



### ISSUE 3 | DECEMBER 2015

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## INTRODUCTION

The Criminal Law and Judicial Advisory Service (CLJAS) supports United Nations field operations to implement their rule of law, justice and corrections mandates. There are currently over 200 Judicial Affairs Officers and over 300 Corrections Officers (including approximately 250 (Government Provided Personnel) authorized for eight DPKO-led operations.

Upon request, CLJAS also provides support to four special political missions led by the Department of Political Affairs. Justice and corrections components bring specialist expertise to advance the political objectives of peace operations, improve security, protect civilians and lay the foundations for institutional strengthening.

They do this in various ways, including supporting the investigation and prosecution of serious crimes to reduce impunity and foster confidence in State institutions; supporting secure and humane detention conditions and working to reduce arbitrary and prolonged detention; and bolstering the basic functioning of the penal chain to restore law and order.

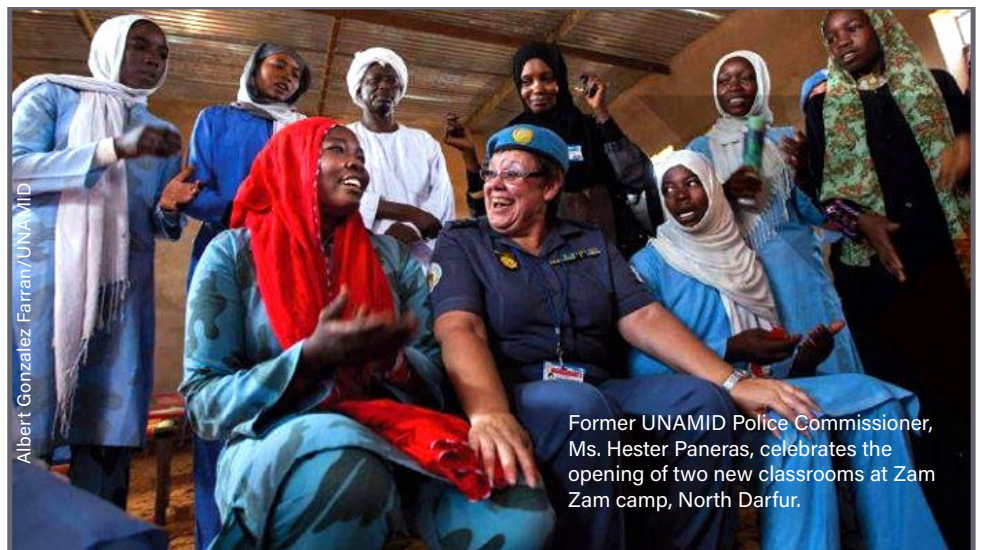
Justice and corrections components in missions, supported by CLJAS, continue to strengthen their partnerships with United Nations entities, Member States and regional organizations, and to identify new ways of collaborating. Deepening engagement with other rule of law partners is central for better delivery of the mandates entrusted to us by the Security Council.

## Security Council Resolution 1325 in Action: Women Global Focal Point Leaders in Darfur

Fifteen years ago, United Nations Security Council resolution 1325 (2000) called for greater participation of women in the resolution of conflicts, peace negotiations, peacebuilding, peacekeeping, humanitarian response and post-conflict reconstruction.

In 2015, an unprecedented number of United Nations field-based leadership positions in the police, justice and corrections areas are filled by women in Darfur.

*(Continues on page 2)*



Albert Gonzalez/Farran/UNA/VID

Former UNAMID Police Commissioner, Ms. Hester Paneras, celebrates the opening of two new classrooms at Zam Zam camp, North Darfur.

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Francoise Simard heads the Rule of Law



Ms. Francoise Simard  
Chief of the Rule of Law  
Section of UNAMID

Section of the **United Nations-African Union Mission in Darfur (UNAMID)** with Mary Okumu overseeing UNAMID's corrections arm; Isha Dyfan heads UNAMID's Human Rights Section;

Hester Paneras served as UNAMID's Police Commissioner from June 2013 to June 2015; and Surayo Buzurukova leads UNDP Sudan's Governance and Rule of

Law Unit. This strong female representation is especially noteworthy in light of the recognition by the High-level Independent Panel on Peace Operations that gender parity among field personnel

continues to be a challenge, and the Secretary-General's declared commitment to improving the representation of women in senior leadership positions.

In Surayo Buzurukova's view, "equality for women cannot be achieved without women assuming leadership roles". Buzurukova works within the Global Focal Point (GFP) arrangement, which brings together United Nations partners to coordinate their interventions in the areas of police, justice and corrections and ultimately to more effectively serve national counterparts. Isha Dyfan considers that the "GFP vision will help us to bring [justice reform] to the fore with senior management at all levels, both within the UN Country Team and the Mission." In her view, "[a] broken justice sector is the root cause of a conflict and its reform is fundamental for

recovery, reconciliation and transition into development".

All five women find working in the field challenging. Duty stations such as Darfur are physically and psychologically draining, for both men and women. However, Buzurukova notes that women face additional burdens: "For a mother, wife and a daughter, the sacrifice involved in working in the field is immense". Field work is difficult to combine with a partner's career or family care; opportunity costs can be high; job security is low; and, on returning, career prospects back home might have suffered. Yet despite the challenges of life in the field,

all five women stress the immeasurable rewards they have derived from working for the United Nations in the rule of law area. As Dyfan says, "[t]he mentoring I give to young women today, the impact my work has, it

all gives me a pleasure that no amount of money could ever buy."

**"Equality for women cannot be achieved without women assuming leadership roles."**



Ms. Mary Okumu  
Senior Corrections Officer of UNAMID

*This feature is an abridged version of the article "Putting UN Security Council Resolution 1325 (2000) in Action: Female Global Focal Point Leaders in Darfur". For the full article, <http://bit.ly/1Mrmcrp>*

## Strengthening the **criminal justice chain** in **Mali**

Since the signing of the Peace Accord in June, the work of the Justice and Corrections Section (JCS) in the **United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA)** has, among other things, centred on enabling authorities to strengthen and consolidate the rule of law across Mali.

In addition to deployment support for key judicial and prison officials to the north, the JCS is focusing on critical capacity building needed for the effective delivery of justice.

From August to September, with the support of the Netherlands and the United States, the JCS worked with local authorities to establish coordination forums for criminal justice actors in the regions of Timbuktu, Gao and Mopti (CCCPs).

These forums enable key judicial actors (including court clerks, police, prosecutors, investigating judges, presiding judges and prison



Coordination Forum of Criminal Justice Actors, Gao

authorities) to identify and address blockages in the processing of specific case files as well as to consider more systemic issues and institutional needs.

Since their establishment, the CCCPs have been convened regularly in the regions to discuss local needs, operational issues and logistic challenges.

The regional forums take inspiration from the good cooperation established during weekly meetings in Bamako that were initiated by JCS in January 2014.

Presided over by a representative of the Ministry of Justice, interlocutors from the National Directorate of Judicial Affairs, the National Directorate of Penitentiary Administration, the Statistics and Planning Cell of the Justice Sector, the National Institute for Judicial Training and the Judicial Inspection Service participate together with representatives from the international diplomatic community, the JCS and other partners.

The United Nations Support Mission in Libya (UNSMIL) recently organized two high-level meetings in Tunisia – the Libyan Experts Development Cooperation Forum on 11-12 October and a meeting of directors of Libyan Rehabilitation and Corrections Institutions on 10-11 November. The UNSMIL Rule of Law Unit (RoL Unit) played a key role during both events.

The Forum gave leading Libyan academics, experts and business leaders an opportunity to debate Libya’s socio-economic problems, development agenda and ways to contribute to post-conflict institution building. During sessions on “models of security system reform and judiciary systems” and “social reconciliation and transitional justice”, the RoL Unit led discussions on restoring the Libyan criminal justice system, centred on respect for the rule of law and human rights standards. The RoL Unit is also working closely with members of the Constitution Drafting Assembly, to review and advise on provisions in the draft constitution concerning the justice system.

The November meeting, which was convened by the RoL Unit, brought together 11 prison managers from different parts of Libya, including the manager of the country’s only women’s prison. Participants discussed international standards of prison management, current challenges facing prisons in Libya, the role of prison managers and the need for a code of ethics. Ongoing human rights violations inside Libyan prisons were also addressed, with attendees agreeing on the need to prevent abuses and to ensure respect for international human rights norms. The Libyan prison managers in attendance unanimously approved a new, modernized code of ethics and conduct.

Despite the challenges of the ongoing conflict, the RoL Unit will continue to work closely with national counterparts throughout Libya on rule of law issues, and to encourage their coordination and collaboration. This assistance is expected to facilitate the work of a future Government of National Accord.

## Promoting the Rule of Law in Libya



UNSMIL Judicial Affairs Officer, Mr. Hassan Rezaei (first from left), at the Forum of Libyan Experts.

# CLJAS Lessons Learned Study on Combatting Impunity in DRC MONUSCO Prosecution Support Cell Programme

In response to the prevailing culture of impunity in the eastern part of the Democratic Republic of the Congo, the Prosecution Support Cell (PSC) Programme was established by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) pursuant to Security Council resolution 1925 (2010) to support and facilitate the work of the Congolese military justice system.

The PSC Programme provides technical advice and logistical support for the investigation and prosecution of war crimes, crimes against humanity (including crimes of sexual violence) and other serious human rights violations. In March/April 2015, CLJAS (including a member of the Justice and Corrections Standing Capacity (JCSC)) worked closely with MONUSCO to undertake a lessons learned study of the programme, not only to help consolidate and strengthen delivery but also to inform the establishment of similar programmes in other peace operations. The Team's report was finalized in June. Operating under the overall management of the Justice and Corrections Section (JCS) of MONUSCO, the core of the programme is the cadre of 30 Government Provided Personnel (GPP) – international military and civilian justice investigation and prosecutorial experts – located in seven PSCs in four provinces.

These have been supplemented by UNDP consultants, co-located and integrated within MONUSCO in line with the Global Focal Point (GFP) arrangement, consultants provided by the governments of Canada, the USA and the UK and the Team of Experts for Rule of Law and Sexual Violence in Conflict. The support provided through the PSC Programme has been a joint effort incorporating assistance from donors, the Peacebuilding Fund and, since 2013, a joint MONUSCO/UNDP project funded by the European Union. It has also involved close coordination with other partners, in particular MONUSCO's Human Rights and Child Protection sections and NGOs, incorporating technical and logistical support for investigations, mobile hearings and trials, victim and witness support and assistance, the provision of legal aid for the accused and training.

This has been an innovative programme resulting in a notable increase in the numbers of investigations, arrests and trials conducted in remote and insecure areas of Eastern DRC where atrocities have been committed and where courts barely function or exist. Key officers of the national armed forces and leaders of armed groups have been prosecuted, tried and convicted for serious crimes. Despite significant achievements, CLJAS identified areas where the Programme could be improved. It highlighted

some of the outstanding procedural challenges, including obstacles to investigating and prosecuting the highest ranking officers. CLJAS also recommended areas where day-to-day management could be improved to help strengthen the quality of the technical support, advice and feedback provided to national counterparts. The challenges involved in deploying the appropriate expertise were also identified. The GFP process is generally a useful mechanism for deploying experts to form the core of the PSC Programme.

The GFP predominantly come from countries in the region and are often not only familiar with the cultural background and speak local languages, they also serve in similar functions in their government services investigating and prosecuting serious crimes. However, the process has faced challenges in filling GFP vacancies. The support of Member States therefore remains critical to the success of such programmes.

Although every context is different and there is no one-size-fits-all model, valuable lessons have emerged from the PSC Programme in DRC. These should help international policymakers, donors, and other key stakeholders to best utilize international personnel and other resources dedicated to similar efforts to combat impunity in other conflict and post-conflict settings.



From left to right - Mr. Gracia Joseph S. Maxi (UNDP), Mr. Stéphane Jean (DPKO), Mr. Jules Cantave (Chief Justice of Haiti) and Mr. Matar Diop (MINUSTAH)

## Joint Rule of Law Initiatives in Haiti

Supporting the Haitian authorities to uphold the rule of law remains a core function of the [United Nations Stabilization Mission in Haiti \(MINUSTAH\)](#), even as the Mission foresees a progressive transition of its functions to national authorities and other partners.

Significant progress has been made in the past five years – there has been a marked decrease in violent crimes; a new draft criminal code and criminal procedure code have been prepared; and the Superior Council of the Judiciary (an important accountability mechanism for magistrates) has been operationalized.

Yet despite these achievements, important challenges concerning judicial independence and performance remain. More than 73% of detainees are held in pre-trial detention and, according to a 2013 Gallup survey, only 19% of Haitians surveyed expressed confidence in their justice system. Prison conditions are also poor, with marked overcrowding and poor sanitary conditions.

In this context, and at the request of MINUSTAH and the United Nations Country Team (UNCT), CLJAS participated in a Global Focal Point (GFP) mission to Haiti in October. The primary objectives of the mission were to prepare a strategic vision document, an interim rule of law programme and proposed

organizational arrangements. The GFP team met senior representatives of the United Nations, national authorities, bilateral partners and members of civil society organizations. Based on the strategic vision document and the interim rule of law programme, in the coming months MINUSTAH and the UNCT will jointly focus on supporting:

- (i) the Superior Council of the Judiciary and other accountability mechanisms;
- (ii) the development of a new Haitian justice strategy;
- (iii) regional efforts to reduce pre-trial detention;
- (iv) the adoption and implementation of the new criminal code and criminal procedure code;
- (v) immediate measures to address the health and well-being of detainees; and
- (vi) efforts to build the capacities of the Haitian National Police.

Importantly, political advocacy will be key to promoting the development of rule of law institutions as part of nationally-owned processes by the newly elected authorities of Haiti.

# Justice and Corrections Standing Capacity

The Justice and Corrections Standing Capacity (JCSC), a part of CLJAS, continues to assist United Nations peace operations. A JCSC Corrections Officer was deployed to the United Nations Mission in the Republic of South Sudan (UNMISS) in May. The Corrections Officer supported the oversight, assessment and management of holding facilities located within UNMISS Protection of Civilians sites, and drafted policies and guidelines on the operational management of those facilities.

In October, the JCSC Team Leader re-deployed to the United Nations–African Union Mission in Darfur (UNAMID), having concluded his previous mission in July, where he has helped to put in place a coordination mechanism that will oversee the drafting and implementation of a joint United Nations rule of law programme.

He continues to assist UNAMID's Rule of Law Section with the transition of its rule of law portfolio, pursuant to [Security Council resolution 2228 \(2015\)](#), through the drafting of a Rule of Law Transition Plan. In August, a JCSC Judicial Affairs Officer concluded his deployment to the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA). While in the Central African Republic, he assisted the Justice and Corrections Section in its efforts to support the establishment of the national Special Criminal Court and the implementation of the Mission's Urgent Temporary Measures mandate.

*For more information on JCSC support and requests for assistance, please contact Mr. Carsten Weber, JCSC Team Leader ([weberc@un.org](mailto:weberc@un.org); + 39 831 05 6305).*

## WHAT IS THE JCSC?

The JCSC is based at the United Nations Global Service Centre in Brindisi, Italy.

**It has three core functions:**

- i. **starting up justice and corrections components in peacekeeping operations;**
- ii. **reinforcing existing United Nations field operations in the areas of justice and corrections by providing time-limited and targeted support; and**
- iii. **when appropriate, conducting needs assessments or reviews of justice and corrections components.**



Photo: UNAMID / T. Abass

From left to right. Mr. Ahmed Mahmoud (UNAMID Judicial Affairs Officer), Mr. Carsten Weber (JCSC Team Leader) Mr. Musa Giberil (former Acting Prosecutor for West Darfur), Mr. Lucky Sombi (UNAMID Corrections Officer).



Photo: FPU officer

Ms. Anna Sif Olafsson (JCSC Corrections Officer) with Nepalese Formed Police Units (FPU) outside an UNMISS holding facility in Juba.



Opening ceremony of the twelfth DPKO Rule of Law Training Programme for Judicial Affairs Officers in United Nations Peacekeeping Operations, Musanze, Rwanda

## Rule of Law Training for Judicial Affairs Officers

CLJAS, the German Centre for International Peace Operations (ZIF) and the Rwandan Peace Academy (RPA) delivered the twelfth DPKO Rule of Law Training Programme for Judicial Affairs Officers in United Nations Peacekeeping Operations in October in Musanze, Rwanda. DPKO has conducted this training bi-annually since 2010. Twenty six participants (14 women and 12 men) attended the

course - the first training that included more female than male trainees. Participants included national and international rule of law professionals from peacekeeping and special political missions, prosecutors from the Rwandan Ministry of Justice and representatives of the European Union, RPA and ACCORD (South Africa). The training was widely covered in the Rwandan media, including on television and radio.

## Corrections in Peacekeeping

Corrections in peacekeeping took centre stage on three occasions during the 70<sup>th</sup> session of the General Assembly.

On 7 October, UNODC and the Permanent Mission of South Africa hosted the **"High Level Presentation of the Nelson Mandela Rules"**, celebrating the revision of the [1957 Standard Minimum Rules for the Treatment of Prisoners](#). The [Mandela Rules](#) adapt a number of provisions to 21<sup>st</sup> century standards and needs, including with respect to prisoners' dignity, medical services and access to legal representation. H.E. Mr. Mogens Lykketoft, President of the General Assembly, urged Member States to translate the Rules into reality and highlighted their implementation as a crucial step to achieve the Sustainable Development Goals. Assistant Secretary-General (ASG) for Rule of Law and Security Institutions, Mr. Dmitry Titov,

highlighted that progress at one end of the justice chain is often undermined by delays or failures at the other. As a way forward, ASG Titov stressed the need to look beyond traditional approaches and tackle new frontiers, particularly in the areas of alternatives to incarceration and the prevention of violent extremism in prisons.

On 20 October, the topic **"Reducing the imprisonment of women"** was debated at a GA side event hosted by the Permanent Mission of Thailand and Penal Reform International. CLJAS Chief Ms. Ilene Cohn highlighted the benefits of alternatives to imprisonment for women and strategies to achieve this goal with experts from United Nations agencies and civil society. The panel emphasized the need to improve women's access to legal aid and to revise discriminatory laws to reduce women's incarceration.

On 22 October, the **"role of corrections components in promoting gender equality in peacekeeping operations"** was highlighted during an event hosted by the Permanent Mission of the Netherlands and the DPKO Gender Unit. The panel discussion explored progress towards the implementation of the Women, Peace and Security agenda and [Security Council resolution 1325 \(2000\)](#). ASG Titov emphasized progress achieved in the Rule of Law area, including the increase of female corrections officers to 27% - the highest percentage of uniformed personnel across the United Nations. CLJAS Corrections Coordinator, Ms. Lipi Chowdhury, highlighted how justice and corrections components incorporate gender perspectives into their work, while sharing the particular challenges in mainstreaming gender in the justice and corrections areas in post-conflict societies.



Photo: Swedish Prison and Probation Service



Photo: Swedish Prison and Probation Service

## CORRECTIONS OFFICERS PRE-DEPLOYMENT TRAINING PROGRAMME

CLJAS, in partnership with the Swedish Prison and Probation Service, delivered the Pre-deployment Training Programme for Corrections Officers from 7-18 September in Stockholm, Sweden. Nineteen participants - representing

Burkina Faso, Benin, Fiji, Ghana, Kenya, Denmark, Finland, Norway and Sweden - attended. The training, which included virtual reality and simulation exercises, sought to prepare corrections Government Provided Personnel

for deployment to peace operations and to facilitate the modification of training materials (to include updated trends in corrections in post-conflict settings). The training also commemorated the 10<sup>th</sup> anniversary of the programme.

## Launch of the Prison Support Policy

On 1 September, the Policy on Prison Support in United Nations Peace Operations was approved by the Under-Secretaries-General for DPKO and the Department of Field Support. Developed by CLJAS in consultation with colleagues in the field, this policy

is based on lessons learned from supporting weak and under-resourced prison systems in a wide variety of post-conflict settings. The Policy defines the core principles and key areas of focus underscoring the activities of prison components in United Nations peace operations. It outlines the purpose, roles and scope of activities of prison components, basic management and support arrangements, and institutional relations with key partners.

work of Mission corrections components. CLJAS advises these components on strategic, operational and administrative matters, engages with stakeholders to marshal political support and mobilize resources, and ensures that key United Nations documents (including Security Council resolutions and reports of the Secretary-General) reflect the work and needs in the field. The Justice and Corrections Standing Capacity is also able to rapidly deploy its expertise to support prison components, particularly during mission start up and critical phases.

The Policy reflects a growing understanding that early support for police, justice and prison systems, through restoring law and order, plays a key role in the consolidation of peace in countries affected by conflict. Functional corrections systems are also a prerequisite to efforts to tackle "new" global threats such as violent extremism. As peace operations are of a limited duration, the primary goal is the improvement of the provision of basic prison services, addressing critical gaps in prison systems to ensure they are functional, safe, secure and humane.

Finally the Policy highlights the importance of corrections components and CLJAS cultivating strong relationships with national and international partners and other United Nations entities, notably through the Global Focal Point arrangement. Such collaboration is essential to enhance support for corrections activities, strengthen coherence and avoid duplication of efforts.

The Policy also outlines the important role played by CLJAS in supporting the

The Policy is available here:

<http://bit.ly/1RyFQZj>



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FOR MORE INFORMATION SEE:

<http://www.un.org/en/peacekeeping/issues/ruleoflaw>

Please feel free to contact us at: [dpko-cljas@un.org](mailto:dpko-cljas@un.org)



