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Resilient nations.*

Discussion Paper

Complementarity and Transitional Justice: Synthesis of Key Emerging Issues for Development

New Opportunities Arising from the Principle of Complementarity and Support for National Capacities to Investigate and Prosecute Serious Crimes of International Concern

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THE DEVELOPMENT CONTEXT

Introduction

For the last few decades, the international community has unequivocally asserted the importance of fighting impunity for serious international crimes. Transitional justice is concerned with combating impunity and building trust in public – particularly justice and security – institutions and social responses to justice, as well as promoting coexistence and a culture of tolerance among the diverse groups within a society. For the United Nations, “transitional justice is the full range of processes and mechanisms associated with a society’s attempt to come to terms with a legacy of large-scale past abuses in order to ensure accountability, secure justice, and achieve reconciliation.” As such, transitional justice is regarded as a critical component of the UN framework for strengthening the rule of law.

“Transitional justice and human development are about building societies which can be at peace, just, and inclusive. The challenge we share is ensuring that transitional justice and development practice do contribute to transformations which bring sustained and meaningful improvement to people’s lives. That is why at UNDP, we encapsulate the objective of our work as “Empowered Lives: Resilient Nations.”

Helen Clark, UNDP Administrator

The establishment of International Criminal Court as the first international criminal institution whose jurisdiction is complementary to national accountability has opened new opportunities in terms of advocating domestic reform and capacity-building of national criminal justice systems. The ICC holds accountable only those most responsible for the most serious crimes of concern to the international community.

UNDP has advocated for an integrated approach, emphasizing that transitional justice, including the development of capacity of national institutions to investigate and prosecute international crimes, has limited impact if not considered part of a wider rule of law, peacebuilding, and development efforts. As poverty, poor governance, and weak institutions frequently beset developing societies emerging from conflict and authoritarianism, victims of massive human rights violations are frequently victims of multiple violations.

In a few notable instances, the international community missed opportunities to establish development approaches as an initial objective of international and transitional justice mechanisms. In these cases, the work of international or hybrid tribunals was largely divorced from institutional reform programming and neglected the broader impact domestically on the rule of law.

This discussion paper provides an overview of the linkages and the challenges related to development support to transitional justice and specifically, the development of national capacity to try serious international crimes in line with the principle of complementarity. It highlights UNDP's added value in engaging on these issues based on the 2011 “UNDP Dialogue on Complementarity and Transitional Justice”, international best practices, and UNDP global, regional and country experience on strengthening the rule of law, justice and accountability mechanisms in the context of human development. This paper also provides policy options to help practitioners and specialists better integrate transitional justice and complementarity into broader rule of law and development programming.

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What is Complementarity?

The International Criminal Court (ICC) started its work in 2002 and is an independent, permanent court that tries persons accused of the most serious crimes of international concern, namely genocide, crimes against humanity and war crimes. It is an international organization established by a treaty adopted by 121 states, but it is not part of the UN system. Governed by the 1998 Rome Statute, the ICC is comprised of four organs, including the Presidency, the Judicial Divisions, the Office of the Prosecutor (OTP) and the Registry. The ICC is referred to as the court of “last resort” based on the complementarity principle: it will neither act nor consider a case admissible if the crimes are genuinely investigated and prosecuted by domestic authorities.

“Positive complementarity,” according to the Assembly of States Parties to the ICC “refers to all activities whereby national jurisdictions are strengthened and enabled to conduct genuine national investigations and trials of crimes included in the Rome Statute.” For the OTP it is a “proactive policy of cooperation aimed at promoting national proceedings.”

The UN recognizes that the ICC operates on the principle of complementarity as articulated in Article 17 of the Rome Statute. As such, the ICC may also contribute to the development of national capacities to bring alleged perpetrators of serious international crimes to account. In the area of prosecutions, UN programmes seek to reinforce or develop national capacities to ensure that investigations and prosecutions of serious violations of human rights and international humanitarian law are undertaken impartially, objectively and in a timely manner in accordance to international standards. For the UN, national prosecutions are one of the five core components of transitional justice, namely, prosecution initiatives, truth and reconciliation processes, reparations, institutional reform, and national consultations. (See Guidance Note of the Secretary-General: United Nations Approach to Transitional Justice).

Linkages and challenges related to transitional justice, complementarity and development

Coming to terms with a legacy of serious crimes and human rights abuses is essentially a political and societal process, which should ideally have a profound and long-term positive impact on societies and communities, strengthening democratic governance and preventing reoccurrence of such crimes. Developing mechanisms that hold everyone accountable equally, including the ultimate decision-makers, is the best way to strengthen state-society relations. As highlighted in the World Development Report of 2011, it adds credibility to and effectively builds trust in national justice and security institutions, which is crucial to breaking cycles of violence and conflict, and combatting cultures of impunity. Societies that are capable of holding to account perpetrators of serious international crimes, no matter the rank, set an important precedent for generations to come.

Thus, transitional justice and development processes form a natural convergence: both are concerned with the strength and legitimacy of the state to provide redress and justice, as well as with the development of the capacity of the institutions that are fundamental to the rule of law. From a development perspective, transitional justice processes help construct the rule-of-law based societies essential for accelerating human development. Moreover, transitional justice processes have increasingly touched upon socio-economic development issues and

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the root causes of conflict and violence, which often lie in exclusion, discrimination and economic, social, and cultural injustices. The fundamental importance of national ownership and the shift towards more victim-centered approaches for the effective and sustainable impact of transitional justice processes fully align with the human development approach.

As transitional justice serves the objectives of justice, accountability and reconciliation, it encompasses a range of mechanisms to these ends. In addition to national prosecutions, these include truth seeking, reparations for victims, and institutional reform guaranteeing non-recurrence of human rights violations. The complementarity principle, on the other hand, is based on the imperative for prosecution of Rome Statute crimes through international and national justice institutions, and mechanisms to enhance national processes. While it is a distinct paradigm, efforts related to complementarity can contribute to the goals of transitional justice; it is central in ensuring individual accountability for crimes, and it contributes to social transformation through facing the past as a means to prevent future recurrence of conflict and serious human rights violations. From a development perspective, the emphasis in complementarity is on the capacity of the national systems to prosecute serious international crimes for these reasons rather than on the international justice processes.

At the complementarity panel of the 2010 Rome Statute Review Conference in Kampala, UNDP advocated for an integrated approach to development and rule of law, emphasizing that transitional justice mechanisms would only have limited impact if not considered as part of wider rule of law, development and peacebuilding efforts. This is particularly true with national prosecutions and complementarity. Developing capacity for domestic trials of international crimes can reap significant benefits for strengthening the criminal justice system as a whole. At the same time, raising the overall capacity across the justice sector for drafting and enacting legislation, investigating and adjudicating, efficient case management, victim and witness support and protection, increasing the execution of court decisions or developing legal aid provisions will all enhance work on complementarity.

The importance of rule of law actors' involvement on complementarity was highlighted in a Resolution of the Kampala Review Conference of the Rome Statute, which recognized "the need for additional measures at the national level as required and for the enhancement of international assistance to effectively prosecute perpetrators of the most serious crimes of concern to the international community" and encouraged "state parties and other stakeholders, including international organizations and civil society, to further explore ways in which to enhance the capacity of national jurisdictions to investigate and prosecute serious crimes of international concern."

Nonetheless, a key challenge is the exceedingly sensitive, political, and complex nature of transitional justice processes, particularly prosecutions, at the national level. The UN Secretary-General has said that "peace and justice should be promoted as mutually reinforcing imperatives and the notion that they are at odds should be countered. The question, therefore, is not whether to pursue accountability and justice, but rather when and how." While the conundrum concerning the objectives of short-term peace versus justice is well known, however, beyond that there can be many areas where politically expedient and pragmatic solutions to development issues in conflict-affected countries will be at odds with notions of justice and accountability. Moreover, engagement in transitional justice and complementarity, including where the ICC's involvement or "shadow" is at play, can become highly politicized at the national, regional and international levels.

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Strategies for Effective Engagement

Acknowledging such challenges related to development programming in transitional justice and identifying ways to overcome them is critical to inform the strategies to be pursued and the selection of programmatic entry points. A thorough understanding of the enabling environment, i.e. the political, social and economic conditions and the level of political commitment of both external actors and national counterparts to implement certain reforms will need to be integrated into the assessment and design of any development programme, help adopt realistic baselines as to what is feasible in light of the particular context, and help support constituencies amongst

"We commit to ensuring that impunity is not tolerated for genocide, war crimes and crimes against humanity or for violations of international humanitarian law and that such violations are properly investigated and appropriately sanctioned, including by bringing the perpetrators of any crimes to justice, through domestic mechanisms or, where appropriate, regional or international mechanisms, in accordance with international law, and for this purpose we encourage States to strengthen national judicial systems and institutions."

Declaration of the High-Level Meeting of the General Assembly on Rule of Law

security of justice providers should be carefully gauged in determining whether or how to engage.

Depending on the context as well, community, national and/or regional approaches, including a combination of all three, may be adopted for prosecutions as well as reconciliation and truth seeking. Community approaches, and traditional and customary justice mechanisms can help with ensuring accountability and also play an important role in fostering coexistence and tolerance within the community and society, as experiences from Rwanda and Uganda have illustrated.

Given the frequent cross-border and regional nature of many conflicts and political transitions, some obstacles to engagement may also be overcome by supporting the role of sub-regional and regional organizations. The Arab League's involvement in events in the Arab world, the African Union's relations with the ICC or the European Union's cooperation with the International Criminal Tribunal for the former Yugoslavia, exemplify the growing importance of regional actors in these contexts. Moreover, the political engagement of a Security Council or the existence of a peace agreement containing transitional justice elements may provide crucial openings for development engagement. These contexts are also characterized by the variety of actors involved, and by a fluid environment subject to constant change including the possibility of a return to conflict, raising specific challenges to be fully considered as part of thorough analysis and planning.

key groups as a means to advocate reforms. This should involve in-depth analyses of the political situation, and of capacities and needs of the various stakeholders (e.g. the ministries and government agencies, parliamentarians, civil society, the judiciary, the media) and the risks related to engagement or a failure to engage on such critical issues. With regard to complementarity, it is necessary to carefully assess the views and perceptions of key constituencies regarding the ICC.

Strategic sequencing should also be considered, allowing for an incremental yet comprehensive tack in accordance with the aforementioned analysis, starting for instance with institutional reforms, such as vetting processes and capacity building of justice institutions, or at a minimum, with the preservation and archiving of relevant documentation and testimonies, that could be used at a later stage. The level of political support and the risk of a one-sided or "victors" narrative, of increasing tensions related to addressing past crimes, and of threats to the



Courtroom I of the International Criminal Tribunal for the Former Yugoslavia

Photo: UN/ICTY

Added value of UNDP engagement

There are many UN and external actors engaged in transitional justice, including Security Council mandated peace operations and the important role played by the UN Office of the High Commissioner for Human Rights (OHCHR). UNDP's support to transitional justice and complementarity is based on the following: 1) demand-driven assistance agreed to with national governments; 2) empowerment of national actors to carry out transitional justice processes; 3) integrated approach situated within a broader set of rule of law and democratic governance in a development context, with a view to supporting peacebuilding goals; and 4) capacity and needs assessment as well as impact measurement.

Transitional justice or related accountability processes can take place at the national level in the context of a political transition, post-conflict recovery or changes in government policy as part of a democratic development trajectory. While some transitional justice mechanisms are time-bound, such as with the mandates of truth

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commissions, others can be initiated, as in the case of prosecutions, or designated, such as for memorials or reparations, at most any time in a nation's history. In some societies, the possibility to address past abuses may only emerge long after the actual events. In other contexts, such efforts may take time to come to fruition even if they were initiated in the immediate post conflict period. UNDP's unique advantage thus lies in its long term engagement and presence in the field, which is crucial, given that reform processes and transitional justice may be slow and require patience, sustained support and will rely on pre-existing relationships with national stakeholders.

The key focus of UNDP's mandate on capacity development and institutional strengthening based on national development plans and national leadership is increasingly relevant to transitional justice approaches, particularly complementarity. Another important feature of UNDP's mandate is its breadth, which enables it to link up transitional justice with other processes, such as socio-economic growth and recovery, peacebuilding, democratic governance and the rule of law.

"We live in an age of accountability. It is an age in which there is an ever-growing emphasis on the responsibility of states to end impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes and other egregious crimes."

UN Secretary-General Ban Ki-moon

Amongst international actors, UNDP is widely recognized for its impartiality and longstanding experience and relationships with government counterparts and its capacity to facilitate dialogue between state authorities and other national stakeholders, including national human rights institutions, civil society, political parties, parliamentarians etc. As such, it can play an important role in gathering consensus and coordinating

transitional justice mechanisms as part of broader programming, and in empowering national actors to carry out and take full ownership of transitional justice processes.

Finally, UNDP has large-scale programmes on access to justice and rule of law, as part of democratic governance and crisis prevention and recovery, into which transitional justice and complementarity can be integrated to have broader impact overtime. In the area of rule of law and access to justice, UNDP works in over 100 countries, including in over 40 conflict-affected countries over the past decade. It is able to draw from its experience in a variety of settings in all regions and can ensure, through its regional and global presence that such experience is captured and shared appropriately, not only within the organization but with other institutional actors and civil society. It has developed solid methodology in programmatic design, ensuring that its programmes are based on detailed assessment of needs and capacity, and that their impact is properly gauged and measured. In order to ensure that engagement on these issues is sustained beyond the programmatic cycle, it is important to build these measures into wider national development planning and budgeting and to support strong normative frameworks that ensure continuing progress on these issues and prevent reversals of approaches for reasons of political expediency.

In view of the complex and multifaceted nature of support to the rule of law and transitional justice in conflict-affected contexts, in September 2012, **UN Secretary-General Ban Ki-moon appointed the Department of Peacekeeping Operations (DPKO) and UNDP as the Global Focal Point for Justice, Police, and Corrections areas in the rule of law in post-conflict and other crisis situations.** UNDP and DPKO, working under the guidance of the UN's in-country leadership, and partnering closely with other UN entities such as the OHCHR and

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the UN Office on Drugs and Crime, will reinforce the UN's support to national efforts on Justice, Police and Corrections. This could include rapidly deploying police, justice and corrections advisers, expanding expert rosters for more flexible deployments, supporting joint assessment, planning and design of police, justice and corrections assistance, support fundraising efforts for police, justice and corrections programmes at the country level, developing guidance, training and policy tools where gaps exist, evaluating the assistance provided and the UN impact on rule of law at the country level, and convening relevant UN entities to provide coordinated support.



Rwandan Gacaca Proceeding
Photo: UNDP/Elisa Finocchiaro

Entry Points for Integrating Complementarity and Transitional Justice into Programming

UNDP has a range of programming entry points to address transitional justice and complementarity. In some cases, transitional justice and/or complementarity might be the right starting point, and a full scale programme which addresses truth, justice, reparations and reconciliation might be possible. In many contexts, transitional justice and, in particular complementarity, will be part of access to justice and rule of law programming with those broader goals constituting the main entry point. Transitional justice elements might also be integrated into specific conflict prevention, reconciliation, and social cohesion efforts. UNDP is involved in a range of other governance processes, such as assisting States in taking forward recommendations made under the Universal Periodic Review (UPR) of the Human Rights Council, which can also provide entry points. It also supports, cooperatively with the OHCHR and DPKO, "the Rule of Law Team of Experts" whose deployment is mandated

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pursuant to Security Council Resolution 1888 to provide assistance to national authorities in the investigation and prosecution of those allegedly responsible of sexual violence crimes. UNDP also engages on these issues through support for knowledge sharing, South-South cooperation and exchange of policy and practice at the international and the regional level, such as in Africa and the Arab States. In other settings, including where addressing transitional justice and complementarity activities directly remains delicate, consideration should be given to integrating specific transitional justice objectives into livelihoods and other development programming.

The Democratic Republic of the Congo

Given the ICC's focus on the most serious crimes and high-level suspects, the need to continue efforts to further develop and strengthen the capacity of judicial institutions to investigate and prosecute international crimes in the DRC has been critical. Sexual and gender-based violence (SGBV), which has been endemic since the start of the conflict, has drawn particular attention to the issue of impunity. UNDP, as part of its Access to Justice Programme, and with OHCHR and the UN mission, worked cooperatively with the Prosecutor's office of the ICC to train Congolese officials in the investigation and prosecution of SGBV and to provide support to investigation missions, to reinforce judicial monitoring, conduct awareness raising and outreach activities, and to put in place a witness protection system. Support to mobile court processes has resulted in more than 300 SGBV cases leading to 193 convictions.

Bosnia and Herzegovina

UNDP's project "Access to Justice: Facing the Past and Building Confidence in the Future" in Bosnia and Herzegovina directly supports a "Working Group of Experts" comprised of government and non-governmental actors to develop a comprehensive State-level Transitional Justice Strategy and an implementation Action Plan. The project supports specific activities aimed at developing areas of truth seeking and memorials to be used in the process of developing and communicating transitional justice strategic issues. Furthermore, the project supports the capacity-building of civil society organizations in order to allow them to provide better targeted interventions in the area of transitional justice. UNDP has also helped build the capacity of the Cantonal and District Prosecutor Offices and Courts to process war crimes cases resulting in better communication among justice actors, and increased public outreach and legal knowledge.

Colombia

Due to the sheer complexity of the national context and the fact that, given its regional diversity, Colombia has been experiencing various shades of conflict and violence, the need for a comprehensive transitional strategy, encompassed in the basket fund on transitional justice and in the REDES Programme (Reconciliation and Development) was critical. The basket fund helps strengthen the capacity of the national justice system for accountability and supports reparations for victims, particularly focused on land rights. UNDP's overall programmatic approach seeks to contribute to peace, human development and reconciliation at the national and territorial levels, through the strengthening and support of state and civil society initiatives, promoting their participation in inclusive political, economic and social processes, their ability to have an impact on the current violence and conflict and on the development of public policies.

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Rwanda	The nature of the genocide in Rwanda, which involved an extraordinarily large number of perpetrators and a limited capacity of the judiciary to process these cases, meant that innovative strategies had to be contemplated, through the use of informal courts known as Gacaca. Supported by UNDP, these processes carried the advantage of being more participatory and accessible to the rural population, and more cost-effective and victim-centered than alternatives. Over 1 million cases have been tried in category two and three (i.e. those accused of lesser crimes than the planners, organizers and supervisors in category one). Studies have shown that the benefits of Gacaca and Rwanda's innovative justice response to a complex situation outweigh its shortcomings.
Guatemala	UNDP's PAJUST (Programa de Acompañamiento a la Justicia de Transición) provides the platform of coordination for representatives of victims, civil society, and state institutions (including the Secretary of Peace, the Attorney General's Office, the National Reparation Programme, the Human Rights Ombudsman's institution, and the Presidential Commission on Human Rights) to work together on the multiple components of the transitional process particularly related to prosecutions (e.g. archiving and documenting; dissemination; forensics; investigations; prosecutions; reparations; exhumations; psycho-social care; awareness raising and education). In 2011, Guatemala saw the first prosecutions of international crimes perpetrated during the conflict over 15 years ago.
Tunisia	The approach recently adopted by UNDP, jointly with OHCHR, supports the transitional justice process through national dialogue, with a focus on participation of all regions, and capacity development of all stakeholders on transitional justice processes, notably civil society. The programme also supports broader justice reform and capacity-building of criminal justice actors to help its adaption to international standards.

Approaches for strengthening national capacities

UN Guiding Principles for support to transitional justice include: compliance with international human rights; take account of the political context and base assistance on the country context; ensure centrality of victims; coordination with broader rule of law initiatives; and that processes take account of root causes of conflict and repressive rule and address economic, social and cultural rights.

UN Secretary-General's Guidance Note

UNDP's engagement in domestic prosecutions of international crimes will in most situations be focused on strengthening the overall system of justice dealing with regular crimes and civil claims in the country to enable access to justice, service provision and resilience. In a few contexts, capacity-development and institutional strengthening with respect to transitional justice, complementarity related prosecutions as well as victims/witness support and outreach strategies specifically may be a valuable entry point to advocate broader justice reform. Many truth commissions have, for instance, made specific recommendations towards prosecutions and/or reforming the criminal justice system and other governmental structures with a role in rule of law development.

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Frequently, the approach will need to enhance the capacity of these institutions to initiate and conduct complex prosecutions of international crimes and gross human rights violations as a coordinated justice system within the context of broader reform efforts. This could also lead to the establishment of special judicial mechanisms to adjudicate particularly serious crimes. The question then is how to design these mechanisms so as to ensure that they mesh with broader justice sector development plans and maximize spill-over benefits for broader rule of law development. In some cases, a low-key and modest approach will be most effective and realistic, due to the immense capacity needs and limited support for reforms. This can include more project related activity such as education and training on human rights, gender-based violence and serious international crimes, which can include integrating such training in national judicial training centres or other relevant institutions.

Complementarity and UNDP Rule of Law Programming

The full range of programming elements need to be made available and most UNDP programmes have included aspects of the following:

- Legislative assistance, including drafting of legislation incorporating Rome Statute crimes into the domestic legal order and ensuring appropriate implementation of that law;
- Strengthening specialized police investigation and prosecutorial services skills;
- Training and capacity development generally and on specialized areas (gender-based violence);
- Court management and registry functions;
- Development of capacity to ensure that detention and police facilities comply with international standards;
- Victim support and witness protection as well as protection of adjudicators;
- Establishing channels of communication and cooperation with relevant regional and international courts;
- Public outreach and communications;
- Coordination and support for relevant CSO working with victims and witnesses;
- Legal awareness and legal aid services for both victims and defendants;
- Strengthening of forensic capacities, documentation and archives;
- Compensation and reparations programmes;
- Establishing channels of communication and cooperation with relevant regional and international courts;
- Physical infrastructure, including:
 - Construction of courtrooms and prison facilities and security of detention cells;
 - Court management systems to safeguard and ensure access to evidence on record;
 - Creation of archives storage area and systems capable of keeping access to material without risk of this material being destroyed over time.

Integrating Transitional Justice Components into Broader Development Programmes

Many transitional justice activities to assist and support victims of past abuses are at the crossroads between several of UNDP's practice areas. Transitional justice should, in a UNDP perspective, be fully integrated in broader conflict prevention and recovery, democratic governance strategies, gender and human rights mainstreaming and poverty reduction strategies, and serve the broader goal of building stability and ending impunity. Aspects of accountability, truth-telling, reparations and institutional reforms, as well as any process contributing to greater

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social cohesion, and to reinsertion and reintegration of survivors, will be particularly critical to meet these broader objectives. These will involve a potentially large number of groups and actors to be considered, both inside and outside governmental structures (e.g. ministries of education, culture, health and social affairs, home affairs, religious and cultural groups).

Promoting Dialogue, Coordination and Victim-Centred Approaches

There are a wide range of actors who need to be involved in discussions on justice reform and/or transitional justice strategies, from judicial institutions to the executive and legislative branches, the police, civil society, victims groups, forensic experts and archivists, social workers and medical staff, and the media. Given the importance accorded to national consultations in the design and establishment of transitional justice mechanisms, as well as to the ongoing implementation and engagement in these areas over time, UNDP can play a key role in providing support and expertise for these processes as a component of development programming. This can include specific support to civil society and victim participation and consultations, the development of national strategies, as well as on-going platforms which bridge and strengthen engagement and coordination amongst all relevant actors and justice institutions. In order to give a voice to all of those affected by past abuses, it is important that national consultations support strategy development and involve reaching out to communities beyond the urban centres and in some cases, beyond the country's borders.

There has been mounting interest in the use of reparations as a means to more directly address the plight of the victims of past abuses, rather than focusing on their oppressors, which is characteristic of the criminal justice process. Reparations, which may be material, financial and/or symbolic (i.e. through commemoration, memorialization and remembrance processes) can address some development and distributive justice concerns by providing support to victims. They can also, together with reforms of judicial institutions, contribute to democratic governance by building renewed trust in state institutions and between members of the community as they reflect acceptance by the state of responsibility towards specific categories of individuals. Criminal justice processes can establish a body of "judicial truth", which can contribute to establishing the historical record for education curricula and academia, as part of the efforts to face the past. Truth-telling mechanisms can also play an important role in advocating and recommending needed governance reforms, which may well go beyond a narrow understanding of transitional justice and lead to reforms in a range of social, economic, and legal areas.

The overall context, nature and level of international support and involvement may have a profound impact on the strategies adopted at the national level and will require close coordination amongst international actors (e.g. by Resident Coordinators; Special Representatives of the Secretary-General etc.) to ensure coherent approaches. A range of existing tools can be used to ensure integrated and strategic approaches to transitional justice and complementarity. These include national development strategies and plans, United Nations Development Assistance Frameworks, Peacebuilding Fund Priority Plans and Integrated Strategic Frameworks as well as sector specific planning frameworks. In addition, the use of basket funds for programmes, such as those in Burundi, Guatemala and Colombia, has been found useful to enable coordinated, consistent and well supported efforts.

Beyond planning and programmatic means, coordination around the nature of the engagement needs to be well managed and grounded in an analysis of who are the best actors, under the circumstances, to interact with the government on transitional justice and complementarity issues. Political missteps by one international agency may have ripple effects for others, and can easily derail programming in the area.

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For more information: www.undp.org/
United Nations Development Programme
One United Nations Plaza • New York, NY 10017 USA