



Strengthening the Rule of Law in Crisis-affected and Fragile Situations

Global Programme Annual Report 2011

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South Sudan Police Training Recruits
UN Photo/Paul Banks

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Resilient nations.*

Strengthening the Rule of Law

in Crisis-affected and Fragile Situations

Foreword

**Jordan Ryan,
Director of the Bureau
for Crisis Prevention and Recovery**

Violent conflict has declined significantly in the past two decades, yet one and a half billion people still live in fragile or conflict-affected countries. For them, the world does not feel safer. Fear, violence and injustice define their days.

There is a strong link between protecting people from violence, building legal institutions and development. Violence can undermine and overwhelm the institutions of state. When this happens, efforts to overcome poverty are weakened.

Drawing on our extensive experience establishing the foundations for the rule of law in developing countries, this report details UNDP's 2011 global work to help strengthen institutions such as courts, police and security forces, the judiciary, parliaments and the legal profession in conflict-affected states.

In 2011 we saw once again how dissatisfaction with the rule of law can inspire civil unrest and instability, as the Arab awakening swept across the Middle East and North Africa and the people living in many former dictatorships enjoyed a renewed sense of hope and optimism. In order to keep this spirit of optimism alive, it will be essential to re-establish trust in the judiciary, security services and police in Egypt, Libya, Syria, Tunisia and Yemen to help found stable democracies that respect human rights. UNDP is working to help these newly formed governments as they begin the difficult process of transition.

As this report shows, from Afghanistan to Colombia and Nepal to Somalia, as well as boosting the skill base of security services and police, UNDP has also implemented initiatives that have reduced violence and allowed for a better analysis and understanding of crime.

In newly-established, conflict-affected states, such as Kosovo^[1], South Sudan and Timor-Leste, UNDP has supported the creation of entirely new justice systems, from building court houses and supporting the drafting of legislation, to training judges, lawyers, prosecutors and public defenders.

[1] UN Administered Territory, referred to in the context of UN Resolution 1244



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Resilient nations.*

This is a long-term commitment, but as this report details enormous achievements were also made throughout the year in bringing perpetrators of sexual and gender based violence to justice, especially in the Democratic Republic of Congo and Somalia.

UNDP's commitment to empowering women includes an obligation to strengthening women's security in crises, as well as increasing women's participation in both formal and informal institutions. UNDP is helping to ensure that women become an integral part of the police force and justice system in conflict-affected countries, like Afghanistan, Timor-Leste and Somalia.

These achievements would not have been possible without the commitment of our partners, which includes national authorities, civil societies and donors: Australia, Canada, the European Union, Germany, Japan, The Netherlands, Norway, Spain, Sweden, the United Kingdom and the United States. I hope that this financial, technical and strategic support can continue, in fact deepen to allow us to continue this critical work.

Conflict-affected countries cannot face the task of improving the rule of law on their own. Governments, civil society, business, and local communities, as well as the long-term UN development presence all have a role. It is clear that improving collaboration and clarifying the division of labor among the various UN agencies active in the rule of law is essential to improving the UN's performance. Our challenge is to align these different parts of the UN behind a coherent strategy. This has already happened in places like Liberia, Timor-Leste and Guinea-Bissau.

UNDP is committed to improving the access to justice in countries recovering from crisis. The pledge is to deliver rule of law assistance faster; strengthen our analytical capacity; increase the focus on economic and social rights; and support the reform process launched by the Secretary-General in the context of the Civilian Capacities Review.

Strengthening the rule of law in crisis-affected and fragile countries by providing people with security and justice will enable governments, communities and individuals to find solutions to conflict and allow men, women and children to live in transparent, accountable and just societies.



Photo Credit: UNICEF/Ron Haviv
Girl in Sudan

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Executive summary: Why does the Rule of Law matter?

**If one really wishes to know how justice is administered in a country, one does not question the policemen, the lawyers, the judges, or the protected members of the middle class. One goes to the unprotected—those, precisely, who need the law’s protection most!—and listens to their testimony.
James Baldwin “The Price of a Ticket”.**

The rule of law is a state in which individuals, communities and governments submit to, obey and are regulated consistently by law, and not arbitrary action by an individual or a group of individuals. The notion of “consistency” is important. It means that regardless of colour, creed, origin, religion or sexuality, the law is applied consistently or in plainer terms “fairly”. Rule of law is critical to enable development in conflict-affected and fragile countries. Organised violence, whether caused by criminal activity or conflict, leads to insecurity, abuse and perceptions of injustice.

In the worst situations life becomes cheap. This impacts development because people who fear for their lives and see no end to injustice, often do not plan for the future – sometimes to the extent of failing to plant crops. Measures of development consistently demonstrate that contexts classified as fragile and or conflict-affected perform badly against many indicators, most notably the millennium development goals (MDGs). There is also evidence to suggest that the necessary preoccupation with the present in conflicts can lead to dramatic deterioration of indicators, which can mean that conflict will lead to further crisis, like famine.

Fragility and violence have been shown to fuel one another, with heightened criminality often aggravated by factors including the social and economic marginalization of certain groups, perceived injustice, and insecurity. This can quickly spiral into a vicious cycle of criminality, impunity and insecurity. In these contexts and in contexts where conflict threatens, a rapid restoration of the rule of law, including access to justice and improved community security can prevent violence, help societies deal with the legacy and bitterness of conflict and ultimately provide the foundations for building inclusive, well-governed societies that can maintain stability.



*Photo Credit © UNICEF_Iyad El Baba_
occupied Palestinian territory*

Fragile states are marked by a failure to deliver the benefits of development – either capably or fairly or both. The evidence demonstrates time and again, that a sense of perceived injustice – rather than poverty *per se* – drives conflict. When the poor are harassed by state officials – or when they are cheated by their neighbours and cannot get redress, this builds a sense of grievance. When this happens again and again, when the state is immune to calls for justice, and exists in a state of impunity, with its officials above the law – or using their public position for private gain, this is a toxic brew. It is even more toxic when those who are unfairly treated belong to religious, ethnic or otherwise marginalised groups.

Box 1: The Arab Spring – A Story of the Law and the Unprotected

Mohamed Bouazizi a Tunisian street vendor set himself on fire on 17 December 2010, in protest against the confiscation by the police of fruit he had bought on credit to sell. The occasion of his self-immolation was not the first

time he had been harassed. The police and officials who should have enabled his bid to earn a living and pay for his siblings to go to university, consistently demanded bribes and destroyed his livelihood – and – ultimately

his life. His act was a catalyst for the Tunisian Revolution and for transitions across Arab states which were marked by widespread violence and in some cases protracted conflict.

Given the need to respond to the challenges of crisis-affected and fragile states, UNDP's rule of law, justice and security programming, knowledge exchange and policy guidance focuses on elements of rule of law which:

- i) Deal with the Legacy of Conflict – including through supporting transitional justice initiatives and mechanisms
- ii) Improve Human Security – through working with governing institutions and communities affected by insecurity and injustice
- iii) Increase Access to Justice for All – by ensuring that the law is not discriminatory, holds to international and regional standards and norms, and is accessible to all
- iv) Deliver Security and Access to Justice for Women



Credit: UNICEF/Michael Camber

**Strengthening the rule of law
is at the heart of the social
contract**

This report showcases the results achieved with UNDP support, since 2008, in approximately 37 conflict-affected and fragile countries and countries in transition,^[2] including the support provided by UNDP's *Global Programme for Strengthening the Rule of Law in Conflict and Post-conflict Situations (2008 – 2011)*,^[3] which is part of a broader UNDP engagement in the rule of law area in all development situations. The report also highlights some of the important contributions that UNDP has made to improving the UN's global policy in this critical area. The final part of the report focuses on:

- v) Improved Monitoring and Evaluation of the Rule of Law Sector
- vi) Partnerships
- vii) The Way Forward & Phase 2

States which can deliver in these critical areas of rule of law are better placed to develop legitimate institutions that win the trust of their citizens. The absence of rule of law can significantly diminish highly effective state performance in other key areas. An excellent education is less of a prize if your children are attacked on their way to school. This makes rule of law a priority concern – i.e. a concern that needs to be dealt with early and effectively to maximise other human development goals. Strengthening the rule of law is therefore at the heart of the social contract.

[2] There is no internationally agreed definition of crisis-affected and fragile situations – For the purposes of this report, we have included results of our work in 37 countries, including countries undergoing transition. These countries are: Afghanistan, Bosnia-Herzegovina, Burundi, Central African Republic, Chad, Colombia, Cote d'Ivoire, Democratic Republic of the Congo, Egypt, El Salvador, Georgia, Guinea-Bissau, Guinea (Conakry), Guatemala, Haiti, Honduras, Iraq, Jamaica, Kenya, Kyrgyzstan, Kosovo (UN Administered Territory, referred to in the context of UN Resolution 1244), Liberia, Libya, Nepal, Nicaragua, Occupied Palestinian Territory, Papua New Guinea, Pakistan, Sierra Leone, Solomon Islands, Somalia, South Sudan, Sri Lanka, Sudan, Timor-Leste, Tunisia, Yemen.

[3] Global Programme Priority Countries are: Afghanistan, Bosnia-Herzegovina, Burundi, Central African Republic, Chad, Colombia, Democratic Republic of Congo, Guinea-Bissau, Guinea (Conakry), Haiti, Iraq, Kosovo (UN Administered Territory, referred to in the context of UN Resolution 1244), Liberia, Nepal, Occupied Palestinian Territory, Sierra Leone, Somalia, South Sudan, Sri Lanka, Sudan, and Timor-Leste. In 2011, South Sudan seceded from Sudan, making 21 priority countries.

As such, rule of law plays a central role in providing a definitive path from conflict, violence and fragility to peace, development and stability. UNDP recognises that rule of law permeates every aspect of society and that strengthening it requires changes at many levels. Our approach is one which integrates the concept of justice and security, and which provides rule of law support that will address the drivers of violence and conflict. National ownership is central to ensure success. Multi-year programmes link immediate support to a longer-term approach that is required to achieve real change. We work with local communities, civil society, and informal mechanisms as well as with formal institutions. Women's access to justice and security is a particular priority. Our support focuses on rule of law in the broadest sense – including promoting rule of law that is responsive to demand and that strengthens democratic governance and economic recovery.

Challenges

The rule of law sector is particularly challenging. Both formal and informal players are often accustomed to using force to solve problems and can be impatient with slower negotiated processes, so engagement in the rule of law sector is often balanced on a knife-edge. Consequently, the international community has grappled with how to provide support that can manage complex political dynamics and that can support the establishment of rule of law institutions that foster peace and stability.

Furthermore, to date many interventions have focused heavily on institution building, specifically making the Executive branch of government dealing with justice and security service delivery more efficient. However, there is mounting evidence that to be effective rule of law approaches need to take into consideration the historical context within which understandings of 'law', 'justice' and 'rights' are shaped. Institutions do matter, but only by understanding the role of law in long-run processes of state formation and the highly political nature of legal interactions can we begin to understand socio-legal change. Understanding rule of law as the heart of the social contract ensures that we understand and reflect in our programming the nature of the permission that citizens grant to be governed.

Going forward, we will root rule of law programmes even more firmly in national political processes, thereby, further ensuring the sustainability of our interventions. We will further develop effective joint programming and approaches with the Department of Peacekeeping Operations (DPKO), the Department of Political Affairs (DPA) and other UN and international actors in the process. We will focus on building confidence in legitimate and inclusive political settlements, and sustainability.

2011 marks the end of the first phase of the Global Programme. In phase two, the Programme will benefit from stronger working arrangements between UNDP's Bureau for Crisis Prevention and Recovery and the Bureau for Development Policy. UNDP will also take on its role in supporting the responsibilities and functions identified in the context of the Civilian Capacities Review.

In compiling this report, we have been grateful to receive contributions from our partners, outlining the work that we do in collaboration with them. Achieving improvements in the rule of law will never be the result of a single actor or entity but is a collective effort. Going forward, we look forward to strengthening these partnerships to achieve even greater results in the area of rule of law.

... to be effective rule of law approaches need to take into consideration the historical context within which understandings of 'law', 'justice' and 'rights' are shaped.

Key Achievements of UNDP's



El Salvador:

UNDP support to community security programmes resulted in a reduction in homicide of 12 percent in some of the most violent municipalities in El Salvador - One municipality registered a 40 percent reduction

Colombia:

Since 2008, UNDP has supported the creation of a comprehensive national framework to support victim's rights, resulting in the adoption of groundbreaking legislation to provide reparations for approximately 400,000 victims of the conflict.



Guinea (Conakry):

UNDP supported the retirement of close to 15 percent of the armed forces and the development of comprehensive reform plans for the security sector. These are both critical for the long term stability of Guinea.



Sierra Leone:

In 2011, as a result of UNDP support, courts heard 73 percent of 700 pending SGBV related cases, 27 percent of which were completed.



Democratic Republic of Congo:

UNDP supported the first ever conviction of 193 members of the Congolese National Army and Police for crimes relating to sexual and gender based violence, including crimes against humanity. UNDP also supported the establishment of 18 legal aid centres.



Global Programme on Rule of Law



occupied Palestinian territory:

In Gaza and the West Bank in 2011, UNDP supported the provision of legal assistance to approximately 17,000 men and women.



Afghanistan:

UNDP has provided support to the establishment of a 137,000 strong national police force and pioneered the development of community policing initiatives.

Nepal:

UNDP supported 2,000 paralegals to provide legal assistance to conflict affected individuals in 70 Village Development Committees.

Sri Lanka:

UNDP supported the provision of free legal aid to 37,662 conflict-affected people through the Legal Aid Commission and a network of NGOs.



Somalia:

UNDP has supported the appointment of approximately 14,000 police officers increasing the capacity and reach of the police force.



South Sudan:

UNDP has provided support to extend police services to many remote areas, including establishing 50 police posts.



Timor-Leste:

UNDP supported a comprehensive land registry which provided land rights to 50,000 Timorese people.



Solomon Islands:

UNDP provided comprehensive support to the Truth and Reconciliation Commission – this was critical in enabling the Commission to reach out directly to approximately 2,361 conflict-affected people and enable a nation-wide debate on the events of the past and the importance of reconciliation.

Box 2: UNDP's support to the Arab Spring

In Tunisia, in February 2011, shortly after the fall of the Ben Ali regime, UNDP fielded experts on democratic transition, using its rapid response capacity, to engage Tunisian counterparts within days of the upheaval. UNDP provided support in a broad range of areas, including for the elections of the new Constituent Assembly, the process of drawing up a new constitution and in supporting reform of the security sector and strengthening human rights. UNDP's early engagement in this area has enabled the building of trust with national parties to support discussions on subsequent reform issues. Since then UNDP has worked closely with the Ministry of Interior to address the consequences of the transition for the police, notably in the areas of public order, human rights, and relationships with the population. UNDP also initiated support to national partners in their efforts to address gross human rights violations that took place during the dictatorship, leading to the organisation of a major national conference on transitional justice in March 2012 in collaboration with the newly established Ministry of Transitional Justice. Likewise, UNDP is strongly engaged with the interim Government and the civil society through a multi-year programme related to the fight against corruption.

Across the region there was a surge in interest in transitional justice. UNDP organised a series of events highlighting the opportunity that transitional justice mechanisms provide to address root causes of conflict. A regional conference in Egypt in November 2011 gathered national partners from Egypt, Iraq, Libya, Morocco, Syria, Tunisia and Yemen. The event highlighted the similarity in regional transition processes. Following this event, UNDP worked with national governments and various international partners, including the International Centre for Transitional Justice (ICTJ), the Office of the High Commissioner for Human Rights (OHCHR) and (DPA), to introduce transitional justice principles to government officials, civil society actors and victims groups in Libya, Tunisia and Yemen. These are now being translated into programmatic support.

In Egypt, in collaboration with United Nations Office for Drugs and Crime (UNODC), UNDP is engaged with the Ministry of Interior on the extremely complex issue of improving policing to meet public needs. Simultaneously UNDP is developing dialogue with the newly formed parliamentary committees covering security and covering human rights to develop skills.

In Libya, UNDP has been closely engaged with the United Nations Support Mission in Libya (UNSMIL) in supporting the transitional authorities since the end of the conflict in October 2011. In January 2012, UNDP and UNSMIL facilitated a three-day dialogue on transitional justice which contributed to the finalisation of the Libyan transitional justice strategy. UNDP is also currently finalising an agreement with national authorities on a justice programme which will build the capacity of the Libyan rule of law institutions to provide services in a way which supports the transition to democracy and improves access to justice for conflict-affected populations, in particular women and the displaced.

In Yemen, following the departure of former President Saleh, the country is undergoing a two year political transition process. This presents a major opportunity and UNDP is developing a comprehensive rule of law programme which will seek to address major challenges to justice and security, comprising reforms of the whole legal system including police, security, Attorney-General's office, courts and prisons.





Libya Protests, Tripoli Libya

Credit: UN Photo/Iason Foouten



Police Training Timor-Leste
Credit: UN Photo



Deal with the Legacy of Conflict

“The end we must seek is a society at peace with itself, a society that can live with its conscience.”

Martin Luther King^[4]

“My hope was in those women who came on a daily basis – women who had been broken, women who had been abused, who had watched or observed the worst – their commitment, their perseverance, their passion for bringing peace to Liberia that was my hope.”

Leymah Gbowee, Liberian peace activist and Nobel Peace Prize Laureate 2011^[5]

“For the UN, “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.”

UN Secretary General’s Guidance Note on the United Nations Approach to Transitional Justice.

[4] Alabama, 1965

[5] Acceptance speech, 2011

The concept of transitional justice emphasises the importance of ensuring individual accountability for human rights abuses and of supporting societies to face their history of violence, as part of building confidence in the State and achieving reconciliation.

Conflict is the strongest predictor of conflict. As the World Development Report of 2011 concluded few countries are truly “post-conflict”: “The rate of violence onset in countries with a previous conflict has been increasing since the 1960s, and every civil war that began since 2003 was in a country that had a previous civil war.”^[6]

There is increasing evidence which demonstrates that acknowledging and atoning for the systematic abuse of human rights and for violations of international humanitarian law is critical for lasting peace. The function of transitional justice is to exercise justice and provide some form of repair in the wake of conflict. Societies need to confront past abuses in order to come to terms with their past, and move on. As such transitional justice is “one of the most controversial, complex and unpredictable processes undertaken by governments and citizens in societies transitioning from a violent past.”^[7]

This chapter looks at one of the most complex and politicised elements of rule of law, justice and security support – support to transitional justice processes.

Defining Transitional Justice

Transitional Justice is not a ‘special’ kind of justice, but an approach to achieving justice in times of transition from conflict and/or state repression.^[8] By trying to achieve accountability and redress for victims, transitional justice mechanisms provide recognition of the rights of victims and build confidence that the new authorities intend a different path from that which was followed before.

In the aftermath of conflict and/or of human rights abuses individuals have the right to know the truth; to have perpetrators acknowledge their crimes and be punished; and to receive reparations. As systematic human rights violations affect not only the direct victims, but society as a whole, states also have duties to guarantee that the violations will not recur. They have an obligation to reform institutions that were either involved in or incapable of preventing the abuses. The concept of transitional justice emphasises the importance of ensuring individual accountability for human rights abuses and of supporting societies to face their history of violence, as part of building confidence in the State and achieving reconciliation. Transitional Justice Processes are therefore inherently political processes and are central to re-establishing the relationship between state and society, and the overall peacebuilding process.^[9]

Upon request of national governments UNDP has provided support to different elements of transitional justice approaches including truth commissions, reparations processes and support to national capacity to prosecute conflict-related crimes. UNDP has also developed a global dialogue on the interface between transitional justice and development through bringing together actors to share experience and producing a summary report. Since 2008, UNDP has provided support in a number of countries including Bosnia-Herzegovina, Colombia, DRC, Guatemala, Kenya, Liberia, Nepal, and the Solomon Islands and most recently, in a number of countries affected by the democratic transitions in the Arab region.

[6] World Bank, World Development Report, 2011, p.3.

[7] Duggan, Colleen, Editorial note in Oxford Journals Law & Social Sciences Int. J Transitional Justice Volume 4, Issue 3 Pp. 315-328

[8] <http://ictj.org/about/transitional-justice>

[9] 2004 Report of the Secretary General's Report on the Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies (UN Doc. S/2004/616), 23 August 2004.

Seeking the Truth – the Work of Truth Commissions

These are bodies set up to investigate a past history of violations of human rights by the military, government forces or armed opposition forces. They usually focus on patterns of human rights abuses over time and are linked to historical legacies of institutionalised or state sanctioned abuse which is a key driver of conflict. Truth commissions are usually official bodies sanctioned, authorised, or empowered by the state with means to investigate and report on systematic patterns of abuse, recommend changes and help understand the underlying causes of serious human rights violations. Informal and community-based mechanisms have also demonstrated themselves to be highly effective. UNDP has supported the formation and operation of truth commissions in Kenya and the Solomon Islands. UNDP is also currently assisting the process in Liberia.

Box 3: Solomon Islands – Truth and Reconciliation Commission

UNDP's support to the independent International Support Facility (ISF) for the Truth and Reconciliation Commission of the Solomon Islands was essential in ensuring that the Commission was able to fulfill its mandate. The Commission facilitated a nation-wide debate on the reconciliation process through public hearings broadcast on TV and radio. It also provided support for the exhu-

mation of victims of the conflict and counselling to victims. This work highlighted the extremely politically sensitive nature of these processes. Community leaders, victims, in particular victims of sexual and gender-based violence and ex-combatants were in some cases reluctant to share their experiences in fear that they could be stigmatised or arrested by authorities. However, through consistent

media outreach and engagement with key members of provincial governments, the Commission was able to foster trust among the victims. Approximately 2,361 people affected by the conflict contributed to the Commission and it has played an important role in the overall reconciliation process in the Solomon Islands.

Complementarity – Prosecuting Conflict-Related Crimes at National Level

For UNDP, the process of facing past atrocities should be initiated and driven locally to have long term impact, with a role for national authorities and for victims. Transitional justice efforts may not succeed in the longer term goals of societal transformation if they are overly dominated or led by the international community. However, any examination of the past is likely to have implications for the power structures and social dynamics of the present – so impartiality can be very difficult to achieve. Development actors thus need to play sensitive roles in many settings. The International Criminal Court is now frequently present where countries are facing the legacies of large-scale human rights abuses.

UNDP plays an important role in strengthening national capacity for the investigation, prosecution and adjudication of Rome Statute and other conflict-related crimes, as a crucial element to building accountability for war crimes and crimes against humanity. This support is often provided as part of wider capacity building of the criminal justice system which is also critical for managing grievances and maintaining peace and stability. UNDP's support to the strengthening of justice institutions and access to justice promotes the ability of national authorities to address serious crimes in a manner consistent with international standards.

UNDP plays an important role in strengthening national capacity for the investigation, prosecution and adjudication of Rome Statute and other conflict-related crimes, as a crucial element to building accountability for war crimes and crimes against humanity.

Box 4: Strengthening Accountability for Conflict-Related Crime in Guatemala

UNDP's support to the justice and security sector in Guatemala is provided through the multi-year Transitional Justice Programme (PAJUST). It has contributed to the fight against impunity and the lack of accountability in the justice system which has allowed violent crime and corruption to spread almost unchecked. In 2011, three convictions of high-level members of the army and the police for serious human rights violations during the internal armed conflict were achieved. The findings from

exhumations, identification of disappeared persons using DNA, and evidence from the historical archives of the National Police contributed significantly to providing evidence for investigation and eventual prosecution of these cases. These and other results, based on joint efforts coordinated between State and civil society actors, with support from UNDP represent important advances for transitional justice and the recognition of the crimes committed during the conflict, and the

related responsibility of the State. This has strengthened society's call on the State to comply with its obligations to uncover the truth, apply justice and provide reparation for victims and their families. UNDP's support has also resulted in improved operational effectiveness of the Attorney General's office, which in 2011 increased the number of cases being considered from 25,000 to 40,000 – representing an important step towards tackling impunity.

Enabling Reparations for Victims

Reparations are measures taken by the state to administer a form of compensation or restitution to victims of human rights abuses. Reparations, if well designed, acknowledge the victims' suffering, offer redress, some form of compensation and acknowledge the responsibility of the state to make amends for past wrongs. UNDP is supporting reparations processes in Colombia and Guatemala. At global level, in 2010, UNDP supported discussions on Reparations, Development and Gender in Uganda. The meeting identified lessons learned for creating gender-sensitive reparation policies and programming.

Peace Day in Timor Leste

Credit: UN Photo/Martine Perret



Box 5: Providing Support to Victims of the Conflict in Colombia

UNDP has played a critical role in supporting hundreds of thousands of victims of the conflict in Colombia. UNDP supported the formulation of the new Victims and Land Law, in collaboration with the ICTJ and the Interagency Group working on the Victim's Law. It

provides for compensation for the victims of state violence and is a major step towards strengthening the national legal framework to provide victim's rights and reparation. Land restitution to IDPs was one of the most important elements of this law and a special

administrative unit is now being created to support this process. By April 2012, 75,000 victims had already been provided reparations. The government aims to provide more than 400,000 victims with reparations by 2014.

Countering Impunity for Sexual Violence in Conflict

UNDP has played particular attention to gender in the context of transitional justice. UNDP Administrator Helen Clark, has noted that 'because of the disproportionate and different impact of human rights abuses on women, it is especially important to ensure that victim-centred approaches can have a transformational impact on women's lives.'^[10] For example, UNDP's support to strengthening access to justice and women's security in the Democratic Republic of Congo (DRC) has been instrumental in achieving landmark convictions of high ranking military commanders, for rape and sexual and gender based violence. UNDP also works closely with UN Women in a number of areas, including supporting nationally driven transitional justice processes in Colombia, Nepal and Uganda.

Box 6: Tackling Impunity in the Democratic Republic of Congo (DRC)

Thousands of women and girls are raped each year in the DRC. Many are raped by government and rebel troops who commit these attacks in almost total impunity. 2011 marked important progress in tackling this problem as courts, including mobile courts, convicted approximately 193 members of the National Army and Congolese National Police Force of rape and other acts of sexual violence. For the first time, high-ranking commanders were convicted for

crimes against humanity, including rape, committed against the population of Kalonge and Bunyakiri from June 2006 to January 2007. UNDP, along with other international partners, supported the police and judicial system including through the mobile courts, and training and deployment of police officers to investigate mass rapes. While there remain serious challenges in addressing this problem in the DRC, the convictions were an important first step in

sending the message that sexual violence among members of the armed forces will not be tolerated. As the SRS for Sexual Violence in Conflict Ms. Margot Wallström emphasised, "this sends a strong signal to all perpetrators of acts of sexual violence that no military commander is beyond the law, including members of a national army".

[10] Speech on the occasion of the New York University Emilio Mignone Lecture on Transitional Justice and Development, 14 November 2011, New York University School of Law



Caption: Women in Darfur celebrating international women's day

UN Photo/Olivier Chassot

Improve Human Security

“In highly violent societies, many people experience the death of a son or daughter before their time: when children are late coming home, a parent has good reason to fear for their lives and physical safety. Everyday experiences, such as going to school, to work, or to the market, become occasions for fear. People hesitate to build houses or invest in small businesses because these can be destroyed in a moment. The direct impact of violence falls primarily on young males—the majority of fighting forces and gang members—but women and children often suffer disproportionately from the indirect effects.”

World Development Report, 2011^[11]

“Freedom would be meaningless without security in the home and in the streets.”

Nelson Mandela^[12]

“Human security is about the everyday security of individuals and the communities in which they live rather than the security of states and borders.”

Mary Kaldor^[13]

UNDP’s approach to strengthening security prioritises the security of the citizen and the community. This imperative derives from dignity, the right of people to live free from fear and free from want. Security service provision is also central to securing peace and to establish the conditions for social and economic development. Safety matters, for individuals, for national development and to prevent a return to conflict.

[11] World Bank, Page 6

[12] Speech by President Nelson Mandela at the Freedom Day celebrations, Union Buildings, Pretoria, 27 April 1995

[13] Kaldor, Mary (2010) *The Ultimate Weapon is no Weapon*, p.6.

UNDP's approach to strengthening security prioritises the security of the citizen and the community.

UNDP focuses on strengthening democratic governance of the security sector to improve accountability, meet public demand, ensure oversight and build trust. In complement, UNDP also works in communities and with local leaders to support a range of initiatives – from employment generation programmes to urban regeneration schemes – that tackle the causes of crime and violence and encourage community mobilization to improve safety. Since 2008, UNDP's engagement – both at national and community levels – has gradually increased. In addition, since 2010 UNDP has made significant strides in integrating its work on strengthening the rule of law, supporting security sector governance and preventing and reducing armed violence.

Box 7: Strengthening Security for IDPs in Chad

Following the drawdown of the UN Peacekeeping Mission in Central African Republic (CAR) and Chad (MINURCAT) at the end of 2010, UNDP assumed joint responsibility with UNHCR to support (with Peacebuilding Building Fund (PBF) funding) the Détache-

ment Intégré de Sécurité (DIS) – a Chadian police force tasked with policing in and around refugee camps and IDP sites and providing security escorts to humanitarian work in Eastern Chad. The project focuses on logistical support and capacity building to maintain the

services of this special police force. After the conflict in Libya fuelled further insecurity in parts of Chad, the DIS Services were used in other regions of the country to resolve conflicts at community level.

Supporting Police Services

The police are the most prominent security actors in many contexts and often the primary point of contact between citizens, communities and the state.^[14] The police should not only be accountable to and trusted by the population but need to be present in communities, providing a tangible improvement in security. Therefore, UNDP's work focuses on bringing the police 'closer' to the community in order for policing to meet public demand. This includes strengthening the capacity of the police to serve their communities by providing infrastructure, equipment and training for police officers. For example, in South Sudan, UNDP's Community Security and Arms Control Programme supported the construction of local police posts in "crime hotspots" identified by communities. In CAR, UNDP's provision of motorcycles and other equipment significantly increased the ability of the police to reach remote communities.

The police are the most prominent security actor in many contexts and often the primary point of contact between citizens, communities and the state.

Strengthening the capacities of police and communities to develop and implement community or partnership policing programmes also plays a central role. Community policing supports collaboration between the police and the community that identifies and solves community problems, provides policing which responds to local needs and uses partnerships with the local community to ensure more effective crime control. In addition, where the national police cannot deliver security services on the ground, UNDP is well-situated to implement programmes that strengthen communities and government institutions to develop neighbourhood policing projects complementing the work of the regular police. In Sudan, for example, UNDP support has focused on training non-commissioned police officers and community members on various as-

[14] UNDP (2011) Governance for Peace: Securing the Social Contract, pg.87

pects of community policing, including protection of women, children and vulnerable persons, crime investigation techniques, first aid and strategic and crisis management.

Box 8: Security Sector Governance and Police Reform in Afghanistan

UNDP plays a central role in security sector support in Afghanistan through the Law and Order Trust Fund (LOTFA). LOTFA supports a comprehensive programme of remunerating and equipping the Afghan National Police (ANP) and uniformed personnel of the Central Prisons Department, combined with institutional strengthening of the Ministry of Interior, and support to community and local policing initiatives. These combined efforts are central to prepare the ANP and the Ministry of Interior to gradually take over

security provision when international troops leave. UNDP support to community policing initiatives contributed to an increased emphasis on service delivery functions of the police rather than the counter-insurgency functions. The importance of civilian policing or “Police e-mardumi” has now been incorporated into Afghanistan’s National Police Strategy and the UNDP supported Police e-mardumi Secretariat has been established in the Ministry of Interior’s structure to implement the civilian policing components

of the National Police Strategy. A police perception survey conducted by the UN has shown increased respect for the police – as 81 percent of Afghans expressed personal respect for the country’s law enforcement – raising 8 points on the 2010 figure. In addition, 74 percent expressed confidence in the force, and acceptance of women police officers continued to rise with 53 percent of those surveyed supporting female police in their communities.

Developing the Security Sector

UNDP has amassed considerable experience in supporting the delivery of security services that are responsive to the needs of the local population and in line with legal norms and standards.^[15] UNDP’s focus in this area is to support governance through the development of public sector capacity including through the development of oversight, management, control and laws governing the powers of the police.

Drawing on lessons learned from piloting security sector assessment and reform processes in Guinea (Conakry) and Timor-Leste, and support to police reform and management in countries such as Somalia and South Sudan, UNDP supports capacity development of the security sector, including police, border control in a large number of countries. These include Afghanistan, CAR, Chad, DRC, El Salvador, Guinea (Conakry), Iraq, Jamaica, Kosovo^[16], Liberia, Somalia, South Sudan, Timor-Leste and Tunisia. In many of these countries, UNDP works closely with peacekeeping or special political missions.

Strengthening UN Support to the Security Sector

Successful security sector reform (SSR) goes beyond the important exercise of ‘right-sizing’ security services. It extends to broader efforts to ensure that these services are effective, accountable and subject to civilian oversight. These processes can take many years but can contribute to prevention of future conflicts by building a nationally owned

Successful security sector reform (SSR) goes beyond the important exercise of ‘right-sizing’ security services. It extends to broader efforts to ensure that these services are effective, accountable and subject to civilian oversight.

[15] Independent Mid-term Review of UNDP’s Global Programme on Strengthening Rule of Law in Conflict and Post-Conflict Situations; December 2010.

[16] UN Administered Territory, referred to in the context of UN Resolution 1244



Afghan women are widely affected by the conflict in Afghanistan

Credit: Khaled Nahiz/IRIN

vision of security provision and demonstrating a political commitment to the reform of security forces especially those which were parties to the conflict or political violence. Support from the UN is requested across a range of conflict and fragile settings but is frequently complex and sensitive.

In addition to working closely with peacekeeping and political missions, UNDP has partnered with the UNODC, UNWOMEN, OHCHR and the UNHCR. For example, in Egypt, in 2011, UNDP in collaboration with UNODC, began a dialogue with the new Egyptian government on ways to improve the police sector. UNDP also implements a number of security sector reform programmes funded by the PBF e.g. in Guinea (Conakry).

UNDP plays a key role as Co-chair of the United Nations Inter-Agency Security Sector Reform Task Force and has advocated for a greater involvement of the Task Force in supporting country level activities.

Box 9: Reforming the Security Sector in Guinea (Conakry)

In 2011, UNDP provided support to reform of the security sector across all four main areas including defence, police, justice and customs and environment, as an essential element for peacebuilding in the country. This included

supporting the establishment of a national architecture on security sector reform to consolidate civilian oversight of all elements of the sector. In addition, UNDP supported a census of the army and facilitated the retirement of almost

4,000 members of the military (approximately 15 per cent of the total force). These are both crucial steps toward long-term reform processes

Box 10: United Nations Inter-Agency Security Sector Reform Task Force

In 2007, the Secretary-General established the Inter-Agency Security Sector Reform Task Force (IASSRTF) to develop and promote an integrated, holistic, and coherent United Nations approach to security sector reform (SSR)^[16]. When first established, the Task Force consisted of seven UN entities (DPKO, UNDP, DPA, OHCHR, PBSO, the former UNIFEM and UNODC). Since then, the Task Force has doubled in membership.^[17]

The Task Force has played an important role in promoting a uniform understanding of the United Nations approach to SSR, both at UNHQ and in the field, as well as among Member States and regional organisations. It has served as a mechanism for inter-agency collaboration in the area of SSR, thanks to the positive and constructive engagement of all its members. It directly enhances the Organisation's ability to strengthen the linkages between peacekeeping, peacebuilding and development and is a valuable mechanism to ensure coordinated SSR assistance to conflict-affected countries. In this context, the Task

Force focuses increasingly on joint programming and building synergies on the ground, including through country-specific sub-working groups. An example of this approach is the sub-working group which provides political and technical support to the SSR process in Guinea. This working group has already provided technical advice and recommendations on the military retirement proposal submitted by the Guinean national authorities to the United Nations.

Ownership by national stakeholders is essential for successful and sustainable SSR. However, national ownership is best achieved with strong support for government capacities to sustain reform of security institutions. The SSR work of our colleagues on the ground therefore focuses on supporting nationally-driven processes. To assist their efforts, the Task Force is devoted to developing United Nations SSR policies, guidance, training materials and good practices. It has finalised a first set of Integrated Technical Guidance Notes on SSR which serve as an important tool for more coher-

ent policy support and provide a common platform for supporting Member States, regional and sub-regional organisations to strengthen their effectiveness in the area of SSR.^[18]

Over the past three years, we held regional SSR consultations with a range of stakeholders and SSR actors in Africa, South East Asia and Latin America and the Caribbean. We will continue further dialogues with regional and other external SSR actors, with a view to providing SSR support which maximises our comparative advantages – such as the strategic partnership between the United Nations and the African Union (AU) in support of the development of an African Union SSR policy framework.

We are committed to further strengthening the Inter-Agency SSR Task Force as a platform for developing policy, training modules and a knowledge and practice community to share ideas and lessons learned with a particular focus on improving joint programme delivery in the field.

[17] Decision of the Secretary-General, No. 2007/11 on Security Sector Reform, 16 February 2007 Policy Committee Meeting (Annex 2). As dedicated SSR capacity at UN Headquarters in New York the IASSRTF undertakes strategic policy development, provides coordination functions and backstopping for UN field Missions, offices and Country Teams, as requested by UN SG decision No. 2007/11.

[18] From the initial seven members in 2007, the SSR task force today brings together 14 UN departments, offices, agencies, funds and programmes DPA, DPKO, Office of Special representative on Sexual Violence in Conflict, ODA, OHCHR, OSAA, PBSO, UNFPA, UNDP, UNICEF, UNITAR, UNODC, UNOPS, UN Women.

[19] In 2012, the IASSRTF jointly finalised 4 guidance notes on SSR: Democratic Governance of the Security Sector (led by UNDP), Gender Responsive SSR (led by UN-WOMEN), Peace Processes and SSR (led by DPA), and Support to National Security Policy and Strategy making Processes (led by DPKO).

Reducing Armed Violence

The availability of small arms and light weapons (SALW) in conflict and post-conflict contexts together with unemployment, socio-economic inequalities, displacement, rapid urbanisation and porous borders can all contribute to rising levels of armed violence and organised crime. The absence of effective and responsive state security provision to inhibit this violence can contribute to its prevalence. Communities may feel compelled to resort to vigilantism in the absence of a police presence which they can trust. In fragile settings organised crime and gang culture flourish due to corruption and ineffective governance and police structures.

UNDP aims to reduce levels of armed violence by addressing both the supply and the demand side of weapons circulation. UNDP links SALW control activities with armed violence reduction programming.^[20] Through technical, legal and capacity strengthening support to Ministries of Interior, national small arms focal points, and local governance structures, UNDP aims to reduce the availability of illicit small arms. UNDP's small arms control programming is focused on i) strengthening legislative provisions for strict SALW control and ii) enabling national commissions to develop and implement nationally-owned SALW National Action Plans.

UNDP complements this by working directly with communities to understand their perspectives on security threats and perceptions of risks. UNDP is enhancing citizen security by empowering communities to make concrete recommendations on measures to improve their security and by supporting local governance and police structures to respond to those needs. Often such interventions focus on reducing the demand for small arms through addressing the root causes of violence. This can include socio-economic components such as job creation, engaging youth and strengthening social cohesion.

Box 11: El Salvador – Reducing Homicide through Community Security Programmes

In El Salvador, UNDP's support has enabled local authorities to design citizen security and social cohesion plans that extend the reach of law enforcement, improve response to criminal incidents and include close cooperation with civil society and communities. UNDP's support to the implemen-

tation of 'gun free zones' in 20 of the most violent municipalities has resulted in an average 12 percent reduction in homicides, a 40 percent reduction in assault, a 21 percent increase in the seizure of weapons and a 7 percent increase in reports of theft. In 2011, the programme was extended to 30

municipalities. In one municipality a 40 percent reduction in homicides was recorded. At the same time, UNDP's close engagement with the State is providing a platform to consolidate and expand these good practices and results to national level.

[20] UNDP supports these programmes in Bosnia Herzegovina, Burundi, DRC, Colombia, Cote D'Ivoire, Croatia, Dominican Republic, El Salvador, Georgia, Ghana, Guatemala, Haiti, Honduras, Jamaica, Kenya, Kosovo, (UN Administered Territory, referred to in the context of UN Resolution 1244), Liberia, Mozambique, Nepal, Nicaragua, Papua New Guinea, South Sudan, Sudan, Somalia Trinidad and Tobago and Uganda.



*South Sudan Independence
Credit: UN Photo/Paul Banks*

Box 12: Contributions from the Community Security and Arms Control Programme South Sudan

In Eastern Equatoria State in South Sudan, women are greatly exposed to insecurity as they walk long distances to collect water or firewood or to look for food. As a South Sudanese Conflict Sensitive Development Officer, I feel privileged to be part of projects that help reduce these risks for my fellow citizens.

It is fulfilling to see how women trained in running their own small businesses and in crop cultivation have been empowered. We believe this can reduce domestic violence,

which can stem from pressure to provide for their families.

Since I joined CSAC (Community Security and Arms Control) four years ago, I have seen how the local government has placed its confidence in our projects because we were able to deliver tangible results. A police post built in 2011, for instance, has lessened the incidence of violence, so that people can now move freely.

Community members used to say that they were not even aware

they had a (local) government. But with CSAC's help in extending the local government's presence within the communities, the people have placed a greater confidence on the authorities. This is a very positive development for South Sudan and I am very proud to be part of it.

William Amanyia Odiongo
Conflict Sensitive Development
Officer
UNDP South Sudan

Cattle raiding is a predominant cause of conflict in many counties in South Sudan. As a government authority, I had the privilege of being part of a team that led community consultations to understand how people are affected by this violence and how we could respond to their needs.

In Warrap State, for instance, communities perceived local security organs as hardly having any presence or lacking the proper equipment. This hampered their

ability to prevent or intervene in conflict, which is often caused by cattle raiding or competition over scarce water.

Through the assistance of UNDP's Community Security and Arms Control (CSAC) project, we went to the communities, heard their voices, and together, identified possible solutions to insecurity. Now, police posts are being built in strategic areas in Warrap, as well as boreholes to provide communities accessible water sources.

CSAC has not only helped us reach out to our people and extend our authority and presence within communities to increase their security, but it also facilitated greater legitimacy of the government amongst our constituents.

John Chiek Bum Klzier
Director of the Bureau for Com-
munity Security and Small Arms
Control

Responding to Regional Security Dynamics

The proliferation of small arms is closely linked to trans-border or regional issues including instability in the neighbouring countries, transnational crime and weak border control. As a result, UNDP has increased its support to regional processes to tackle armed violence and small arms proliferation. In Eastern Europe, UNDP supports a joint project with the Regional Cooperation Council to reduce small arms proliferation in the region, through the South Eastern and Eastern Europe Clearing House for Small Arms. In Central America and the Caribbean, UNDP has played a leading role in providing support to governments in Central America to develop and implement a regional citizen security strategy. In the Caribbean, UNDP supported the development of a Caribbean Human Development report focusing on citizen security as a major development challenge in Caribbean countries.

Within the framework of the UN Inter-agency Task Force on SSR, UNDP has supported regional dialogues within the Association of South East Asian Nations and the Organisation of American States. These provide an opportunity to exchange experiences, approaches and policy on security sector reform. They contributed to broadening the international discourse on SSR and included discussions on the need for increased co-operation and greater regional and global convergence of standards and norms. There is significant scope to broaden this work, in collaboration with other UN actors and regional partners.

Box 13: Better Citizen Security: Human Development and Citizen Security in the Caribbean

In 2011, UNDP supported the largest citizen survey undertaken in the Caribbean as part of the Caribbean Human Development Report 2012. The report found a widespread increase in gang-related killings over the last 12 years and that crime has become one of the main challenges threatening economies and livelihoods in Caribbean countries. Gang-related crime costs between 2.8 percent and 4 percent of gross domestic product – the cost of policing,

youth incarceration and reduced tourism. According to the study, crime costs Jamaica alone over US\$529 million a year. The survey showed that nearly 90 percent of citizens support preventive measures, such as increased investment in job creation, poverty reduction, education, and other initiatives to build youth skills and competencies. Meanwhile, some 80 percent said, “criminals should be punished more harshly.” The new study recommends that Caribbean

governments implement youth crime prevention through education, as well as provide employment opportunities that target the marginalised urban poor. A shift in focus is needed it says, from a state protection approach to one that focuses on citizen security and participation, promoting law enforcement that is fair, accountable, and more respectful of human rights.



Credit: UNDP DRC



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KAMPALA SEGURANÇA RODoviÁRIA UNMIT 2012 (UNIDADE AS)

RESTRICTED
AREA

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Detainee in Timor Watch House
Credit: UN Photo/Martine Perret



Increase Access to Justice for All

Justice is a pillar [of our society], so the law must be applied in such a way as to gain the confidence of the people

***Judge Maria Natercia Gusmão,
The First Female Court of Appeal Judge, Timor-Leste***

“...development can be seen...as a process of expanding the real freedoms that people enjoy”

Amartya Sen^[21]

People have a well-established right to remedy and redress. When people cannot manage their disputes peaceably through a legitimate process, it increases the likelihood of future conflict and violence. Perceptions of unfairness, discrimination and inequality before the law are major drivers of violence and conflict. Barriers to justice exist in many societies but they are especially pervasive in conflict and post-conflict contexts. In countries where access to justice is most needed, it is most lacking. For many people the formal justice system is too expensive, too far away and too difficult to understand. It is also often regarded as corrupt and self-serving rather than a legitimate enforcer of the rule of law. Legal and justice services may not be available in minority languages – or they may be perceived as ineffective and too expensive. In some cases, there is simply a lack of legal knowledge and awareness, a distrust of domestic laws and no aid and assistance to enable access. UNDP’s assistance focuses on the delivery of – and access to – justice.

Legal Frameworks which Reflect International Norms and are Conflict Sensitive

The rules of the game matter. Institutionalised discrimination - unfair and discriminatory treatment of individuals and groups of people – embedded in law, policy and administrative practice – drives conflict. UNDP has therefore supported governments to rewrite laws to reflect international human rights norms and standards. These norms and standards are at the heart of all our engagement with national governments.

[21] Amartya Sen, *Development as Freedom* 1999, Introduction. (UN Administered Territory, referred to in the context of UN Resolution 1244)

Box 14: Establishing a Justice System in Timor-Leste

Over the past decade Timor-Leste has made immense progress in building its justice institutions. Following the 1999 Referendum, the newly independent country was faced with a daunting task: building the justice sector from the ground up. In the early 2000s, UNDP's support focused on deploying international personnel to perform interim functions in the justice system until qualified nationals were available. In 2002, UNDP supported the establishment of the Legal Training Centre. Since 2007 the first Timorese judges, prosecutors and public defenders were sworn in after graduating from the Centre. By the end of 2011 a total of 528 judicial actors had received training at the Centre. A Court of Appeal in Dili, four district courts and two

prisons; an independent Prosecution Service and Public Defender's Office were created centrally and, over time, their district offices were also established. Registry and notary services were established and today there are offices for civil registration in all the thirteen districts in Timor-Leste. An integrated case management system was created. The legislative framework has been significantly strengthened through the adoption of the Criminal Procedure Code, the Civil Procedure Code, the Penal Code, the Civil Code, the Law on the Audit Court, the Law against Domestic Violence, and the Land and Property Law. Where possible the formal justice system has been harmonised with customary laws. In addition, UNDP supported the de-concentration of justice

services through the support of a 'mobile justice' programme and support to the establishment of new district-based offices. In 2011, UNDP assisted the Ministry of Justice to provide up-dated baseline information against which the 20 year Justice Sector Strategic Plan could be developed. Now, as the country moves towards greater stability, the priorities include continuing to strengthen the police and security sector in preparation for the drawdown of the peace-keeping mission and the establishment of an Audit Chamber to oversee government spending activities and ensure institutional and financial accountability as a critical element to strengthen economic growth.

In a number of countries, such as CAR, UNDP has supported the comprehensive revision of the penal and criminal justice codes. In Sierra Leone, we supported the development of the Human Rights Commission as an important avenue for human rights redress. In Kenya, UNDP advocated for citizen participation in the constitution making process, and contributed to the inclusion of issues related to 'inequality' in the Constitution and the newly developed National Equity Policy.

Delivering Rule of Law – Justice delayed is Justice Denied

Building a justice system takes time – often generations. Many conflict-affected countries have extremely limited human and physical capacities in the justice domain with informal justice mechanisms dominating the local level whilst formal justice mechanisms remain largely in urban centres with limited access for the majority of the population. UNDP focuses on strengthening of the capacities of judges, courts, prosecutors and lawyers as well as line Ministries in order to ensure accessible, independent and speedy administration of justice services. UNDP also supports the development of national sector strategies which are embedded in national development plans. In newly established states or administrative territories such as Kosovo,^[22] South Sudan, Timor-Leste

[22] UN Administered Territory, referred to in the context of UN Resolution 1244

Box 15: Building Capacity in Volatile Environments – The Case of Somalia

Recognising the systemic weaknesses and lack of resources across all areas of Somalia's justice and security sector, UNDP has provided support, from building courts and police stations, to training police units and members of the judiciary, as well as establishing nine mobile courts and numerous legal aid clinics. As a result, by 2011, legal aid is available across all regions of Somalia. A mobile court system reaches all regions in

Somaliland and significant areas of Puntland. Since 2009, the reach and capacity of the police force has increased as 14,000 police officers have been trained and are operating throughout Somalia. The case management system supported by UNDP in Somaliland has doubled the number of registered cases since 2009, reaching 2,742 cases in 2011. In addition, legal assistance in Somaliland increased nearly four fold between

2009 and 2010. Since 2006, the increase in the number of people accessing the formal justice system has increased from approximately 1,500 to over 10,000. In December 2011 the Minister of Justice of Somaliland adopted the country's first National Justice Strategy representing another important step in strengthening national capacities in the area of rule of law.

and the occupied Palestinian territory, UNDP assists with the establishment of core justice capacities.

In South Sudan, UNDP assisted the Ministry of Justice to develop a multi-year rule of law and justice sector strategy for the first South Sudanese Development Plan thereby embedding justice priorities in the national development planning.

Puntland Mobile Courts Judges and parties

Credit: UNDP Somalia





Justice and Peace Hub in Liberia

UN Photo/Staton Winter

Similarly, in countries devastated by ongoing conflict such as CAR, DRC and Somalia UNDP provides infrastructure and expertise which plays an important role in establishing the presence of state institutions and strengthening the relationship between the state and its population.

Building truly sustainable national capacities in the area of rule of law and justice is a long term process and requires a prevailing political settlement which contributes to stability.

Building truly sustainable national capacities in the area of rule of law and justice is a long term process and requires a prevailing political settlement which contributes to stability. In Liberia, the government has played a strong role in leading the development of a comprehensive Justice and Security Joint Programme with key partners. Such coordinated approaches help attract targeted donor support. Support needs to be sustained if gains made are to be consolidated.

Box 16: Rule of Law and Statebuilding – Support to the Palestinian Authority

UNDP supports the Palestinian National Authority to build an efficient, responsive and accountable justice and security services, as it prepares itself and its people for statehood. Specifically, UNDP assists the Ministry for Justice, the High Judicial Council, the Attorney General's Office, the Palestinian

Civil Police, the newly-established Palestinian Anti-Corruption Commission, and the Corruption Crimes Court. In Gaza, in a highly sensitive political environment, UNDP works with Palestinian civil society groups, universities and the Bar to empower the people of Gaza through access to justice and

the law. Legal aid and assistance was provided to over 17,000 Palestinian men and women in 2011 and four legal libraries were established in diverse locations across the West Bank and Gaza.

Increasing Access to Justice

Legal aid services, including legal representation and legal awareness raising projects are a central element of UNDP's support. These services provide assistance to bring cases and disputes to both formal and informal justice mechanisms. During conflict and in its aftermath, both criminal (e.g. SGBV) and civil matters (land disputes, birth certificates and other documentation issues and property rights) are important for communities. UNDP works with lawyers, Bar Associations, civil society groups (e.g. human rights and women's NGOs) and paralegals to provide these services to conflict-affected communities. UNDP programmes assist people to find their way through the justice system by supporting legal aid and by bringing justice closer to conflict-affected populations through the establishment of mobile courts and alternative dispute resolution mechanisms. This support has been provided in a number of conflict-affected countries, including CAR, Colombia, Chad, DRC, Guinea-Bissau, Haiti, Iraq, Kosovo^[23], Liberia, Nepal, oPt, Sierra Leone, Sri Lanka, Somalia, Sudan and Timor-Leste. As a result, hundreds of thousands of people including women, detainees and other vulnerable groups have been able to access vital legal services. In many of these countries, support for the provision of legal services has been combined with the establishment of comprehensive legal frameworks to underpin the legal aid system, such as in Bosnia-Herzegovina and Guinea-Bissau. In Sri Lanka, in 2011, UNDP supported policy reforms that meant for the first time legal aid for criminal defence is available through the state.

Box 17: Access to Justice in Guinea-Bissau

In 2011, Guinea-Bissau established legal aid centres, which serve a total population of 500,000 people. In the first three months of their establishment they heard 800 cases across three regions of the country. The majority of these

cases were on land and property, labour law, family issues and on criminal cases related to domestic violence. In some cases, the legal aid centres have provided remedy to local populations in cases of abuse of power by public adminis-

trators and corruption. The centres were established within the context of a comprehensive national legal and institutional framework to support legal aid. They play an important role in enhancing the accountability of the Government.



UNDP supported Access to Justice Centre in Guinea-Bissau

Credit: Sofia Carvalho de Almeida UNDP Guinea-Bissau

[23] UN Administered Territory, referred to in the context of UN Resolution 1244

Informal, traditional or religious justice is frequently the nearest and most familiar form of dispute resolution mechanism for conflict-affected communities.

Engaging with Informal and Traditional Justice Mechanisms

Informal, traditional or religious justice is frequently the nearest and most familiar form of dispute resolution mechanism for conflict-affected communities. In some of the countries where UNDP works, over 90 percent of the population engages with traditional or informal justice mechanisms. For many communities informal justice is the forum of choice because it is cheap and fast and because of a lack of familiarity with formal legal rights, norms and processes.

Therefore, UNDP has increasingly engaged with these systems to improve the quality of justice provision and link them more closely with the national and formal justice system. In Guinea-Bissau, UNDP supported a comprehensive mapping of customary law of the six main ethnic groups to provide greater insight into the existing justice mechanisms widely used by local populations and their relationship with the national justice system. In Sri Lanka, progress has been made through continuous dialogue with the Muslim Quazi courts, which agreed to cooperate on discussions related to women's rights. In Sierra Leone, where traditional justice mechanisms are recognized within the national justice system and provide judicial decisions on local issues, including land disputes and minor criminal issues, UNDP has supported an agreement with the traditional chiefdoms to refer cases relating to SGBV to the formal courts. In the coming years, UNDP will scale up its engagement in the area of informal justice and seek to further strengthen the synergies between the national, formal justice system and local and informal justice systems. This will be based on comprehensive policy developed by UNDP, in collaboration with UNWOMEN and UNICEF.

Improving Livelihood Opportunities through the Rule of Law

An environment without security and justice is not conducive to economic development. Income generating activities are more feasible and productive where communities enjoy a basic level of physical and legal protection. Furthermore, economic disenfranchisement exacerbates the risk of conflict and hinders recovery.

UNDP has increasingly recognised the importance of addressing civil law issues, especially those related to documentation, land and property rights. UNDP has focused on facilitating access to legal documentation such as birth certificates in CAR and land certificates in Timor-Leste. In Sri Lanka, UNDP trained 59 Divisional Secretaries and staff in the Eastern province on 'Land and Property'. This facilitated the return and resettlement of IDPs and helped to address the backlog of land-related cases and documentation needs following the conflict there. In Eastern DRC, UNDP's work on providing access to justice and security for SGBV survivors has been closely integrated with a programme to provide targeted communities with support to vocational training and micro-enterprise development.

In Phase 2 of the Global Programme, greater attention will be placed on strengthening the linkages between rule of law support and economic recovery for conflict-affected individuals and communities, in particular for civil justice matters related to land, housing, property, and labour.



UNDP Sudan
Sudanese Women Paralegals



Deliver Security and Access to Justice for Women

“I have always believed that human civilisation is the fruit of the effort of both women and men.

So, when women are treated unjustly and are deprived of their natural right in this process, all social deficiencies and cultural illnesses will be unfolded, and in the end the whole community, men and women, will suffer.”

Tawakkol Karmen, Nobel Peace Laureate 2011^[24]

“When I ask women about their awareness, they tell me, we are always told what our duties are, not what our rights are.”

***Civil Society Activist,
in the post-crisis area of Swat, Pakistan***

“Before the formation of the Somali Women Lawyers Association, many women did not know that they could go to court and pursue their rights. The community is now coming to learn this fact and many rape victims are reporting their cases.”

***Seinab Mohamed Ismail,
Somali Women Lawyers Association***

[24] Nobel lecture, 10 Dec 2011



When women are in the driving seat of justice service delivery, they are not only better able to serve the needs of other women, but also empowered to transform communities.

Women and girls are most often the victims of SGBV. In addition to the trauma suffered by survivors of conflict related sexual violence, the use of rape in conflict brutalises whole communities. Impacts continue long after the conflict has ceased. In many countries, representatives of the national security forces are among the perpetrators and justice systems often have little capacity and no will to tackle impunity. Compounding these institutional deficiencies there is frequently an underlying culture of silence or tolerance for SGBV.

The UN Security Council has recognised that sexual violence in conflict is an issue of international peace and security.^[25] Strengthening women's security and access to justice is a cornerstone of UNDP's rule of law assistance in crisis-affected countries.^[26] UNDP works closely with all parts of the UN system, especially UN Women and UN Action to make women, peace and security a priority.

Box 18: Contribution from the Executive Director of UN Women

United Nations Secretary-General Ban Ki-moon told the Security Council earlier this year that a "focus on justice for women and girls to foster gender equality" is among the UN's highest priorities in post-conflict settings. UNDP's Global Programme on Strengthening the Rule of Law in Conflict and Post-Conflict Situations has contributed significantly towards this goal. Since 2009, UNDP's Bureau for Crisis Prevention and Recovery (BCPR) and UN Women have co-managed a Global Programme on Women's Access to Justice in Conflict Situations and Post-Conflict. Our partnership has focused

on increasing accountability for sexual and gender-based crimes post-conflict, in particular through transitional justice mechanisms and justice sector reforms, and increasing women's role in justice service delivery. Working together, we have learned that when women are in the driving seat of justice service delivery, they are not only better able to serve the needs of other women, but also empowered to transform communities. In Nepal, for example, female local paralegal committees, set up with the programme's support, have gained the trust of the community through their willing-

ness to resolve matters fairly and expeditiously, and are increasingly relied upon for local dispute resolution. As their role grows, so does the recognition of women's contribution and leadership at the community level. UN Women looks forward to even greater collaboration with UNDP as the Global Programme on Rule of Law enters a second phase in 2012.

Ms. Michelle Bachelet
Executive Director
UN Women

[25] SC Resolutions 1325 (2000), 1820 (2008), 1888, 1889 (2009) and 1960 (2010)

[26] Data from 39 countries show that the presence of women police officers correlates positively with reporting of sexual assault, which confirms that recruiting women is an important component of a gender-responsive justice System. (Source: UN Women's Progress of the World's Women: In Pursuit of Justice, 2011 – 2012; pg 40)

Tackling Sexual and Gender Based Violence and Ensuring Access to Justice

UNDP support has led to improved access to justice and a stronger response to tackling sexual and gender based violence in a number of countries, including Burundi, CAR, Chad, DRC, Guinea (Bissau), Kosovo^[27], Iraq, Liberia, Sierra Leone, Somalia and Timor Leste.

UNDP has provided technical support to draft better legislation in areas such as domestic violence, gender-based violence and trafficking, and to improve the institutional response to these crimes, by supporting a comprehensive range of measures in both the justice and security sectors. In Iraq, the adoption of the domestic violence law in Kurdistan improved the legislative framework protecting women's rights. Similar legislation at central level is pending approval. In addition, UNDP supported the Iraqi police Family Protection Units (FPU) and the deployment of specialist police. Significant progress has been made and SGBV has gone from being an issue rarely discussed in Iraqi society to being actively addressed by numerous government ministries.

Similarly, support to 49 police stations in Kosovo^[27] has strengthened the capacity of Domestic Violence and Child Abuse Investigation Sections. UNDP supported the drafting of the National Strategy and Action Plan against Trafficking in Human Beings 2011-2014 and the National Strategy and Action Plan against Domestic Violence 2011-2014, as well as secondary legislation for the Law on Domestic Violence.

Box 19: Contribution from the Special Representative of the Secretary-General on Sexual Violence in Conflict

As Special Representative of the Secretary-General on Sexual Violence in Conflict, I was appointed to drive political engagement with member States at the highest level to tackle the problem of conflict-related sexual violence – a horrific crime which has been recognised as a major peace and security issue, and which is still committed with widespread impunity in many conflict-affected countries.

I am supported in this by the broader UN family including mainly through the 13-member inter-agency network UN Action Against Sexual Violence in Conflict, and the Team of Experts on the

Rule of Law/Sexual Violence in Conflict. My mandate builds on and supports Security Council resolutions 1325, 1820, 1888, and 1960. In leading the UN's advocacy work in this area, my priorities are to ensure a focus on including sexual violence issues in peace processes, reforming the security forces, supporting the strengthening and establishment of justice systems that are equipped to tackle this pernicious crime, preventing sexual violence through dialogue with parties to the conflict and systematic monitoring and reporting of such violations, and strengthening comprehensive support for survivors.

UNDP is a central actor in these efforts. The work of UNDP on rule of law, justice, and security in a number of countries, including the Democratic Republic of Congo, has proved essential both in ensuring that member States have the institutions and policies in place on the ground to pursue these perpetrators and stamp out impunity, and that survivors have access to the legal support they need to secure justice.

Ms. Margot Wallstrom
Special Representative of the Secretary-General on Sexual Violence in Conflict

[27] UN Administered Territory, referred to in the context of UN Resolution 1244

In DRC, with UNDP support a number of high ranking military commanders were convicted for rape as a war crime in a landmark case in 2011 (see Chapter 1 – Transitional Justice). The DRC Judicial Monitoring Project also noted that in 2010, approximately 50 percent of cases adjudicated by courts were SGBV cases. In Sierra Leone, in 2010, 41 convictions were secured – a significant increase from zero in 2009. In Somalia, the Access to Justice programme has seen increases in the number of sexual and gender based violence cases which are referred to the formal justice system.

In addition, UNDP's legal aid initiatives in countries such as Guinea-Bissau, Nepal and Sri Lanka have played an important role in expanding access to legal aid to thousands of women. These centres provide support to a broad range of issues. They deal with crimes related to SGBV especially domestic violence, as well as with land disputes and other civil matters which often affect women disproportionately.

Box 20: Justice for Girls in Guinea-Bissau

Since their establishment in 2011 the Centres for Access to Justice (CAJ) have provided legal advice and awareness to over 20,000 citizens. About 20 percent of the attendees are women and the majority of the cases are on land and property, labor law, abuse of power from public administration, family issues and criminal cases including domestic violence and maltreatment. They represent a

further step in establishing a clear legal framework and institutional architecture in Guinea-Bissau and already have yielded important results, in providing legal remedies for women and girls. One example is the case of Luisa, a 17-year-old girl, who managed to avoid forced marriage. "As I had no one else to help me and had heard of the Center, I went to ask for help because I do not want to marry. I

had been told that the CAJ gave support to children and women victims of violence and that if I needed help, there were legal technicians who could help". Following mediation at the centre her uncles agreed to cease forcing her to marry. Luisa wants to continue studying, take the 12th year of school, do a degree and return to her village, the place that saw her grow.



Women celebrate International Women's day in Cote d'Ivoire

Credit: Ky Chung

Expanding Women's Participation and Leadership in the Justice and Security Sectors

Representative and inclusive institutions contribute to resilience and legitimacy. In most countries women are under-represented in the justice and security professions. As well as improving gender equality, there is a clear positive correlation between women's representation in the police and reporting of sexual assault. Ensuring that women are represented in courts and on legal teams can play an important part in making courts more accessible. UNDP has supported the professional development of women as rule of law actors systematically in crisis countries.

In Afghanistan, for instance the representation of women in the police service has increased by 10 percent in 2011 alone. This has been linked to increased social acceptance of women officers across the community – 53 percent of the population consider it a good idea to have female police in their communities (an increase of eight percentage points from 2010).^[28] In Timor-Leste, UNDP has supported the training of female lawyers and judges through the Legal Training Centre. In 2011 Timor-Leste's first female Court of Appeals Judge was appointed. In addition, UNDP has provided support to establishing a group of community mediators trained to resolve land disputes – 50 percent of which are women.^[29] They are deployed to assist with local land conflict and in communities targeted for resettlement of IDPs.

There is a clear positive correlation between women's representation in the police and reporting of sexual assault

Box 21: Improving Access to Justice for Women in Somalia

UNDP supported the creation of a Women and Children Department at the Attorney-General's office, and linked it to women and children desks at police stations to ensure effective management of cases along the penal chain. The Sexual Assault Referral Centres (SARC) in Hargeisa and Burao were established to link treatment, evidence gathering and legal protection for victims of SGBV. In addition, UNDP supported the establishment of the Women Civilian Protection Unit as a community

patrol mechanism co-managed by the community, police and District Safety Committee. There are now approximately 500 women serving on volunteer community patrols.

In the justice sector, UNDP has supported the establishment of the Somaliland Women's Law Association (SWLA), which has given women a means to utilise the legal system to protect their rights and seek redress for harm. The group focuses on helping women defendants and victims in particular.

Since 2009 they have provided legal services to 1,760 people, in particular to women and children. Through the SWLA the number of women in the legal profession has increased– from five to 50 female lawyers– with five of them being appointed as Somalia's first female prosecutors in 2011. The South Central Somalia Association of Somali Women Lawyers was established in late 2008. It started legal aid provision in 2009 and has advised 1,211 women to date.

[28] The Police Perception Survey 2011: the Afghan Perspective, Afghan Centre for Socio-Economic Research.

[29] 2011 Report of the Secretary General on Women, Peace and Security (UN Document S/2011/598), pg. 7



UN Photo

Albert González Farran Women pray in Darfur

Measure Impact — Deliver Results

We must have a clear vision of the direction in which we need go and the outcomes we want to help achieve... By always trying to answer the question ‘so what difference does our intervention make?’, we will keep our focus on how we can support real and sustainable improvements being made in the lives of those we serve.

Helen Clark, Administrator, UNDP^[30]

In order to understand whether rule of law support achieves results and ultimately brings about transformational change, monitoring and evaluation structures need to be in place and/or improved. This is well recognized by the UN and bilateral partners. UNDP has made progress in improving its monitoring and evaluation capacity at country and global level.

A UNDP internal stock-taking exercise found that 15 countries are making good progress in strengthening monitoring and evaluation.^[31] The report also identified numerous good practices at country level to measure the impact of rule of law interventions. A number of baseline indicators were established in selected countries, including Afghanistan, Colombia, Guinea-Bissau, Guinea (Conakry), Haiti, and the occupied Palestinian territory. At global level, UNDP has developed corporate mechanisms for measuring impact – the Bureau for Crisis Prevention and Recovery’s multi-year results framework (MYRF) provides a global framework to report results in the countries supported by this Global Programme. The framework provides milestones against which to measure and report on in-country achievements twice a year.

Capacity for gathering and assessing rule of law data is typically weak in crisis-affected and fragile contexts. There is a dearth of reliable evidence on the levels of crime, effectiveness of the criminal justice system, and indicators of accountability.^[32] Strengthening national capacities for data collection and monitoring is essential to build effective and responsive justice and security institutions.

[30] Foreword, UNDP Handbook on Planning, Monitoring and Evaluating for Development Results, 2009

[31] Afghanistan, Bosnia-Herzegovina, DRC, Guinea-Bissau, Nepal, oPt, Pakistan, Somalia, Sri Lanka, Timor-Leste, Colombia, Senegal, Malawi, El Salvador and Honduras.

[32] World Development Report on Conflict, Security and Development, 2011, pg. 289.

Since 2008, UNDP has focused on i) strengthening national capacities to monitor rule of law; ii) strengthening the capacity to measure impact across the rule of law sector and iii) measuring citizen perceptions to ensure that policy making and services are designed to respond to their needs.

During the second phase of the Global Programme, UNDP will provide financial support for the establishment of baseline data in all priority countries that have not yet done so. To the extent possible, these baselines will be developed in collaboration with other actors working in the area of justice and security, and be based on the agreed UN approaches.

Strengthening National Capacities to Monitor Rule of Law

UNDP supports planning and assessment bodies within national institutions. In the area of justice, UNDP has provided support to strengthening case management and monitoring capacities across the penal chain, including in DRC, Guatemala, Haiti, Iraq, Liberia, Nepal, the occupied Palestinian territory, Sierra Leone, Somalia and Timor-Leste.

Many UNDP programmes also include components to build national capacity in the security sector to monitor small arms proliferation, armed violence and crime^[33] These programmes focus on a range of measures, including the strengthening of police capacities to monitor crime levels, the establishment of national observatories of crime and violence, and the establishment of capacities to monitor small arms proliferation and armed violence. In Jamaica, UNDP has supported the establishment of a national crime observatory, as part of an inter-departmental Crime Prevention and Security Committee. The observatory conducts biennial victimisation surveys and produces GIS maps on crime/violence incidents, which inform the development of more targeted law enforcement interventions.

Strengthening national capacities for data collection and monitoring is essential to build effective and responsive justice and security institutions.

Box 22: Strengthening Justice Monitoring in Nepal

UNDP supported better case management with the establishment of a centralised judicial database. 112,000 cases were entered into the system in 2011 and 380 justice officials trained on its use. National monitoring officers have been trained to monitor the progress of justice programmes. Periodic meetings are conducted with community mediators and government counterparts to as-

sess how activities contribute to project outputs, and the extent to which these make a difference in people's lives. As a result of these monitoring systems, programmes have become more responsive to community priorities. One example of how this approach has provided more demand-focused services is the establishment of women's "cells" in police stations in Biratnagar. Following consul-

tations with local women who highlighted the lack of services for victims of SGBV, the police force made female police officers and lawyers available to receive complaints, in an area affected by a surge in organised crime and trafficking.

[33] Kenya, Burundi, the Democratic Republic of Congo, Georgia, Haiti, Jamaica, Kosovo (UN Administered Territory, referred to in the context of UN Resolution 1244), South Sudan, Cote d'Ivoire, El Salvador, Bosnia-Herzegovina, Honduras, Somalia, Liberia and Nicaragua.

Box 23: Best-fit technology solutions – Using Open Source Technology in Timor-Leste

With support from UNDP, a group of IT technicians from across the Ministry of Justice, the Court of Appeal, the National Police Force and the Office of the Prosecutor General have formed a group known as Open Source for Justice, pioneering ways of using open source IT technology to improve access to justice in Timor-Leste in a way which is fast, efficient and cost-effective. As a result, Dili and

district prosecutors and judicial clerks from the Office of the Prosecutor General will soon have instantaneous access to the same case information. This will be part of an integrated justice sector case management system. Once the entire system is set up police officers, prosecutors, public defenders, judges and others will be able to record and track cases across the whole sector. "With open source,

the source code of the system is going to belong to Timor-Leste and to each institution which develops its own CMS, avoiding the trap of always having to go back to a company and pay to improve the system as it is implemented on the ground," said Andre Piazza, IT Unit Coordinator for the Justice and Security Programme.

Measuring Impact Across the Rule of Law Sector

There are a number of challenges relating to measuring 'outcome' level improvements in justice and security. Reductions in crime, or improvements in the provision of security for a population require a wide range of measures often involving multiple actors. A single actor is rarely responsible for transformational change in the justice and security sector.

The Global Programme, in line with UNDP policy, has prioritised joint approaches in the justice sector, as a critical element of increasing effectiveness. As an important element of this, UNDP has supported the development of baseline indicators for national justice strategies in a number of countries, including in Guinea (Conakry), Guinea-Bissau and Timor-Leste.

A single actor is rarely responsible for transformational change in the justice and security sector.

Box 24: Supporting Baselines for National Justice Strategies in Guinea-Bissau

The 'Access to Justice Assessment in Guinea-Bissau: Regions of Cacheu and Oio and Bissau Autonomous Sector' aimed at providing comprehensive information to define justice sector baseline indicators and citizen perceptions on justice for the regions covered. Complementing this, comprehensive research on customary prac-

tices in the six main ethnic groups was undertaken in cooperation with the European Union (EU) providing greater insight to the existing justice mechanisms widely used by the local population and their relationship with national level justice systems. Based on this work a number of confidence building strategies were put in

place to enable greater awareness and access to remedies at local level. It also ensured that the National Justice Sector Strategic Plan addressed informal justice mechanisms and the priorities of local populations in a way that reflected existing realities and perceptions of access to justice.

At global level, OHCHR and DPKO have developed a comprehensive guidance and project tool, which outlines an agreed system-wide approach to monitoring the strengthening of rule of law at country level.^[34] Building on this, UNDP has compiled good practices in measuring impact and outcomes of rule of law programming within UNDP. In 2012, UNDP will develop detailed guidance on how to improve assessment and measurement in the rule of law field while also strengthening national planning capacities and ownership of results.

Understanding Citizens' Perceptions

If people pursue legal processes without achieving just outcomes, they will lose confidence in the justice institutions and ultimately this will undermine their legitimacy. It is therefore important to measure citizens' perceptions of justice and security services as part of monitoring and evaluation processes. Based on this, national authorities and assistance programmes can better respond to citizens' needs. Since 2008, UNDP Country Offices in a number of countries, including Afghanistan, Guinea-Bissau, Pakistan, the occupied Palestinian Territory, and Timor-Leste have undertaken citizen perception surveys as part of a comprehensive approach to measuring the enjoyment of justice and security and to inform programming.

Box 25: Measuring Perceptions of Justice in the occupied Palestinian territory

UNDP, in collaboration with the Palestinian Central Bureau for Statistics (PCBS), commissioned a public perception survey of 6,700 Palestinians. The overwhelming majority of Palestinian households believe that rule of law institutions are legitimate: 91.7 percent choose to call the police when in danger; 71 percent consider that courts are the only legitimate institutions through which to resolve disputes; while 63.3 percent are confident that they would receive prompt police assistance. However, the survey also revealed important shortcomings: there are significant

gender inequalities in the justice system with women being party to fewer civil cases (24 percent), despite suffering more violations of civil rights than men, while 71.4 percent of women do not agree that 'the law is clear and takes all sides into account'. The survey highlighted the inherent complexity of measuring improvements in justice and security: perceptions that the law does not take all sides into account and that verdicts are not fair also deter people from asserting their rights. The notion of 'access' to justice is challenging and includes perceptions of justice

and security institutions' capacity and performance. Based on these findings UNDP will continue to focus efforts on increasing women's access to justice, through civil society and institutional engagement. It will also be important to build greater legal literacy amongst the population. The perception survey will enable the Palestinian Authority and UNDP to better measure the impact of efforts within the context of the current programme while providing baseline indicators for future tracking.

[34] The United Nations Rule of Law Indicators: Guidebook and Project Tools



UNDP supported Access to Justice Centre in Guinea-Bissau
Credit: Sofia Carvalho de Almeida UNDP Guinea-Bissau



UN Photo/Alberto Gonzalez
Faran/Sudan

Foster Partnerships

“Overcoming obstacles to working better together, will be fundamental to the success of the UN in supporting two fundamental human opportunities: to bring the scourge of civil war to a new historical low; and to help enable more than a billion people in the Arab world find the ‘larger freedom’ envisaged by the UN Charter.”

Dr. Bruce Jones, Director and Senior Fellow of Centre for International Cooperation, NYU.

Since 2008, UNDP has made a concerted effort to deliver joint rule of law assistance with other parts of the UN system.

It is imperative that the UN demonstrates its ability to maximise the comparative advantages and complementary functions of its rule of law entities and to ensure coherent planning and implementing rule of law programmes. Joint programming frameworks are an ideal vehicle for improving the coherence and results orientation of the UN's support. The Global Programme has been a driving force in developing joint programmes including with UNWOMEN, UNICEF, UNHCR and UN peace-keeping and special political missions.

UNDP is also committed to improving UN headquarters coordination processes for the rule of law, justice and security. UNDP and DPKO co-chair the Inter-Agency Security Sector Reform Task Force and UNDP participates in the Rule of Law Co-ordination and Resource Group and other related task forces including the newly formed Task Force on Transnational Organised Crime and Drug Trafficking. Between 2009 and 2011, UNDP, working closely with DPKO and OHCHR, established the Team of Experts for the Special Representative of the Secretary General on Sexual Violence in Conflict^[35] and has made available an advisor to that team.

Working with Peacekeeping and Political Missions

Since 2008, UNDP has significantly strengthened its collaboration with both peace-keeping and special political missions and has supported the development of joint rule of law and security approaches, in the context of broader integrated UN stra-

[35] Under Operational Paragraph 8 of SC Resolution 1888 (2009)

tegic frameworks.^[36] UNDP has contributed to the development of joint approaches with peacekeeping missions and political missions in Chad, Cote d'Ivoire, the DRC, Guinea-Bissau, Haiti, Liberia, Libya, South Sudan and Timor-Leste. These initiatives have been developed in line with the priorities and gaps on the ground and have not followed a single pattern or a particular pre-set arrangement for becoming operational. This flexible approach allows the national and international actors on the ground to find the 'best fit' based on the context.

In some cases, this has been critical to manage the preparation for the drawdown of a peacekeeping mission and the handover of security functions to national governments such as in Chad, Liberia and Timor-Leste. In Chad, the joint hand-over strategy developed between MINURCAT, UNHCR and UNDP helped strengthening prosecutorial capacity in the criminal court of Abeché, and the police capacity for IDP camps following the exit of the mission.

Box 26: Contribution from the Deputy Special Representative of the Secretary General for Rule of Law, United Nations Mission in Liberia (UNMIL)

The UN family has played a key role in restoring peace and security in Liberia in the decade since the civil war ended. Since the establishment of the peacekeeping mission in 2003, UNDP and UNMIL have worked together in the area of justice and security. The development, in early 2011, of the Liberia Peacebuilding Programme by the Government of Liberia, with strong support from UNDP and UNMIL, led to the finalisation of a Justice and Security Joint Programme in December 2011.

The Joint Programme, funded by a combination of the PBF, the Justice and Security Trust Fund, bilateral donor funding and the govern-

ment's own resources, coherently captures the priorities of the justice and security sectors. This process marks a significant step forward towards the UN Delivering as One and closer alignment with government priorities. The collaborative approach between UNDP Liberia and UNMIL in developing and now implementing the Joint Programme will help prepare the ground for a successful UNMIL transition process over the coming years.

In line with the recommendations of the UN Civilian Capacity Review successful implementation of the Joint Programme requires a focus on both skill sets and delivery

modalities. UNDP and UNMIL collectively bring a range of skills and instruments to the table that will help to deliver the programme. As stipulated by the Busan New Deal, UNDP and UNMIL will continue to monitor results of the Joint Programme together with the Government of Liberia and international partners to increase aid efficiency.

Mr. Louis M. Aucoin
Deputy Special Representative of
the Secretary General
for the Rule of Law
UNMIL

[36] This is in line with the Secretary General's Police of Integration which was adopted in 2008 and envisages that all integrated UN presences have shared analytical and planning capacity, as well as an integrated strategic framework that draws on all other UN planning, programme and budget instruments.

Box 27: UNDP and DPA Collaboration: The Integrated Peacebuilding Office in Guinea-Bissau

The Integrated Peacebuilding Office in Guinea-Bissau (UNIOG-BIS) has shown promising results in improving the coherence of the UN rule of law assistance. The Integrated Strategic Framework for Guinea-Bissau forms the common vision for the UN. It defines four outcomes, one of which is Security Sector, a critical pillar of the UN Mission's mandate which is co-chaired by UNDP. The Outcome Group has ensured better prioritisation and alignment of the UN's

work. It has facilitated the development of joint UN programmes, which pool the resources and skills of all UN agencies in the area of rule of law and security sector reform. In 2011, the Group secured USD16 million from the Peace Building Fund for joint peacebuilding activities. DPA, through the UNIOGBIS mission, UNDP, UNICEF, UNODC, FAO and WFP, all received funding to implement activities

under four main joint programmes covering rule of law, justice and police, military and security sector reform, including reintegration and national dialogue. While significant progress has been made since 2010, the next major challenge for strengthening this reform process will be to adjust UN assistance in light of the recent coup and consequent political instability in the country.

Ivorian Refugees in Liberia

Credit: UN Photo/Glenna Gordon



Box 28: Contribution from the Chair of the Steering Committee on Civilian Capacities

Countries emerging from conflict or crisis face huge challenges in rebuilding the rule of law and those institutions that support it. The UN plays, or should play, a crucial supporting role. Yet the reports of the Senior Advisory Group and the Secretary-General identified rule of law as one of the five critical gaps where we often fail to provide the timely, effective support countries need. The UNDP Global Programme for Strengthening the Rule of Law is contributing extensively in this area, including through its joint approaches with peacekeeping and political missions in Chad, DRC, Guinea-Bissau, Haiti, Libya, Liberia, South Sudan and Timor-Leste. This is a valuable contribution to our collective

efforts to deliver stronger support to rule of law. These efforts include the civilian capacities initiative – “civcap”. This offers us, collectively, a chance to:

Find new sources of highly specialised capacities in innovative ways, such as an online platform to match capacity requirements to available capacities – especially from the Global South and countries with direct experience of conflict or transition

Organise ourselves better within the UN – with many UN entities delivering support to rule of law, it must be clear who is responsible for delivering support, equipped

with the right resources to do so and accountability for results

Give our field presences the managerial and financial flexibility they need to respond to the unexpected in volatile post-conflict contexts

I am delighted that UNDP is so actively working with the rest of the system to achieve these civcap goals and, ultimately, deliver better results on the ground.

Ms. Susana Malcorra
Chief of Staff to the Secretary-General
and Chair of the Steering Committee on Civilian Capacities

With many UN entities delivering support to rule of law, it must be clear who is responsible for delivering support, equipped with the right resources to do so and accountability for results

Supporting the Civilian Capacities Review Process

The Secretary-General's 2010 initiative to strengthen the Civilian Capacities of the UN system to support countries emerging from conflict is a critical process for improving coherence and collaboration between different UN entities in providing rule of law, justice and security assistance. The 2011 Secretary-General's Report identified capacity gaps in specific rule of law sectors such as police, justice and corrections.^[37]

UNDP has actively participated in discussions with the newly established Civcap Secretariat and DPKO and other partners to examine mechanisms for improving the ability of UN entities to alleviate these capacity gaps. UNDP is fully committed to supporting more efficient and effective delivery of UN assistance and improving the UN's ability to meet the extensive rule of law needs of post-conflict settings. This includes examining new modes of operating with other UN entities; building partnerships with UN member states; think-tanks and regional organisations; and enhancing South-South co-operation.

UNDP is also committed to improving its operational capacity to enhance funding to rule of law assistance and to support the rapid and flexible deployment of technical and advisory expertise in the immediate aftermath of crisis. At the same time UNDP

[37] The Report of the Secretary-General on Civilian Capacity in the Aftermath of Armed Conflict (A/66/311-S/2011/527) 19 Aug 2011

remains committed to linking initial response to longer term development progress, the foundations for which have to be built post-conflict and then sustained. At a more strategic level, UNDP is committed to augment collaboration in the future to enable the UN to leverage the wealth of its expertise. These will be priorities of the second phase of UNDP's Global Programme on Strengthening the Rule of Law in Crisis-affected and Fragile contexts.

Box 29: Contribution from the Government of The Netherlands

The Government of The Netherlands has been a strong supporter of UNDP's Global Rule of Law Programme since its inception in 2008. It has become evident that the Millennium Development Goals are unlikely to be met in conflict-affected and fragile situations. Sustainable security, development and economic growth can only be achieved, if and when countries have the capacity to secure people's physical safety and to uphold the rule of law. In fragile situations this entails prevention of violence and consolidation of peace and stability. This includes alignment with international peace missions to foster people's

safety, creation of jobs for former combatants, promotion of inclusive access to justice and building a functioning judicial system. A new approach is required, as presented in the New Deal for Engagement in Fragile States and the World Bank's World Development Report for 2011, Conflict, Security and Development. The Netherlands prioritises, within its development cooperation policy, investment in national capacities to enhance security for citizens and to strengthen the rule of law. In doing so the overall aim is to contribute to an enabling environment for sustainable development and self-reliance. In our view the

UN has a leading role to play in coordination of and support for international efforts to promote freedom, security and prosperity. UNDP's Global Programme is an important cornerstone of the UN's support for the Rule of Law in developing countries and the Netherlands is grateful to be a partner in these efforts in the past and in the future.

*Mr. Joost Andriessen,
Director, Peacebuilding
and Stabilisation Unit
Ministry of Foreign Affairs,
The Netherlands*

Working with UN Member States

Over the course of the implementation of the Global Programme, UNDP has prioritised strengthening partnerships not just within the UN system but also with our key donors and other UN member states that play a critical role in supporting our work. Since 2008, we have hosted three Annual Partnership meetings bringing together representatives from UN member states, UN entities working on rule of law, as well as representatives with the OECD's International Network on Conflict and Fragility and the World Bank to discuss issues related to rule of law assistance.

UNDP's Global Programme is an important cornerstone of the UN's support for the rule of law



*Credit: UNDP Somalia
Mobil Courts in Puntland*

Box 30: Contribution from the Government of Qatar

Promoting the rule of law has never been a more critical need in the Arab region than it is now. The changes that we have seen in the last few years leave little room for interpretation. Without a serious political and institutional commitment to the principles of the Rule of Law, prosperity and stability will continue to be elusive.

The events of 2011 confirm this, and while they do constitute a historic turning point for the peoples of the region in their struggle to establish justice and fight corruption, they do not necessarily provide all the answers. Indeed, there are many lessons that are yet to be learned and much work that is yet to be done, and it is the collective duty of the international community to provide the

peoples of the region, with the support they request and need to sustain the momentum of reform for the future. In this context, the State of Qatar continues to work with its sister Arab countries to promote the principles of the Rule of Law, which we have enshrined in our own constitution of 1999. More specifically, we have ongoing cooperation initiatives with many partners across the region, through which we are supporting the development of capacities in the justice sector and the enhancement of international judicial cooperation mechanisms. We are also setting up an international research and training centre in Doha specialised in rule of law and anti-corruption. The idea was declared in December 2011 under the auspices of His Highness the

Heir Apparent of the State of Qatar and in the presence of His Excellency the Secretary General of the United Nations.

Continuing and expanding these efforts is critical for the future of the region, especially in countries that have been heavily affected by conflict and instability. To this end, our partnership with the United Nations is very important, and particularly with UNDP, which has accompanied these transformations as they began to take shape more than a decade ago, and is a trusted partner across the Arab region.

H.E. Mr. Ali Ben Fetais Al Marri
Attorney General
State of Qatar

Box 31: UNDP as a Global Leader to Reduce Armed Violence

At global level, UNDP works closely with different partners to invigorate political instruments like the Geneva Declaration on Armed Violence and Development and the Oslo commitments. UNDP is simultaneously building broad-based UN support and working with other bilateral and multi-lateral actors (e.g. World Bank, OECD-DAC) to ensure that armed violence reduction crosscuts the development, humanitarian and security communities.

UNDP is working with WHO to develop a Global Status Report on Violence Prevention, which will enhance objective, comparable, and global armed violence data. The report will, for the first time,

provide a broad assessment of the state of interpersonal violence prevention (including armed violence) in 193 countries around the world. It will serve as a baseline to track future progress in violence prevention. This initiative complements UNDP's country programmes in support of national armed violence observatories monitoring crime and victim surveillance.

UNDP also plays a key role in the inter-agency network on Coordinating Action on Small Arms (CASA). A key project is the systematic codification of the way the UN delivers small arms control through the development of International Small Arms Control Standards (ISACS).

UNDP is also supporting the international efforts to conclude a comprehensive, legally-binding Arms Trade Treaty in 2012. As part of this, UNDP manages a sponsorship fund to facilitate participation in ATT meetings for countries affected by irresponsible arms transfers. This sponsorship fund also facilitates participation for countries with high levels of armed violence in the Review Conferences of the Programme of Action to Prevent, Combat Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects (PoA); this support is linked to in-country programmes with the aim of strengthening national capacities to implement the PoA.

Supporting International Network on Conflict and Fragility and the G7+

UNDP in support the Organisation for Economic Cooperation and Development's (OECD) International Network on Conflict and Fragility and the G7+ group of fragile and conflict-affected states^[38], which was established in 2008. The G7+ has played a key role in ensuring that justice and security goals are part of our collective efforts to support conflict-affected and fragile states. The G7+ emphasise that these priorities are nationally-owned and led. The Peacebuilding and Statebuilding Goals include specific pillars on justice and security thus placing governance, security and justice at the centre of any analysis of state fragility. The G7+ proposal for a "Fragility Spectrum" would serve as a national prioritisation and implementation framework. UNDP is actively supporting the development of this tool which should contribute to donors and development agencies providing coherent support through programming and financing based on agreed principles. UNDP looks forward to engaging both at global and country level as the New Deal process moves forward.

[38] Afghanistan; Burundi; Central African Republic; Chad; Cote d'Ivoire; Democratic Republic of Congo; Ethiopia; Guinea-Bissau; Guinea; Haiti; Liberia; Nepal; Papua New Guinea; Sierra Leone; the Solomon Islands; Somalia; South Sudan; Timor-Leste(chair); Togo

Box 33: Contribution from the OECD: The Art of Pioneering: A view on UNDP's Global Programme for Strengthening Rule of Law in Conflict and Post-conflict Situations

The word I associate most strongly with UNDP's Global Rule of Law programme is "pioneering". It was set up in 2008 to pioneer the idea of simultaneously making a difference, improving capacity and changing ways of working. Making a difference is about improving the often tragic fate of people in need of better security and justice services. Improving capacity refers to building UNDP's capacity to support such efforts in the long term. Changing ways of working is about increasing cross-agency collaboration in the UN. There was a great need for improvement on all three counts in 2008.

Since then, UNDP's Global Programme has taken flight. The program now covers a vast range of countries and issues, has a dedicated support team, a tried & tested approach and has catalysed more joint UN work in the field, also thanks to DPKO's SSR Unit. The list of its achievements

impresses and its stories speak of people. Its relevance was underlined not long ago by the International Dialogue on Peacebuilding and Statebuilding: Two of the five Peacebuilding and Statebuilding Goals it agreed at the High-Level Forum on Aid Effectiveness in Busan to guide international efforts in fragile and conflict-affected situations are about security and justice.

But we need to go further. Recent OECD work identified four key challenges to effective security and justice programming, including the difficulty of defining meaningful results in a fragile environments, the challenge of monitoring engagements in real-time and of acting upon the findings, the difficulty of ensuring ownership for change efforts over time and the challenge of setting up sufficiently flexible program management structures.

UNDP recognises that its rule of law programming also struggles with these challenges. In fact, it helps lead the OECD work, which aims at identifying strategies to overcome these challenges. Initial analysis shows that there is a need to ensure greater attention to the process of program design, much more focus on the politics of change, and more attention to flexible program management structures. I have no doubt that, while making a difference to people all along, UNDP's global work on rule of law will also pioneer some of these insights as they emerge. I already look forward to reading about the lessons it will learn.

Erwin van Veen
Policy analyst on
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Organisation for Economic
Cooperation & Development
International Network
on Conflict & Fragility





Bakara market, Mogadishu, Somalia

© Kate Holt/IRIN



The Way Forward & Phase 2

As this report has shown we have contributed to improvements in the justice and security sectors in many countries. We have also made significant progress in making the UN work better together, through joint programming and strengthening our capacities to understand whether assistance generates measurable results. We have improved our operational capacities and our ability to respond rapidly.

The challenges and threats to progress in many countries, however, remain significant. The ongoing security challenges in Afghanistan threaten to undermine years of investment there. Widespread organised crime and violence in many Latin American countries contributes to chronic state fragility and stifles economic development. Continued political instability in many countries, such as Guinea-Bissau and Mali, highlight how interconnected drivers of conflict are. The proliferation of small arms and transnational crime will continue to have a destabilising effect on countries across the world.

Critical lessons have been learned. In particular, more attention needs to be paid to ensuring that the political dimensions of rule of law assistance are addressed. We should work harder to ensure our support does not remain at the purely technical level but focuses on transformation with a view to ensuring conflict prevention. We will continue to play a leadership role in improving the UN's ability to work better together and to support justice and security programmes which contribute to the collective goal of peacebuilding. We will work with national governments to support their ability to evaluate, monitor and plan for measurable improvements in the rule of law, justice and security in their countries.

Moving forward, UNDP will demonstrate the conceptual and programmatic linkages needed to improve security. A community-oriented response will remain a priority for UNDP, but needs to be combined with institutional support. UNDP will focus more deeply on strengthening the relationship between rule of law engagement and livelihood opportunities. This will involve a deeper focus on civil and administrative rights such as land, property, inheritance and resource management.

In phase two, the Global Programme will benefit from stronger working arrangements between UNDP's Bureau for Crisis Prevention and Recovery and the Bureau for Development Policy. UNDP will also take on its responsibilities and functions identified in the context of the Civilian Capacities Review.

We will continue to work together to develop even better approaches to building the rule of law, justice and security in those countries most affected by conflict, crisis and fragility.



*Member of the newly trained Afghan
Police Force*

Credit: Kate Holt/IRIN



Part 2

— Country Profiles

UNDP provides rule of law support to over 100 countries, including 37 crisis-affected and fragile situations. Particular attention is paid to the 21 priority countries supported through the Global Programme on Strengthening Rule of Law in Conflict and Post-Conflict Situations (2008 – 2011). The priority countries are those which are most affected by conflict and fragility and have the most urgent rule of law, justice and security challenges. In addition to these priority countries, in 2011, UNDP provided support to a number of other conflict-affected and fragile countries. Information on the results achieved through these programmes is provided in this section of the report. These results have been achieved through UNDP programmes, implemented by UNDP Country Offices and with support from Regional Bureaux, the Bureau for Development Policy and the Bureau for Crisis Prevention and Recovery.

Global Programme Priority Countries are:

Afghanistan
Bosnia-Herzegovina
Burundi
Central African Republic (CAR)
Chad
Colombia
Democratic Republic of Congo
Guinea (Conakry)
Guinea-Bissau
Haiti
Iraq
Kosovo^[39]
Liberia
Nepal
occupied Palestinian territory
Sierra Leone
South Sudan
Somalia
Sri Lanka
Sudan
Timor-Leste

Other Countries receiving assistance in 2011, include:

Côte d'Ivoire
Egypt
El Salvador
Georgia
Guatemala
Honduras
Jamaica
Kenya
Kyrgyzstan
Libya
Nicaragua
Pakistan
Papua New Guinea
Solomon Islands
Tunisia
Yemen

[39] UN Administered Territory, referred to in the context of UN Resolution 1244

AFGHANISTAN



	<i>Justice and Human Rights</i>	<i>Afghanistan's Law and Order Trust Fund (LOTFA)</i>
<i>Period</i>	<i>2009-2012</i>	<i>2011- 2013</i>
<i>Budget (in USD)</i>	<i>Total: 36,958,430</i>	<i>Total: 1,433,693,322</i>

Background

Following decades of war and the defeat of the Taliban in 2001, the Afghan governance institutions have been left unstable and weak. The security situation remains critical with increasing levels of violence. There are concerns regarding the militarisation of the Afghan National Police force (ANP) and its use as a counter-insurgency force. The shortcomings of the formal justice system to ensure basic access to justice have been identified as one of the key factors in the loss of trust in the Government.

Afghanistan has received a large amount of international aid and military resources, totaling around US\$ 286.4 billion or US\$ 9,426 per Afghan citizen. Since 2010, increased resources have been provided for rule of law support. Afghan security forces should take primary responsibility for internal and external security from international forces in 2014. International discussions continue on the financial commitments related to Afghanistan's sustainable economic development throughout the transition period (2013-2014).

Assistance and Impact

In 2002, UNDP's Law and Order Trust Fund in Afghanistan (LOTFA) was established to cover "all reasonable costs associated with the start-up and operational needs of the police force". Since then, UNDP has paid remunerations to the ANP. This was central to the re-establishment of the police force and the provision of security to the population. It has also been linked to a lower level of corruption in the police when compared to other Government officials who receive their payment in different ways.

In 2010, UNDP expanded its support to provide technical advice on capacity development and community policing. This included the piloting of community policing projects in 8

districts in Kabul. These projects were designed to support the ANP to strengthen their role as a civilian police force and re-balance their focus to broader policing issues, as well as tackling the insurgency. Accordingly, the concept of "civilian policing", "community policing" or "policing e-mardumi" has been incorporated as a priority in the 2012 Afghan Police Strategy and Plan. In addition, the Police Perception Survey of 2011 indicated that eight out of 10 Afghans believe that watch groups had improved security in their communities and that two-thirds of the population believes that regular meetings with the police help to improve security. Following a request from the Minister of Interior the community policing initiative has now been expanded to 65 new transition districts. The community policing secretariat has also been institutionalised in the Ministry of Interior.

UNDP also supported the establishment of a Human Rights Support Unit (HRSU) in the Ministry of Justice to review legislation, policy and practice on human rights compliance. The work of this Unit resulted in improvements to several pieces of legislation including the Civil Code, the Criminal Procedure Code, the Child Act, as well as the Law on Elimination of Violence against Women. In addition, UNDP also supported professional training of justice service providers and human rights and legal awareness education, which included increasing legal awareness among the Afghan population of their rights and the obligations of the executive. UNDP also built numerous courts and Attorney General offices in the districts.

Challenges, Lessons Learned and Way Forward

UNDP has been providing rule of law, justice and security support since 2002, and has significantly increased its assistance in this area since 2010. In 2011, UNDP established a rule of law cluster, incorporating projects which cover justice, policing, human rights, anti-corruption, armed violence reduction, and



gender. The cluster is currently analysing how to consolidate the best practices and successes from across the portfolio to generate greater impact in the Rule of Law sector.

LOTFA has demonstrated that the provision of key services to the Government, such as salary payments, can play an important role in building trust and strengthening national ownership. The community policing pilots were carefully institutionalised with different stakeholders including the police, religious and community leaders and the Ministry of the Interior. UNDP will continue to expand its support from service delivery (salary payment) to advisory and advocacy functions in community policing and capacity development.

The community policing project has demonstrated that there is opportunity for improvements in violence reduction. The salary payment function has proven to be a very important contribution to the Ministry of the Interior's ability to carry out efficient financial management and is being gradually handed over to the national authorities. Going forward, the focus will be on the further institutionalisation of the civilian policing concept as laid out in the National Police Plan and Strategy and on capacity development to prepare for the handover of important functions currently performed by UNDP.

Key Results

- Establishment of Community Policing and expansion to over 70 districts, as well as the establishment of the Community Policing Secretariat in the Ministry of Interior.
- Support to the remuneration of 137,000 strong Afghan National Police force including 99.2 percent of police salary payments.
- Establishment of electronic payroll system for enhanced civilian oversight of police and management through transparency in payrolls and a reduction of the length of salary processes.
- Capacity development to prepare for the gradual handover of the management of police salaries and food allowances to the Ministry of Finance (In 2012, 7.5 percent of salaries; and 82,000 food allowances were handed over).
- Establishment of the Human Rights Support Unit resulting in improvements to several pieces of legislation including the Civil Code, the Criminal Procedure Code, the Child Act, as well as the Law on Elimination of Violence against Women.
- Legal training to judges, religious leaders, community leaders, Huquq Officers and human rights and legal awareness training to 465 teachers and 46,500 primary and secondary school students
- Construction of offices, training centers, courts in the justice and police sectors.

BOSNIA-HERZEGOVINA



	<i>Access to Justice: Facing the Past and Building Confidence for the Future</i>	<i>Building Capacities of Cantonal and District Prosecutors and Courts in BiH to Process War Crimes Cases</i>
<i>Period</i>	<i>2009-2012</i>	<i>2008-2012</i>
<i>Budget (in USD)</i>	<i>Total: 5,953,850</i>	<i>Total: 1,432,251</i>

Background

Bosnia-Herzegovina (BiH) was most affected during the violent disintegration of the former Yugoslavia. There have been various initiatives since the 1995 Dayton Peace Agreement to strengthen the governance institutions. However, divisions between the two major political entities, the BiH Federation and Republika Srpska, and the decentralised cantonal system, continue to dominate national politics and hinder justice reform.

The conflict was characterised by egregious abuses including serious crimes where approximately 100,000 people died. This

includes the notorious genocide committed in Srebrenica. There was the forced displacement of over 2 million . These war crimes have been addressed by the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague. In a parallel effort, since the early 2000s, state and local level courts have been gradually building capacity to take on domestic war crime investigations and prosecutions.

The conflict left BiH's justice and security institutions weak. In addition, rule of law strategies lack coherence as they derive largely from the political entity level, rather than state level government. National justice institutions including the



Bosnia Police Woman
Credit: UNDP Europe/CIS

State Court of BiH fall victim to political disputes between the entities. These include attempts to delegitimise their work by accusing the courts of overstepping their jurisdiction. Consequently, justice sector reform as well as the process of addressing abuses of the 1992-1995 war continue to suffer delays.

Assistance and Impact

Following national multi-stakeholder consultations on transitional justice in 2009, the BiH Government decided to formalise its approach to remedying the legacy of the 1992-1995 conflict. The decision to develop a comprehensive National Strategy on Transitional Justice marked an effort to enhance public confidence and address the grievances of victims from all communities. UNDP facilitated the consultative process from which this decision emerged and was requested to support the initiative by establishing a secretariat of the Expert Working Group (EWG) that would draft the National Strategy.

Accordingly, the Access to Justice Programme, initiated in 2008, had two main objectives. The first was to assist the designated ministries (Ministry of Justice and Ministry of Human Rights and Refugees) in setting up the Working Group and to assist in conducting a consultative process, and drafting the national strategy. The second objective was to support the Ministry of Justice in implementing the access to justice component of the Justice Sector Reform Strategy. This project complemented an existing UNDP project on Building Capacities of Cantonal and District Prosecutors and Courts, which included establishing a witness support network, developing the capacity of the War Crimes Chamber and the Prosecutor's Office, and building regional cooperation and support for the Strategy on the ICTY Legacy.

In 2011, with support from UNDP, the Working Group completed a draft of a 5 year National Strategy on Transitional Justice. The draft Strategy is now awaiting political endorsement. Working with the Ministry of Justice, UNDP also supported the development of an integrated free legal aid system. In 2010, a study indicating gaps and incoherence regarding legal aid provisions between the political entities and at the district level was undertaken. In 2011, a system-wide resource assessment, the State Law on Free Legal Aid and 3 draft laws at cantonal levels (Sarajevo, Bihac and Gorazde) were all completed. District level programmes in partnership with legal civil society organisations were also initiated specifically targeting vulnerable populations.

Challenges, Lessons Learned and Way Forward

The political divisions regarding the functioning of the state level justice institutions made it difficult to institute any major justice reforms, as these all require approval by the Council of Ministers. This includes the endorsement of the draft National Transitional Justice Strategy. As the political process remains uncertain, the Ministry of Justice and Ministry of Human Rights and Refugees have agreed to include the implementation of the draft Strategy recommendations in their annual work plans for 2012. With the completion of the draft Strategy, the focus of the Access to Justice programme is shifting to efforts at harmonising the national free legal aid system and strengthening local level access to justice and victims' support initiatives. The current programme will run until the end of 2012 and phase into the next programming round in 2013.

Key Results

- Between 2004 and 2011, UNDP supported a national campaign resulting in 87 percent national support for drafting the National Transitional Justice Strategy.
- The completion of the National Strategy for Transitional Justice (NSTJ), which is one of the EU accession criteria for BiH.
- A Small Grants Fund was established to support civil society organisations and 10 initiatives providing support to 3,300 beneficiaries (including SGBV and other conflict survivors) were undertaken in 41 municipalities throughout BiH.
- Four Victim Support Offices were established in district courts and district Offices of the Prosecutor serving a total of 163 victims of conflict and SGBV.
- Free legal aid activities initiated in 2011 provided services to 569 individuals.

BURUNDI



	<i>Access to Justice: Facing the Past and Building Confidence for the Future</i>	<i>Building Capacities of Cantonal and District Prosecutors and Courts in BiH to Process War Crimes Cases</i>
<i>Period</i>	<i>2009-2012</i>	<i>2008-2012</i>
<i>Budget (in USD)</i>	<i>Total: 5,953,850</i>	<i>Total: 1,432,251</i>

Background

Building upon the Arusha Peace Accords, which stress the establishment of governance based upon the rule of law, Burundi has made progress in establishing stronger justice and security institutions. It has also made progress in managing the integration of displaced populations and combatants, building an integrated defense force and rebuilding damaged infrastructure.

2010 marked the first successful completion of a presidential mandate and a comprehensive 5-part election process overseen by a credible Burundi-led Independent National Election Commission. However, political polarisation increased following the “empty seats” strategy adopted by the political opposition after the communal elections.

In 2011, recurring reports of politically motivated violence including disappearances and killings underlined the continuing fragility. While efforts to build new and responsive institutions, such as the National Human Rights Commission, continued in 2011, Burundi still suffers from significant rule of law challenges.

Justice service delivery in Burundi is still slow and insecurity remains a daily reality. The circulation of small arms and light weapons and easy access to these weapons continues to aggravate the risk of violence caused by criminality, land disputes or SGBV. Furthermore, on-going tensions and conflicts between political parties at the national level have an impact on security at the community level.

Assistance and Impact

From 2007 to 2010, UNDP implemented rule of law initiatives, in collaboration with the United Nations Integrated Office in Burundi (BINUB) with valuable support from national and international partners, in particular the Peacebuilding

Fund (PBF). In the area of justice, police and prisons, the programme focused on support to the professionalisation of the judiciary, access to justice and tackling SGBV. In the Northern provinces, UNDP worked to strengthen courts and prosecutors’ administration, through rehabilitating five courts and five prosecutors’ offices and providing specialised training and equipment. This resulted in improved judicial performance in that area of the country. Management training was given to all magistrates and judicial officers of the courts and prosecutor’s office. Furthermore, the two key judicial bodies, the Supreme Court and Tribunal de Grande Instance of Bujumbura, received essential equipment to carry out their tasks. In the area of security sector development, UNDP supported the professionalisation of the security forces, through training on ethics and the prevention of SGBV. UNDP also supported the establishment of a national women’s police network to promote increased active participation by women police officers.

With regard to access to justice, UNDP developed a number of manuals on the justice system, including in the Kirundi language, to enable the population to better understand the services of the justice system. Furthermore, UNDP provided support to the General Prosecutor’s office to conduct inspections in 11 detention facilities. This resulted in the release of 1,375 detainees. Another 2,500 are awaiting conditional release. In addition, the institutions responsible developed a joint action plan to reduce prolonged and irregular detention. In 2010, UNDP also supported the rehabilitation of four prisons and led a working group on prison security that helped reduce violent incidents in prisons. In relation to the fight against SGBV, UNDP developed a training module for magistrates and gave an initial training to 15 magistrates as instructors. UNDP also contributed to the provision of equipment for HUMURA. This centre provides victims of SGBV with a comprehensive range of services including medical, psycho-social counseling,

legal aid and shelter. UNDP also supported the Ministry of Public Security with the establishment of a child protection unit.

The work on access to justice was complemented by UNDP's initiatives on small arms and light weapons (SALW) control, including strengthening the institutional capacities of the National Permanent Commission for the Fight against the Proliferation of SALW (CNAP). Work was also undertaken to consolidate the SALW control and management capacities of the army and police and a pilot project to collect SALW was launched. Through UNDP's support of CNAP, a successful national disarmament campaign was launched in October 2009, during which 15,000 weapons and explosives were withdrawn from circulation and destroyed. With UNDP's support CNAP continued civil disarmament campaigns in the following years and in 2011 a National Action Plan for Civil Disarmament and Control and Management of SALW (2011–2015) was launched.

Challenges, Lessons Learned and Way Forward

While through the implementation of several projects by UNDP and other actors considerable progress was achieved both in the area of justice and security there are concerns for sustainability. As a result of a lack of funding, the CNAP currently does not have the necessary human and financial resources to regularly produce reliable reports on crime and SALW. Consequently, UNDP will continue its support to the CNAP with regard to capacity development and resource mobilisation. The independence of the judiciary remains a serious concern and the shortage of well-qualified personnel impedes the quality and the quantity of justice services. The legal framework in Burundi for accessing justice is incomplete and there is no coordinated national system of legal aid and

Key Results

- 15,000 weapons and explosives withdrawn from circulation and destroyed, as result of disarmament campaign.
- Rehabilitation of five courts and five prosecutor's offices in the Northern provinces.
- Improved case management through specialized training for magistrates and judicial officers of the courts and prosecutor's office.
- Release of 1,375 detainees, and 2,500 awaiting conditional release as a result of UNDP's support to inspections by the General Prosecutor's office.
- Provision of essential equipment for the Supreme Court in Bujumbura.
- Rehabilitation of the Office for Integrated Response to SGBV victims in Gitega.

representation. Through the support to the implementation of the new Sectoral Policy for the Justice Sector for the period 2011-2015, UNDP's programming will focus on the professionalisation of the judiciary and provide support to the Judicial Training Centre. In addition, UNDP will contribute to setting up a coordinated system of legal aid service providers with a particular focus on services for vulnerable people.



UN supports destruction of weapons in Burundi
Credit: UN photo

CENTRAL AFRICAN REPUBLIC (CAR)



	<i>Strengthening the Rule of through Justice and Security</i>	<i>Arms Reduction</i>	<i>Security Sector Reform</i>
<i>Duration</i>	<i>2008-2012</i>	<i>2007-2011</i>	<i>2007-2010</i>
<i>Total Budget</i>	<i>14,239,444.67</i>	<i>1,923,729</i>	<i>88,288</i>



Seminar on the Revision of Penal Code in CAR. Credit: UNDP CAR

Background

The Central African Republic (CAR) has been marked by several decades of armed conflict and political instability aggravated by a record of poor governance and economic performance. This situation has seriously undermined the main institutions of justice and security.

The momentum provided by peaceful presidential elections in 2005 gave way to a new spirit of reform. In response, the international community, particularly UNDP, stepped up its support to these processes.

The National Justice Consultation in 2007, and the National Seminar on Security Sector Reform in 2008 laid out a locally owned plan for reform of the institutions engaged in the rule of law. Particular attention was devoted to: a judicial sector lacking resources; training and personnel; a police force made up of only 1,350 officers most of them concentrated in the capital, Bangui; and a severely overcrowded prison system including malnourished inmates.

Nevertheless huge challenges persist particularly in the north of the country due to ongoing armed groups' activities, banditry and violence perpetrated by the Lord's Resistance Army (LRA). The Government's capacity is weak and it controls essentially only the capital and limited surrounding areas. In 2010, the drawdown of the UN mission, MINURCAT, exacerbated the security situation in the north east of the country as the national security forces (FACA) were not sufficiently prepared to take over security functions.

The disputed re-election of the incumbent president, François Bozizé, in early 2011 and the arrest of a rebel leader, Jean-Jacques Demafoth, compromised the peace process and made a return to political stability unlikely in the short term. Hopes for an inclusive unity government have faded. Security sector reform, disarmament, demobilisation and re-integration processes are stalled. This puts a strain on the resources and political support available from the international community.

Assistance and Impact

UNDP is the main partner of the justice sector in CAR. Despite the weak rule of law and limited international support, access to justice and security has, however, improved in Bangui and the four regions supported by UNDP's rule of law project (Ombella-Mpoko, Ouham-pendé, Kemo and Nana-Gribizi). In 2011, legal awareness campaigns reached out to more than 100,000 people. With UNDP assistance local courts in Bos-sangoa, Batangafo, Bocaranga and Paoua held hearings in rural areas for the first time in several years. There was an increase in the number of cases tried through mobile courts in remote areas. Preventive and pre-trial detention rates were reduced significantly in the four regions. The national birth registration campaign enabled the registration of a total of 108,651 people in 2011.

Since 2008, UNDP also supported a comprehensive reform of the legislative framework (notably the production of new Penal and Criminal Process Codes), and trainings for formal justice personnel, police and traditional authorities. UNDP has also provided the infrastructure and equipment necessary to perform basic justice and security functions, including computer hardware, forensic identification materials, uniforms and boots. UNDP assistance has also proved crucial to the preparation of the 10-year plan for judicial reform produced by the Ministry of Justice.

Since 2008, UNDP has played a prominent role in security sector reform in CAR by participating in the National Seminar on Security Sector Reform of 2008 and the multi-disciplinary team of experts to support the reform process. Recommendations on reform of this sector now focus on the core security institutions (i.e. the FACA, PNC and Gendarmerie) but given the overarching current political situation, significant progress is unlikely in the near term. In the areas of police capacity development, UNDP has played a central role in supporting the development and implementation of a Code of Ethics for the police, including providing training on the Code to police officers.

Challenges, Lessons Learned and Way Forward

As the presence of state authority remains fragile outside the capital, infrastructure, equipment and capacity development have proved critical in the provinces. The territorial reach of UNDP support is still limited to the four provinces outside Bangui most affected by the conflict.

The scale of the challenges facing the justice and security sectors in the CAR is still extensive. There is still a long way to go before the population, especially women and marginalised groups have access to justice. UNDP will continue to focus on delivery of justice and security services to the population through support to demand (legal aid) and supply (institution-building). UNDP will also focus on marginalised people and groups such as SGBV survivors and those accused of witchcraft and will provide support to civil society groups.

Key Results

- A resumption of key justice services in four regions, including a 278 percent increase in the number of cases tried by mobile courts, from 142 cases in 2010 to 396 cases in 2011.
- A reduction of police detention from 30-90 days in 2010 to 14-30 days in 2011.
- A reduction of pre-trial detention from 6-24 months in 2010 to three months in 2011.
- The construction of four new police stations and the establishment of a radio assistance network bringing policing services to conflict-affected communities. The construction and renovation of eight prisons.
- The Law Faculty Library, five legal aid houses, and 10 courthouses (including the Cour d'appel de Bangui and Cour de Cassation) were constructed or renovated providing necessary facilities for provision of justice services.
- New Penal and Criminal Process Codes were drafted as well as a 10-year plan for Judicial Reform.
- A total of 108,651 people commenced registration through the national birth registration campaign.

CHAD



	<i>Strengthening the Rule of Law in Eastern Chad based on Justice and Security (Component of the Recovery Programme for Eastern Chad (PRET))</i>
<i>Period</i>	<i>2009-2013</i>
<i>Budget in USD</i>	<i>4,861,180</i>

Background

On 11 January 2011, Chad celebrated its fiftieth year of independence. Legislative and presidential elections were held in February and April 2011, which resulted in a consolidation of the ruling party's control of the parliament and the re-election of the President with 83.59 percent of the vote. The presidential election took place without tension, despite the fact that three opposition candidates decried both elections as fraudulent and suspended their participation. The Constitutional Council announced final results on 21 May 2011. The communal elections, initially planned for November 2011, were eventually held at the beginning of 2012.

Insecurity remains a major obstacle to sustainable development and social cohesion in Chad. This uncertainty is largely due to the relationship between Chad and its neighboring countries. The 2010 peace agreement between Chad and Sudan is an important step forward in stabilising the security situation in the East. However, recent regional developments, in particular the crisis in Libya are a new destabilising factor. There was a massive return of Chadian workers from Libya resulting in a loss of remittances and an influx of weapons. This has exacerbated an already vulnerable situation and particularly affects the Sahel belt which is already striving to cope with cyclical shocks, epidemics,



high food insecurity and armed conflicts. In addition, rural communities in the North and the East have been suffering, where returnees, IDPs and refugees compete over limited resources.

Assistance and Impact

In the framework of Recovery Programme in the East of Chad (PRET), UNDP has been implementing a Rule of Law project in Eastern Chad since 2009. The project focused on the promotion of access to justice and strengthening the capacity of justice institutions. Besides technical assistance provided to the courts and support to mobile court sessions, the project's flagship was the establishment of a Lawyers' House in Abéché (with joint support from UNDP and MINURCAT). This ensured the permanent presence of legal professionals by deploying lawyers from N'Djamena to Abéché on a monthly basis. The lawyers provided legal advice and aid services to thousands of vulnerable persons including IDPs, who previously had no access to justice services because of geographical and financial barriers.

In 2011, 540 formal requests for assistance, 186 for legal advice and 354 for legal representation, were recorded on various cases including human rights violations, SGBV related crimes, land disputes and other civil matters. The quality of the services and the performance of the Lawyers' House in Abéché improved over time and its impact on the population was visible. However, at the end of the project's pilot phase, the Lawyers' House was closed in September 2011 because of lack of funds. Despite the project closure, lawyers were still providing free legal representation for 183 cases. In addition, UNDP provided support to the handling of 150 criminal cases through the Court of Appeal of Abéché and mobile court sessions, including in the remote area of Goz Beida. Qualitative improvements in handling of cases were seen following UNDP capacity building efforts.

In addition, since 2011, jointly with UNHCR and with support of PBF funding, UNDP has also supported the *Détachement Intégré de Sécurité* (DIS), a special police unit. The DIS was previously supported by MINURCAT and is in charge of providing security to humanitarian movements and securing IDP and refugee sites and nearby towns in Eastern Chad.

Challenges, Lessons Learned and Way Forward

There are major challenges to the establishment of an efficient judicial system in eastern Chad including the security conditions for magistrates, the lack of basic infrastructure and the inadequacy of financial and human resources allocated to

the justice sector. The absence of regular training of personnel, the interference of administrative and security authorities in judicial matters, and the prevalence of customary law mechanisms for dispensing justice also present barriers to establishing a coherent justice system. While through the establishment of the Lawyers' House and the support to the DIS justice and security services were delivered to the population in the East, the sustainability of this UNDP-supported service delivery remains a challenge. There is a need for increased national ownership and the institutionalisation of these initiatives to enable sustainability. Furthermore, in view of the consequences of the Libya crisis the support for better justice and security services needs to be extended to other regions of the country.

Key Results

- In 2009, criminal cases were heard for the first time in Abeche, Mongo and Am Timan, resulting in 40 verdicts.
- In 2011 criminal courts and mobile courts heard 150 cases.
- The establishment of a Lawyers' House in Abéché enabled the population to access legal aid. As a result, 1,200 requests for legal aid were recorded through the Lawyers' House in 2010 and 540 requests in 2011.
- Support was provided to the *Détachement Intégré de Sécurité* (DIS) to provide security to IDP camps in the east following the drawdown of MINURCAT.

COLOMBIA



	<i>REDES (Strengthen mechanisms for access to justice to enforce the rights to truth, justice and reparations under the rule of law)</i>	<i>Strengthening of the Justice System (Justicia) Programme</i>	<i>Programme for the Promotion of Coexistence (Convivencia)</i>
<i>Period</i>	<i>2007-2010</i>	<i>2007-2010</i>	<i>2007-2010</i>
<i>Budget in USD</i>	<i>4,186,113</i>	<i>10,741,411</i>	<i>15,142,936</i>

Background

Since assuming office on 7 August 2010, President Santos has promoted plans to strengthen the Colombian institutions and reinstate the independence of the judiciary. While President Santos is expected to continue the policies of popular outgoing President Álvaro Uribe, his government has registered additional successes on the security front. The President has broadened his political agenda, proposing a series of ambitious policies in the areas of land restitution to IDPs, victims' rights, social housing, and anti-corruption. The main priorities for the government are addressing longstanding social and economic inequalities, reducing violence, promoting growth, and tackling the armed conflict. President Santos' "National Unity" coalition holds 80 percent of the seats in Congress.

New security challenges, such as a rise in urban crime and violence from illegal armed groups tied to drug trafficking, have emerged and will require more attention from the government. Improving security and ending the internal conflict with the left-wing guerrillas of the Fuerzas Armadas Revolucionarias de Colombia (FARC) is a key priority. The government has public support to continue with the implementation of the controversial "democratic security" strategy that has put FARC on the defensive, has weakened drug-trafficking cartels and has reduced the overall level of violence in the country. Although it has decreased in comparison to previous years, substantial internal displacement still occurs, with 161,222 and 122,712 new displaced in 2009 and 2010^[36] respectively. 95 percent of IDPs live below the poverty line and significant gaps remain in ensuring their protection.

Assistance and Impact

UNDP has provided a broad range of support designed to strengthen victim's rights in Colombia. Results are achieved

through three main programmes: The *Strengthening of the Justice System Programme* which addresses criminal accountability mechanisms; the *Programme for the Promotion of Coexistence* promotes truth-telling, reparations and reconciliation; and the ART REDES Programme is an area-based programme, which provides broader development assistance concentrating on supporting victim's organisations and community based initiatives to assist conflict survivors.

In collaboration with the International Centre for Transitional Justice (ICTJ) UNDP actively supported the Interagency Group which worked on the Victims and Land Restitution Law. UNDP's efforts focused on aligning the new legislation with international standards, and ensuring the participation of victims' groups in the congressional consultative process. The Victim's Law is a major step towards strengthening the national legal framework for victims' rights and provides for the compensation of victims of state violence. The law has been welcomed as such by the international community. The law includes measures for prevention, the provision of humanitarian assistance, and reparation to victims. It also includes special measures for IDPs, and other particularly affected social groups. The most important measures include those related to land restitution for IDPs and reparations, including the right to the truth and symbolic recognition, psycho-social and healthcare attention, vocational training, economic compensation, and the commitment to avoid repetition. In April 2012, President Santos confirmed that about 75,000 victims have already been provided with reparation. The goal of the Government is to provide reparation to more than 400,000 victims by 2014.

At national level, UNDP has worked with numerous national institutions, including the Ombudsman, the National Commission of Missing Persons, the Legal Medicine Institute, the General Procurator and the Attorney General's Office. UNDP

[36] This figure is still provisional

has also supported victim-centred transitional justice interventions across 6 conflict-affected provinces. UNDP's interventions have been essential to provide citizens and victims with redress following decades of violence and are central to the overarching efforts in Colombia to pursue meaningful reconciliation. UNDP also provided support to the families of disappeared persons, including the identification of bodies discovered in mass and individual graves and support to the National Registry of Missing Persons.

Challenges, Lessons Learned and Way Forward

The humanitarian situation in Colombia continues to be challenging and conditions for peace and human security remain fragile. UNDP has been able to strengthen an important alliance of international partners supporting the transitional justice process in Colombia. Currently, eight different agencies are collaborating to strengthen justice and promote the rights of victims, through on-going dialogue with state institutions and organisations of victims. In addition, UNDP has been working with UNHCR to develop an integrated Transitional Solutions project to support IDPs, affected communities and local authorities. The rule of law elements in the project seek to ensure that beneficiary families (rural and urban) have legal ownership of the land and housing they inhabit and the legal means to project its use, enjoyment and ownership. It will also develop the capacities of victims' organisations to actively participate in the truth, justice reparation processes. UNDP will continue to work with other international partners to build on the progress to date in strengthening the national framework for victims of the conflict in Colombia.

Key Results

- A comprehensive victims' law was adopted, including reparations and land restitution for IDPs. By 2012, 75,000 victims were provided with reparations and 440,000 files were opened.
- 364 exhumation proceedings were supported and the resulting in the identification of 232 bodies
- In 2011, 26,549 conflict-affected people received legal counsel under the Justice and Peace Law. This builds on over 166,000 people who received legal and psycho-social support in 2010.
- In 2011, 27,716 victims from 8 different provinces received access to legal representation from the Ombudsman's Office or other specialized institutions.
- 2,442 victims in different districts and villages of the country participated in one of the 20 interactive live broadcastings of the Justice and Peace legal hearings via satellite technology.
- A network of 730 victims associations in 18 territories was developed to build common agendas for advocacy and dialogue with national and provincial institutions.



Traditional Dancers perform at event to reaffirm cooperation between UN and Colombia

Credit: UN Photo/Evan Schneider

DEMOCRATIC REPUBLIC OF CONGO



	<i>Strengthening access to justice and legal protection for GBV victims in Eastern DRC (Phase I)</i>	<i>Strengthening Women's Access to Justice: Securing and empowering Populations in the Kivus and Ituri (Phase II)</i>	<i>Support to Judicial and Penitentiary Institutions in eastern DRC (UNDP-MONUSCO-IOM-UNOPS)</i>
<i>Period</i>	<i>2008-2011</i>	<i>2011-2013</i>	<i>2011-2012</i>
<i>Budget in USD</i>	<i>4,619,992</i>	<i>6,526,386</i>	<i>4,148,936</i>

Background

In 2011, the political arena in DRC was dominated by the presidential and legislative elections of 28 November 2011. The UN Stabilisation Mission in DRC (MONUSCO), UNDP and donors provided financial, technical and logistical support to the organisation of the elections. Despite the fact that the election period was marked by a tense security situation and increased localised violence, international observers declared the results of the elections acceptable.

The unstable political environment has increased risks for continued regional and inter-community tensions. It has reduced the State's credibility and hampered the re-establishment of its authority. This may undermine reforms, including the police and justice sector reform that is essential for the transition towards development.

Multiple factors, such as conflict over land and natural resources and local-level political disagreements, continue to have a negative impact on peace and security. In the East, ongoing violence results from the activity of several rebel groups and insecurity remains a daily reality for the population. Also SGBV cases continue to enter the justice system. UNDP's judicial monitoring activity recorded an overall increase of 13 percent of all SGBV cases that entered the criminal justice system from 2010 to 2011 (from 3,079 cases registered in 2010 to 3,475 cases registered in 2011). It is not possible to conclude whether this rise is due to an improved judicial response to SGBV cases, or whether there was an increase in sexual violence incidents during this period.

Assistance and Impact

Launched in May 2009, the UNDP Access to Justice Project in DRC operates in North Kivu, South Kivu and Ituri. Since its

establishment, the project has improved access to justice and strengthened legal protection mechanisms for local communities. Between 2009 and 2010, UNDP provided training and capacity building for national justice and security actors including 300 paralegals and over 200 representatives of the police and the military. UNDP also supported the establishment of 18 legal aid centres in Kivu, South Kivu and Ituri. UNDP reached out to traditional leaders to make them aware of the limits of their jurisdiction in relation to sexual and gender based violence.

In 2011, UNDP provided logistical, administrative and technical support to 15 mobile military courts, in partnership with other organisations. Through these courts 330 cases were heard in 2011 and 193 perpetrators were sentenced for sexual violence related crimes. During these hearings, several cases for international crimes on sexual violence were tried, including in Fizi (case of Kibibi Mutware) and Kalehe (case of Katasomwa). Several military officers were convicted for

UNDP support recovery of women victims of the conflict in DRC.



crimes against humanity on the basis of rape, imprisonment and other inhuman and degrading treatments committed in Fizi territory in early 2011. This was the first time that high-ranking officers were charged for such crimes through mobile court proceedings. Later in the year, the mobile court held in Kalehe, South Kivu, dealt with the first case of crimes against humanity, including charges of sexual violence, against a leader of the militia Forces Democratiques de Liberation du Rwanda (FDLR).

In 2011, UNDP supported 276 requests for logistical assistance to teams investigating incidents of SGBV. The assistance built on earlier support provided in 2010 to establish special units for the protection of women and children in Rutshuru, Walikale, Kalehe, Walungu, Uvira and Fizi and to train 160 paralegals. The military prosecutor and the UN mission, MONUSCO, conducted a preliminary joint assessment into the alleged mass rapes reported in Fizi (South Kivu) and Masisi (North Kivu). UNDP supported the assessment and, with regard to the Walikale mass rape, provided support to the military prosecutor's investigation and to the deployment of 100 policemen of the National Police of Congo (PNC) in Luvungi thereby allowing the return of the population to the area. UNDP also facilitated the investigation and collection of testimonies in preparation for the judicial process in 2012.

UNDP, MONUSCO and UNODC developed a joint programme in 2010, to support the justice sector, covering all areas including judicial integrity and accountability, access to justice, prison reform and anti-corruption. UNDP, in collaboration with MONUSCO, rehabilitated a number of penitentiaries. Building on this, in 2011, discussions began on developing a joint One UN approach to monitoring results, including the undertaking of a comprehensive citizen perception survey to inform peacebuilding priorities.

In the area of small arms control, UNDP supported the establishment of provincial offices of the National Small Arms and Light Weapons Commission (CNC) in Bunia, Matadi, Lumumbashi and Kisangani. A provincial technical disarmament committee was formed in Ituri (Bunia). At the national level, the CNC is still facing challenges to function effectively and does not receive any funding from the Government, which poses a threat to its sustainability. Nevertheless, a small arms survey overseen by the CNC was published and a 5-year National Action Plan on the control of SALW was adopted in 2011.

Challenges, Lessons Learned and Way Forward

While UNDP's work, in collaboration with MONUSCO and other partners, has had an impact in particular with regard to the fight against impunity of the armed forces for crimes related to SGBV, national ownership of these actions remains limited. The organisation of mobile courts granted access to justice to a population for whom such justice services have previously been out of reach. The sustainability of these efforts is a challenge and more efforts need to be undertaken to re-establish the state's authority, presence and service delivery in the vast territory. In the coming years, UNDP will continue to focus its Rule of Law initiatives on access to justice for victims of SGBV and the fight against impunity. It is important to emphasise that the existence of SGBV is not only attributable to the conflict. Other elements, such as inequality, cultural patterns and socio-economic factors need to be taken into account. As a complementary element to the ongoing work on access to justice and in the framework of continued support to the police, UNDP will support the establishment of community policing in the Eastern provinces

Key Results

- 330 SGBV cases were heard through 15 military mobile courts (5 in North Kivu, 6 in South Kivu, and 4 in Ituri) resulting in 193 convictions – including the first ever of high-ranking members of the national army.
- Detailed judicial monitoring of 6,554 SGBV cases has led to greater transparency of the justice system in Eastern DRC.
- New legal aid clinics and a local network of 20 legal aid centres were established and staffed with paralegals.
- The first forensics special police unit in North Kivu was established and technical teams investigated 276 SGBV cases, including numerous reports of alleged mass rapes in Fizi (South Kivu) and Masisi (North Kivu).
- Support to the military prosecutor and the police in Luvungi allowed the return of the population to Walikale and facilitated the investigation to support the judicial process in 2012.

GUINEA (CONAKRY)



	<i>Establishing a Secure Environment for Development</i>	<i>Appui Justice et Sécurité</i>
<i>Period</i>	<i>2010-2011</i>	<i>2010</i>
<i>Budget (in USD)</i>	<i>545,000</i>	<i>1,708,801</i>

Background

After the military coup of December 2009, and two years of a military regime, political stability has considerably increased in Guinea (Conakry), with the first free, fair and democratic presidential election of November 2010 and the adoption of a new constitution. In 2011 the political situation remains fragile, and the new government faces immediate political, economic and security challenges. Expectations from Guineans are high, and the new government is under intense pressure to deliver swift improvements to public services and living standards. The country is facing major governance challenges, notably the persistence of corruption, the weakness of civilian and democratic control over government institutions,

and the marginalisation of women and vulnerable groups. The presidential elections of 2010 exhibited an increased polarisation of society along political, ethnic and community lines. Since the elections, tensions continue to simmer in the country and the national reconciliation process is challenging.

Guinea's national electoral commission has set a date for the country's legislative poll, but the President has not decreed this date. If successful – these elections will mark the last stage in the country's transition from military to civilian rule. Structural deficiencies in the functioning of the army, police, and judiciary have led to serious violations of human rights, and mistrust between the security forces and the population.



Caption: Army patrols the streets in Guinea (Conakry)

Credit: Maseco Conde

A comprehensive reform of rule of law institutions including the defence and security forces and the justice system, remains a decisive factor for peacebuilding, the consolidation of democracy and the rule of law. On the other hand, the military is an important factor in the establishment of stability and managing the security risks in the country.

Assistance and Impact

UNDP has accompanied a security sector reform (SSR) process as part of peacebuilding efforts in the country, with the support of the Peacebuilding Fund (PBF). UNDP, along with United Nations Office of West Africa (UNOWA) and DPKO, contributed to the Security Sector Reform Assessment conducted under the auspices of the Economic Community of West African States (ECOWAS) and the AU. The assessment was endorsed by the transitional government in May 2010. UNDP also provided technical guidance and financial support for the National Seminar on Security Sector Reform organised in March 2011 by the Government.

Building on this, UNDP supported the production of sectoral actions plans and budgets that will enable operationalisation of reform in the five key branches of the sector: defense, police, justice, customs and the environment. UNDP also provided technical and financial support for a census of the army, which recorded about 26,000 members of the armed forces. A related project to facilitate the streamlining of the military resulted in the retirement of almost 4,000 members (approximately 15 percent of the total force). This is one of two major steps in the military reform process and an important contribution to improved governance of the security sector. UNDP's involvement contributed to mitigating the high political and security risks associated with the military retirement project. UNDP has fostered coordination of the international community on security sector reform at technical and political levels. At headquarters level, the UN's Security Sector Reform Task Force – co-chaired by UNDP and DPKO – created a sub-working group on Guinea in 2011. The working group is designed to provide targeted and coherent UN support to the complex security sector reform process in Guinea.

In 2011, UNDP supported the strengthening of the national response to SGBV including the development of the first minimum quality and protection standards in Guinea. UNDP also trained 100 judges and police officers on preliminary investigations of SGBV; and 130 police, gendarmerie, judges, university professors, and lawyers on a broad range of issues related to SGBV. As a result, criminal courts improved their protection capacities and victims started to file complaints.

Challenges, Lessons Learned and Way Forward

Political will and national ownership are basic pre-requisites to successful SSR. In Guinea, the transitional and newly-elected government has placed reform of this sector at the core of peacebuilding efforts. While the production of sectoral action plans and budgets took time, the nationally-owned process enabled support to be tailor-made and ensured the long-term capacities of national partners. The census and retirement projects proved key to deepening the changes within the military institutions and the security sector overall.

These good practices demonstrate that sustainable security sector reform is a long-term process that needs sequenced and responsive support from international partners. The United Nations, and UNDP in particular, has an important role to play as a trusted partner and impartial broker for security sector reform. UNDP will continue to provide support to this process, increasingly focusing on non-military components of SSR, including support to the police and justice sectors. UNDP will also support the development of mechanisms and capacities to strengthen civilian and democratic control of the security sector. Finally, UNDP will continue to work to strengthen the response of justice and security institutions to SGBV.

Key Results

- A comprehensive census of the army was conducted and support to the retirement of 3,928 military personnel (approximately 15 percent of the military) was provided.
- The development of sectoral Actions Plans and budgets in key areas of the security sector, including defense, police, justice, customs and the environment.
- The completion of a needs analysis of the justice sector.
- Establishment of coordination mechanisms to support Guinea's SSR process in Guinea and UN headquarters.
- Development and endorsement of minimum quality and protection standards on SGBV for the first time in Guinea.

GUINEA-BISSAU



Background

Intra-military and civil-military relations are at the core of Bissau-Guinean political instability. Having secured independence in 1974, the victorious militias formed the backbone of the new national armed forces and established a one-party state lasting until the early 1990s. The privileged “heroic” status of these former rebels lies at the root of many of the country’s current institutional problems, generating an oversized and factionalised military force and contributing to a fragile formal judicial system.

The country’s politics have failed to stabilise since the double assassination in July 2009 of President Joao Bernardo ‘Nino’ Vieira and the Armed Forces Chief of Staff. The death of President Sanhá, a consensus figure in the country, in January 2012 opened a new period of instability marked by a coup d’état in April 2012. Political instability combined with drug trafficking continues to contribute to a climate of crisis that exacerbates social conflict, economic dislocation, infrastructure degradation, and violence. National institutions have nevertheless continued to function. There has been improved revenue collection and the economy has expanded. Service delivery, however, continues to be extremely weak and the security and judicial systems are compromised and dysfunctional. The SSR process is stalled.

Assistance and Impact

UNDP has supported the decentralisation and long-term capacity development of the justice system, as well as strategic planning, coordination and oversight of the security sector. By 2012, UNDP had established four access to justice centres and mobile posts providing legal aid, counseling and legal information to the most vulnerable in three regions. The Centres opened in September 2011 and in three months registered more than 800 cases. The Centres provided legal

	<i>Strengthening Rule of Law</i>
<i>Duration</i>	<i>2010-2012</i>
<i>Total Budget</i>	<i>6,506,330</i>

awareness sessions to over 20,000 citizens on children’s rights, women’s rights, illegal detentions, traditional justice and gender equality (20 percent of attendees are women). Hundreds of cases related to land issues were addressed, mainly through mediation and conciliation.

By 2012, the National Judicial Training Centre (CENFOJ) had been established. Support was provided for the drafting and adoption of the CENFOJ statutes and regulations. In addition, the first training for legal aid lawyers and the first one and half year professional training for judges and prosecutors was delivered. This is the first time that Guinea Bissau is professionalising its judicial actors through specialised training associated with tenure. The establishment of these two major institutions was the result of significant investment by UNDP in a range of upstream activities including research, policy development, legislative drafting and institutional development, as well as the production of curricula and training modules and the recruitment of a range of legal professionals.

All aspects of the rule of law programme are tailored to protect women’s rights and have specific strategies dedicated to gender equality and women’s empowerment. Thanks to the legal aid centres, numerous cases relating to family disputes and domestic violence are addressed. However, there are still numerous challenges to ensuring women’s access to justice. The project has observed that while women bring problems to paralegals, they are still reluctant to move forward with more formal legal proceedings.

Since 2010, UNDP has worked in close collaboration with the UN Integrated Peacebuilding Office for Guinea-Bissau (UNI-OGBIS) to ensure better UN coherence through the Outcome Group co-chaired by UNDP and UNIOGBIS. The Group has

become the main platform for coordination and planning of Rule of Law activities in Guinea for UN entities and international partners.

Challenges, Lessons learned and Way forward

In fragile and poor countries such as Guinea-Bissau the creation of new services must be thoroughly planned in order not to create unsustainable costs for the state budget. The access to justice measures were carefully institutionalised with clear legal frameworks, through different stakeholders including the Ministry of Justice, the Bar Association and civil society. Trust building amongst different institutions took time. However, national ownership was key to success with the involvement of all partners from the conception of the projects through to policy-making and the adoption of legislation until implementation. The project will continue strengthening the rule of law through capacity development of institutions and strengthening access to justice

for the population, notably by working on further linking customary law with the formal justice system and establishing mobile courts that deliver mediation services. The project will build on the recommendations of the study on customary law in order to ensure that justice sector support focuses on day-to-day injustices faced by the population. Considering a majority of cases brought to legal aid centers are civil, the project will increase its focus on socio and economic rights.



UNDP supported Access to Justice Centre in Guinea-Bissau
Credit: Sofia Carvalho de Almeida UNDP Guinea-Bissau

Key Results

- The 5-year National Policy for the Justice Sector and Strategic Development Plan was produced and approved by the Council of Ministers in January 2011.
- The National Judicial Training Centre (CENFOJ) was established and the first professional courses for legal aid lawyers, judges and prosecutors were launched.
- Comprehensive research on customary law of the 6 main ethnic groups in Guinea Bissau was published. The research will be an important basis for UNDP's next Programme Phase 2012-2015 and will improve the interface between customary and state justice.
- Four Access to Justice Centers were established in three regions with a population of approximately 500,000. The Centres provide legal aid, counseling and legal information to the most vulnerable. In the first three months 800 cases (15 percent women) were assisted. Legal awareness sessions on children rights, women's rights, illegal detentions, traditional justice and gender equality reached approximately 20,000 people.

HAITI



Background

While recovering from the devastating January 2010 earthquake, Haiti continued its efforts to rebuild justice and security institutions and to restore service delivery. After a contested electoral process, the new President Michel Martelly was inaugurated in May 2011. The formation of the government was stalled for four months as parliament failed to ratify two consecutive nominees for prime minister, before confirming the President's third choice in October 2011.

The new Haitian Government included the strengthening of rule of law as one of four Government priorities. Among the first actions were the nomination of the President of the Supreme Court - after seven years of the position being vacant - and the creation of a Justice Reform Commission.

However, the political situation remains fragile. Following the resignation of the Prime Minister on 24 February 2012, only four months after his nomination, Haiti slipped into a new political crisis. This instability also had negative impacts on the justice and security sector. In 2011, the country saw four Ministers of Justice and Public Security.

This fragile situation does not allow the Government to respond adequately to the challenges in the justice and security sector and hampers the implementation of urgently needed reforms. This includes reforms to a justice system long-troubled by resource shortages, politicisation and corruption. Meanwhile the country, in particular its capital Port-au-Prince, is plagued by high levels of violent crime and the vast majority of Haitians do not have access to justice services. Haiti's culture of impunity was further entrenched by a decision to dismiss the case against the former President Jean-Claude Duvalier for allegations of grave human rights violations in January 2012.

Strengthening the Rule of Law and Security in Haiti

<i>Period</i>	<i>2010-2012</i>
<i>Budget in USD</i>	<i>17,000,000</i>

Assistance and Impact

UNDP support, through the Joint UNDP-MINUSTAH Programme for Rule of Law, Justice and Security, contributed to the rapid re-establishment of basic justice and security service delivery. It also allowed rapid re-building of justice and security infrastructure heavily affected by the January 2010 earthquake. UNDP supported the re-establishment of the Ministry of Justice and Public Security, including renovating courts, providing five mobile courts and strengthening police and prison infrastructure. UNDP also provided assistance to strengthen the investigative capacity of judicial police officers and to improve case management. In 2010, 'relais de justice' were established in 15 areas throughout Haiti. UNDP and MINUSTAH provided training to new Haiti National Police cadets, including strengthening their capacity for crowd control. Training was also provided to judges and criminal investigators.

UNDP's support in 2011 resulted in improving justice service delivery and decreasing the high levels of pre-trial detention in particular in three regional pilot jurisdictions in Jacmel, Port-de-Paix and Fort-Liberté. These results were achieved through multi-layer support, including the establishment of 'penal chain committees', training of magistrates and clerks in case management, the establishment of a centralised penitentiary database and the implementation of new documentation and filing methods. The training of local magistrates, police and prison administration agents on investigation techniques, judicial identification and data collection was also important. Between 2010 and 2011, 18 legal aid offices were built. The National Observatory on Violence and Crime (ONACV) was established and is now fully functional. It recently published its first report based on a victimisation survey conducted in five main regional cities of Haiti. The survey provides the basis of community-based diagnostics on the sources and drivers of violence and will be at the root of violence reduction plans in those cities.

For the next four years (2013-2016), UNDP will focus on assisting Haiti in developing capacities to effectively and independently manage justice by strengthening administrative capacities of the Ministère de la Justice et de la Sécurité Publique, the Conseil Supérieur du Pouvoir Judiciaire (CSPJ) and the Cour de Cassation.

Challenges, Lessons Learned and Way Forward

The quick mobilisation of human and financial resources in the aftermath of the earthquake has enabled response to the recovery needs in the justice and security sector. It contributed to a rapid reconstruction of justice and security institutions and re-establishment of basic justice and security services. However, the implementation of the joint UNDP-MINUSTAH programme remains challenging. In addition, despite the efforts, significant financial investment and support provided by UNDP and other partners, the capacity of justice and security institutions in Haiti remain weak. Rule of law assistance by the international community over several years has not translated into a significant quantitative and qualitative improvement of justice service delivery for Haiti's population. Although UNDP's efforts in the three pilot regions have shown results at a local level and the Government - which was in place for only four months - has taken important actions at the central level and declared rule of law as one of its priorities, the most important challenge remains to

prove that significant progress with regard to justice service delivery can be made and sustained. This requires a strong partnership between international actors and the Haitian Government - for example in the form of a compact on rule of law - to ensure ownership and leadership of the reforms.

Key Results

- The pre-trial detention rate in UNDP supported pilot jurisdictions decreased by between 2 percent and 6 percent against the national average in 2011.
- Courts of First Instance (Tribunaux de paix) in four districts were rehabilitated.
- 18 Legal Aid Centres were established.
- An electronic data-base for penitentiary services was developed and installed.
- The National Observatory on Violence and Crime (ONACV) was established and published its first national report on crime, based on victimisation survey conducted in 5 main regional cities.



Police Graduation in Haiti
Credit: UN Photo/Logan Abassi

IRAQ



	<i>Family Protection, Justice and Security</i>	<i>Rule of Law Programme</i>
<i>Duration</i>	2009-2012	2007 – 2012
<i>Budget in USD</i>	4,801,097	29,514,034

Background

Years of violence and the general degradation of state institutions since 1991 have weakened the capacity of the Iraqi State to exert legitimate authority and to support effective application of the rule of law. Although the formal justice system is considered capable, it faces significant challenges, including the lack of formalised legal precedents and an overburdened criminal justice system, without capacities for court management and record keeping. A direct result of this is the lack of sufficient justice services available to

the Iraqi population. This is a particular concern for women, as crimes against women and young girls in Iraq are often not reported due to stigma, fear of retaliation and/or lack of confidence in the police.

It is in this complex and challenging environment that UNDP is implementing a set of projects aimed at improving and enhancing the efficiency, accountability and accessibility of the administration of justice in Iraq.



UNDP Photo/UNDP Iraq

Assistance and Impact

In response to the need for capacity strengthening of the judiciary, UNDP has provided support to Iraqi judicial institutions in a number of areas, including the automation of court systems through innovative information technology tools, training of judicial personnel, improving court accessibility, and strengthening legal empowerment. This support has contributed to modernising the justice system in the Kurdistan region and in the rest of Iraq and aligning it with regional and international standards. It has also enhanced access of Iraqi citizens to the formal justice system. Through this support three model courts have been created in Iraq (including in the Kurdistan region) and more than 3,000 people have benefitted either from legal assistance (in the form of free legal aid) or court representation.

Responding to the specific justice and security needs of women, UNDP has started to implement the Family Support Justice and Security project (2009-2012) to support the Government to establish and operationalise Family Protection Directorates (FPD) and shelters to provide services to SGBV victims. Significant progress has been made. In just a few years, it has gone from being an issue that was rarely discussed in Iraqi society, to being actively addressed by authorities including the Ministry of the Interior, the Ministry of Human Rights and the Ministry of Labour and Social Affairs. UNDP supported the establishment of two Family Protection Units in Iraq. In addition, technical support and training was provided to four Family Protection Directorates in the Kurdistan region. These are now fully operational with female officers working in all of the units. Police officers have been trained on the investigation of SGBV cases, interviewing techniques, forensics, and the chain of evidence.

One of the main challenges remains the lack of adequate legislation in the area of domestic violence and SGBV. UNDP, with other UN agencies, has actively engaged with the Government to develop this legislation. This has resulted in the adoption of the Domestic Violence Law in Kurdistan and a draft Domestic Violence Law in Iraq. These laws create the conditions that will encourage victims to seek justice. Over 400 judges have been trained on international and domestic standards on women's rights.

Challenges, Lessons Learned and Way Forward

Until recently, UNDP's support to the rule of law in Iraq has focused mainly on supporting the judiciary and enhancing access to justice. Involvement in security issues in Iraq has been limited. Given the changing context, following the de-

parture of American forces, there is now more space for UNDP to broaden the scope of rule of law support and to increase its engagement in security sector development work. This will be done drawing close connections with governance, conflict prevention and poverty reduction and ensuring both institutional development and community-based interventions. The programme will be further developed on the basis of assessments of justice sector institutions, capacity of security institutions and community-based security assessments. Preparations towards the broader Rule of Law, Justice and Security Programme in Iraq are already underway. This includes close engagement with the National Security Council in the preparation of guidance and support for the revision of the Iraqi National Security Strategy and guidance and technical support to the National Small Arms and Light Weapons Focal Point.

Key Results

- The establishment of three pilot courts (Basra, Baghdad & Erbil) including providing IT systems, training, equipment and legal research units.
- The establishment of three Legal Help-desks – which provided 3,000 free consultations and represented over 200 cases before the courts.
- The development of the Iraqi Legal Database that is now run by the Higher Judicial Council. The database, which is freely accessible online, contains a total of 27,433 legal texts and is consulted by 30,000 people per month on average.
- The establishment of two Family Protection Units in Iraq and support to four Family Protection Directorates in the Kurdistan region. As a result, 2,095 SGBV cases were reported to the Units between April and December 2011.
- 43 law enforcement officers were trained on SGBV and domestic violence to serve in the FPDs.
- The development of a Domestic Violence Bill in Kurdistan (adopted) and at the central level (under consideration).

KOSOVO^[41]



Background

More than a decade after the conflict, Kosovo is still working to build a solid foundation for rule of law, human security and development. Justice institutions are weak and often do not have the capacity to provide legal services to the population. There continues to be an absence of fully trained legal professionals. Also, in particularly volatile regions in the northern part of Kosovo, there is a lack of justice services for minorities and vulnerable groups. Violence against women is one of the most widespread human rights abuses in Kosovo.

The impact of uncontrolled possession and proliferation of small arms and light weapons (SALW) in Kosovo continues to constitute a major threat to social and economic development. The most recent Kosovo SALW survey estimates that 330,000 to 460,000 weapons are currently in circulation.

Assistance and Impact

Given these multiple challenges in the field of rule of law, justice and security, from 2008 to 2011, UNDP has provided comprehensive support. In doing so, it has ensured complementarity with the work of other international partners, including the EULEX Rule of Law mission. UNDP's support to empower the Kosovo Judicial Institute and its role in building a basis for rule of law in Kosovo coincided with the transition of judicial powers from UNMIK to the local Kosovo institutions and therefore filled a critical gap.

UNDP has focused on addressing the capacity needs of institutions as well as the community level to ensure access to justice and security, legal awareness and legal empowerment. Responding to the high backlog in judicial decisions due to the lack of trained judges and prosecutors, UNDP provided

[41] UN Administered Territory, referred to in the context of UN Resolution 1244

	Justice and Security Programme
Period	2009-2011
Budget in USD	15,094,000

support to the Kosovo Judicial Institute (KJI) that has resulted in a significantly higher number of qualified judges and prosecutors. UNDP supported the graduation of 138 candidates, with 40 women, from the Initial Legal Education Programme.

UNDP also supported the Kosovo Judicial Institute, to organise more than 30 trainings for 400 judges and prosecutors, including approximately 120 women, on national legislation, ethics and judicial practice, and criminal law. Approximately 703 candidates, including 261 women, were trained to improve their ability to pass the Judicial/Bar Exam.

UNDP also facilitated the establishment of alternative dispute resolution mechanisms, by training, certifying and licensing 30 mediators (including eight women) in Gjakova/Đakovica and Ferizaj/Uroševac. The Legal Aid Commission (LAC) and the Kosovo Chamber of Advocates (KCA) established regional offices to increase access to justice and legal outreach to vulnerable groups significantly. Since 2009, the establishment of five legal aid offices (Graçanicë/Građanica, North Mitrovicë/a, Dragash/ Dragaš, Gjakova/Đakovica and Ferizaj/Uroševac), which provided legal support to 3,222 people, has significantly increased access to Justice in Northern Kosovo. Before the programme, free legal aid services were only available in five areas and were not available in the northern region of Kosovo.

Responding to the specific security needs of women, UNDP provided technical support to the National Strategy and Action Plan against Trafficking in Human Beings 2011-2014 and the National Strategy and Action Plan against Domestic Violence 2011-2014. UNDP has also assisted in the drafting of secondary legislation for the Law on Domestic Violence, which was submitted to the Legal Office of the Prime Minister for adoption in 2011. At the community level, women's shel-



UNDP supports destruction of confiscated weapons in Kosovo.

Credit: UNDP Europe/CIS

ters have improved security and justice delivery to victims of domestic violence, including children. In addition, UNDP has conducted a series of training workshops on SGBV for lawyers, judges, ministry officials, and police officers.

As a result of UNDP support, since 2008, most of the institutions relevant for small arms and light weapons (SALW) control and community safety are now operational, the legislative framework is in place and six community safety centers are operational. UNDP provided technical assistance to the development and implementation of SALW control strategies, which ensured an increased focus on community security and safety plans in vulnerable areas. The production of a Crime Analysis Report for the first time in Kosovo in 2011 with the support of UNDP provided an important foundation for the analysis of armed crime and illicit trafficking of firearms and ammunitions. An independent evaluation of UNDP's Kosovo Small Arms Control (KOSSAC) initiative in 2010 concluded that the project has had a "major impact in improved stability within the country", though the potential multiplier impact of this improvement was "limited by the broader lack of inter-ethnic and inter-communal trust and resulting insecurity that undermined development support".

Challenges, Lessons Learned and Way Forward

One of the main challenges in Kosovo has been ensuring the sustainability of UNDP's support; for example, 6 regional offices set up by the Access to Justice Project are now sustained and operating with their limited own budget. For the support to small arms control, UNDP is developing an exit strategy to ensure sustainability and further development of community safety initiatives. UNDP will continue to support strengthen-

ing the rule of law through institutional strengthening, while also maintaining a focus on the community level, including women and vulnerable groups. UNDP will continue to provide support to SALW control and community safety initiatives and integrate new interventions into a broader conflict prevention framework built around dialogue, inter-communal dependence and people-centered development, particularly in vulnerable regions like northern Kosovo.

Key Results

- Adoption of National Strategies on Domestic Violence and Trafficking.
- Strengthened the capacity of Domestic Violence and Child Abuse Investigation Sections in 49 police stations.
- Extension of free legal aid to 10 regions including Northern Kosovo through five new legal aid centres. Since 2009, 3,222 people benefited from legal aid services, including a significant increase of clients from the Serbian population in Kosovo.
- Increased the number of qualified judges and prosecutors including graduation of 138 candidates from the Initial Legal Training Programme.
- Institutions for small arms and light weapons control and community safety are now operational including six community safety centers.

LIBERIA



	<i>Strengthening the Rule of Law in Liberia</i>	<i>Justice and Security Trust Fund ^[39]</i>
<i>Period</i>	2009-2011	2009-2012
<i>Budget in USD</i>	8,254,034	20,347,327

Background

After 14 years of civil war, followed by two democratic presidential elections, Liberia has made important strides towards the establishment of greater rule of law. During this time, the Liberian government placed considerable emphasis on rebuilding the security and justice sectors, both in terms of physical infrastructure as well as building the capacity of personnel.

In 2008, the Government of Liberia began its implementation of a Poverty Reduction Strategy (2008-11). This prioritised the creation a stable and secure environment across Liberia

and the establishment of responsible institutions of justice, security, human rights and governance. The UN's Peacebuilding Fund also included Liberia as a priority country, providing targeted support in the areas of justice and security.

By 2009, although important commitments and steps had been taken, challenges remained. Limited state capacity coupled with a volatile regional context was compounded by a profound lack of public confidence. Negative perceptions of deliberate corruption continued to dominate the popular attitude towards Liberian justice and security institutions. At the same time,



*Caption: View inside Liberian Magistrate's Court
UN Photo/Staton Winter*

issues such as excessive pre-trial detention rates were indicators of the challenges continuing to plague the sector. The legacy of war and the result of regional crises meant the proliferation of small arms continued to undermine community security.

Assistance and Impact

To help support the Government in addressing these challenges, UNDP developed its Programme on Strengthening the Rule of Law and Administration of Justice in Liberia (2009-11) which was designed in coordination with the UN Mission in Liberia (UNMIL). UNDP also administered and implemented funds from the Peacebuilding Fund (PBF). Following three years of implementation, the Programme has registered significant results. UNDP, in collaboration with other UN agencies, developed and administers the Justice and Security Trust Fund (JSTF). This mechanism was used, for example, to fund a joint proposal from national authorities on tactical support to the Liberian National Police (LNP), the Bureau of Immigration and Nationalisation (BIN) and Bureau for Corrections and Rehabilitation (BCR) to prevent border-related violence after the Ivorian political crisis in late 2010.

UNDP additionally supported the Ministry of Justice by rehabilitating and handing over courts, especially in conflict-sensitive areas along the border. Since 2009, UNDP has contributed to strengthening the operational capacity of the Law Reform Commission and the University of Liberia Law School, provided financial and technical support to the SGBV Crimes Unit, provided grants to NGOs to undertake outreach and supported dialogue between formal and traditional justice actors. UNDP also supported the establishment of the Office of Training and Development in the Ministry of Justice to build on these early developments. In addition, defence attorneys were recruited, vetted and given legal training.

In support of the Government's strategy to take over internal security from UNMIL, UNDP trained and deployed 682 Police Support Unit (PSU) officers for the presidential elections. Statistics for the areas covered by these officers reveal an overall reduction of crime from the year before. As part of implementing armed violence reduction programming, UNDP and UNMIL supported the efforts of the local government to collect and destroy 3,708 ammunitions and 156 UXOs after funding awareness-raising campaigns on crime and armed violence prevention. In 2011, UNDP also supported the Ministry of Justice in rehabilitating and handing over the 10th Lofa and Buchanan Circuit Courts and the construction of a magisterial court in Nimba County. Security services were also extended through the construction of border posts and renovation of

the Zwedru and Grand Bassa Central prison and essential equipment was provided to Women and Child Protection Units within 10 LNP Stations.

Concurrently, in anticipation of electoral violence vehicles and motorcycles were procured for the LNP and border control officials. This contributed to a decrease in electoral violence compared to the previous election.

Challenges, Lessons Learned and Way Forward

The work on the justice and security sector in Liberia is strongly led by the Liberian Government and this has proved critical to ensuring increased coherence of international support in this area and to many of the successes achieved. Moving forward, UNDP will support the implementation of the Justice and Security Joint Programme (JSJP), which includes the creation of five regional 'justice and security hubs'. Designed to provide decentralised justice and security services throughout Liberia, the hubs will encompass the police, courts, state prosecution, defense and corrections in a 'one-stop' model. Originally conceived by the Peacebuilding Commission (PBC), the hubs represent a new and innovative approach to service provision which has not been implemented before, and it will be important to monitor progress closely. UNDP and UNMIL will work closely with the Government of Liberia to support the training and deployment of justice and security personnel to the various locations.

Key Results

- Development of the Justice and Security Joint Programme (2011-2014), an umbrella three-year programme between the Government of Liberia and the international community.
- Creation and administration of the Justice and Security Trust Fund (JSTF) that enables the channelling of multiple donor funds to agreed priorities.
- Training and deployment of 682 Police Support Unit (PSU) officers in the lead up to the presidential elections in 2011.
- Collection and destruction of almost 4,000 ammunitions and UXOs and support to community development and employment through the handover of an airstrip terminal and two town halls.

NEPAL



Background

Since the signing of the Comprehensive Peace Agreement in 2006, Nepal has made significant progress towards sustainable peace and democracy. The rule of law has an important role to play in supporting the peace process, from constitution making to strengthening accountability and increasing equal access to justice. Land disputes and social and economic inequalities have been at the root of the conflict. Many victims of conflict still await justice, as attempts to initiate transitional justice processes have been stalled and the criminal justice system is not addressing conflict-related crimes.

In 2011, renewed effort was made among the political parties to address the past through a truth commission process. Nevertheless, the efforts to establish two commissions on truth and reconciliation, and disappearance have been plagued by proposals to include amnesty provisions, which would contravene international law and prevent UN assistance.

Violence against women is both widespread and inadequately addressed. This exacerbates instability and has not been effectively dealt with by the justice institutions. Moreover, deficits in formal justice system capacity and political will to combat impunity and corruption have severely impaired public confidence. The peace process has been stalled due to stumbling blocks pertaining to a new constitution, the integration of Maoist army personnel, and a long standoff over the selection of the Prime Minister, which ended in 2011.

Assistance and Impact

The Rule of Law programme jointly executed by the Government and UNDP strives to strengthen access to justice as a means of promoting peacebuilding. At the national level, UNDP focuses on three key areas of reform: establishing a legal framework to support constitutional reform; increasing

the efficiency of the justice system; and addressing impunity and past abuse. UNDP facilitated consultations and legislative drafting aimed at an overhaul of both the criminal and civil code. Based on a Ministry of Justice initiative to modernise court administration, model courts were established at the district level to provide greater efficiency and impartiality of case management. With the completion of the model court project, UNDP now concentrates on institutional capacity development of the high level Directorate for Execution of Court Decisions in response to the extremely low rate of execution of judgments (estimated at only 10 percent in 2008 at the outset of the programme). As a result, high profile cases and perpetrators including for conflict-related crimes, corruption, and crimes related to SGBV *de facto* enjoyed impunity despite convictions in court. A number of measures including developing a strategy for the directorate, establishing a nationwide database and training court staff have shown signs of gradually reversing the low level of execution of judgments.

UNDP and UN Women also play an advisory role to the Ministry of Peace and Reconstruction on transitional justice initiatives, accountability mechanisms and gender perspectives in the process of facing the past abuses. In terms of building national capacities, 61 judges were trained in land applications and forensic science and police in four districts were trained in SGBV, rights of women and the role of psycho-social counseling.

Recognising the inequalities at the root of the past conflict and the inaccessibility of the formal justice system to a large proportion of the population, the focus of UNDP's work in Nepal has been to provide access to justice for conflict-affected populations. Over the last decade, UNDP initiated several projects of court-referred and community mediations, partnering with and developing the capacity of local NGOs. UNDP

	Enhancing Access to Justice for Consolidation of Peace in Nepal
Period	2009-2012
Budget in USD	5,691,192

also played an important role in the success of mediation practices at the community level. Assistance was provided to the Ministry of Justice in adopting a Mediation Law and in making mediation services available to a broader population given the limited physical access to court. At the same time, efforts were made to link community mediation and customary law practices to the formal justice system. Since 2009, over 600 community mediators have been trained and seven mediation centres have been established. UNDP has supported paralegal programmes in 70 districts and has trained over 900 paralegals. These efforts were also paired with the establishment of dedicated facilities for women (“cells”) in police stations for reporting of cases of domestic violence. Through these local level support systems, women are able to report their cases to female police officers and receive free legal aid from local female defense attorneys.

Challenges, Lessons Learned and Way Forward

Given the lack of progress on constitutional reform, draft Codes and other Bills (the development of which was facilitated by UNDP) are currently stalled. The Constitutional Assembly is embroiled in a renewed discussion of the Truth and Reconciliation Commission and Disappearance Commission bills with consideration of amnesty provisions that may contravene international standards. With OHCHR’s mandate ending in 2011, UNDP is taking a stronger role in advising the government on international human rights and humanitarian

law and practices, and it will be enhancing support for the transitional justice processes.

Key Results

- Increase in the execution of judgements, including custodial sentences, between 2010 and 2011. An SGBV referral network was established in three districts and over 200 police officers were trained on SGBV.
- A comprehensive legal aid system has been established.
- In 2011, seven legal aid desks provided assistance to 1,234 claimants, 526 of which related to domestic violence.
- Mobile legal aid clinics are operating in three districts and assisted 1,531 people in the local language in 2011.
- Over 2,000 paralegals have been trained to provide legal assistance in 70 Village Development Committees. In 2011, 1,167 disputes were resolved successfully.



*A Buddhist monk in prayer outside temple in Nepal
Credit: IRIN/David Longstreath*

OCCUPIED PALESTINIAN TERRITORY (OPT)



	<i>Supporting the Rule of Law and Access to Justice for the Palestinian People</i>
<i>Period</i>	<i>2009-2012</i>
<i>Budget in USD</i>	<i>19,120,549</i>

Background

The ongoing occupation of the Palestinian territory by Israel and fluctuating tensions between Hamas and Fatah continues to have an impact on the rule of law. Destruction of infrastructure, restrictions on movement, house demolitions, and overall insecurity have all undermined the Palestinian National Authority's ability (PNA's) to establish the rule of law and access to justice.

As the PNA moved forward with its push for statehood, the underlying tensions continue to affect the Authority's operations. Legislative frameworks remain incomplete; access to justice suffers from resource shortages, while concerns remain about the status of women within the Palestinian legal landscape. In the West Bank, the unclear jurisdiction between judicial institutions further exacerbates the already weakened rule of law regime. Meanwhile, in Gaza, access to justice suffers from a lack of resources and as well as an internationally isolated government.

Overall, the Programme of the Thirteenth Government (2009-2011) established that the PNA was to be run on the principles of justice and rule of law. However, a serious lack of capacity remained within key justice institutions, including the Ministry of Justice, the Attorney General's Office as well as the High Judicial Council. This was compounded by a lack of coordination between the three bodies, which affected the overall justice chain. Perceptions of corruption and low institutional confidence continued to plague access on the ground.

Assistance and Impact

Based on the National Justice Sector Strategies 2008-2010 and 2011-2013 and the Programme of the 13th Government, UNDP's Rule of Law and Access to Justice Programme in the oPT has contributed significantly to further strengthen the

Palestinian justice system by developing the capacities of justice and security actors, raising awareness and building public confidence.

In the course of implementation of the programme, the Ministry of Justice, the High Judicial Council and the Attorney General's Office all benefitted from co-located UNDP-funded staff that have assisted in building internal capacity, planning mechanisms and enhanced coordination amongst the three bodies. UNDP also supported the development of a comprehensive training strategy for all Ministry Staff and the establishment of a Planning and Project Management Unit (PPMU) in the Office of the Attorney General. The Unit, which is led by the Chief Prosecutor and staffed with a planning manager, donor relations officer and administrative assistant, leads the Office of the Attorney General's strategic planning efforts and coordinates all donor support. With UNDP support an electronic case file management system was established in 2011 that enables judges and prosecutors to use a harmonised court filing system, resulting in improved systems for judicial decision making.

Justice service outreach also increased through engagement with civil society organisations (CSOs) in the West Bank and Gaza, as well as the PNA's Ministry of Justice. By the end of 2011, six additional legal aid clinics were established, which to date have provided legal representation to 1,547 clients. The Ministry of Justice also extended its services to the public through the establishment of a Justice Information Centre (JIC), which is a new source of legal information for the population.

UNDP commissioned a perception survey, which canvassed more than 6,700 Palestinian households on their trust and use of justice and security institutions. The survey revealed



Life in Gaza

Credit: UN Photo/Shareef Sarhan

that, although a vast majority of Palestinians (71 percent) believe the courts are the only legitimate institutions through which to resolve disputes, troubling gaps exist especially regarding women's access to justice. The survey demonstrated that as compared to men, 41 percent fewer women know how to bring a case to court and discriminatory laws have led 71.4 percent of women to feel that the law is not clear and does not take all sides into account. This data will be used to support the Government and civil society's ability to better plan and monitor the pace and quality of justice and security reform, especially for women. UNDP has simultaneously supported the capacity of CSOs to provide oversight through targeted funding.

Challenges, Lessons Learned and Way Forward

Undoubtedly, since its implementation began in 2010, the Programme has faced numerous challenges. The occupation and lack of territorial contiguity affect the PNA's ability to develop effective rule of law institutions. Internal divisions continue to hinder attempts at reform, including the inability of the Palestinian Legislative Council to convene a legal quorum. The international boycott of Hamas in Gaza has meant undertaking rule of law programming in the absence of engagement with local decision-makers. UNDP's response has been to empower civil society organisations, legal professionals and universities so that the population's ability to demand their rights is strengthened. Restricted movement of staff in the Occupied Territories, which limits participation in programme meetings, has meant that colleagues must rely heavily on email and videoconference instead of in-person meetings. In late 2011, an all staff retreat was held in Jordan to ensure full staff participation.

Looking forward, UNDP will continue its focus on building the capacity of justice institutions, in so doing, building the confidence of the population in such entities. With a baseline in place the programme aims to build on past successes, bearing in mind the challenges and lessons learned from the previous programming period.

Key Results

- By the end of 2011, six additional legal aid clinics were established which provided legal representation to 1,547 clients, legal advice to 3,649 recipients with 11,870 beneficiaries of legal information.
- A 61 percent increase in the implementation of justice decisions occurred through the Palestinian Maintenance Fund, a government body that collects alimony and support payments from ex-spouses, as a result of an improved case management system and enhanced coordination with relevant government ministries.
- Of the 29 staff that UNDP seconded to the Ministry of Justice to enhance justice service delivery, the Ministry has taken over more than a quarter onto its civil servant payroll.
- A perception survey, canvassing more than 6,700 Palestinian households on their trust and use of justice and security systems, was published in order to enhance planning and oversight.

SIERRA LEONE



	<i>Improving Access to Justice in Sierra Leone</i>
<i>Period</i>	<i>2009-2012</i>
<i>Budget in USD</i>	<i>10,981,300</i>

Background

By 2008, Sierra Leone had made significant progress in building stability after a decade of civil war, which ended in 2002. During the five years following the end of the conflict the government prioritised rebuilding state institutions as well as basic infrastructure. Since the first post war elections in 2007 Sierra Leone has remained relatively politically stable however systemic weaknesses in the justice system remained to be addressed. This is despite the fact that Sierra Leone's Truth and Reconciliation Commission recognised this problem as one of the root causes of the war and found that the reform of justice and security sectors are central to peace consolidation and sustainable development in post-conflict Sierra Leone.

The country continues to contend with institutional capacity challenges, limited access to justice and legal awareness as well as low public confidence in justice institutions. In particular, widespread impunity remains with regard to sexual and gender based violence (SGBV) which was also a rampant occurrence during its brutal war. Seventy percent of Sierra Leone's population uses customary law. Customary law is recognised in the constitution and within the national legal system. At times, implementation of these laws can conflict with international and national human rights standards. Accessing the formal justice system continues to be relatively expensive and justice infrastructure remains inadequate to cover the entire country.



Credit: Tugela Ridley/IRIN

To address these deficiencies the Government adopted the Justice Sector Reform Strategy and Investment Plan (JSRSIP) in 2008.

Assistance and Impact

In alignment with this plan, UNDP developed its Improving Access to Justice Programme. UNDP began implementing the programme in 2009. It is aimed at addressing two of the most fundamental weaknesses: strengthening institutional mechanisms and building the capacity of civil society to demand justice especially for SGBV. The programme took a comprehensive approach, simultaneously strengthening the police and justice services, including traditional justice mechanisms, whilst also engaging with civil society to increase public awareness and provide support to SGBV survivors. The programme has generated significant results.

Several important steps have been taken to improve access to justice for the Sierra Leonean population: support to Family Support Units within the Sierra Leonean Police including the production of an SGBV case management manual; legal aid by the Bar Association; and mobile courts in the Southern Province. In some

instances, through the mobile courts, residents were able to have access to court proceedings in towns where there were previously no magistrates or judges. The Programme provided equipment and training for 200 police prosecutors and investigators on effective evidence gathering and prosecution of SGBV related crimes, as well as a case management system to help the Family Support Unit personnel adequately prepare a case. UNDP also supported building the capacity of the Human Rights Commission of Sierra Leone as another avenue for human rights redress. As a result of technical support from the Programme, the Commission was enabled to hold its first public hearing in 2011.

In order to ensure that traditional authorities refer SGBV cases to the formal courts UNDP engaged in training and awareness-raising activities for chiefs. This resulted in more SGBV cases being referred to the Family Support Unit rather than through traditional courts. In addition, UNDP supported the establishment of local referral mechanisms for SGBV cases through the establishment of eight Chiefdom focal points.

The resulting gradual increase in SGBV convictions from zero in 2009 to 41 in 2010 represents a major triumph in a country where investigating and prosecuting any crime is extremely challenging.

Key Results

- A 41 percent increase in SGBV convictions between 2009 and 2010.
- Extra-ordinary week-end court sittings, 'Saturday Courts' led to increased adjudication on gender justice cases. Specifically, these hearings resulted in 73 percent of the initial backlog of 700 SGBV cases being brought to court in 2011.
- An increase in the number of judicial decisions in the Southern region through mobile court operations. In 2011 alone, 962 cases were concluded, 1,107 new cases were heard and 1,731 were carried forward to 2012.
- The historic activation of the Sierra Leone Human Rights Commission's quasi-judicial powers through its first public hearing of a case and rendering of a decision was achieved.
- SGBV become a fixed agenda item for Provincial and District Security (PROSEC and DISEC) meetings in the Northern and Southern provinces.

Challenges, Lessons Learned and Way Forward

The programme has faced a number of challenges. Financial sustainability remains a concern. Access to justice at a local level remains weak as local prisons are in need of major rehabilitation, reducing public confidence in the justice system. Furthermore the courts should be supported to dispense justice more expeditiously as current delays in case processing result in many serious cases being resolved through out-of-court settlements.

Looking forward, UNDP will continue its focus on the prevalence of SGBV and in strengthening the linkages between the local population and the justice system. UNDP also will work with the Government and other partners to ensure justice and security institutions are sufficiently integrated within national budgets.

In the decade marking the end of the civil war, Sierra Leone has made immense progress in building peace across all sectors of Sierra Leonean society. The coming years, which will include pivotal elections in 2012, will require further strengthening of key institutions and building the oversight capacity of civil society in order to consolidate peacebuilding efforts.

SOUTH SUDAN



	<i>Rule of Law and Access to Justice Programme</i>
<i>Period</i>	<i>2008-2011</i>
<i>Budget in USD</i>	<i>94,917,145</i>

Background

On 9 July 2011, South Sudan separated from Sudan after a six-year interim period under the Comprehensive Peace Agreement (CPA) and a successful referendum. The socio-economic impact of the separation is still being examined especially in the light of continued conflict between the two countries over oil supplies and revenues. Shortly afterwards the Republic of South Sudan (ROSS) finalised the South Sudan Development Plan (SSDP) as its blueprint for priorities and donor support.

Though priorities are identified, the ROSS faces many challenges in their implementation. The provision of basic services

is compromised. National, state and county governments have weak capacities to manage service delivery and civil society is still developing. Rule of law institutions are challenged in terms of infrastructure, and technical capacity. There is an extremely low awareness of rights and significant language barriers among the population

Emerging from years of violent conflict, and with the consequent underdevelopment, the ROSS remains characterised by deep rooted tribal animosity which drives ethnic conflicts and the proliferation of small arms which are often used to settle disputes. Most violent “hotspots” at county level relate to



*South Sudan Police Training Photo
Credit: UN Photo/Paul Banks*

conflict over land use, cattle grazing, inter-communal or tribal tensions, control over water resources, and border disputes. There are also ongoing tensions with Sudan regarding the disputed territories of Abyei and oil supplies.

Assistance and Impact

UNDP's support to security and justice service delivery, as well as support to the extension of these services to remote areas is served through two programmatic approaches - rule of law/access to justice and community security and arms control. These programmes have focussed on strengthening institutional capacities including technical support to critical planning processes (such as the Rule of Law Section of the South Sudan Development Plan) and dedicated capacity support to the Ministries of Justice and the Interior. They have also focussed on the extension of services through infrastructure and personnel capacity strengthening.

UNDP has supported the South Sudan Bureau for Community Security & Small Arms Control as the central government body with the mandate for small arms and light weapons (SALW) control and armed violence reduction embedded in the Ministry of the Interior. The Bureau has established itself within the new state structure, coordinating a circle of donor and NGO partnerships, providing a platform for information sharing and coordination. The Bureau is part of the Regional Centre on Small Arms liaising with small arms focal points from neighbouring countries and working closely with them to define South Sudan's state level disarmament strategy.

UNDP supports the Ministry of the Interior and Justice through dedicated strategic advisory capacity as well as a focus on training recruits. Training of judicial, court staff and traditional leaders has been critical for courts to administer justice. In order to improve access to justice, UNDP has supported rule of law institutions, coordination and information sharing mechanisms for national rule of law stakeholders at state and country level. Through this mechanism, in Bor the issue of street children and children unlawfully incarcerated was raised and led to their release from Bor Central Prison.

Challenges, Lessons Learned and Way Forward

In 2012, UNDP will continue to provide technical and capacity development support to the Bureau as the principal body on SALW control, which is also linked to strengthening the capacities of the South Sudan Peacebuilding Commission and community-based conflict-sensitive development projects. While the CSAC Bureau has made significant progress organisationally since its inception, its capacity to undertake

detailed data collection and analysis is not yet achieved and may not be reported, as it is a sensitive issue for the government. Accordingly, details of how data is being gathered and is impacting on national policy are not formally available.

The Access to Justice and Rule of Law programme will seek to consolidate existing UNDP interventions into a coherent and holistic programme designed to increase the availability, affordability, adaptability and acceptability of justice services in South Sudan. This approach will seek a positive balance between supply and demand side interventions to ensure that reforms are responsive to the evolving needs of communities served. There will be a stronger emphasis on evidence baselines, including end-user surveys, to facilitate policy decision-makers to deploy resources efficiently and effectively. UNDP will work closely with the UN mission in South Sudan to achieve these aims in a coherent manner.

Key Results

- Rule of Law sector of the South Sudan Development Plan and the South Sudan Judiciary Strategic Plan were both finalised.
- The South Sudan Bureau for Community for Security & Small Arms Control was established.
- 50 police posts were established to improve security delivery in remote areas.
- The capacity of the police services was improved through training of 1,053 police recruits and swearing in more than 500 police, prison, customs and fire brigade officers.
- The creation of a justice hub in Akobo county resulted in extension of justice services to extremely remote areas.

SOMALIA



Background

Somalia is beset by poverty, famine and violent conflict and has been governed by a variety of entities for the past twenty years. It is comprised of three administrative areas: South-Central Somalia, the semi-autonomous Somali State of Puntland, and Somaliland, which was unilaterally declared an independent republic in 1991.

The three regions are linked ethnically and economically but have different levels of development, governance and stability. Somaliland is the most stable and peaceful. Elections in 2010 were deemed free and fair by the international community and the President ceded power to the victorious opposition. Puntland's government supports a federated Somalia. Established in 1998, it is gradually asserting its control over clan-based factions and criminal networks, although the political and security situation remains fragile and piracy is a major destabilising factor. South-Central Somalia, including the capital Mogadishu, has been in a state of open conflict between the Transitional Federal Government (TFG) and various Islamic militia groups including Al Shabaab.

Popular discontent in response to worsening food security has undermined Al Shabaab's ability to exert control. However,



Armed groups stop outside a shop in Mogadishu, Somalia. © Kate Holt/IRIN

	<i>Rule of Law and Security Programme III</i>
<i>Period</i>	<i>2008-2011</i>
<i>Budget in USD</i>	<i>124,241,879</i>

bombings in Mogadishu in early October 2011 highlighted their intent and capacity to destabilise. In the most recent period in Somalia, the geo-political imperatives of the international community have been building the capacity of the TFG, preventing piracy and responding to humanitarian crises.

Assistance and Impact

UNDP's Rule of Law and Security Programme, in its third phase, comprises an innovative breadth of support including strengthening the civilian police, increasing access to justice and reducing armed violence. These elements all integrate a focus on women's security and access to justice. Impact is mixed across the three administrative areas of Somalia due to uneven security, access and political conditions. The most progress has been seen in Somaliland.

UNDP support a strong group of legal aid service providers to enable access to formal justice, previously unavailable for the poor and vulnerable, particularly those in prisons and police stations. UNDP has also provided extensive institutional, infrastructural and process improvements. The introduction of professional case management and mobile courts have improved the efficiency, reach and professionalism of formal justice in Somaliland and have significantly increased the number of cases being handled on an annual basis. The legal profession has been bolstered by support to university law faculties through scholarships, placements, facility improvements, and legal clinic development. In Puntland, although the NGO capacity is less strong, the Puntland Legal Aid Centre continues to handle an increasing number of cases.

UNDP has placed a particular emphasis on strengthening women's security and access to justice, including through the establishment of the Somalia Women's Law Association which has provided legal aid services to 1,760 people. In addition the first

five women prosecutors have been appointed and the Attorney General announced the appointment of the first female Deputy Attorney General in 2011. In addition, in Somaliland, UNDP supported the establishment of the Sexual Assault and Referral Centre (SARC) which was established at Hargeisa Central Hospital to link treatment, evidence-gathering and legal protection for SGBV.

The institutional and technical capacity of the police force has been strengthened and there were positive developments in police culture and training which contributed to their professionalisation. The police force has recognised the need for uniforms and ranks symbolising the civilian command and has embraced formal training, including on human rights. They are also more focused on improving community relations and service provision.

In order to improve security at community level UNDP supported local authorities to conduct baseline assessments on armed violence reduction and security issues in Burao, Bosasso, Galkayo, Los Anod and Mogadishu. Assessments were based on a thorough methodology including a crime and victimisation survey of citizens, focus group discussions and informant interviews with leading government and civil society stakeholders. These informed the development of district safety plans in all target districts except Mogadishu, as well as the development of a Somalia Community Safety Framework. UNDP also supported District Safety Committees to engage community representatives in discussions with the state on security issues. Puntland and Somaliland have established peacebuilding units and are committed to developing peacebuilding strategies. In 2011, UNDP, UNICEF, ILO and partners have begun a complementary project to divert youth from potentially violent lifestyles.

Challenges, Lessons Learned and Way Forward

Each region of Somalia presents unique challenges and opportunities for UNDP. These complexities have presented UNDP with significant strategic and operational challenges. Issues of justice, security and citizen-state relations are at the heart of the Somali conflicts. The bombings of UN offices in October 2008 severely disrupted UNDP's capacity to implement across Somalia. International staff have now returned to Puntland and Somaliland but access to Mogadishu is extremely limited.

Following an external evaluation the Rule of Law, Justice and Security Programme will identify a nuanced theory of change outlining the conceptual approach to enhancing security and justice provision for Somali citizens, building on the new UNDP Somalia Country Programme Document. It will continue to pursue a regionally differentiated approach and

these will be reviewed annually. The three thematic pillars will remain but with a greater emphasis on quality of service provision and oversight of police and of community security and civil society partnership at the District and Community levels to foster a demand for change amongst Somali citizens, particularly women.

Key Results

- A doubling of cases through the District Court in Hargeisa where a case management system was introduced in 2009. In 2011, 2,742 cases were registered.
- 4 mobile courts in Puntland and 5 in Somaliland extended justice services to hard to reach areas.
- Sexual Assault Referral Centres in Hargeisa and Burao, which combines the provision of medical and legal services for SGBV survivors, were established.
- The first 5 women prosecutors appointed and the Attorney General announced the appointment of the first female Deputy Attorney General in 2011
- Increasing numbers of clan elders referred SGBV cases to formal courts following UNDP supported legal clarification. This contributed to an increase in sexual violence cases reaching the formal courts in 2010 from the year before.
- In Mogadishu, a network of women paralegals gave legal counselling on issues of SGBV for 204 women and children in 2011 (increased from zero in 2009).
- Approximately 14,000 police officers were appointed and trained increasing the capacity and reach of the police force (5,000 in Somaliland, 1,500 in Puntland and 5,500 in South Central).
- The Peace Caravan, an innovative arts initiative building on the Somali tradition of travelling poets held 128 community peace building and conflict management events reaching approximately 15,000 people.

SRI LANKA



Background

Sri Lanka stands at a critical juncture in its development, having ended a 30 year war in 2009. In 2010, the ruling political party United People Freedom Alliance (UPFA), under the leadership of President Mahinda Rajapaksa, won the national and local elections and the President subsequently strengthened his position by a constitutional amendment that abolishes the two term limit on the President's office. Emergency powers, which allow detention without charge or trial, restrictions on civil liberties and limits on both freedom of movement and freedom of expression, introduced by the Government of Sri Lanka remain in effect to date. Since the end of the fighting, over 400,000 IDPs have been resettled in the formerly conflict-affected areas and lives and communities have begun returning to normalcy. Humanitarian assistance has gradually phased down, with recovery and the re-establishment and strengthening of civil administration and national protection mechanisms well underway.

In 2010, the President appointed a Lessons Learned and Reconciliation (LLRC) Commission to review the final stages of the war and provide recommendations to prevent any recurrence of conflict in the future and promote national unity and reconciliation among communities. The LLRC reported back in December 2011, providing recommendations on investigations of missing and disappeared persons; treatment of detainees; land issues and reconciliation; and the need to enact law reforms.

In a resolution passed on 22 March 2012, the UN Human Rights Council noted with concern that the LLRC report did not adequately address serious allegations of violations of international law. The resolution called on the Government of Sri Lanka to take all necessary steps to initiate credible and independent actions to ensure justice, equity, accountability and reconcilia-

tion for all Sri Lankans, to implement the LLRC recommendations and to address alleged violations of international law.

Assistance and Impact

In March 2009, UNDP initiated the second phase of the Equal Access to Justice Project. Building on the first phase launched in 2004, UNDP reoriented access to justice and legal reform activities under Phase II to respond to the evolving conflict and humanitarian crisis. Accordingly, the Project has assisted vulnerable groups, particularly those affected by the conflict, to seek remedies for injustice. More broadly it aimed to build trust in the justice system and address the root causes of injustice, including lack of access to justice, ensuring greater respect for minority rights and equal access to government services. The Project is nationally implemented by the Ministry of National Languages and Social Integration (MNLSI) and works closely with other justice sector stakeholders including the Ministry of Justice, Ministry of Prison Reform, the Chief Justice, the Registrar General and the Legal Aid Commission. Given the Project's unique level of government ownership, the initiative provides an excellent example of a two-pronged approach that leverages both upstream and downstream support.

Through mobile documentation clinics the project has facilitated the provision of legal documentation (birth certificates, identity cards, citizenship certificates etc.) to the displaced and conflict-affected communities. This has proved important in ensuring that the population can access basic services. Through the Community Legal Empowerment for Women (CLEW) component of the project, UNDP also supports counseling for victims of SGBV.

In 2011, with UNDP support, the Sri Lankan Legal Aid Commission (LAC) as well as other legal aid partners, such as Lawyers for Human Rights and Development and Women in Need, provided

	Equal Access to Justice
Period	2009-2012
Budget in USD	8,281,800



Equal Access to Justice Project in Sri Lanka
Credit: UNDP Photo

legal awareness and legal aid services to a total of more than 6,000 beneficiaries. With regard to legal aid in the prison sector, in total 2,579 detainees received support and 432 prisoners were granted bail as a result. In addition, 20 fundamental rights cases were filed at the Supreme Court, 24,295 civic documents were provided, and street dramas on gender based violence and women's rights reached almost more than 20,000 men, women and children in villages across the north and east. In addition, the Alternative Dispute Resolution Institute, in collaboration with the Ministry of Land & Land Development and the Ministry of Public Administration, trained 184 Divisional Administrators on 'Land and Property'. This facilitated the return and resettlement of IDPs and helped to address the backlog of land-related cases and documentation needs.

Additionally, to support new and refurbished court houses in the former conflict-affected areas to function effectively, UNDP provided much needed equipment and basic furniture and supported the Ministry of Justice to conduct training for language interpreters and other non-judicial officers.

Challenges, Lessons Learned and Way Forward

As one of the few partners engaged in the rule of law sector, UNDP was able to play a vital role in supporting the re-establishment of the justice sector in the former conflict-affected areas. Moving forward, the Project seeks to leverage its government partnership to achieve increased impact in policy reform while placing greater emphasis on the sustainability of interventions. A key intervention will be to support the establishment and functioning of a High Level Forum, under the leadership of the Chief Justice, and bringing together key

justice stakeholders, including the Inspector General of the Police, the Attorney General, the Secretary of the Ministry of Justice, the Chairman of the Legal Aid Commission, the President of the Bar Association, the Secretary of Ministry of National Languages and Social Integration and Legal Draftsmen. The forum is expected to provide space for dialogue on legal reform issues, with UNDP assistance available for policy advisory services and access to south-south exchange.

Key Results

- Mobile clinics brought documentation services to over 100,000 people living in remote, conflict-affected and marginalised areas.
- Free legal aid was provided to 37,662 beneficiaries through the Legal Aid Commission and a network of NGOs.
- Policy reforms meant that for the first time in Sri Lanka, legal aid for criminal defence is available through the state mandated legal aid provider.
- Newly constructed courthouses in the former conflict affected areas are fully up and running with equipment and trained for judicial and non-judicial officers.
- Policy on alternative sentencing reduced pressure on the over-crowded prisons.

SUDAN



	Rule of Law Programme in North Sudan
Period	2004 – 2011
Budget (in USD)	69,000,000

Background

Despite the Comprehensive Peace Agreement (CPA), which was concluded between North and South Sudan in 2005, conflict and unrest continue in various parts of Sudan. Major challenges regarding the promotion of rule of law and access to justice prevail. While the justice sector institutions at the central level in Khartoum have solid infrastructure and equipment, the rest of the country faces significant challenges, lacking basic rule of law capacity and infrastructure to deliver

justice services. In particular, displaced persons are severely affected by the lack of security and access to justice, in particular women who are often subjected to SGBV.

Assistance and Impact

It is in this context that UNDP has developed an integrated Rule of Law programme “Strengthening Access to Justice and Promoting the Rule of Law”, adapted to the specific regional contexts of Darfur, the Three Protocol Areas and East Sudan.



Police Training in Darfur
Credit: UNDP Sudan

This programme focuses on strengthening access to justice at the community level and promoting accountable, accessible justice sector institutions and improvement of (community) police and prison services.

UNDP's Rule of Law programme in Sudan has particularly contributed to the improvement of justice and security delivery at the State level. Recognising the gap between capacities at the federal level and the state level, UNDP has continued to increase the decentralised focus of support to the state-level judiciary and state-level service delivery of police and prisons. This, for example, includes strengthened capacities of traditional judges and native administrators from South Kordofan, North Kordofan, South Darfur, Kassala, Gezira, Khartoum, Gedaref and White Nile States on criminal and civil law as well as customary law topics, SGBV and conflict resolution. This support has been particularly effective as it has improved legal aid services through local justice and confidence centres.

In 2009, access to formal justice mechanisms was expanded by training paralegals in the IDP camps - These paralegals conducted 1,200 mediations for camp residents. This was further expanded in 2010 and 2011, through the provision of legal aid through 14 centres established in Darfur, east Sudan and the Three Protocol areas, run by local community based organisations (CBOs) which provided 2,500 people with assistance and which finalised over 1,500 cases. UNDP continued to organise awareness-raising campaigns and events on basic human rights issues and access to justice for local communities in Eastern Sudan, Darfur and the Three Protocol Areas, reaching over 24,700 community members.

In addition, the programme has strengthened police and prison service delivery in different regions of Sudan, mainly through the rehabilitation of prisons and police stations and extensive training courses for local police officers, often in collaboration with UNMIS (UN Mission in Sudan). From 2008-2011, UNDP trained 5,955 new police and prison officers -across Darfur, east Sudan and the Three Protocol Areas which played a critical role strengthening the security services in these areas. In addition, to training on human rights, rule of law and investigations, on many occasions these trainings specifically focused on community policing techniques. The community policing programme, launched in 2009 and rolled out in 2010 and 2011 has strengthened the capacity of non-commissioned officers, police officers and community members on different aspects of community policing. In addition, UNDP also supports community security

and armed control interventions within context of a broader DDR programme.

Challenges, Lessons Learned and Way forward

Sudan is undergoing an important political and socio-economic transformation process. The end of the CPA period, the independence of South Sudan and the consequent 'new' Republic of Sudan have provided major challenges. The peace process in Darfur, continuous incidences of violence in the Three Protocol areas and increased vulnerability across the region represent even more challenges for the implementation of the Rule of Law programme.

The South Sudan referendum on self-determination that took place in January 2011 and the elections in South Kordofan have dominated the agendas of Government counterparts, which affected the engagement of UNDP with national partners. In addition, one of the major challenges has been the outbreak of violent conflict in Abyei and South Kordofan in May and June 2011, which resulted in the suspension of UNDP activities. Gaps at the State level remain high and UNDP will continue to deepen its interventions at the community level. UNDP's support provides a focus on increasing security and rule of law for communities at a local and state level, but without resolution of the overall political situation, the conflict in various regions in Sudan and existing tensions with South Sudan, improved access to justice and rule of law will continue to be challenging.

Key Results

- 14 legal aid centres have been established in Darfur, east Sudan and the Three Protocol areas, run by local CBOs, and provide legal advisory services at the community level.
- 25 percent of the vulnerable population in Eastern Sudan is able to access legal aid services through the paralegals as a result of UNDP support to Justice and Confidence Centres and training of 75 paralegals.
- A total of 4,469 cases have been mediated, and 2,892 cases have been defended/prosecuted following UNDP support.

TIMOR-LESTE



	<i>Enhancing the Democratic Rule of Law through Strengthening the Justice System in Timor-Leste (formerly Justice System Programme)</i>	<i>Strengthening Civilian Oversight and Management Capacity in the Security Sector</i>	<i>Strengthening the National Police Capacity in Timor-Leste</i>
<i>Period</i>	<i>2008-2013</i>	<i>2011-2012</i>	<i>2011-2012</i>
<i>Budget (in USD)</i>	<i>34,225,000</i>	<i>1,333,760</i>	<i>1,030,620</i>

Background

After centuries of colonial rule under Portugal and a brutal 24-year occupation by Indonesia, the Democratic Republic of Timor-Leste (RDTL) gained independence in 2002. The conflict had ended with the displacement of over 50 percent of the population and destruction of almost 75 percent of the country's infrastructure. To support RDTL through the challenges of nation-building, the United Nations system and various development partners have been extending cooperation and support.

In the case of the judiciary, few trained legal personnel remained in Timor-Leste after the departure of the Indonesians. This presented serious challenges to the administration of justice. For this purpose, the United Nations Transitional Administration in Timor-Leste (UNTAET) and successive peace-keeping missions provided international jurists to perform line functions and initiated mentoring programs for national actors. Difficulties in the transfer of knowledge and skills persisted, as national court actors had only received rudimentary training and possessed limited professional experience. Thus, the national authorities and UNDP, together with the UN system and development partners, formulated a capacity development project for the judiciary, which was the original Justice System Programme (JSP) of 2003.

The nation experienced another socio-political crisis in 2006 when allegations of social exclusion by discharged members of the armed forces (F-FDTL) escalated into an armed confrontation between the police and military, resulting in casualties and the internal displacement rate of approximately 15 percent of the population in the immediate aftermath of the conflict. The events of April-May 2006 led to the general disintegration of law and order, the repercussions of which persist to the present.

For the last few years, Timor-Leste has made significant progress in improving security and stability, consolidating the rule of law, and strengthening democratic governance. In March 2011, the PNTL (national police) resumed full policing responsibility. Since then, there has been no reported major insecurity or crime. Key government institutions are in place, making steady progress in improving service delivery and developing infrastructure.

In July 2011, the Government of Timor-Leste launched a Strategic Development Plan 2011-2030 (SDP) which sets out its long-term vision and priorities to make Timor-Leste "a peaceful and prosperous nation in 2030". The economy is growing again with an annual growth rate of 6 percent in 2010 and 8.5 percent in 2011. Supported by revenues from the oil and natural gas sector, the state budget has increased from \$1.3 billion in 2011 to \$1.67 billion in 2012. At the international level, the Government has played a leadership role in building and consolidating the g7+ group of fragile states and committed to carrying out country-level implementation of a "New Deal for engagement in fragile states" in Timor-Leste.

Assistance and Impact

UNDP's engagement in support to the justice system strengthening in Timor-Leste dates back to 2003. The current programme was launched in 2008 and has a stronger focus on enhancing access to justice for the marginalised population in Timor, including women, children, IDPs and victims of conflict.

The justice system has steadily expanded since 2007 when the first Timorese judges, prosecutors and public defenders were sworn in following their graduation from the UNDP-supported Legal Training Centre. By the end of 2010 a total of 528 legal professionals had received training at the LTC, including 51

Timorese judges, prosecutors and defense lawyers. UNDP supported the training centre, as well as the establishment of the Court of Appeals, four district courts and two prisons; an independent Prosecutor's Office and the Public Defender's Office at local and district level. UNDP also supported the establishment of registry and notary services and civil registration in all the thirteen districts of Timor Leste. An integrated case management system has been established among all the justice institutions to track the flow of cases. UNDP also supported the establishment of a Court of Auditors. The legislative framework has been significantly strengthened through UNDP support for the drafting and adoption of the Criminal Procedure Code, the Civil Procedure Code, the Penal Code, the Law on the Audit Court the Law against Domestic Violence, and Land and Property Law.

The JSP has been supporting de-centralization of the justice services through "mobile justice" programme and support to the establishment of new district-based offices. This has been parallel to the efforts to harmonise, wherever possible, the formal justice system with customary laws. A study was undertaken on issues relating to domestic violence and customary law to inform further access to justice initiatives with a particular focus on SGBV. UNDP has also supported a comprehensive land reform process, providing approximately 50,000 people with security of tenure and formal recognition of their land rights.

In the area of security sector reform, UNDP has worked in close collaboration with the UN Mission in Timor Leste (UNMIT), through the Security Sector Support Unit to provide technical support to the Ministry and undertook a security sector review analysing community security threats and perceptions of risk. Additionally, through a joint project with UNMIT support was provided to build the capacity of the police, including training on security for elections, in order to implement the Joint Development Plan with a view to draw-down of UNPOL components at the end of 2012.

Challenges, Lessons Learned and Way Forward

After the depletion of professional resources and infrastructure in 1999, in order to establish a functioning system, UNDP had to work comprehensively to establish an extension of services by state institutions. Following this strategy, current UNDP interventions are directed towards gaps in the justice system with a focus on Land and Property and implementation of three recently enacted land laws. Work is also underway to develop a Court of Audit in the Court of Appeals which will be an essential anti-corruption mechanism. Developing capacity for criminal investigation, especially with regard to

the role of law enforcement in supporting the processing of the criminal cases is also a priority.

One of the main challenges is sustainability as other major partners end their support and end their presence in Timor-Leste in expectation of increased government funding for the rule of law. With the UNMIT drawdown and decrease of mission capacity to perform its mandate in 2012, the Civilian Capacities review recommended that assessed budget resources – usually available only to UN missions – be made available to UN agencies such as UNDP – in order to ensure the implementation of the UN Security Council mandate. It is envisaged that UNDP will scale up its support to policing following the scale down of the peace-keeping mission. This will require strengthening UNDP's in-house capacity in 2012 in order to develop a long-term strategy and provide sustained support to PNTL. UN engagement on SSR issues will be reassessed at the end of the UNMIT mandate.

Key Results

- The development of the Justice Sector Strategic Plan 2011 - 2030 provides a long-term vision for capacity-building in the justice sector.
- The adoption of key legislation including the Criminal Procedure Code, the Civil Procedure Code, the Penal Code, the Law on the Audit Court, the Law against Domestic Violence, and Land and Property Law.
- The establishment of the Legal Training Centre through which 51 (13 women) Timorese judges, prosecutors and defense lawyers graduated and 528 legal professionals received training.
- The establishment of a mediation unit for resolving local level land disputes in the Ministry for Justice and drafting of legal documents on land law.
- Mobile justice initiatives conducted seven mobile hearing sessions processing a total of 41 criminal cases in 2011 including addressing domestic violence and corruption cases.



Woman in Darfur

Credit: Alfredo Gonzalez Faran/UN

Photo



Other Countries Receiving Assistance

Support to Rule of Law in the Arab Region in 2011

EGYPT

Background

Since April 2011, UNDP, in collaboration with UNODC, engaged with the government to identify areas for co-operation to improve public confidence in policing. In a sensitive and risk-aware environment UNDP and UNODC has managed to sustain communication lines and has recently provided the national authorities with a proposal aimed at achieving greater police effectiveness; developing oversight and ensuring ethical policing. UNDP is examining ways of deploying a

police advisor to continue this dialogue and technical advice. Simultaneously, UNDP is carrying out a human rights risk assessment focused on our engagement with the Ministry of Interior and providing advice to the Parliamentary Committee on Defense and Security relating to advice and models of oversight and accountability for the security sector. An event is planned where other positive examples of oversight, including from the region, will be showcased.

LIBYA

Background



Yemeni protestors in Sana. Credit: IRIN/Obi Anyadike

Between February and October 2011, Libya was embroiled in a bloody and protracted liberation struggle between the autocratic regime of Colonel Moammer Al Qaddafi, and revolutionary forces determined to put an end to the dictator's 42 year rule. During the conflict there was significant destruction of essential infrastructure, including courts, police stations, prisons and government buildings. Serious human rights violations were witnessed on a large scale, including unlawful killings, torture, SGBV and arbitrary detention. Since the official declaration of liberation in October 2011, on-going fighting in isolated parts of the country

threatens to undermine progress. As of February 2012, the resumption of judicial activity remains hampered by institutional weaknesses, on-going capacity deficits in the courts, some of which are barely functional due to lack of adequate security measures, and the absence of judges and administrative staff. The broader security situation in Libya remains precarious, with widespread proliferation of arms in an environment characterised by the heavy presence of different revolutionary brigades, and a weak police service struggling to resume its functions.

Assistance and Impact

Prior to the revolution, UNDP was already engaged in justice sector development assistance in Libya with initiatives aimed at building the capacity of the justice sector. This was brought to an end with the onset of the revolution but provided a basis from which to carry forward future assistance in the new Libya. During the early stages of the revolution, UNDP contributed to the coordinated pre-assessment process, including the various working-groups on justice and security issues. UNDP actively supported the deployment of UNDP staff in the advance team to Libya, and activated the Libya SURGE Plan to enhance capacity of the UNDP Country Office, including a strong rule of law component.

At the start of 2012, UNDP was closely involved with the Integrated Mission Planning Process. While the UN support mission in Libya (UNSMIL) assumed the strategic lead on human rights and transitional justice, broader support to the justice sector, especially judicial reform and capacity building, is undertaken by UNDP. In January 2012, UNDP and UNSMIL supported a three day dialogue on transitional justice for government, judicial and security officials which fed into the finalisation of the Libyan transitional justice strategy. After extensive consultations, a UNDP programme document has been prepared and outlines support to: i) strengthening the capacity of Libyan rule of law institutions to provide services in a way which supports the transition to democracy; ii) improving access to justice for conflict affected populations (especially survivors of SGBV, women and the displaced), and; iii) supporting the implementation of transitional justice process and contributing to national consensus on Transitional Justice. The USD 8 million programme is expected to be signed and implementation to begin by mid-2012.

TUNISIA

Background

The youth-led Revolution in Tunisia has brought great opportunities for the transformation of the Tunisian state and society. While Tunisia struggled in the months after the revolution, with instability, new tensions between Islamists and secular liberals and a still-limping economy, the country went through important milestones within its transition to a liberal democracy.

In the country's first free election, millions of Tunisians cast votes in October 2011 for an assembly to draft a constitution and shape a new government, in a burst of pride and hope that after inspiring uprisings across the Arab world, their small country could now lead the way to democracy. In the area of rule of law, Tunisia embarked on a transitional justice process aimed at addressing the gross human rights violations of the dictatorship. The government established commissions aimed at addressing the abuses committed during the Revolution and created a Ministry of Transitional Justice and Human Rights. In parallel to these important steps, the country is likewise transitioning from a repressive police model to that of a public service that respects the rights of citizens; and from a justice sector that was marked by widespread corruption, impunity, and lack of independence to a model of judicial integrity in line with international standards.

Challenges, Lessons Learned and the Way Forward

The principal challenges to kick-starting rule of law assistance in Libya following the revolution are political. Identifying appropriate national interlocutors has been a significant issue. If the transition period remains on schedule, the present transitional government will give way to a second transitional government following elections in mid-2012. This will be mandated to draw up a new constitution for the country. Once the new constitution is endorsed and approved by popular referendum, the main function of this legislative body will be to prepare Libya for full-scale general elections, envisaged for mid-to-late-2013. The National Transitional Council meanwhile continues to be highly influential. Moreover, factions and revolutionary brigades are still reluctant to relinquish authority and arms in various parts of the country. Ensuring continuity of political will for reforms will be critical. To retain focus on the rule of law agenda the UN presence will need to continue to be mutually reinforcing for sustainable progress.

Assistance and Impact

UNDP provided immediate support to national partners within the fragile political transition through an approach aimed at addressing short-term challenges. In a context of transition and change marked by the constituency elections and the formation of a new government, UNDP has developed fruitful relationships with national justice and security counterparts, establishing mechanisms for cooperation and discussing areas for longer-term support. UNDP worked closely with the Ministry of Interior to address the consequences of the transition for the security sector, notably in the area of public order, human rights, and relationships with the population. In the area of human rights, UNDP revised the existing curricula of the police. As regards communication, UNDP is supporting national partners to reflect on new ways of communicating with and outreach the population, and moving from institutional communication to trust-building.

UNDP also initiated support to national partners in their efforts to address gross-human rights violations that took place during the dictatorship, leading to the organization of two major national conferences on transitional justice in March and April 2012. The conferences gathered all stakeholders, victims, victims' associations, NGOs, judges, lawyers, attorneys, members of security forces, and officials, and two ministers, in the same room; it was very inclusive and participative with

the organization of thematic workshops in parallel to plenary sessions. It brought concrete results with the production of recommendations for the way forward.

Challenges, Lessons Learned and Way Forward

UNDP has an important role to play as an impartial convener in transition contexts where justice and security sectors go under important changes and where confidence in those in-

stitutions needs to be rebuilt. National ownership is key for transitional justice processes and reforms of justice and security sectors. While it is important to enable national partners to have access to experience of other countries, ownership is crucial. With the installation of the new government and the launch of the Constituent Assembly, UNDP will develop its programmatic support in 2012.

YEMEN

Background

Political changes in Yemen followed more than 12 months of violence and civil unrest. In January 2011, pro-democracy demonstrators began to protest on the streets. The government response was at times violent, with NGOs reporting over 1,500 deaths related to the uprising. The humanitarian situation in Yemen has deteriorated markedly and multiple conflicts have left almost half a million people displaced. Following the signing of the Gulf Cooperation Council Initiative and the stepping down of former President Saleh, Yemen is now undergoing a two year political transition process

including a fully inclusive national dialogue and constitutional and electoral reform, ending with full Presidential and Parliamentary elections in 2014. At present, the rule of law situation in Yemen remains bleak. Justice service delivery is hampered by weak judicial integrity, inefficiency and widespread corruption, as well as weak geographic presence, insufficient capacities, and weak enforcement mechanisms. Given the weakness of the formal justice system, citizens use informal justice mechanisms, which often do not conform to international human rights standards. The police service in Yemen is perceived as lacking in legitimacy, effectiveness



Police in Yemen Credit: Stacy Weld-Blundell



Protests in Libya Credit: Kate Thomas/IRIN

and reach, and in need of improved management, oversight and technical capabilities.

Assistance and Impact

At the end of 2010, UNDP made significant efforts to initiate rule of law work in Yemen, engaging with the outgoing government and contributing technical expertise to the Sub-working Group on Justice and Rule of Law of the 'Friends of Yemen'. Difficulties in establishing a constructive dialogue with the government and other stakeholders however proved challenging and little progress was made. In 2011, UNDP developed a transition strategy to respond to the evolving situation. A joint UN document, entitled *A Shared UN Vision to Support the Transition in Yemen: A Framework for Action* which is now being finalised with the broader UN system and devotes significant attention to issues of rule of law. UNDP is working closely with key donors and Yemeni counterparts to develop a comprehensive rule of law programme to be launched in 2012.

Challenges, Lessons Learned and Way Forward

Providing development assistance in an environment such as Yemen is impacted by the ever-changing security situation. It will remain important to approach justice and security in a

comprehensive manner to examine the whole legal system (police, security, Attorney-General's office, courts and prisons) as well as governance and legislative frameworks. Similarly, it may not prove helpful to approach the rule of law challenges in Yemen exclusively through the lens of anti-terrorism. Special attention will need to be given to the informal justice system because of its relevance to communities. Finally, the demand for justice services, legal protections and representation in both civil and criminal matters should be a core element of supporting reform. Yemen still faces a myriad of challenges, but the transition period presents a major opportunity to strengthen its national rule of law institutions and ensure access to justice for its people.

CÔTE D'IVOIRE

Background

Shortly after the electoral crisis of 2010/2011 UNDP deployed advisors to support the UNDP Country Office in Côte D'Ivoire to develop their post-crisis programming in the areas of security reform, justice, small arms control and social cohesion. This has now coalesced into a strategy for support on conflict prevention and recovery in the west of Côte d'Ivoire and Abidjan, as well as various programmes of support to national justice and security institution.

Assistance and Impact

In 2011, UNDP supported the restoration of the infrastructure of the police and promoted community security through a local governance. 23 municipalities are running violence prevention and social cohesion activities via communal security committees. The committees gather representatives of the municipalities, technical experts from the government, police, justice sector social services and community members (youth, adults, men, women) in participative planning, implementation and monitoring processes. This is informing the security sector reform process. It aims to strengthen the internal security governance through the standardisation of the best practices and to reinforce democratic control of the security forces. UNDP has also supported a strategy for the reform of police and gendarmes, which is part of the wider security sector reform process.

In the justice sector, UNDP is implementing a joint programme on Access to Justice with the UN Political Mission in Côte d'Ivoire (UNOCI), UNICEF and the EU. This project provides both rights holders and duty bearers with support to better ensure equity in the administration of justice in the



Prison in Côte d'Ivoire Credit: Katy Thompson/UNDP

conflict affected western areas of Côte d'Ivoire. In addition, UNDP is collaborating with OHCHR and UNOCI to create an enabling environment for national reconciliation and to support the technical Ministries in charge of solidarity, reconciliation and social cohesion.

Challenges, Lessons Learned and Way Forward

The focus on improving security at national level and through community recovery is positive. However, more work may be needed on rule of law issues, which are drivers of conflict such as land and property rights in order to prevent future violence. Additionally, following very positive collaborative efforts across the UN, it is important to ensure that the joint programming is fully resourced in 2013 and beyond.

EL SALVADOR

Background

El Salvador is a country where high levels of insecurity and poverty persist. Criminal violence continues to be a major problem. In the last decade the homicide rate has steadily increased; from 43 per 100,000 citizens in 1999 to 70 per 100,000 citizens in 2011; one of the highest homicide rates in the world. Impunity is a major concern; the perception and expectation of impunity dominates Salvadorian life, at all levels. There is a low level of confidence in the effectiveness

of judges, legislators, the civil police and the prosecution. The presence of the armed forces in the fight against crime presents the risk of overlap between the roles and responsibilities of the police and those of the armed forces.

Assistance and Impact

UNDP has been supporting citizen security in El Salvador for over ten years, with significant results. With the support of UNDP, the Ministry of Justice and Public Security (MJSP) in co-

ordination with local authorities, community groups and the National Police (PNC), started to implement “gun-free zones”, banning arms carrying in the 20 most violent municipalities of the country. In 2011, this resulted in a reduction in violence where this initiative was implemented, including a 21 percent increase in the seizure of weapons, an average 12 percent reduction in homicides, a 40 percent reduction in assault and a 7 percent reduction in theft reports. In one municipality (Santa Tecla) a 40 percent reduction in homicides was recorded. A key aspect of the success has been the organisation of local committees to support the implementation of the programme. In December 2011, the programme was extended to a total of 30 municipalities and includes urban planning, educa-

tional programmes targeted at vulnerable groups, cultural and sports programmes and specific interventions for target groups, such as women to address gender based violence. At national level the production of a number of reports on crime and violence has led to improvements in government policy.

Challenges, Lessons Learned and Way Forward

UNDP’s future focus will be on extending the impressive results in these municipalities nationally. However, there remain significant political hurdles to deepening and broadening work on security and justice in El Salvador. The work that has been done at local level is restricted mainly to violence reduction and common crime rather than to organised crime.

GEORGIA

Background

The Government of Georgia has begun the process of forming new, professional armed forces. As a result of the defence reform process, the Ministry of Defence has requested international assistance to support stockpile management and to demilitarise several thousand tonnes of explosive ordnance which remain from the break-up of the Soviet Union, when Russian Armed Forces pulled out of their military bases in Georgia. While some have been reduced, a considerable amount of out-dated and unstable ammunition remains and poses grave risks to human, physical and environmental security.

Assistance and Impact

Since 2011, UNDP has supported the Georgia Ammunition Demilitarisation and Community Security Programme, in collaboration with the National Security Council, and Georgian Ministries of Foreign Affairs, Defence, Health, Education, Environment, Justice, and Economy. The project is implemented

jointly with the OSCE. It is aimed at supporting ammunition demilitarisation and setting up functional inter-ministerial coordination on issues related to Small Arms and Light Weapons (SALW) control. This will improve the ability of the Government of Georgia to control small arms and light weapons and improve the environment and community security for the people of Georgia, through the development of environmental remediation plans that identify priority interventions. In 2011, the ammunition demilitarisation activities began and preliminary discussions on the inter-ministerial coordination mechanism were started. Likewise, UNDP supports national authorities to enhance SALW controls at national level by developing a tool to monitor UN Conventions and Protocols on Disarmament, Organized Crime and Conventional Weapons ratified by Georgia. This will allow national authorities to monitor the implementation and reporting of such Conventions and Protocols and enable UNDP and international partners to provide adequate assistance.

GUATEMALA

Background

Between 1960 and 1996 Guatemala experienced the most bloody and protracted armed conflict in Latin America. It is estimated that over 200,000 people were killed and between 40,000 and 50,000 disappeared. The country is still struggling to deal with the consequences of the serious human rights violations which occurred during this conflict. In

addition, Guatemala simultaneously faces a post-conflict recovery as well as a dual crisis of security and legitimacy. State institutions are permeated by criminal structures and therefore unable to tackle rampant levels of violence, crime and insecurity. The rate of impunity lies above 99 percent, with only 2 out of every 100 cases actually going to court. In this framework, the International Commission against



Victims of the conflict in Guatemala

Credit: Alejandro Alvarez/UNDP

Impunity in Guatemala (CICIG), a hybrid body based on an agreement between the state of Guatemala and the UN Secretary-General, has been in place since September 2007. CICIG is an international mechanism designed to address the infiltration of Guatemalan state institutions by criminal clandestine organisations and the operation of violent illegal security forces outside of the control of the state.

Assistance and Impact

In 2010, UNDP began the implementation of the Transitional Justice Programme (PAJUST for its initials in Spanish), a comprehensive human rights programme that includes support to exhumations, the prosecution of past human rights abuses, support to recognise the rights of victims and reparations for survivors and for the overall reconciliation process in the country. This programme assists the government institutions and civil society organisations in following up key aspects of the recommendations of the Commission for Historical Clarification (CEH, 1999) in terms of promoting the rights of victims and citizens, strengthening the rule of law and promoting peaceful and democratic coexistence.

The programme supports providing the public with access to an extensive collection of around 80 million documents (inaccessible until now), contributing to a greater understanding of what occurred during the conflict and advancing justice. Today, this collection of documents is the largest of its kind in Latin America and represents the primary source of documentary evidence for court cases relating to human rights crimes committed during the conflict, especially enforced disappearances. In 2011, three convictions of high-level members of the Army and the Police for serious human rights violations during the conflict were achieved.

Guatemala now faces an unprecedented process of investigation and prosecution of gross human rights violations which contributes to reducing its endemic level of impunity.

The implementation of new litigation strategies in 14 paradigmatic cases has improved the investigative and prosecutorial capacities of the Public Prosecutor's Office and of the Special Investigations Unit of the Human Rights Ombudsman's Office and has enhanced coordination with victims and civil society organisations. These cases include three cases of genocide, seven of enforced disappearances, one of collective sexual violence and three massacre cases (involving at least 811 victims including of all ages, 31 percent of which were women).

A key aspect for the improvement of this capacity was support provided by UNDP to various civil society actors to advocate for transparency in important processes such as the selection of judges to the Supreme Court and the Court of Appeal, Constitutional Court, the Attorney General and the Chief of Public Prosecutions. UNDP facilitated a transparent selection process, in particular of the Attorney General which resulted in the appointment of a very well recognized and independent human rights lawyer as Attorney General.

UNDP has also supported the Prosecutor General's office (MP) to reduce impunity rates through a number of different initiatives. A new case management system is already operational in Guatemala City and is being extended to departmental offices and to the office in charge of crimes against women. As a direct result, the efficacy rate of criminal prosecution has increased by 25 percent. In addition thanks to UNDP support the Attorney General's office in the metropolitan area has increased its caseload from 25,000 to 40,000 in 2011 alone.

UNDP also supports the operations of the UN International Commission Against Impunity (CICIG), which is working together with the MP. These joint UNDP-CICIG efforts include institutional strengthening of the MP in the use of special methods of investigation (i.e. telephone tapping). There is also a component dealing with reparations, which includes: anthropological and forensic investigations, the exhumation victims, DNA analysis in support of the search for missing persons (conducted by the Guatemalan Forensic Anthropological Foundation - FAFG), psychosocial support and victim dignification events by the National Reparations Programme. In two years, the FAFG has recovered the remains of 770 victims of extrajudicial executions and massacres via 258 exhumations carried out in rural areas. 80 percent of the exhumations carried out have been accompanied by psychosocial support programs benefitting 478 families of victims: more than 2,600 people (56 percent women) have been treated before, during and after these exhumations. More recently, since 2011, PAJUST also supports the search for children “disappeared” during the internal armed conflict, estimated at around 5,000.

Challenges, Lessons Learned and Way Forward

There remain many challenges to strengthening the rule of law, justice and security in Guatemala and tackling the high

level of impunity. UNDP is supporting national authorities to address this situation. One fundamental aspect of this support is strengthening the historical archives in order to facilitate access to relevant information to support criminal investigations. The evidentiary value of these documents has been recognized by Guatemalan courts, contributing to groundbreaking judicial precedents in enforced disappearance cases.

UNDP is supporting national authorities to build their capacity and ownership in preparation for the exit of CICIG. For this reason, UNDP is supporting the institutional strengthening of the Public Prosecutor’s Office capacity to investigate and prosecute serious human rights violations, via the creation of investigation directives and manuals – including specific instruments relating to sexual violence – as well as the development of other instruments to bring justice for victims of extrajudicial execution, forced disappearance, genocide and torture. Today, Guatemala is executing an unprecedented number of arrest warrants and filing indictments against both low-level and high-level perpetrators, made possible by effective collection and analysis of documentary evidence, expert witness reports and testimonies.

HONDURAS

Background

Following the 2009 coup, Honduras continues to face severe structural problems that have been aggravated by deteriorating socio-economic, political and security conditions. A recent UN report noted that Honduras is “slipping toward the edge of a precipice”, with high risks of crisis and instability in the near to medium term. Absence of meaningful oversight mechanisms has resulted in widespread corruption. Powerful organised crime cartels, well anchored in the country, undermine security and justice efforts through bribery, targeted killings and corruption of public servants, mayors and elected officials. The Honduran state lacks control of significant parts of national territory, especially in the western and northeastern areas. Honduras has the highest homicide rate in Latin America (82 per 100,000 inhabitants). It is estimated that violence and crime cost Honduras around 9 percent of its GDP annually.

Assistance and Impact

UNDP support has been instrumental in the development and adoption of a comprehensive National Citizen Security Policy

(2012-2022) based on the evidence generated by the Observatory of Violence (a joint effort of UNDP and the National University), UNDP also finances a policy planning advisor to the Ministry of Security to support the development of indicators and accurate statistics through the creation of violence observatories. The new Citizen Security Policy contains an action plan to improve the efficiency and efficacy of security forces, both national and local institutions. The policy also includes a series of key indicators to monitor the state of citizen security



and a wide array of prevention and control measures to reduce violence. Key interventions for highly violent municipalities include alternative mechanisms for dispute resolution and the establishment of mediation centers. The UNDP supported programme of Safer Cities pursues the formulation of integrated municipal security plans, the institutionalisation of mediation/conciliation units in highly violent municipalities, as well as training of public officials in alternative justice mechanisms targeting the youth. It has been extended to 298 municipalities in its public awareness component (80 percent of the total). By December 2011, 14 municipalities had developed a local plan to increase citizen security. Eight municipalities had developed conflict mediation units (with 449 mediators in

total). These units dealt with 2,905 conflicts and supported 755 mediations and 1,307 reconciliations.

Challenges, Lessons Learned and Way Forward

The most challenging aspects of strengthening the rule of law in Honduras relate to the reform and reorganisation of the National Police. To support this process, UNDP will set up a technical secretariat within the Special Commission for Security Sector Reform, established in January 2012 by the National Congress to oversee the police reform. UNDP will also continue to strengthen local capacities for citizen security and conflict management through the “Safer Municipalities” initiative.

JAMAICA

Background

Although Jamaica is a functioning democracy, signs of state failure are visible. There has been a clear commitment from the Government of Jamaica to undertake structural reform of its security forces and strengthen the rule of law, but it lacks capacity to respond effectively to the increasing levels of violence mainly caused by drug trafficking. The characteristic features of Jamaica’s violence are a decrease in the incidence of political violence and an increase in social violence, including domestic violence. The high crime environment is increasing citizens’ insecurity and affecting economic growth. Jamaica is a focus country for both the Global Armed Violence Prevention Programme (a collaborative programme involving UNDP-WHO-UNICEF-UNODC-UN Habitat) and the Geneva Declaration on Armed Violence and Development.

Assistance and Impact

UNDP has made important contributions to help the Government strengthen its ability to monitor and reduce armed violence. In 2011, UNDP supported the Crime Prevention and Community Safety Unit in the Ministry of National Security to conduct biennial victimisation surveys. The establishment of the national crime observatory is a central resource for

the monitoring and execution of the national security policy. The Jamaica Constabulary Force also publishes regular crime reports and GIS maps on crime and violent incidents, thanks to important capacity building support provided by UNDP. As a result, law enforcement work is more targeted to those areas where most violence occurs. In addition, UNDP has supported a civic dialogue for the approval of the National Security Policy and the implementation of the Community Renewal Program. This programme guides the design and implementation of violence reduction and community development projects. It draws together the several programmes that are being implemented by multiple agencies across Government and civil society.

Challenges, Lessons Learned and Way Forward

A major focus going forward will be to increase the coherence and coordination of both the Government and international community’s support to programmes designed to reduce armed violence and to strengthen support to local level capacity development to identify causes of and solutions to high levels of violence. UNDP, due to its neutrality, is well positioned to support better collaboration and will continue coordinate with other UN agencies on the ground to ensure complementarity of programmes to prevent and reduce armed violence.

KENYA

Background

Kenya has seen election-related violence since the introduction of multi-party elections in 1991. However, the post-election

violence that occurred in 2007 was unprecedented in Kenya’s post-independence history, both in terms of geographic coverage and magnitude. It resulted in more than 1,200 deaths,

Kenyans protest against rising food prices

Credit - IRIN/Zahra Moloo



600,000 displaced and had a far-reaching impact on Kenya's social, economic and political fabric. The signing of the Kenya National Dialogue and Reconciliation Agreements and the formation of the Grand Coalition Government in 2008 heralded a new dawn for Kenya as it sought to address the issues underlying the violence. Since then significant gains have been made. Most significantly - in particular for the rule of law - has been the promulgation of the New Constitution in 2010, which represented a seismic shift in Kenya's history. In addition, there has also been significant progress in judicial reform, which has contributed towards the restoration of confidence in the judicial process. Notwithstanding these positive reforms, most of the underlying causes of the politically driven violent conflict in Kenya still remain unresolved. It is against this backdrop that Kenya will hold its next elections in 2012.

Assistance and Impact

UNDP's Access to Rights Programme of UNDP was designed to complement the efforts of the country's grassroots communities to ensure that citizens understand their rights, opportunities and responsibilities. The programme contributed to enabling citizens to make an informed decision when they voted in the Constitutional Referendum leading to a new and progressive Constitution. The programme advocated for the inclusion of people's needs and perspectives into the Constitution and the related legislation. For instance the issue of "in-

equality" has been part of national discussions since 2006 and is now integrated in the Constitution and the newly developed National Equity Policy.

UNDP also provided capacity building support to the Truth, Justice and Reconciliation Commission (TJRC) through workshops with international experts on topics such as research/investigation, reparations and administration. In addition, UNDP has supported the Kenya National Focal Point (KNFP) on Small Arms and Light Weapons (SALW) in reconstituting and establishing 36 well-trained District Task Forces at the county level. This has resulted in improved national capacity to implement the National Action Plan on SALW and in better coordination between the communities and the security agencies. It has also increased awareness on the dangers of illicit SALW. Significant disarmament, weapons marking and confiscation of weapons took place leading to decrease in the misuse of weapons. The KNFP has also been able to develop and publish the 2011 national small arms survey, which resulted in countrywide discussions, on small arms and light weapons. The last survey in Kenya was conducted in 2003 so it was important to update the small arms and armed violence baseline in the country to ensure a better response.

Challenges, Lessons Learned and Way Forward

The Access to Rights programme built on the successes of the Amkeni WaKenya programme, which supports active

citizen participation. Going forward, the next phase of work will focus on ensuring that the cultural, social and economic rights enshrined in the constitution are realised. UNDP provided support to the Office of the Chief Justice. As part of broader judicial reforms, UNDP support improved procedures related to vetting of Judges and Magistrates. With regard to citizen security, renewed efforts are needed to curb weapons proliferation, which is extending well beyond the North. Com-

munities in Nairobi will be engaged to enhance community cohesion and safety leading to the election 2012. Joint efforts between the City Council Safer Cities Initiative and the KNFP will tackle slum vulnerability to proliferation of illicit weapons. Proper stockpile management of both licensed civilian and state owned arms will be implemented, alongside the review of legislation on SALW.

KYRGYZSTAN

Background

Kyrgyzstan has relatively strong democratic credentials among the post-Soviet Central Asian states. This follows two successive changes of authoritarian governments in 2005 and 2010, both instigated through popular street protests. The parliamentary model that is gaining momentum in Kyrgyzstan is seen as providing a model for democratic transitions in the region. In June 2010, following the overthrow of President Kurmanbek Bakiyev, there was a serious outbreak of Kyrgyz-Uzbek interethnic violence focused particularly around the southern city of Osh. Following political change in 2010, a new constitution was promulgated which instigated broad political and legal reform. Nevertheless, inter-ethnic tensions in the South largely remain and were reflected in the voting patterns in the November 2011 elections, which brought former prime minister in the interim government, Almazbek Atambayev to the presidency.

Assistance and Impact

In response to the 2010 events, UNDP provided support for legal reform and to assist in the development of the parliamentary system of governance. Projects were developed on legal drafting, enactment of legislation, parliamentary oversight, selection of judiciary and court administration. This support resulted in the endorsement of 27 laws in a limited time span. However, a sizeable programme in the South where the interethnic tensions are most serious did not address local justice and security institutions. In 2011, UNDP worked to consolidate and align rule of law programming and to add programming components addressing tensions in the conflict-affected regions of the country.

Challenges, Lessons Learned and Way Forward

Despite success in supporting legal reform, the legal culture that underpins the reform efforts needs to be complemented with development of adequate models for the implementation of laws. A consolidated Rule of Law programme to address these needs will be launched in 2012.

NICARAGUA

Background

In terms of justice and security, the unique circumstances found in Nicaragua are related to the legacy of the government of the Revolution of the Frente Sandinista de Liberación Nacional (1979-1990). During that time, the National Police and the National Armed Forces were created as new institutions reflecting the values and ethos of the revolution, and with a strong emphasis on community policing in the case of the National Police. In the 1990s, with the transition to a democratically elected government, the National Police underwent a process of professionalisation with

substantial support from the international community and gained respect and trust as an institution by the citizenry. Substantial differences in terms of (economic) development and opportunities continue to exist between geographic areas, ethnic groups as well as between men and women. Existing economic and social investment programmes have not been able to significantly reduce poverty nor enhance equality. While 48 percent of the population lives below the poverty line, in rural areas this percentage increases to 67.9 percent.

Assistance and Impact

Since 2001, UNDP has supported work in security sector reform as part of its governance program. The Ministry of Governance was the main counterpart and had the mandate to coordinate the justice and security sector in the country. A UNDP supported justice sector analysis indicated that key institutions were not coordinated at national level and, sometimes, were nonexistent at the local level. Local governments also had very limited experience or expertise in addressing security issues. One of the most significant interventions in Nicaragua is related to small arms control. UNDP is supporting the efforts of the Multi-disciplinary Commission on Small Arms and Light Weapons (SALW) control; lead by the Minister of Governance and with the participation of some key stakeholders, including the National Police, the Ministry of Education and Health. As a result of this support, there is an increase in the number of illegal weapons seized by the police (5,031 in 2011). The country has improved its ability to control firearms: including through the creation of a unified electronic database for the registry and control of arms at a national level. There has also been a decrease in the use of firearms in crimes, murder and injury rates. 67 percent of the arsenal of private security companies and 20 percent of civilian guns have been registered. New

prevention measures for firearms users have been adopted, including license prohibition for persons with a history of domestic violence.

Challenges, Lessons Learned and Way Forward

In contrast with its socio-economic, human development, and institutional conditions Nicaragua presents better indicators on crime and armed violence than some of its neighboring countries. One of reasons for this resilience is the role played by its national police. Recent opinion polls also show that the preferred and most trusted institution is the national police. In recent years, the country has also undergone a political process characterised by a strong Executive power, the closing of spaces for voices from civil society, the weakening of separations of power (undermining the legitimacy of some key institutions). There is an increasingly tense political climate. In this context, the situation of the National Police and its role as guarantor of public order and coordinator of citizen security may be affected. For now, the National Police continues to be perceived as an autonomous institution less exposed to political influence and clientelism. Nonetheless, the National Police faces a critical challenge to maintain its independence and continuous support will be required.

PAKISTAN

Background

After a military offensive in 2009 drove out militants from the Malakand Division of Khyber Pakhtunkhwa (KP) province and led to the displacement of over 2 million people fleeing their homes, the provincial and national governments committed themselves to immediate measures to restore peace and security in the region. However, the slaughter of police, destruction of court houses and intimidation of lawyers left justice and security systems severely damaged and a population traumatised.

Assistance and Impact

With national and local stakeholders, UNDP developed the Strengthening the Rule of Law in Malakand (SRLM) Programme (2011-14) which uses the current military-supported stability as an opportunity to extend the writ of the civilian state through effective and inclusive rule of law institutions. The main areas of focus are (1) increasing access to justice; (2) building the capacity of the court system; (3) engaging with informal justice systems to provide fair



Provision of Identification documents to people in Pakistan

Credit: UNDP Pakistan

and effective services; and (4) professional development of police. The SRLM Programme was officially launched on 15 December 2011. Within the first quarter of its implementation, the Programme has undertaken a comprehensive training needs assessments of the judiciary, police, prosecutors, the legal bar and legal aid CSOs. The Programme is also close to finalizing a perception survey of Malakand residents about justice and security services in the region. All information will be used to support evidence-based programming as well as providing baselines. The findings will be discussed and shared with national stakeholders and help the government to identify future areas for training in addition to providing a monitoring tool. A coordination working group has also been established to chart the Pro-

gramme's progress and remain abreast of other sector interventions and development.

Challenges, Lessons Learned and Way Forward

With the completion of the in-depth training needs assessments of central rule of law actors, the Programme looks forward to begin training, including the development of curricula for the KP Judicial Training Academy and Police Training Academy. At the same time, the Programme will support enhanced interaction between citizen and state (e.g. community policing initiatives), engage in legal aid initiatives, assist in alternative dispute resolution policy development and rehabilitate damaged court houses among other activities.

PAPUA NEW GUINEA

Background

Papua New Guinea (PNG) has had to deal with significant challenges in the rule of law. The widespread availability and use of small arms – whether legal, illegally imported or homemade – undermines an already fragile human security and safety. This also exacerbated tribal conflicts and SGBV as well as lifting rates of armed violence in urban centers to among the highest in the world. Following a 10-year civil conflict in the Autonomous Region of Bougainville (ARB), and despite a weapons collection programme following the 2001 Peace Agreement, small arms are still readily available. This poses a continuous threat to peace, security and stability in a region where weapons disposal is a necessary precondition for a referendum – to be held between 2015 and 2020 – on its political status. There is a lack of a whole-of-government approach to address complex human security threats in a highly fragmented country with more than 2,000 ethnic groups, 800 languages and very low levels of infrastructure. In addition, there is a lack of public confidence in security institutions.

Assistance and Impact

UNDP began implementing the 4-year programme “Nation-Building through Crisis Prevention” in 2008, which includes the components on peacebuilding and community security, GBV and disaster risk reduction. Although the Government committed to developing a gun control strategy in 2005, internal challenges hindered progress. Through UNDP's advocacy and engagement with the PNG Government, a Gun Control Committee, consisting of the Prime Minister's Office,

Police, the Justice Ministry, the Intelligence services and civil society, started to regularly meet to ensure internal coordination. With UNDP's technical support a Gun Control Strategy has been initiated. In addition, UNDP provided the necessary support to the police to address critical gaps in data on armed violence. In Bougainville, UNDP has been working with the Autonomous Bougainville Government (ABG) towards developing a comprehensive peacebuilding strategy, and building of capacities for peace at local community levels.

Challenges, Lessons Learned and Way Forward

Progress has been slower than expected due to regular changes of political leadership, and most recently in 2011 increased political instability, which has decreased responsiveness of Government counterparts. However, continued UNDP engagement with the Government has built a strong foundation for support. In remote regions of PNG, operational challenges have limited UNDP's ability to implement certain components of the community security and peacebuilding programme. In the next phase of this programme, UNDP will focus on enhancing the Government's capacity to better link small arms control strategy with the development of a national security policy, and community security perspectives. At the sub-national level, peacebuilding efforts will be scaled up in Bougainville in the years leading to the referendum. These efforts will be complemented with community security interventions. Building on lessons learnt from the previous phase, the community-based component of the programme will only be implemented in districts where UNDP has full operational capacity.

SOLOMON ISLANDS

Background

The Solomon Islands experienced an organised violent conflict between 1998 and July 2003 (commonly referred to as the “tensions”). The Townsville Peace Agreement was signed in 2000 and a Regional Assistance Mission arrived in 2003 leading to improvements in the overall restoration of the rule of law. However, outstanding grievances, especially those related to gender based violence, remain unresolved. In addition, the political and social situation continues to remain fragile. Since 2006, successive national governments have pursued a national consultation process to determine the appropriateness of a body to investigate the abuse that led to and occurred during the years of ‘the Tensions’. As a result of this process, the government established an independent Solomon Islands Truth and Reconciliation Commission (TRC), which began operations on 15 January 2010. The Commission provided an important state endorsed independent forum for victims and perpetrators of human rights abuses and violations, to tell their story, to facilitate healing and reconciliation.

Assistance and Impact

UNDP managed the independent International Support Facility (ISF) for the TRC. This ensured that the Commission was nationally owned. As a result of this support, the Commission has been able to reach out directly to approximately 2,361 conflict affected people. The Commission facilitated a national reconciliation through public hearings nationally broadcasted via TV/Radio. The work of the Commission resulted in countrywide debates on the role of the Government at that time and achieved enormous impact in terms of national reconciliation. Through the ISF, UNDP strengthened the Commission’s capacity for communications and community outreach. Support was provided to equip statement takers and fieldworkers with the requisite skills, tools and equipment necessary to deal with traumatised persons. Logistical support was also provided to Truth Commission exhumations team. Counseling support was provided to victims groups including women victims of violence.

Challenges, Lessons Learned and Way Forward

One of the lessons learned from the Solomon Island truth and reconciliation process is to not to under-estimate the enormous logistical operation behind the organisation of reconciliation processes. Transport and telecommunication links were unreliable and expensive especially between Malaita and

Honiara. The importance of building confidence in conflict-affected communities is also critical. Community leaders, victims, in particular victims from sexual and gender based violence and ex-combatants were in some cases reluctant to share their experiences in fear that they could be stigmatised or arrested by authorities. This was overcome through a consistent media campaign as well as outreach to Provincial Governments and key stakeholders. Unless recommendations in the final Commission report demands otherwise, UNDP’s support ended with the submission of the final report to the Prime Minister in February 2012.



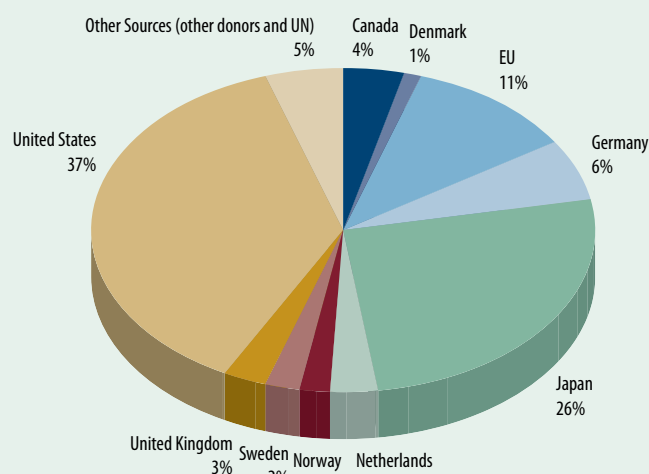
Occupied Palestinian Territory
Credit: Idyid El Baba

Part 3

Financial Information

UNDP is one of the largest providers of rule of law, justice and security support to crisis-affected and fragile contexts. The total UNDP rule of law programming value for Global Programme priority countries (including UNDP administered Trust Funds) from 2008 to 2011 was over US\$2.5 billion dollars. This includes a portfolio of approximately \$1.9 billion in Afghanistan through the Law and Order Trust Fund. This work is supported by a wide range of donors. The chart below provides an overview of the top 10 contributors to UNDP's ten largest rule of law portfolios, from 2008 to 2011. The first chart includes contributions to Afghanistan. The second chart includes contributions to the largest programmes, excluding Afghanistan.

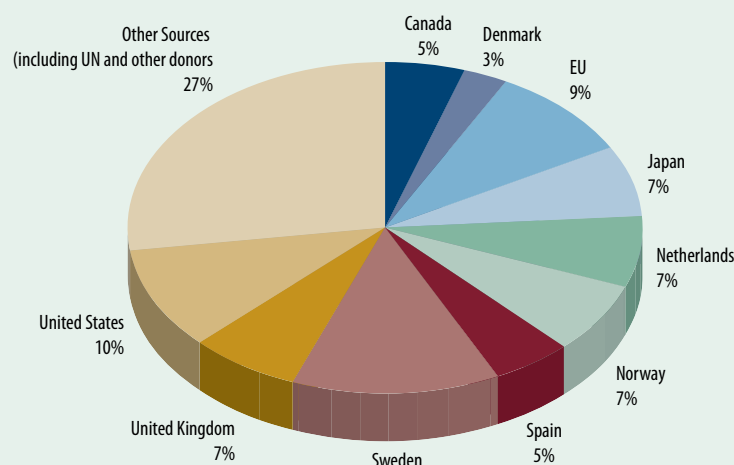
Top Ten Donors to UNDP's Largest Rule of Law Programmes^[43]



[42] Figure refers to UNDP-implemented elements of the Justice and Security Trust Fund

[43] These are indicative figures only and are taken from provisional information provided on contributions to UNDP's Rule of Law work in Afghanistan, DRC, Guatemala, Haiti, Liberia, Occupied Palestinian Territory, South Sudan, Somalia, Sudan, Timor-Leste. Percentages are approximate.

Top Ten Contributors to UNDP's Largest Rule of Law Portfolios, excluding Afghanistan (2008 to 2011)^[44]



Financial contributions to UNDP's rule of law, justice and security work are made in a number of ways, including through country level cost sharing agreements with country offices, or through contributions to global level trust funds. Contributions can either be earmarked to a specific country programme or project, or can be thematically earmarked through the Thematic Trust Fund for Crisis Prevention and Recovery. All of UNDP's rule of law, justice and security programmes are integrally tied to the priorities identified in UNDP's Strategic Plan from 2008 to 2013.

Global Programme on Strengthening the Rule of Law in Conflict and Post-Conflict Situations (2008 - 2011)

UNDP's Global Programme provided technical, financial and operational assistance to rule of law, justice and security programmes in approximately 37 countries, including 21 priority countries. In addition, it has increasingly provided support and funding to UNDP's armed violence prevention work. The Global Programme has provided seed funding for the development of rule of law, justice and security initiatives in its priority countries supporting the development of a total portfolio of over \$455 million.

Since 2008, the Global Programme has received contributions totaling approximately \$68.6 million, including a contribution from the Government of the Netherlands of \$30.7 million. This also includes \$19.5 million in unearmarked resources provided through

[44] These are indicative figures only and are taken from provisional information provided on contributions to UNDP's Rule of Law work in DRC, Guatemala, Haiti, Liberia, Occupied Palestinian Territory, South Sudan, Somalia, Sudan, Timor-Leste.



Guinea-Bissau

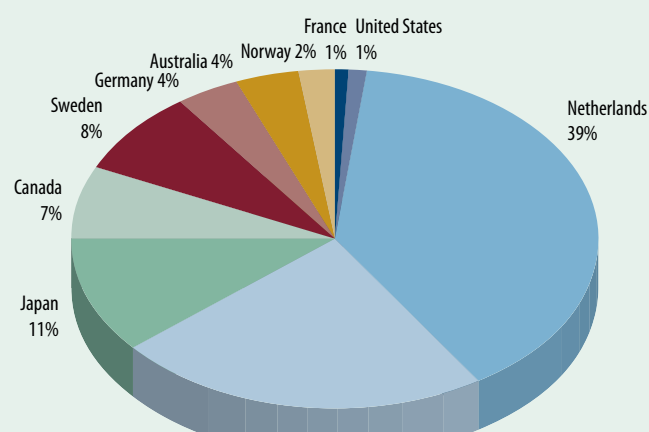
Credit: Ana Patricia Graca

the Thematic Trust Fund for Crisis Prevention and Recovery. The Global Programme monitors the resources and allocations of 56 Atlas Projects.

Contributions to the Global Programme on Strengthening Rule of Law in Conflict and Post-Conflict Situations

TOTAL MOBILISED RESOURCES IN US\$	
Netherlands	30,763,725
CPR-TTF	19,502,198
Sweden	6,694,561
Germany	3,350,993
Australia	3,547,296
Norway	3,155,415
France	554,800
UN Action	236,845
Canada	134,259
US	693,000
Total	68,633,092

Donor Contributions to the Global Programme Phase 1





UN Photo/Tim McKulka

FINANCIAL OVERVIEW INFORMATION FOR PROJECTS SUPPORTED THE GLOBAL PROGRAMME ON STRENGTHENING

COUNTRY	PROJECT TITLE	PERIOD	TOTAL PROJECT BUDGET
Asia Pacific	<i>Support for the Capacity Development of Governance Institutions in the Security Sector in the Pacific (PIP)</i>	2008-2009	790,000
BiH	<i>Access to Justice: Facing the Past and Building Confidence for the Future</i>	2009-2012	5,953,850
CAR	<i>Strengthening the Rule of Law through Justice and Security</i>	2008-2012	14,239,445
Chad	<i>Strengthening the Rule of Law in Eastern Chad based on Justice and Security (Component of the Recovery Programme for Eastern Chad)</i>	2009-2011	4,861,180
Colombia	<i>REDES (Strengthen mechanisms for access to justice to enforce the rights to truth, justice and reparations under the rule of law)</i>	2007-2010	3,608,000
DRC	<i>Strengthening access to justice and legal protection for GBV victims in Eastern DRC (Phase I and II)</i>	2008-2013	11,146,378
Guinea-Bissau	<i>Strengthening Rule of Law</i>	2008 - 2012	6,506,330
Guinea Conakry	<i>Establishing a Secure Environment for Development</i>	2009-2011	2,253,801
Haiti	<i>Renforcement de l'Etat de Droit et de la Sécurité en Haiti</i>	2010-2012	17,000,000
Iraq	<i>Family Protection, Justice and Security in Iraq</i>	2009-2012	34,315,131
Kosovo^[45]	<i>Kosovo Justice and Security Programme</i>	2009-2011	15,094,000
Liberia	<i>Justice and Security Trust Fund in Liberia (UNDP implemented elements including Strengthening the Rule of Law in Liberia programme)</i>	2009-2012	28,601,361
Nepal	<i>Enhancing Access to Justice for Consolidation of peace in Nepal</i>	2009-2012	5,697,232
PAPP	<i>Supporting the Rule of Law and Access to Justice for the Palestinian People</i>	2009-2012	19,120,549
ROLJS	<i>Global Programme on Strengthening the Rule of Law in Conflict and Post-Conflict Situations</i>	2008-2011	12,838,967
Sierra Leone	<i>Improving Access to Justice in Sierra Leone</i>	2009-2012	10,981,300
Somalia	<i>Rule of Law and Security Programme III</i>	2009-2011	124,241,879
South Sudan	<i>Governance and Rule of Law Programme for South Sudan (including component of Joint UNDP-UNMIS Justice Programme in Jonglei State)</i>	2010-2012	94,917,145
Sri Lanka	<i>Equal Access to Justice</i>	2009-2012	8,281,800
Timor Leste	<i>Enhancing the Democratic Rule of Law through Strengthening the Justice System in Timor-Leste (Revised Justice System Programme)</i>	2008-2013	34,225,000
TOTAL			444,258,282.62

[45] UN Administered Territory, referred to in the context of UN Resolution 1244

RULE OF LAW IN CONFLICT-AFFECTED AND FRAGILE CONTEXTS 2008 - 2011 (PROVISIONAL FIGURES)				
ALLOCATIONS FROM GLOBAL PROGRAMME	EXPENDITURES AGAINST GP ALLOCATIONS 2008-2010	EXPENDITURES AGAINST GP ALLOCATIONS 2011	TOTAL EXPENDITURE AGAINST GP ALLOCATIONS	PLANNED BUDGET 2012
790,000	556,263	245,594	801,857	
2,691,818	833,221	958,221	1,791,442	1,298,461
3,417,268	3,008,508	180,707	3,189,215	2,755,588
1,735,273	608,237	653,736	1,261,973	
2,019,302	598,046	979,876	1,577,922	523,384
1,999,564	1,418,594	485,654	1,904,247	
1,776,395	763,069	641,646	1,404,715	2,525,808
545,000	258,144	12,869	271,013	-
6,200,000	859,409	2,790,762	3,650,171	6,529,670
600,000	144,338	102,050	246,388	800,000
4,984,420	3,524,099	328,313	3,852,411	3,044,824
2,817,550	1,994,709	858,833	2,853,542	20,347,327
1,600,000	816,870	520,165	1,337,035	252,860
9,694,561	658,652	2,533,202	3,191,854	7,680,000
7,375,463	7,168,524	2,408,158	9,576,682	3,517,643
3,381,500	3,111,986	177,772	3,289,758	-
3,502,120	2,418,388	944,238	3,362,626	8,054,021
3,000,000		126,176	126,176	20,230,214
3,012,750	2,280,249	394,314	2,674,563	248,246
3,500,000	1,919,336	1,078,154	2,997,490	4,000,258
64,642,984.70	32,940,641	16,420,440	49,361,081	81,808,303.87

Acronyms



Child walks through Bangboka airport in DRC
Credit: Gwen Dubourthoumieu/IRIN

A2J	Access to Justice
ANP	Afghan National Police
AU	African Union
BCPR	Bureau for Crisis Prevention and Recovery
BDP	Bureau for Development Policy
BiH	Bosnia i Herzegovina
BINUB	United Nations Integrated Office in Burundi
CAR	Central African Republic
CO	Country Office
CICIG	International Commission against Impunity in Guatemala
CSAC	Community Security and Arms Control
CSO	Civil Society Organisation
CBO	Community Based Organisation
DCAF	Geneva Centre for Democratic Control of Armed Forces
DFID	Department for International Development (United Kingdom)
DIS	Détachement Intégré de Sécurité (Chad)
DPA	Department of Political Affairs
DPKO	Department of Peacekeeping Operations
DRC	Democratic Republic of the Congo
DSG	Deputy Secretary-General
EA2J	Equal Access to Justice
EC	European Commission
ECOWAS	Economic Community of West African States
FAFG	Forensic Anthropological Foundation – (Guatemala)
FSU	Family Support Units
GOS	Government of Sudan
GOSS	Government of South Sudan
GP	Global Programme
IASC	Inter-Agency Standing Committee
IAWJ	International Association of Women Judges
ICTY	International Criminal Tribunal for Yugoslavia
ICTJ	International Centre for Transitional Justice
IDP	Internally Displaced Person
ISF	Integrated Strategic Framework
ISF	International Support Facility
ISSAT	International Security Sector Advisory Team
JCC	Justice and Confidence Centre (Sudan)

JHRA	Justice and Human Rights in Afghanistan	ROLJS	Rule of Law, Justice and Security Unit (UNDP/BCPR)
JIPU	Joint Integrated Police Unit (Sudan)		
JSP-TL	Justice and Security Programme	SARC	Sexual Assault Referral Centre
JSP	Joint Strategic Plan	SG	Secretary-General
JSTF	Justice & Security Trust Fund (Liberia)	SGBV	Sexual and Gender-Based Violence
KCA	Kosovo Chamber of Advocates	SIDA	Swedish International Development Agency
KOSSAC	Kosovo Small Arms Commission	SPF	Strategic Partnership Framework
KRG	Kurdistan Regional Government (Iraq)	SRS	Special Representative of the Secretary-General
KNFP	Kenya National Focal Point	SSR	Security Sector Reform
LAC	Legal Aid Commission (Sri Lanka)	SSRTF	Security Sector Reform Task Force
LOTFA	Law and Order Trust Fund for Afghanistan	SSRU	Security Sector Reform Unit
LTTE	Liberation Tigers of Tamil Eelam	SWLA	Somali Women's Lawyers Association
M&E	Monitoring and Evaluation	TJRC	Truth Justice and Reconciliation Commission (Kenya)
MDG	Millennium Development Goals		
MINURCAT	United Nations Mission in the Central African Republic and Chad	TRC	Truth and Reconciliation Commission (Solomon Islands)
MINUSTAH	United Nations Stabilisation Mission in Haiti	TAM	Technical Assessment Mission
MOJ	Ministry of Justice	TJ	Transitional Justice
MOLACD	Ministry of Legal Affairs and Constitutional Development (South Sudan)	TOR	Terms of Reference
MOU	Memorandum of Understanding	UNAMA	United Nations Assistance Mission in Afghanistan
MYRF	Multi-year Results Framework	UNAMI	United Nations Assistance Mission in Iraq
NGO	Non-Governmental Organisation	UNAMID	African Union/United Nations Hybrid Operation in Darfur
OECD	Organisation for Economic Co-Operation and Development	UNCT	United Nations Country Team
INCAF	International Network on Conflict and Fragility (OECD)	UNDP	United Nations Development Programme
OHCHR	Office of the High Commissioner for Human Rights	UNFPA	United Nations Population Fund
OPT	Occupied Palestinian Territory	UNHCR	United Nations High Commissioner For Refugees
OROLSI	Office of Rule of Law and Security Institutions	UNICEF	United Nations Children's Fund
OSCE	Organisation for Security and Cooperation in Europe	UNIFEM	United Nations Development Fund for Women
PAPP	Programme of Assistance to the Palestinian People	UNIPSIL	United Nations Mission in Sierra Leone
PBF	United Nations Peacebuilding Fund	UNMIK	United Nations Mission in Kosovo
PBSO	United Nations Peacebuilding Support Office	UNMIL	United Nations Mission in Liberia
REJUSCO	Programme for the Restoration of the Judicial System in Eastern Congo	UNMIT	United Nations Mission in Timor-Leste
ROLCRG	Rule of Law Coordination and Resource Group	UNODC	United Nations Office of Drugs and Crime
		UNOPS	United Nations Office for Project Services
		UNOWA	United Nations Office for West Africa
		UNIOGBIS	United Nations Integrated Peacebuilding Office in Guinea-Bissau
		UNSMIL	United Nations Support Mission in Libya



United Nations Development Programme

*Empowered lives.
Resilient nations.*

UNDP's Global Programme for Strengthening the Rule of Law in Crisis-affected and Fragile Situations provides rule of law support to approximately 37 crisis-affected countries, including 21 priority countries. The programme has been a driving force in improving the delivery of UNDP's assistance and in pioneering joint UN approaches to supporting the rule of law.

This report highlights important results achieved in assisting countries to deal with the legacy of conflict, improve human security, provide access to justice for all, and in particular strengthen women's security and access to justice. It also details the wide range of partnerships that UNDP has developed and looks at lessons learned, as we look forward to the implementation of Phase 2 of the Global Programme from 2012 to 2015.

We are grateful to the governments of Australia, Canada, France, Germany, Japan, The Netherlands, Norway, Sweden, the United Kingdom, and the United States for supporting UNDP's work on rule of law, justice and security in crisis-affected and fragile situations, through the Thematic Trust Fund for Crisis Prevention and Recovery.

