

RULE OF LAW

Key statistics:

Strengthening women's security:

- In Rwanda, up to half a million women were raped during the 1994 genocide.
- In Croatia and Bosnia-Herzegovina, an estimated 60,000 women were raped in the war.
- In Sierra Leone, the number of incidents of war-related sexual violence among internally displaced women from 1991 to 2001 was as high as 64,000.

Advancing gender justice:

- Only one woman has served as a judge on the International Court of Justice since it was established more than 80 years ago.
- The 34-member International Law Commission had no women throughout its 55-year history until 2001, when two women were elected.
- No more than three women have served at any time among the 14 permanent judges of the 90 International Criminal Tribunals for the Former Yugoslavia and for Rwanda.

Transform government to deliver for women:

- As of July 2006, women accounted for just under 17 percent of all parliamentarians worldwide. At current annual rates of progress, gender parity in national legislatures won't be achieved until 2068.
- 30 percent of Africa's councilors are women, 26 percent in South America, 24 percent in Central America, 17 percent in Asia and the Pacific, 23 percent in Europe and 2.1 percent in the Middle East.
- Thanks to a quota system fostering women's participation in national politics, Rwanda jumped from 24th place in 1995 to first place in 2003 in terms of women's representation in parliament.

Call to Action:

Governments, donors and development professionals must:

- Address the plight of civil populations during conflict and work with national partners to prevent any violations of their physical, legal or material security.
- Make women's security a priority, giving particular emphasis to facilitating justice for victims of sexual and gender-based violence.
- Strengthen endemic rule of law institutions to the point where they can deliver basic justice and security services.
- Empower communities to seek justice against those who have violated their rights as part of a broader conflict resolution process.
- Build social cohesion and restore confidence between war-affected communities and the state.



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UNDP in Action:

With field presence and expertise in over 160 countries, UNDP has already played a significant role in promoting the rule of law in conflict- and post-conflict countries. For example:

Sudan

Established in 2004, the Rule of Law Programme in Sudan is one of UNDP's most comprehensive. It addresses the broader spectrum of rule of law: from capacity development of the national judiciary, Ministry of Justice, law enforcement and corrections to legal aid and legal information at community-level. The Rule of Law Programme integrates a strong reconciliation and confidence building element.

Designed to counter "rule by force", part of the programme is implemented in Darfur, where UNDP seeks to: 1) respond to the immediate and medium-term needs of threatened populations and dysfunctional institutions, laying the building blocks for a full-fledged recovery phase; and 2) build the capacity of national stakeholders to: (a) address the existing rule of law vacuum; (b) actively contribute to diffuse conflict and restore justice; and, (c) ensure ownership and capacity in future peacebuilding efforts.

In the same vein, UNDP also addresses the widespread occurrence of sexual violence against women and girls by:

- conducting awareness raising and training of the judiciary, law-enforcements, traditional leaders, displaced populations, civil society;
- facilitating access to justice through legal aid centers (paralegals), lawyers' networks (lawyers), and inclusive engagement with local courts, judges and prosecutors; and
- managing legal information centers - open to all stakeholders and serving as forums for dialogue, knowledge-sharing and trust-building.

Somalia:

The second largest UNDP Rule of Law Programme, the UNDP Somalia Rule of Law & Security Programme has five main components: (a) judiciary; (b) law enforcement; (c) human rights and gender; (d) disarmament, demobilization and reintegration and small arms control; and, (e) mine action.

Activities include:

- creating and developing competent police forces, judiciary and custodial corps through training and rehabilitating infrastructure;
- legal empowerment, confidence and awareness raising for the public;
- establishing legal aid clinics and legal translation to enhance access to justice;

- supporting demobilization and downsizing within the security sector; and
- consolidating and analyzing customary law and traditional conflict resolution mechanisms.

Afghanistan:

UNDP's Justice Project "Strengthening the Justice System of Afghanistan" (SJSA) supports the government in implementing a "Justice for All" strategic vision. Its activities entail:

- building the capacity of permanent justice institutions and staff;
- aligning justice sector activities under national laws, which conform to international human rights standards;
- implementing standards and norms in the administration of justice that seek to actively promote and safeguard the rule of law for all persons in Afghanistan, without prejudice or discrimination;
- safeguarding the independence, competence, impartiality and fairness of judges and prosecutors in Afghanistan;
- supporting the legal literacy and empowerment of the Afghan population through community legal education and providing legal aid;
- supporting civil society programmes for legal and judicial reform; and
- recognizing the importance of traditional dispute resolution mechanisms that exist in Afghanistan, and overseeing such mechanisms.

Other UNDP rule of law programmes are also implemented in Albania, East Timor, the Central African Republic, Guatemala, Haiti, Kosovo, Mozambique, Serbia, Sierra Leone, and Timor-Leste.

Recognizing the critical foundation that the rule of law provides for crisis prevention, conflict mitigation, recovery and democratic governance, UNDP will continue to build on its existing programmes, strengthen and replicate these in a number of conflict/post-conflict countries.

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