seven Trust Fund projects were under implementation by the following United Nations entities and are continuing in 2021 until their required operational closure by 30 June 2021, as directed by the Board of the Trust Fund: UNODC (six projects) and Division for Ocean Affairs and the Law of the Sea of the United Nations Office of Legal Affairs (DOALOS/OLA) (one project). Details on each project are listed in section 5 of this report.
- 3.2 All of the projects were affected by the COVID-19 pandemic particularly where travel was important for their implementation. However, the Trust Fund's ability to support urgent support services for the court hearings of detained suspects, including translation services, remained uninterrupted under the Project 51 Expedited Facility implemented by UNODC, designed for such flexibility.
- 3.3 In 2020, the Trust Fund did not receive any additional contributions. As a result, the balance of the Trust Fund remained below the USD 2 million threshold required by the UNDP/MPTFO. The Trust Fund Board met on 15 December 2020 to reaffirm its decision

to close the Trust Fund by 31 December 2021. Various options in handling the small residual balance were discussed and are still under deliberation by the Board.

b) Monitoring & Evaluation and Reporting

3.4 The Trust Fund Board requires that projects that receive financial resources from the Trust Fund are monitored, evaluated, and reported on to ensure the proper implementation of the Trust Fund per its Terms of Reference and agreements with donors. In that regard, each project is required to provide annual financial statements and reports to the Trust Fund Administrator no later than four months (30 April) after the end of the calendar year. Based on these reports, the Administrative Agent of the Trust Fund prepares and provides to the Trust Fund Board and the donors: (1) an Annual Consolidated Financial Report for the Trust Fund; and (2) an Annual Certified Financial Statement on its activities as Trust Fund Administrator ('Report on Sources and Use of Funds') no later than five months after the end of the reporting calendar year, or 31 May of the ensuing year.

3.5 Each project is also required to provide brief periodic reports on progress in the implementation of ongoing projects and annual narrative progress reports to the Secretariat. The Secretariat prepares and provides annual consolidated narrative reports to the Board no later than five months after the end of the calendar year (31 May). The Secretariat or the Administrative Agent of the Trust Fund may bring any issue related to the implementation of approved projects to the attention of the Board.

3.6 The Trust Fund Administrator ensures that the operations of the Trust Fund are publicly disclosed on the MPTFO GATEWAY (<http://mptf.undp.org>), which is the Trust Fund Administrator's website.

4. Summary of Projects Under Implementation in 2020

4.1 In 2020, the Trust Fund supported a range of activities related to prosecution, detention, and maritime governance in two funding Windows: i) Window A: Prosecution and detention-related activities; ii) Window B: Other priority activities, including public communication initiatives of the CGPCS. Projects 51, 74, 90, and 91 were funded through Window A; and projects 49 and 89 through Window B. Project 92 was funded through Windows A and B.

4.2 Through Window A, Project 51: Trust Fund Expedited Facility (implemented by UNODC) continued to flexibly provide rapid, direct support to countries in the region, including activities related to repatriation and transfer flights to Somalia. Project 74: Detention and Transfer (implemented by UNODC) deployed international prison experts with the assistance from Swedish Prison and Probation Service (SPPS) to deliver day-to-day mentoring and training on security, prison management, prevention-of-violent-extremism (PVE) skills, and human rights and gender mainstreaming in Garowe and Hargeisa. Project 90: Support Investigations to Identify and Freeze Assets Acquired by Piracy Crime (implemented by UNODC) aimed to create awareness and initiate

investigations in jurisdictions suspected to be locations used by pirate leaders and financiers to invest proceeds from piracy crimes; and conduct assessments on proceeds from piracy crimes and states suspected to be locations used by pirate leaders and financiers to invest such assets. Project 91: Support to Somali Trial Prosecutors (implemented by UNODC) aimed to develop and train a maritime prosecutorial capability within the justice sector together with trained judges, lawyers, and infrastructure to deal with maritime cases.

4.3 Through Window B, the Trust Fund funded the long-running Project 49: Support to Prisoner Transfer Flights from Seychelles to Somaliland and Puntland (implemented by UNODC), which since December 2012 has focused on supporting the transfer of convicted pirates; the scope of the project amended due to the significant decline in piracy attacks and subsequent decrease in the need to transfer convicted pirates from Seychelles to Puntland and Somaliland. Five no-cost extensions have been granted by the Trust Fund Board to-date. Project 89: Providing Assistance to Somali Legislators and Technical Officials (implemented by DOALOS/OLA). It is focused on building the understanding and capacity of Federal Government officials and parliamentarians who are actively working on ocean issues and relevant technical officials drawn from all the Federal Member States of Somalia with regard to the international legal framework under the United Nations Convention on the Law of the Sea (UNCLOS) and other relevant international legal instruments for the repression of piracy as well as the management and sustainable use of marine resources and activities.

4.4 Project 92: Support to Address Maritime Crime in Somalia (implemented by UNODC/Global Maritime Crime Programme) through Windows A and B focused on providing Galmudug maritime law enforcement authorities with the necessary skills to counter maritime crime, particularly piracy, and other crimes involving the Hobyo port and off the adjacent coastline.

4.5 The net approved budget for the above seven projects implemented in 2020 has been to-date USD 2,341,011, or around 14.7% of the entire approved budget of the Trust Fund since its establishment in 2012.

5. Project Details

1. Project Information:	
a. Recipient UN Organization (Project Lead)	UNODC
b. Project Number	#49
c. Project Title	Support to prisoner transfer flights from Seychelles to Somaliland and Puntland
d. Project Duration	7 years, 1 month (initially 12 months)
e. Project Starting Date¹	1 December 2012
f. End Date	30 June 2021
g. Current Status (as of 31 Dec 2020)	Ongoing
h. Location of Project	Seychelles
i. Thematic/Focus Area	Prosecution and Detention
j. Primary Project Objective (Summary)	Support transfers of convicted pirates from the Seychelles to Somaliland and Puntland. Scope of project amended due to the decline in piracy attacks and subsequent decline in the need to transfer convicted pirates from Seychelles to Puntland and Somaliland.
k. Implementing Partner(s) (if applicable)	N/A
2. Time:	
a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes. Five no cost extensions have been granted to date. End date is 30 June 2021.
c. Is the project currently on time?	As above
d. Comments if a-c is negative	N/a
3. Financial Information (US\$):	
a. Overall Budget	\$330,000
b. Trust Fund Contribution	\$330,000
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	N/A
f. Comments if c-e is negative	N/A
4. Assessment of implementation and monitoring of project activities:	
a. Activities carried out in the reporting period (outcomes and outputs)	
Due to the decline in piracy attacks and subsequent decline in the need to transfer convicted pirates from Seychelles to Puntland and Somaliland, a board decision was granted on 1 May	

¹ The start date is the date of the first transfer of the funds from the Trust Fund.

2019 to re-programme the balance of funds. Due to this change the project will have far more impact if other, more pressing needs for Seychelles as the prosecuting state are addressed. The number of pirate prisoners in need for repatriation has decreased since 2015, and currently pirate prisoners are being held in Seychelles custody facilities. In order to relieve the burden of the prison service in Seychelles, basic equipment for prison improvements and/or materials for vocational training for the pirate prisoners in Seychelles would be very useful.

In the reporting period, the funding was used to further support the ongoing Piracy Case in Seychelles. The Video scoping equipment procured in 2019 continues to be used for the detection of contraband by Seychelles Prison authorities to review, monitor and then address contraband material being smuggled into the facility.

b. Results achieved to date

Results achieved between 2013 and 2018 are as follows, focused on the support to transfers of convicted pirates from Seychelles to Somaliland and Puntland.

In 2012, funds under this project were dedicated to a Grant set up with the Government of Seychelles, which is used to finance prisoner transfer flights.

In 2013, a total of 44 detainees were transferred to Puntland, on a total of 6 flights.

In 2014, the lack of final judgments also led to requesting a no cost extension. An extension through 2015 was therefore requested for the funds that remained unused in 2013 and 2014, to support further transfer flights.

In 2015, 5 repatriations took place as follows:

- In February, 3 Somalis were repatriated from Seychelles to Galkayo, Puntland State of Somalia;
- In July, 2 Somalis were repatriated from Seychelles to Galkayo, Puntland State of Somalia;
- In July, 5 Somalis were repatriated from Kenya to Galkayo, Puntland State of Somalia;
- In August, 10 Piracy Prisoners released from Kenya were repatriated to Mogadishu, Federal Republic of Somalia

In 2016,

- 9 Somalis were repatriated from Seychelles to Mogadishu, Federal Republic of Somalia.
- 23 individuals have been repatriated from Kenya as follows:
 - 7 Somalis to South Central in March 2016
 - 7 Somalis to South Central in August 2016
 - 9 Somalis to Puntland in October 2016

In 2017, 16 individuals have been repatriated from Kenya and Seychelles as follows:

- 8 Somalis from Kenya to Mogadishu on July 2017
- 7 Somalis from Kenya to Mogadishu in October 2017
- 1 Somalis from Kenya to Mogadishu in November 2017
- 13 piracy detained from Seychelles to Somalia in November 2017.

No transfers took place in 2018.

In 2019, due to the decline in piracy attacks and subsequent decline in the need to transfer convicted pirates from Seychelles to Puntland and Somaliland, a board decision was granted on 1 May 2019 to re-programme the balance of funds. Due to this change the project will have far more impact if other, more pressing needs for Seychelles as the prosecuting state are addressed.

c. Major obstacles encountered when implementing the project

The COVID-19 pandemic made implementation difficult and hence limited activity took place in 2020.

A balance of US \$57,000 amount remains on this project which will be prioritised towards support to Transfer talks with Puntland as well as support to Puntland Custodial Corps. Any balances will be used to support the ongoing Piracy trial as the available funds under Expedited Facility Project 51 may be insufficient to support ongoing activities, provided the case is determined before June 2021.

d. Concerning risks identified in the application – have any materialized – have any measures been taken?

N/A

e. Any health/safety/environment issues? Special measures taken?

N/A

f. Partnerships and cooperation with other organizations formed while implementing the project

N/A

1. Project Information:	
a. Recipient UN Organization (Project Lead)	UNODC
b. Project Number	# 51
c. Project Title	Expedited Facility (ExFac)
d. Project Duration	8 years 6 months
e. Project Starting Date²	1 January 2012
f. End Date	30 June 2021
g. Current Status (as of 31 Dec 2020)	Ongoing with support targeted to the remaining Piracy suspects held on remand in Seychelles.
h. Location of Project	Seychelles, Mauritius, Somalia, Kenya
i. Thematic/Focus Area	Counter Piracy Maritime Law Enforcement
j. Primary Project Objective (Summary)	The 'ExFac' is intended to allow the Fund Board to delegate authority of approval to UNODC in circumstances where immediate action is needed to pay or reimburse short-term prosecution related expenses, or to support any other activities deemed urgent.
k. Implementing Partner(s) (if applicable)	N/A
2. Time:	
a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes – however if the trial is not concluded by the time the Trust Fund closes, there will be a gap in the support UNODC can provide to the piracy prosecution model.
c. Is the project currently on time?	Yes – to an extent. This is a reactive project that seeks to support piracy trials as and when the need arises.
d. Comments if a-c is negative	-
3. Financial Information (US\$):	
a. Overall Budget	\$550,000 (total to date)
b. Trust Fund Contribution	\$550,000
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	N/A
4. Assessment of implementation and monitoring of project activities:	
a. Activities carried out in the reporting period (outcomes and outputs)	

² The start date is the date of the first transfer of the funds from the Trust Fund.

In April 2019, 5 Somalia nationals suspected of piracy were apprehended by EUNAVFOR and handed over to Seychelles for prosecution. UNODC was present from the outset to advise the Seychelles Police Force on handover procedure & securing chain of evidence. This support continued through to 2020, where a UNODC interpreter was deployed to Seychelles to ensure the piracy trial from the outset is compliant with human rights procedure leading to a fair and efficient trial and detention. For this reporting cycle, the interpreter has actively monitored the welfare of the suspected pirates and in line with this, various welfare items have been provided, Quran classes arranged, and medical assessments completed. The interpreter has also supported the piracy suspects through the trial process, providing interpretation during court sessions and explaining to them the technical legal proceedings.

We were unable to sign an MOU with the Government of Seychelles due to a policy change in UNODC HQ, however procurement agreements were put in place to reimburse the Government on any costs pertaining to legal aid, transcription and translation services, prisoner transfer and repatriation flights, and any other costs that will enable effective and immediate responses to ensure successful piracy trials.

b. Results achieved to date

The Terms of Reference of the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia (Trust Fund) calls for a mechanism that will 'provide for an expedited distribution mechanism to allow for the payment or reimbursement of short-term prosecution related expenses; and support relevant legal capacity-building activities.' (Para. 5) At the request of the Member States and the CGPCS, UNODC agreed to manage an 'Expedited Facility' project as part of the Trust Fund.

Since being established in 2010, the Expedited Facility project has been applied as and when needs arise each year in the following areas:

Support to fair & efficient piracy trials

- Travel expenses of prosecutors and the provision of adequate legal defense for individuals accused of piracy related offences.
- Video-link technology to enable remote testimonies from witnesses.
- Transcription services during trial improving consistency of the law (precedence) and transparency of the legal process.
- Somali-English interpretation ensuring suspects understand their respective legal proceedings, upholding international standards of criminal justice and maintaining the rule of law.

Support to prisoner transfer & repatriation

The small island state of the Seychelles accommodates the largest prison population, per capita, in the world. Despite managing an already over-stretched criminal justice system the Seychelles agreed to facilitate the trials and incarceration of convicted pirates, with eventual repatriation

as a prerequisite. To date over 100 individuals convicted of crimes relating to piracy in Seychelles have been transferred to prisons in Somalia or repatriated post sentence. Activities of the same nature have been funded by ExFac in Kenya and Mauritius. To date, UNODC carried out a total of 295 repatriation and transfer procedures (as below).

Support to secure & humane prisons

UNODC provides support to prisons holding piracy detainees to ensure that they are secure for prisoners and staff and meet minimum international standards. In the reporting period, the ExFac contributed to ensuring these standards are met. The ExFac funded the procurement of basic safety equipment for prisons holding transferred piracy prisoners and allowed for the engagement of a consultant to advise on the care of vulnerable prisoners in Seychelles. Furthermore, the ExFac supported the travel of prison experts to assess the conditions of prisons monitored by UNODC where pirates are currently held.

To date, the project has successfully delivered against its principle objective to support piracy trials and the overall results of cases progressed with our support are as follows:

	Acquitted	Tried	Convicted	Repartriated	Transferred	Remand	Remain
Kenya	17	164	147	147	0	0	0
Seychelles	23	152	148	25	111	5	6
Mauritius	0	12	12	12	0	0	0

As a result, no trial has failed due to lack of support or due process and piracy trials were conducted in compliance with human rights leading to an increase in fair and just piracy trials.

c. Major obstacles encountered when implementing the project

The COVID-19 pandemic made implementation difficult, especially due to travel restrictions. We however managed to get our interpreter into Seychelles to provide ongoing welfare support to the 5 suspected Somali pirates and the one convicted pirate, remaining in Seychelles.

d. Concerning risks identified in the application – have any materialized – have any measures been taken?

A critical risk on this project is the timeline for the Trust Fund closure and the pending trial case. In relation to the piracy case (Cr 28/19, Rep Vs Mohd. Wahyliye Mohd & ors), pre-trial was held on 14 August 2020 and trial began on 31 August 2020. On 31 December 2020, the Court ruled that the prosecution has established a prima facie case against the 5 accused on all 3 counts and the accused persons were called upon to make their defence accordingly. The case was called on 25 February 2021 but the accused elected their right to remain silent. The proceedings is now completed and parties have been instructed to file written submissions. Remand has been extended to 11 March 2021.

We remain hopeful that the case will be concluded before the 30 June (Trust Fund closure date) however a risk of not being able to support the trial remains, should the dates extend any

further. The current balance on this grant is US\$ 40,000 and is anticipated to be spent on the ongoing case until the project end date. UNODC however will be able to pay for their repatriation flights using other sources of funds, should the repatriation take place after the 30 June 2021.

e. Any health/safety/environment issues? Special measures taken?

N/A

f. Partnerships and cooperation with other organizations formed while implementing the project

EU MASE, EUNAVFOR

1. Project Information:	
a. Recipient UN Organization (Project Lead)	UNODC
b. Project Number	#74
c. Project Title	Detention and Transfer
d. Project Duration	24 months
e. Project Starting Date³	1 September 2015
f. End Date	30 June 2021
g. Current Status	Ongoing
h. Location of Project	Garowe, Puntland Hargeisa, Somaliland
i. Thematic/Focus Area	Security Sector
j. Primary Project Objective (Summary)	To support detention and transfer
k. Implementing Partner(s) (if applicable)	N/A
2. Time:	
a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes
c. Is the project currently on time?	Yes
d. Comments if a-c is negative	N/A
3. Financial Information (US\$):	
a. Overall Budget	\$2,000,000 over 24 months
b. Trust Fund Contribution	\$379,957
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	N/A
4. Assessment of implementation and monitoring of project activities:	
a. Activities carried out in the reporting period (outcomes and outputs)	
<i>Mentoring and Trainings</i>	

³ The start date is the date of the first transfer of the funds from the Trust Fund.

Two international prison experts were deployed with kind assistance from Swedish Prison and Probation Service (SPPS) from 2016 to date. These prison experts delivered day to day mentoring in the prison continuously and series of trainings on security, prison management, PVE skills as well as human rights and gender sensitivities in prison context throughout the period in Garowe. In Hargeisa, two international prison experts were deployed by SPPS since 2014. In 2020, these experts have developed training curriculum for training for junior officers as well as for senior managers in addition to the mentoring activities.

Rehabilitation Programmed (output 1.2 and 2.2)

No activity during the reporting period.

Provision of Equipment (output 1.4 and 2.4)

In 2020, UNODC in collaboration with its Global Prisons Challenges Programme facilitated the delivery of COVID-19 relief items, along with hygiene and welfare equipment and materials to Puntland Custodial Corps. This support aimed at addressing the needs of the detainees in Somali facilities with regards to preventing the further spread of germs and diseases. Additionally, the delivery contributed to realizing the principle of equivalence of care, ensuring that prisoners receive the same level of access to preventive measures and hygiene standard as those in the general community.

b. Results achieved to date

Outcome 1: Prisons operations are assured at Garowe Prison

After the COVID-19 pandemic, UNODC international mentors were supporting Garowe Prison through virtual communication. The continuous mentoring has achieved the successful development of Standard Operational Procedures (SOPs) for managing female prisoners who are pregnant or have delivered the babies in the prison. The request for this support came from the Puntland Custodial Corps as the solution to the ongoing challenge of handling very sensitive period of female prisoners. This improves the operation standard of Garowe Prison in accordance to the Nelson Mandela Rules and the Bangkok Rules.

The COVID-19 preventive equipment contributed to continuation of prison operations by providing the protection to the prison officers during the COVID-19 pandemic.

Outcome 2: Prison operations are assured at HargeisaPrison

UNODC international mentors continued their engagement through virtual means. They have worked closely with the Somaliland Custodial Corps to develop the course material for 'Developing Managers Programme (DMP)', which aims to develop junior officers to the middle level managers by providing 2 months training. Also early November, UNODC prison mentor returned to Hargeisa and started to reengage the local partners for mentoring activities and preparation for DMP.

c. Major obstacles encountered when implementing the project
In 2020, the Covid-19 pandemic broke out. This interrupted in-country activities constraining UNODC to shift to working remotely in compliance with COVID-19 safety measures.
d. Concerning risks identified in the application – have any materialized – have any measures been taken?
COVID-19 pandemic outbreak resulted in changing modalities of work to remote working. However, as we adapt to the new normal, prison experts have been deployed to Hargeisa and Garowe prisons to continue mentoring the prison staff in target courses.
e. Any health/safety/environment issues? Special measures taken?
N/A
f. Partnerships and cooperation with other organizations formed while implementing the project
N/A

1. Project Information:	
a. Recipient UN Organization (Project Lead)	Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs (DOALOS/OLA)
b. Project Number	# 89
c. Project Title	Providing assistance to Somali legislators and technical officials to facilitate the development of an effective legal framework for the governance of Somalia's maritime zones and the sustainable development of its marine resources in conformity with the 1982 United Nations Convention on the Law of the Sea and related instruments, in furtherance of Somalia's national interests and priorities
d. Project Duration	Two years
e. Project Starting Date⁴	14 June 2019
f. End Date	30 June 2021
g. Current Status (as of 31 Dec 2019)	Ongoing.
h. Location of Project	Contact Group on Piracy off the Coast of Somalia (CGPCS) Partner States / Mogadishu
i. Thematic/Focus Area	Maritime legal reforms
j. Primary Project Objective (Summary)	<p>The goal of the project is to build the understanding and capacity of Government officials from the various entities which are actively working on ocean issues and relevant technical officials drawn from all the regions of Somalia, with regard to the international legal framework under UNCLOS and other relevant international legal instruments for the repression of piracy as well as the management and sustainable use of marine resources and activities.</p> <p>In particular, the Project aims to assist Somalia in developing an effective legal framework for the governance of its maritime zones and the sustainable development of its resources in conformity with UNCLOS and related international legal instruments, in furtherance of its national interests and priorities as decided by its Government. Drawing on consultations with Somali Officials, the United Nations System and</p>

⁴ The start date is the date of the first transfer of the funds from the Trust Fund.

	<p>other development partners, as well as utilizing the <i>Overview of the legislative and institutional framework for ocean affairs and the law of the sea in the Federal Republic of Somalia</i> (developed under Project 61), Project 89 comprises two customized technical assistance and capacity-building programmes for the Federal Government of Somalia (FGS) and the regions of Somalia. These programmes are aimed at reinforcing the participants' capacity to address the legislative barriers to the development of Somalia's maritime sectors and the sustainable development of its marine resources. The curriculum is needs-driven and speaks to the 2030 Agenda for Sustainable Development as appropriate.</p> <p>The project aims at complementing, and where possible incorporating elements of the ongoing efforts of other international entities such as FAO, IMO and UNODC.</p>
<p>k. Implementing Partner(s) (if applicable)</p>	<p>DOALOS views its capacity-building activities as complementary to the ongoing work being undertaken by the United Nations Assistance Mission in Somalia (UNSOM) in supporting the FGS and the African Union Mission in Somalia (AMISOM) on governance, security sector reform, the rule of law and maritime security. DOALOS thus coordinates its efforts with UNSOM as was effectively done in the implementation of Project 61 and so as to ensure that synergies are leveraged, and overlaps avoided. The activities are designed in coordination and close consultation with the FGS, as well as relevant UN entities and development partners.</p> <p>The training programmes have been, and will continue to be developed and delivered in cooperation with IMO, FAO, UNODC, UNSOM and other United Nations entities as necessary, including, where appropriate, through United Nations-Oceans.</p>

	The project also seeks to engage relevant civil society, including academic and non-governmental organizations, and draw on technical expertise from relevant maritime sectors. In this regard, preliminary discussions have led to the identification of potential delivery partners, including with respect to online delivery capacity and experience.
2. Time:	
a. Did the project start on time?	No.
b. Is the planned end date still applicable?	No, project was extended due to COVID-19.
c. Is the project currently on time?	Unclear (COVID-19).
d. Comments if a-c is negative	The project timelines and planning (including with beneficiaries and stakeholders) foresaw one of the two projected activities completed in 2019, and the other in 2020. However due to the issues identified in section 4.c., no activities were carried out in 2019, and one activity was carried out virtually in 2020. DOALOS continues to work with the FGS and UNSOM to adjust the delivery methodologies so as to deliver the remaining activities virtually before the closure of the Trust Fund. The costing of virtual deliveries through partnerships is ongoing.
3. Financial Information (US\$):	
a. Overall Budget	\$174,142.00
b. Trust Fund Contribution	\$174,142.00
c. Is the overall cost still applicable?	Unknown as the costing of virtual deliveries through partnerships is ongoing.
d. Is expenditure currently according to budget?	Unknown as the costing of virtual deliveries through partnerships is ongoing.
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes.
f. Comments if c-e is negative	Unknown as the costing of virtual deliveries through partnerships is ongoing.
4. Assessment of implementation and monitoring of project activities:	
a. Activities carried out in the reporting period (outcomes and outputs)	
The Technical Training Programme in Ocean Affairs and the Law of the Sea for Maritime Law Enforcement Authorities was delivered in a blended format from 10 to 25 November 2020.	
b. Results achieved to date	

The Technical Training Programme in Ocean Affairs and the Law of the Sea for Maritime Law Enforcement Authorities was delivered from 10 to 25 November 2020 in Mogadishu. The Programme was delivered virtually by a number of lecturers from DOALOS, UNSOM, FAO, UNODC, IMO and the Indian Ocean MoU on Port State Control. The Programme was attended by thirty three civil servants from the Federal Government of Somalia and Federal Member States. It was delivered through a blended format, with the majority of participants, including those from the Federal Member States, attending in-person at a conference facility in Mogadishu. Owing to the extended duration of this Programme, participants from the Federal Member States followed the final two days of lectures remotely, with assistance in internet connectivity provided by UNSOM. The Programme provided an introduction to the key aspects of law of the sea relevant to law enforcement officials, as reflected in UNCLOS and other related instruments.

The feedback on the training course from the course participants was very positive and the political support received from the Federal Government of Somalia was also excellent, as evidenced by the closure of the training by both the State Minister of Foreign Affairs and the Minister of Justice of Somalia.

c. Major obstacles encountered when implementing the project

At the start of the project, in the second half of 2019, DOALOS experienced difficulties in obtaining the nomination of a focal point within the Federal Government of Somalia in order to coordinate the implementation of the project.

Travel limitations imposed on New York based staff, in 2020, as a result of the COVID-19 pandemic, have hampered our ability to deliver the envisioned in-person trainings. We have thus transitioned to virtual delivery modalities, working closely with the FGS and UNSOM so as to ensure that the beneficiaries of the Project are fully able to participate and that the new virtual activities remain impactful.

Administrative difficulties beyond DOALOS control were also experienced in the expenditure of funds in Somalia. Due to these difficulties in the disbursement of funds in Somalia, the activity was entirely funded by UNSOM, resulting in cost savings to the Project. Consultations are ongoing with the UNHQ, UNSOM and the Trust Fund Secretariat to ensure such issues no longer arise.

d. Concerning risks identified in the application – have any materialized – have any measures been taken?

Risk: Ineffective institutional coordinating capacity of beneficiary.

Measures taken: With the help of the Office of the Special Envoy of the President for Horn of Africa, Red Sea and Gulf of Aden, of the Federal Government of Somalia, coordination by the beneficiary improved markedly in the reporting period.

Risk: Inadequate support and/or political challenges in identifying focal points by beneficiary.
Measures Taken: DOALOS was able to secure a focal point for the project, the Director of the Office of the Special Envoy of the President for Horn of Africa, Red Sea and Gulf of Aden.

Risk: Difficulties in travelling staff, trainers and participants as a result of the ongoing COVID-19 pandemic.
Measures taken: Delaying implementation until the normalization of the situation while continuing curriculum development activities and discussions with key partners. Delivering training virtually once the normalization of the situation looked unlikely within the remaining time available for delivery. Consideration of other high-impact activities which can be delivered quickly and virtually to meet the core objectives of the Project.

e. Any health/safety/environment issues? Special measures taken?

Risk: Difficulties in travelling staff, trainers and participants as a result of the ongoing COVID-19 pandemic.
Measures taken: Delaying implementation until the normalization of the situation while continuing curriculum development activities and discussions with key partners, and now delivering virtually.

f. Partnerships and cooperation with other organizations formed while implementing the project

Somali Ministry of Ports and Marine Transport, UNSOM, FAO, IMO, UNODC, and in discussions with academic institutions to assist in delivering virtually elements of the remaining activities.

1. Project Information:	
a. Recipient UN Organization (Project Lead)	UNODC
b. Project Number	# 90
c. Project Title	Support Investigations to Identify and Freeze Assets Acquired by Piracy Crime
d. Project Duration	12 months
e. Project Starting Date⁵	1 November 2018
f. End Date	30 June 2021
g. Current Status (as of 31 Dec 2018)	Operational
h. Location of Project	CGPCS Partner States
i. Thematic/Focus Area	Counter Piracy and Maritime Law Enforcement
j. Primary Project Objective (Summary)	The project has two key objectives: 1) Create awareness and initiate investigations in jurisdictions suspected to be locations used by pirate leaders and financier to invest proceeds of piracy crime. 2) Continue to conduct assessments on proceeds of piracy crime and states suspected to be locations used by pirate leaders and financiers to invest such assets.
k. Implementing Partner(s) (if applicable)	N/A
2. Time:	
a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes
c. Is the project currently on time?	Yes
d. Comments if a-c is negative	N/A
3. Financial Information (US\$):	
a. Overall Budget	\$146,055
b. Trust Fund Contribution	\$146,055
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	N/A (no bilateral funding)
f. Comments if c-e is negative	N/A
4. Assessment of implementation and monitoring of project activities:	
a. Activities carried out in the reporting period (outcomes and outputs)	

⁵ The start date is the date of the first transfer of the funds from the Trust Fund.

Background

The Law Enforcement Task Force (LETF), which brings together investigators and prosecutors of piracy investigations, met for the first time in Copenhagen, then again in The Hague and in Vienna from 20-22 October 2014. The meetings provided a forum for law enforcement professionals (including investigators, prosecutors, case managers) from participant nations and organizations that have an interest in providing and receiving information, and prosecuting or helping another nation prosecute high value pirate targets.

At the 19th Plenary meeting of the CGPCS in Seychelles in June 2016, UNODC was tasked with the responsibility of being the Secretariat of the LETF and reviving the activities of the LETF since its last meeting in October 2014. UNODC facilitated the revival of the LETF meetings after a lapse of over two years. The LETF meeting were held on 19 May 2017 in The Hague and 16 May 2018 in Lyon for law enforcement officers and prosecutors to present the current status of investigations and to share information on the movements of high value targets.

UNODC as the Secretariat of LETF facilitated a meeting with the Attorney General's Office of the Federal Government of Somalia to seek assistance with an ongoing investigation of a high value piracy target. The meeting between the Police Investigator and Prosecutor from Lower Saxony and Somali Attorney General's Office facilitated by UNODC took place on 19 February 2018 at RAPPIC in Seychelles.

Outcome 1: Create awareness and initiate investigations in jurisdictions suspected to be locations used by pirate leaders and financiers to invest proceeds of piracy crime.

Output 1.1: Convene closed-door discussions with law enforcement agencies, financial intelligence units and consultants conducting assessments on piracy financial flows in jurisdictions suspected to have proceeds of piracy crime. This will also include facilitating engagement with other law enforcement agencies and expediting MLA requests.

Activity during this reporting period

Although there have been few successful pirate attacks in the Horn of Africa recently, the International Community continue to seek out and prosecute those who masterminded and financed pirate attacks and negotiated the ransoms. In June 2020, over 22 delegates from the CGPCS LETF gathered together to discuss current and future cases for prosecution and mutual support. UNODC, who provides the Secretariat for the LETF, provided a detailed research report on one of the most wanted pirate "kingpins" which was funded by the CGPCS Trust Fund.

Outcome 2: Continue to conduct assessments on proceeds of piracy crime and states suspected to be locations used by pirate leaders and financiers to invest such assets.

Output 2.1: Contract expert consultant/s to conduct assessments on proceeds of piracy crime building upon the work undertaken through Trust Fund project 85.

Activity during this reporting period

UNODC continued to look into finding strategies for disrupting illicit goods smuggled through and from Somalia using an assessment report that had been developed in 2019 by an expert consultant. The expert had conducted field assessments to prepare a mapping and analysis of illicit goods that are smuggled through Somalia relying on Al-Shabaab access to territory, infiltration of Al-Shabaab and other groups into key export/import points in the country, particularly those which are connected to maritime routes. Noting the urgency of seeking and prosecuting those who mastermind and finance pirate attacks, the virtual meeting held in June 2020 provided a forum for briefing on pirate Osman Garfanje.

b. Results achieved to date

A virtual meeting of more than 22 delegates to discuss current and future cases for prosecution and mutual support convened.

c. Major obstacles encountered when implementing the project

Advent of COVID-19 pandemic curtailing meetings and travels to conduct research.

d. Concerning risks identified in the application – have any materialized – have any measures been taken?

The advent of COVID-19 changed the modalities of a physical LETF meeting. However, a virtual session was held to provide the briefing.

e. Any health/safety/environment issues? Special measures taken?

N/A

f. Partnerships and cooperation with other organizations formed while implementing the project

UNODC worked in close collaboration with all members of the LETF.

1. Project Information:	
a. Recipient UN Organization (Project Lead)	UNODC
b. Project Number	# 91
c. Project Title	Support to Somali Trial Prosecutors
d. Project Duration	18 months
e. Project Starting Date⁶	1 September 2018
f. End Date	30 June 2021
g. Current Status (as of 31 Dec 2020)	Ongoing
h. Location of Project	Seychelles/Somalia
i. Thematic/Focus Area	Prosecution/Legal Finish
j. Primary Project Objective (Summary)	Develop and train a maritime prosecutorial capability within the justice sector together with trained judges, lawyers and infrastructure to deal with maritime cases.
k. Implementing Partner(s) (if applicable)	N/A
2. Time:	
a. Did the project start on time?	Yes
b. Is the planned end date still applicable?	Yes
c. Is the project currently on time?	Yes
d. Comments if a-c is negative	N/A
3. Financial Information (US\$):	
a. Overall Budget	\$65,000
b. Trust Fund Contribution	\$65,000
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	Yes
f. Comments if c-e is negative	N/A
4. Assessment of implementation and monitoring of project activities:	
a. Activities carried out in the reporting period (outcomes and outputs)	
<p>In 2020, the project planned to invite Somali prosecutors to observe the current piracy trial in Seychelles, which would have also included a practical wash-up session after to ensure elements of the trial are discussed and reviewed. However due to the COVID-19 pandemic this was not possible, particularly due to travel restrictions.</p> <p>Nonetheless, Somali prosecutors have been actively participating in the monthly online sessions thereby addressing different aspects of the criminal chain such as the admissibility of evidence, mutual legal assistance and the roles and functions of the Regional Centre For Operational</p>	

⁶ The start date is the date of the first transfer of the funds from the Trust Fund.

Coordination and the Regional Maritime Information Fusion Centre in combatting maritime crimes in the Indian Ocean. In addition, they also attended the Prosecutors' Network Forum organized online in July 2020.

A small balance of US \$ 2,000 remains on this project which can be used to support the ongoing Piracy trial if the available funds under Expedited Facility project 51 become insufficient. All activities were concluded before 30 June 2021.

b. Results achieved to date

In 2018, UNODC provided support to the Office of the Attorney General of the Federal Government of Somalia (FGS) by providing legal advocacy and conducting a Piracy Mock Trial for Somali Senior Prosecutors in Port Victoria, Seychelles. The advocacy training as well as the Mock trial took place in September 2018 in Seychelles in parallel with the last piracy trial in Seychelles. UNODC hosted a delegation of Somali Senior Prosecutors and conducted training activities focused on areas such as witness handling, questioning strategies, legal advocacy and planning case theory. The training week finished with a full day mock trial exercise which was conducted in the Supreme Court of the Republic of Seychelles. Furthermore, the Senior Prosecutors from Somalia had the opportunity to attend the piracy trial, which enhanced their experience with the legal and procedural approach used by prosecutors, defence, and judges in Seychelles. The exercises provided the participants with an overall classroom and practical understanding of new strategies and legal elements to prosecute maritime crime and enhanced their strategies to achieve a 'legal finish' (prosecution in accordance with rule of law, human rights and procedural requirements).



Through this project, we provided support to the International Monitoring Committee (IMC) visit to Somalia prisons in November 2019. The IMC provides an opportunity for donor member states to perform oversight and experience first-hand the environment of the facilities that benefit from their support through UNODC activities and project implementation. The monitoring mechanism undertaken by IMC annually is mandated to provide oversight to human rights compliance, conditions faced by prisoners, and progress on the operations and capacity of prisons, all of which is guided by the Nelson Mandela Rules - the international standard

minimum rules for the treatment of prisoners, as endorsed by the United Nations. IMC November 2019 visit included visits to Mogadishu Prison and Court Complex (MPCC) and Garowe Prison in Puntland. Delegations included representatives from Sweden, Denmark, Norway, the US and Swedish Prison and Probation Services (SPPS).



In 2019, we carried out a review of some of the gaps leading to failure in effective trials and based on this, mobile forensic extraction equipment was procured to enable better evidence collection, handling and admissibility to court.

The Senior Prosecutors from Somalia had the opportunity to attend the piracy trial in 2019, which enhanced their experience with the legal and procedural approach used by prosecutors, defence, and judges in Seychelles.

c. Major obstacles encountered when implementing the project

Delays and postponement of the trial date as well as travel restrictions due to the COVID-19 pandemic, led to not being able to bring Somali prosecutors to Seychelles to provide an opportunity to observe the trial and have a follow-up wash up session to unpack every stage of the prosecution.

d. Concerning risks identified in the application – have any materialized – have any measures been taken?

N/A

e. Any health/safety/environment issues? Special measures taken?

N/A

f. Partnerships and cooperation with other organizations formed while implementing the project

N/A

1. Project Information:	
a. Recipient UN Organization (Project Lead)	United Nations Office on Drugs and Crime (UNODC) Global Maritime Crime Programme (GMCP)
- Implementing Partner(s) (if applicable)	NA
b. Project Number	#92
c. Project Title	Support to address maritime crime in Somalia
d. Project Duration	12 Months
e. Project Starting Date	17 July 2020
f. Project End Date	30 June 2021
g. Current Status	Ongoing
h. Location/s of Project	Eastern Africa, Somalia, Galmudug
i. Window (A or B)	Window A and B
j. Thematic/Focus Area	Suppression of Piracy
k. SMRSS / Regional Strategic Goal/s	
l. Primary Project Objective (Summary)	This project seeks to provide Galmudug maritime law enforcement authorities with the necessary skills to counter maritime crime, in particular piracy, and other crimes at Hobyo port and off the adjacent coast line.
2. Time:	
a. Did the project start on time?	Yes
b. Is the project currently on time?	Yes
c. Is the planned end date still applicable?	Yes
d. What extensions have been applied to this project (put date of extension in brackets)?	N/A
e. Comments if any of a-d are negative	NA
3. Financial Information (US\$):	
a. Overall Budget	\$555,297
b. Trust Fund Contribution	\$555,297
c. Is the overall cost still applicable?	Yes
d. Is expenditure currently according to budget?	Yes
e. Is the entire financing for the project secured? (for projects that receive bilateral funding in addition to the TF)	NA. CGPCS funded only.
f. Comments if any of c-e are negative	\$380,920 was used for implementation of phase I. This is for phase II of the project, as per the initial project proposal.

4. Assessment of implementation and monitoring of project activities:
a. Activities carried out in the reporting period (Expected Outputs against Actual Outcomes)
<p>Background</p> <p>Through this project, UNODC sought to provide substantive support to address maritime crime off the coast of Somalia. The activities sought to provide Galmudug maritime law enforcement authorities with the necessary skills to counter maritime crime, in particular piracy, and other crimes at Hobyo port and off the adjacent coastline. The activities have been identified by the Galmudug Coast Guard as priorities to be addressed to assist in their fight against maritime crime. Hobyo has traditionally been considered a piracy hot spot, thus the project has been very relevant.</p>
b. Results achieved to date
<p>Outcome 3: Technical Training</p> <p>The project goal was to deliver radio communications training, maritime engineering and maritime law-enforcement refresher training. However, because of security and political situation in Hobyo and the COVID-19 pandemic and relevant travel restrictions, it was not possible to organize the training sessions. The training was planned in 2021.</p> <p>Outcome 4: Procurement</p> <p>Selection of the supplier for procurement of a patrol boat for the Gulmudug Maritime Police Unit completed. The delivery of the boat is expected in the second quarter of 2021, after assembling. The sea trials will be conducted at the arrival of the boat.</p>
c. Major obstacles encountered when implementing the project
<ul style="list-style-type: none"> • Because of the security situation in the Hobyo region it was not possible to organize the two training sessions in Hobyo itself. • Due to COVID-19 pandemic, access to Somalia was restricted throughout 2020. Hobyo is more limited in terms of infrastructure, virtual arrangements were not possible. Due to these limitations, UNODC had to postpone the in-person training activity to 2021.
d. Concerning risks identified in the application – Any materialized? Measures been taken?
<p>19. Key Risks and Mitigation Strategy</p> <p>N/A</p>
e. Any health/safety/environment issues? Special measures taken?
N/A
f. Partnerships and cooperation with other organizations formed while implementing the project
N/A

**Consolidated Annual Financial
Report of the Administrative Agent
for
the Counter Piracy Trust Fund
for the period 1 January to 31 December 2020**

Multi-Partner Trust Fund Office

United Nations Development Programme

GATEWAY: <http://mptf.undp.org>

10 May 2021

DEFINITIONS

Allocation

Amount approved by the Steering Committee for a project/programme.

Approved Project/Programme

A project/programme including budget, etc., that is approved by the Steering Committee for fund allocation purposes.

Contributor Commitment

Amount(s) committed by a donor to a Fund in a signed Standard Administrative Arrangement with the UNDP Multi-Partner Trust Fund Office (MPTF Office), in its capacity as the Administrative Agent. A commitment may be paid or pending payment.

Contributor Deposit

Cash deposit received by the MPTF Office for the Fund from a contributor in accordance with a signed Standard Administrative Arrangement.

Delivery Rate

The percentage of funds that have been utilized, calculated by comparing expenditures reported by a Participating Organization against the 'net funded amount'.

Indirect Support Costs

A general cost that cannot be directly related to any particular programme or activity of the Participating Organizations. UNDG policy establishes a fixed indirect cost rate of 7% of programmable costs.

Net Funded Amount

Amount transferred to a Participating Organization less any refunds transferred back to the MPTF Office by a Participating Organization.

Participating Organization

A UN Organization or other inter-governmental Organization that is an implementing partner in a Fund, as represented by signing a Memorandum of Understanding (MOU) with the MPTF Office for a particular Fund.

Project Expenditure

The sum of expenses and/or expenditure reported by all Participating Organizations for a Fund irrespective of which basis of accounting each Participating Organization follows for donor reporting.

Project Financial Closure

A project or programme is considered financially closed when all financial obligations of an operationally completed project or programme have been settled, and no further financial charges may be incurred.

Project Operational Closure

A project or programme is considered operationally closed when all programmatic activities for which Participating Organization(s) received funding have been completed.

Project Start Date

Date of transfer of first instalment from the MPTF Office to the Participating Organization.

Total Approved Budget

This represents the cumulative amount of allocations approved by the Steering Committee.

US Dollar Amount

The financial data in the report is recorded in US Dollars and due to rounding off of numbers, the totals may not add up.

INTRODUCTION

This Consolidated Annual Financial Report of the **Counter Piracy Trust Fund** is prepared by the United Nations Development Programme (UNDP) Multi-Partner Trust Fund Office (MPTF Office) in fulfillment of its obligations as Administrative Agent, as per the terms of Reference (TOR), the Memorandum of Understanding (MOU) signed between the UNDP MPTF Office and the Participating Organizations, and the Standard Administrative Arrangement (SAA) signed with contributors.

The MPTF Office, as Administrative Agent, is responsible for concluding an MOU with Participating Organizations and SAAs with contributors. It receives, administers and

manages contributions, and disburses these funds to the Participating Organizations. The Administrative Agent prepares and submits annual consolidated financial reports, as well as regular financial statements, for transmission to contributors.

This consolidated financial report covers the period 1 January to 31 December **2020** and provides financial data on progress made in the implementation of projects of the **Counter Piracy Trust Fund**. It is posted on the MPTF Office GATEWAY (<http://mptf.undp.org/factsheet/fund/APF00>).

The financial data in the report is recorded in US Dollars and due to rounding off of numbers, the totals may not add up.

2020 FINANCIAL PERFORMANCE

This chapter presents financial data and analysis of the **Counter Piracy Trust Fund** using the pass-through funding modality as of 31 December 2020. Financial information for this Fund is also available on the MPTF Office GATEWAY, at the following address:

<http://mptf.undp.org/factsheet/fund/APF00>.

1. SOURCES AND USES OF FUNDS

As of 31 December 2020, 18 contributors deposited US\$ 15,224,488 in contributions and US\$ 94,449 was earned in interest.

The cumulative source of funds was US\$ 15,318,937 (see respectively, Tables 2 and 3)

Of this amount, US\$ 15,019,089 has been net funded to 6 Participating Organizations, of which US\$ 13,886,489 has been reported as expenditure. The Administrative Agent fee has been charged at the approved rate of 1% on deposits and amounts to US\$ 152,245. Table 1 provides an overview of the overall sources, uses, and balance of the **Counter Piracy Trust Fund** as of 31 December 2020.

Table 1. Financial Overview, as of 31 December 2020 (in US Dollars)

	Annual 2019	Annual 2020	Cumulative
Sources of Funds			
Contributions from donors	390,027	-	15,224,488
Fund Earned Interest and Investment Income	7,948	5,109	45,574
Interest Income received from Participating Organizations	10,185	13,054	48,876
Refunds by Administrative Agent to Contributors	-	-	-
Fund balance transferred to another MDTF	-	-	-
Other Income	-	-	-
Total: Sources of Funds	408,160	18,162	15,318,937
Use of Funds			
Transfers to Participating Organizations	174,142	622,727	16,131,454
Refunds received from Participating Organizations	(185,561)	(128,879)	(1,112,365)
Net Funded Amount	(11,419)	493,848	15,019,089
Administrative Agent Fees	3,900	-	152,245
Direct Costs: (Steering Committee, Secretariat...etc.)	-	-	-
Bank Charges	49	14	578
Other Expenditures	-	-	-
Total: Uses of Funds	(7,470)	493,863	15,171,911
Change in Fund cash balance with Administrative Agent	415,631	(475,701)	147,026
Opening Fund balance (1 January)	207,096	622,727	-
Closing Fund balance (31 December)	622,727	147,026	147,026
Net Funded Amount (Includes Direct Cost)	(11,419)	493,848	15,019,089
Participating Organizations' Expenditure (Includes Direct Cost)	359,867	360,114	13,886,489
Balance of Funds with Participating Organizations			1,132,600

2. PARTNER CONTRIBUTIONS

Table 2 provides information on cumulative contributions received from all contributors to this Fund as of 31 December 2020.

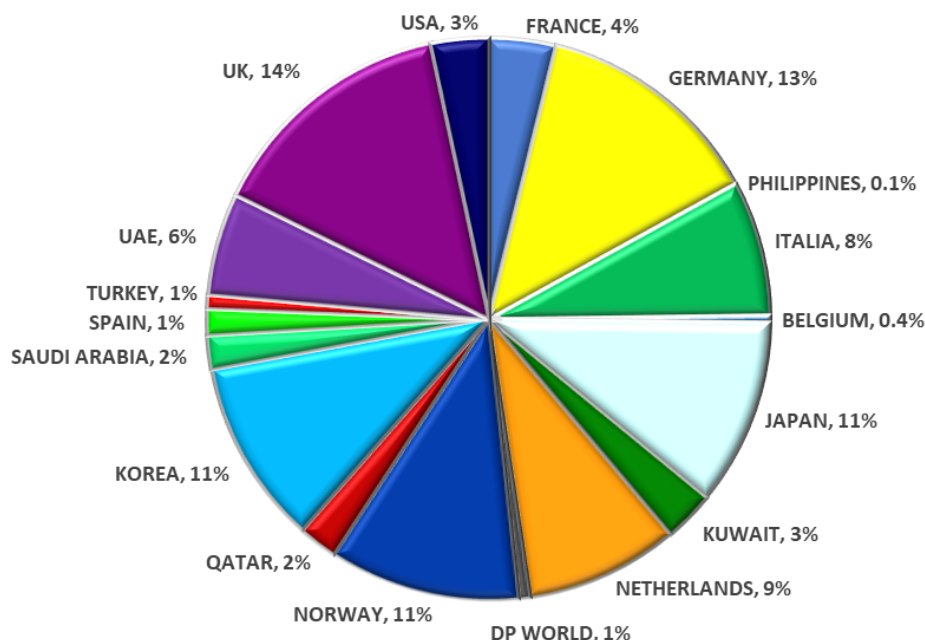
The **Counter Piracy Trust Fund** is currently being financed by **18** contributors, as listed in the table below.

The table below includes commitments made up to 31 December 2020 through signed Standard Administrative Agreements, and deposits made through 2020. It does not include commitments that were made to the fund beyond 2020.

Table 2. Contributors' Commitments and Deposits, as of 31 December 2020 (in US Dollars)

Contributors	Total Commitments	Prior Years as of 31-Dec-2019 Deposits	Current Year Jan-Dec-2020 Deposits	Total Deposits
BELGIUM, Government of	63,625	63,625	-	63,625
DP World	99,964	99,964	-	99,964
FRANCE, Government of	584,860	584,860	-	584,860
GERMANY, Government of	2,000,000	2,000,000	-	2,000,000
ITALY, Government of	1,178,410	1,178,410	-	1,178,410
JAPAN, Government of	1,626,800	1,626,800	-	1,626,800
KUWAIT, Government of	445,376	445,376	-	445,376
NETHERLANDS, Government of	1,341,500	1,341,500	-	1,341,500
NORWAY, Government of	1,669,701	1,669,701	-	1,669,701
PHILIPPINES, Government of	11,134	11,134	-	11,134
QATAR, Government of	344,538	344,538	-	344,538
REPUBLIC of KOREA, Government of	1,614,965	1,614,965	-	1,614,965
SAUDI ARABIA, Government of	300,000	300,000	-	300,000
SPAIN, Government of	228,174	228,174	-	228,174
TURKEY, Government of	122,269	122,269	-	122,269
UNITED ARAB EMIRATES, Government of	890,752	890,752	-	890,752
UNITED KINGDOM, Government of	2,204,373	2,204,373	-	2,204,373
UNITED STATES of AMERICA, Government of	498,046	498,046	-	498,046
Grand Total	15,224,488	15,224,488	-	15,224,488

Figure 1: Deposits by contributor, cumulative as of 31 December 2020



3. INTEREST EARNED

Interest income is earned in two ways: 1) on the balance of funds held by the Administrative Agent (Fund earned interest), and 2) on the balance of funds held by the Participating Organizations (Agency earned interest) where their Financial Regulations and Rules allow return of interest to the AA.

As of 31 December **2020**, Fund earned interest amounts to US\$ **45,574**.

Interest received from Participating Organizations amounts to US\$ **48,876**, bringing the cumulative interest received to US\$ **94,449**.

Details are provided in the table below.

Table 3. Sources of Interest and Investment Income, as of 31 December 2020 (in US Dollars)

Interest Earned	Prior Years as of 31-Dec-2019	Current Year Jan-Dec-2020	Total
Administrative Agent			
Fund Earned Interest and Investment Income	40,465	5,109	45,574
Total: Fund Earned Interest	40,465	5,109	45,574
Participating Organization			
FAO	1,152	8,847	9,999
UNDPPA	192		192
UNODC	25,446	6,077	31,523
UNOLA	9,033	(1,871)	7,162
Total: Agency earned interest	35,822	13,054	48,876
Grand Total	76,287	18,162	94,449

4. TRANSFER OF FUNDS

Allocations to Participating Organizations are approved by the Steering Committee and disbursed by the Administrative Agent. As of 31 December **2020**, the AA has transferred US\$ **16,131,454** to **6** Participating Organizations (see list below).

4.1 TRANSFER BY PARTICIPATING ORGANIZATION

Table 4 provides additional information on the refunds received by the MPTF Office, and the net funded amount for each of the Participating Organizations.

Table 4. Transfer, Refund, and Net Funded Amount by Participating Organization, as of 31 December 2020 (in US Dollars)

Participating Organization	Prior Years as of 31-Dec-2019			Current Year Jan-Dec-2020			Total		
	Transfers	Refunds	Net Funded	Transfers	Refunds	Net Funded	Transfers	Refunds	Net Funded
FAO	1,550,578	(5,810)	1,544,768		(40,013)	(40,013)	1,550,578	(45,823)	1,504,755
IMO	1,062,654	(36,767)	1,025,887		(20,832)	(20,832)	1,062,654	(57,599)	1,005,055
UNDP	2,165,880		2,165,880				2,165,880		2,165,880
UNDPPA	64,200	(151)	64,049				64,200	(151)	64,049
UNODC	10,108,097	(763,851)	9,344,246	622,727	(66,163)	556,564	10,730,824	(830,014)	9,900,810
UNOLA	557,318	(176,908)	380,410		(1,871)	(1,871)	557,318	(178,779)	378,539
Grand Total	15,508,727	(983,487)	14,525,240	622,727	(128,879)	493,848	16,131,454	(1,112,365)	15,019,089

5. EXPENDITURE AND FINANCIAL DELIVERY RATES

All final expenditures reported for the year **2020** were submitted by the Headquarters of the Participating Organizations. These were consolidated by the MPTF Office.

Project expenditures are incurred and monitored by each Participating Organization, and are reported as per the agreed upon categories for inter-agency harmonized reporting. The reported expenditures were submitted via the MPTF Office's online expenditure reporting tool. The **2020** expenditure data has been posted on the MPTF Office GATEWAY at <http://mptf.undp.org/factsheet/fund/APF00>.

5.1 EXPENDITURE REPORTED BY PARTICIPATING ORGANIZATION

In **2020**, US\$ **493,848** was net funded to Participating Organizations, and US\$ **360,114** was reported in expenditure.

As shown in table below, the cumulative net funded amount is US\$ **15,019,089** and cumulative expenditures reported by the Participating Organizations amount to US\$ **13,886,489**. This equates to an overall Fund expenditure delivery rate of **92** percent.

The agencies with the three highest delivery rates are: FAO (100%), UNDPPA (100%) and UNDP (99%)

Table 5.1 Net Funded Amount, Reported Expenditure, and Financial Delivery by Participating Organization, as of 31 December 2020 (in US Dollars)

Participating Organization	Approved Amount	Net Funded Amount	Expenditure			Delivery Rate %
			Prior Years as of 31-Dec-2019	Current Year Jan-Dec-2020	Cumulative	
FAO	1,550,578	1,504,755	1,510,151	(5,395)	1,504,755	100.00
IMO	1,062,654	1,005,055	933,690	49,568	983,258	97.83
UNDP	2,165,880	2,165,880	2,146,290		2,146,290	99.10
UNDPPA	64,200	64,049	64,049		64,049	100.00
UNODC	10,497,834	9,900,810	8,667,798	315,942	8,983,739	90.74
UNOLA	557,318	378,539	204,397		204,397	54.00
Grand Total	15,898,464	15,019,089	13,526,375	360,114	13,886,489	92.46

5.2 EXPENDITURE BY PROJECT

Table 5.2 displays the net funded amounts, expenditures reported and the financial delivery rates by Participating Organization.

Table 5.2 Expenditure by Project within Sector, as of 31 December 2020 (in US Dollars)

Sector / Project No. and Project Title	Participating Organization	Project Status	Total Approved Amount	Net Funded Amount	Total Expenditure	Delivery Rate %	
Other Priority Areas							
00085779	Piracy-B-049 Prisoner Transfer	UNODC	On Going	353,100	353,100	283,855	80.39
00116453	PIRACY-B-089 Assistance to Som	UNOLA	On Going	174,142	174,142		0
00087196	Piracy-B-054 Vocational Traini	UNODC	Operationally Closed	593,850	561,721	561,722	100.00
00088497	Piracy-B-057 Support to Mariti	UNODC	Operationally Closed	940,200	940,200	867,906	92.31
00088498	Piracy-B-058 Hostage Support P	UNODC	Operationally Closed	241,457	237,263	237,263	100.00
00091746	Piracy-B-061 Capacity Building	UNOLA	Operationally Closed	383,176	204,397	204,397	100.00
00092609	Piracy-B-072 Training to youth	UNODC	Operationally Closed	153,476	126,349	91,541	72.45
00100365	Piracy-B-079 Support to address	UNODC	Operationally Closed	499,690	499,690	492,046	98.47
00101207	Piracy-B-082 Support to Kenyan	UNODC	Operationally Closed	42,800	42,800	41,668	97.35
00101346	Piracy-B-080 Puntland Fisherme	FAO	Operationally Closed	400,578	360,565	360,565	100.00
00086858	Piracy-B-050 Support Maritime	IMO	Financially Closed	150,000	150,000	150,000	100.00
00086858	Piracy-B-050 Support Maritime	UNODC	Financially Closed	150,000	150,000	150,000	100.00
00086859	Piracy-B-052 Support Repatriat	UNODC	Financially Closed	200,000	200,000	200,000	100.00
00087197	Piracy-B-055 FIDS	FAO	Financially Closed	400,000	396,159	396,159	100.00
00090865	Piracy-B-071 Hostage support p	UNODC	Financially Closed	130,000	130,000	130,000	100.00
00092608	Piracy-B-070 Fisherman and Reg	FAO	Financially Closed	250,000	250,000	250,000	100.00
00092611	Piracy-B-069 Fisherman and Fle	FAO	Financially Closed	500,000	498,031	498,031	100.00
00096595	Piracy-B-076 Support to Mariti	IMO	Financially Closed	228,530	228,530	228,530	100.00
00099949	Piracy-B-078	UNDP	Financially Closed	64,200	64,049	64,049	100.00
Other Priority Areas: Total				5,855,198	5,566,997	5,207,731	93.55

Prosecution and Detention							
00085778	Piracy-A-Expedited Facility	UNODC	On Going	667,430	667,430	590,511	88.48
00096596	Piracy-A-074 Detention and Tra	UNODC	On Going	379,957	379,957	371,785	97.85
00112253	Project 90 Law Enforcement	UNODC	On Going	146,055	146,055	145,169	99.39
00112254	Project 91 Support Somali Tria	UNODC	On Going	65,000	65,000	62,291	95.83
00122937	Piracy-A-092 Support to address	UNODC	On Going	555,297	555,297	127,684	22.99
00085781	Piracy-A-047 Trials Programme	UNDP	Operationally Closed	710,680	710,680	710,244	99.94
00085781	Piracy-A-047 Trials Programme	UNODC	Operationally Closed	572,250	165,850	165,850	100.00
00085782	Piracy-A-044 Capacity Developm	UNDP	Operationally Closed	1,455,200	1,455,200	1,436,047	98.68
00090814	Piracy-A-063 Prisoner Transfer	UNODC	Operationally Closed	298,296	290,903	290,902	100.00
00090815	Piracy-A-064 Prisoner Transfer	UNODC	Operationally Closed	679,800	679,800	584,232	85.94
00090816	Piracy-A-065 Prisoner Transfer	UNODC	Operationally Closed	595,500	595,500	558,972	93.87
00090817	Piracy-A-067 Awareness & law	UNODC	Operationally Closed	600,000	600,000	555,630	92.61

Sector / Project No. and Project Title		Participating Organization	Project Status	Total Approved Amount	Net Funded Amount	Total Expenditure	Delivery Rate %
00090864	Piracy-A-068 Transnational mar	UNODC	Operationally Closed	134,900	134,900	126,993	94.14
00097462	Piracy-A-077 INTERPOL Hostage	IMO	Operationally Closed	296,456	275,625	275,625	100.00
00101206	Piracy-A-081 Support to Seyche	UNODC	Operationally Closed	176,560	176,560	172,732	97.83
00101208	Piracy-A-083 Support to Shimo	UNODC	Operationally Closed	145,520	136,867	136,855	99.99
00101209	Piracy-A-084 Law Enforcement T	UNODC	Operationally Closed	149,425	149,425	127,591	85.39
00106396	Piracy-A-085 Support CGPCS	UNODC	Operationally Closed	119,091	119,091	118,765	99.73
00106397	Piracy-A-086 Support to adres	UNODC	Operationally Closed	380,920	380,920	377,969	99.23
00108903	Piracy-A-087	UNODC	Operationally Closed	241,553	241,553	239,230	99.04
00111065	Project 088- IMO- Support to M	IMO	Operationally Closed	150,000	150,000	128,203	85.47
00086860	Piracy-A-053-Improving conditi	UNODC	Financially Closed	251,450	251,450	251,450	100.00
00087198	Piracy-A-056 Counter illicit f	UNODC	Financially Closed	554,358	443,229	443,229	100.00
00088499	Piracy-A-060 Support to Counte	UNODC	Financially Closed	288,900	288,900	288,900	100.00
00088500	Piracy-A-059 INTERPOL Hostage	IMO	Financially Closed	237,668	200,901	200,901	100.00
00090813	Piracy-A-062 Support to Garowe	UNODC	Financially Closed	191,000	191,000	191,000	100.00
Prosecution and Detention: Total				10,043,266	9,452,092	8,678,758	91.82
Grand Total				15,898,464	15,019,089	13,886,489	92.46

5.3 EXPENDITURE REPORTED BY CATEGORY

Project expenditures are incurred and monitored by each Participating Organization and are reported as per the agreed categories for inter-agency harmonized reporting. In 2006 the UN Development Group (UNDG) established six categories against which UN entities must report inter-agency project expenditures. Effective 1 January 2012, the UN Chief Executive Board (CEB) modified these categories as a result of IPSAS adoption to comprise eight categories. All expenditure incurred prior to 1 January 2012 have been reported in the old categories; post 1 January 2012 all expenditure are reported in the new eight categories. See table below.

2012 CEB Expense Categories

1. Staff and personnel costs
2. Supplies, commodities and materials
3. Equipment, vehicles, furniture and depreciation
4. Contractual services
5. Travel
6. Transfers and grants
7. General operating expenses
8. Indirect costs

Table 5.3 Expenditure by UNDG Budget Category, as of 31 December 2020 (in US Dollars)

Category	Expenditure			Percentage of Total Programme Cost
	Prior Years as of 31-Dec-2019	Current Year Jan-Dec-2020	Total	
Staff & Personnel Costs	3,707,185	135,557	3,842,742	29.59
Supplies, commodities and materials	1,003,139	(5,109)	998,030	7.68
Equipment, vehicles, furniture and depreciation	1,356,344	58,369	1,414,712	10.89
Contractual Services	2,772,538	(45,578)	2,726,960	21.00
Travel	1,632,455	119,635	1,752,090	13.49
Transfers and Grants	913,677	65,093	978,770	7.54
General Operating	1,264,352	9,486	1,273,838	9.81
Programme Costs Total	12,649,690	337,452	12,987,142	100.00
¹ Indirect Support Costs Total	876,685	22,662	899,347	6.92
Total	13,526,375	360,114	13,886,489	

¹ **Indirect Support Costs** charged by Participating Organization, based on their financial regulations, can be deducted upfront or at a later stage during implementation. The percentage may therefore appear to exceed the 7% agreed-upon for on-going projects. Once projects are financially closed, this number is not to exceed 7%.

6. COST RECOVERY

Cost recovery policies for the Fund are guided by the applicable provisions of the Terms of Reference, the MOU concluded between the Administrative Agent and Participating Organizations, and the SAAs concluded between the Administrative Agent and Contributors, based on rates approved by UNDG. The policies in place, as of 31 December 2020, were as follows:

- **The Administrative Agent (AA) fee:** 1% is charged at the time of contributor deposit and covers services provided on that contribution for the entire duration of the Fund. In the reporting period US\$ was deducted in AA-fees. Cumulatively, as of 31 December 2020, US\$ **152,245** has been charged in AA-fees.
- **Indirect Costs of Participating Organizations:** Participating Organizations may charge 7% indirect costs. In the current reporting period US\$ **22,662** was deducted in indirect costs by Participating Organizations. Cumulatively, indirect costs amount to US\$ **899,347** as of 31 December 2020.

7. ACCOUNTABILITY AND TRANSPARENCY

In order to effectively provide fund administration services and facilitate monitoring and reporting to the UN system and its partners, the MPTF Office has developed a public website, the MPTF Office Gateway (<http://mptf.undp.org>). Refreshed in real time every two hours from an internal enterprise resource planning system, the MPTF Office Gateway has become a standard setter for providing transparent and accountable trust fund administration services. The Gateway provides financial information including: contributor commitments and deposits, approved programme budgets, transfers to and expenditures reported by Participating Organizations, interest income and other expenses. In addition, the Gateway provides an overview of the MPTF Office portfolio and extensive information on individual Funds, including their purpose, governance structure and key documents. By providing easy access to the growing number of narrative and financial reports, as well as related project documents, the Gateway collects and preserves important institutional knowledge and facilitates knowledge sharing and management among UN Organizations and their development partners, thereby contributing to UN coherence and development effectiveness.