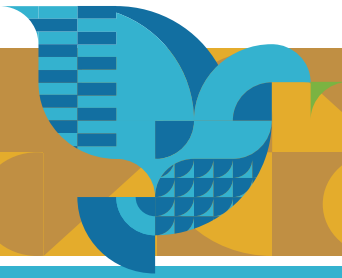


# THE GLOBAL PROGRAMME FOR STRENGTHENING THE RULE OF LAW, HUMAN RIGHTS, JUSTICE AND SECURITY FOR SUSTAINABLE PEACE AND DEVELOPMENT

PHASE IV (2022-2025)



## CONSTITUTIONAL ASSISTANCE



**Constitution-making, the rule of law and development:** Constitutions are essential for conflict prevention, peacebuilding, and the promotion and protection of human rights. As the supreme law of the land, constitutions provide legal certainty, equal applicability, and accountability – the key components of the rule of law. Accordingly, constitutional assistance is a cornerstone of UNDP’s development support. UNDP works with Member States and other actors to draft or revise meaningful constitutions, as well as to make decisions to enact constitutional provisions, at times well after a constitution is formally adopted. UNDP enhances and promotes good governance, just and peaceful societies, and the rule of law within the framework of the 2030 Agenda for Sustainable Development.

### What we do

- Provide strategic and technical support to national partners in the design and execution of constitutional reform processes.
- Promote inclusivity, broad participation, transparency and national ownership in constitution-making processes.
- Offer constitutional design options based on comparative international practice and international norms and standards, including equal access to rights for women and vulnerable groups.
- Contribute to strategies for resolving contentious or divisive issues.
- Support civil society actors in their role to mobilize public engagement and monitor and report on the constitutional reform process.
- Strengthen the capacity of constitutionally mandated bodies (executives, parliaments, courts, administrative bodies, etc.) that are central to the implementation of constitutional arrangements and fundamental rights.
- Support stakeholders to develop and enforce laws that enact constitutional arrangements, and enable constitutionally mandated bodies tasked with constitutional implementation.

### Challenges we face

- Situations of conflict, crisis and violence impeding meaningful constitutional negotiation and implementation.
- Weak, non-democratic and non-transparent institutions and actors leading constitutional processes.
- Shrinking space for civic engagement and public dialogue.
- Capture of constitutional processes by one or more dominant parties to the exclusion of minority voices.
- Less opportunity for participation of women and youth in constitutional processes.

### Our policy framework

- The [Sustainable Development Goals](#)
- [UNDP Strategic Plan \(2022-2025\)](#)
- The Sustaining Peace Resolutions of 2016 (A/RES/70/262 and S/RES/ 2282)
- Guidance Note of the Secretary-General on United Nations Constitutional Assistance (2020)

- UNDP [Guidance Note on Constitution-Making Support](#) (2016)
- [Global Good Practices in Advancing Gender Equality and Women's Empowerment in Constitutions](#) (2017)
- Guidance Note: Putting Human Rights in Constitutions (forthcoming in 2022)

## Our partnerships

- UNDP partners with agencies, departments and programmes throughout the UN system in the delivery of constitutional assistance. Key partners in this area include DPPA, DPO, UN Women, OHCHR, and UNHCR. UNDP co-leads with DPPA a UN working group on constitutional assistance. UNDP also works closely with other international organizations that provide constitutional assistance, such as the International Institute for Democracy and Electoral Assistance (International IDEA).

## Country examples

- In Chile, as a result of UNDP's support to the national authorities and a nationwide civic education campaign with a particular focus on women, electoral participation increased by more than half a million votes in comparison to the previous elections. The turnout for the constitutional plebiscite in October 2020 was the largest since Chile adopted voluntary voting in 2012.

After the plebiscite, UNDP and UN Women continue to support gender mainstreaming in constitution making, including through civil society groups. OHCHR and UNDP have partnered to promote indigenous peoples' rights and inclusion in this process.

- In The Gambia, UNDP supported the Constitutional Review Committee (CRC), National Assembly members, civil society and other stakeholders in their respective roles in the post-Jammeh constitutional reform process. The support included capacity building, expert advice in formulating drafts constitutional provisions and a nationwide civic education campaign to inform the public on the draft constitution and referendum process. In 2021, UNDP supported mediation efforts to help resolve remaining contentious issues since the draft failed to pass in the National Assembly in 2020.
- In Somalia, UNDP has been supporting the process of negotiating and adopting a constitution to review the Provisional Constitution adopted in 2012. UNDP's programme, with a budget of approximately \$12,5 million from 2018-2021, includes support to key Somali stakeholders to resolve remaining contentious issues and finalize the draft; public outreach, including civic education and public participation and support for national dialogue and consensus-building forums and national validation exercises.

### About the Global Programme

The Global Programme uniquely combines rule of law, justice, security, and human rights within an overarching umbrella framework, focused on preventing and responding to crisis, conflict and fragility through quality programming, knowledge brokerage and thought leadership, and policy support. The Global Programme's Phase IV commenced in 2022 and is guided by and aligned to the UNDP Strategic Plan for 2022-2025. The programme promotes people-centred and human rights-based approaches to addressing the drivers and symptoms of inequality, exclusion, injustice and insecurity, and accelerating progress towards the 2030 Agenda for Sustainable Development.

#### To learn more:

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