

The Handling of Detention by United Nations Peacekeeping Operations

- **Brief description of the project**

- Objective of the project

Following the promulgation of a new Standard Operation Procedure (SOP) on the Handling of Detention by UN Peacekeeping Operations and Special Political Missions effective 1 January 2021, the objective of this project is to support peacekeeping operations with the complex task of updating its procedures for the handling, questioning, search, transfer, handover and release of persons detained by field missions, in circumstances where the use of force, including detention, is authorized by the mission's mandate and set out in the mission's rules of engagement and directives on the use of force.

This project is being presented by the DPO Justice and Corrections Service (JCS), as the chair and on behalf of the Working Group on the Handling of Detention, which is also composed of the Office of Military Affairs, the Police Division and DPET within DPO, as well as DPPA, OHCHR, OLA, and UNDSS.

- Why is the project required?

Together with its annexes, the SOP sets out new standards and procedures to ensure that persons temporarily detained by United Nations personnel in missions are handled in a manner consistent with applicable international norms and standards.

The implementation and effectiveness of this SOP is supported, monitored, and reviewed by "an implementation, support and oversight body at Headquarters composed of all departments and offices involved in matters of detention". Missions are required to report on an annual basis on SOP implementation for consideration at the Under-Secretary-General level.

Based on the level of reporting in 2022 after the first year of implementation, it has become evident to the Working Group at Headquarters that peacekeeping operations will require additional dedicated support to align mission-specific procedures for the handling, questioning, search, transfer, handover and release of persons detained by field missions and adequately report on these issues.

- What is the expected impact of the project?

It aims to ensure that in situations where an apprehended individual is placed under the effective control of the peacekeeping operation, United Nations personnel does not subject anyone to arbitrary or unlawful detention and that all persons temporarily deprived of their liberty are treated in a humane manner and with respect for the inherent dignity of the human person. The expected impact is that concerned peacekeeping operations are able to implement all aspects of this SOP, including the safety and well-being of persons detained by the mission.

- **Expected outcomes, outputs and proposed activities**

Outcomes	Outputs	Proposed Activities
MINUSMA, MINUSCA, MONUSCO, UNMISS, and UNISFA adequately implement	Mission- specific SOPs are updated and aligned	A combination of in-person and remote support is provided to individual missions throughout 2023 to support the establishment of procedures

and report on all aspects of the SOP	<p>Responsible mission components are aware and engaged in the handling of detention process</p> <p>TCCs and PCCs are trained on new procedures</p> <p>Reporting structures are in place</p>	and standards set forth in the SOP on Handling of Detention
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- **Implementation timeline**

The project is expected to be implemented throughout 2023, to allow for the compilation of an annual report by December 2023, in accordance with paragraph 68 of the SOP on Handling of Detention, which requires that the Working Group on Handling of Detention “submit an annual report to the Under-Secretaries-General for Peace Operations, Political and Peacebuilding Affairs and Operational Support, providing an overview on detention by field missions and updating them on progress in implementing this SOP, and any problems or gaps arising in the course of their implementation, with recommendations for addressing them”.

- **Explain how the project will further the implementation of the A4P+ priorities.**

As part of A4P+ **Priority 5: Accountability of Peacekeepers**, this project will contribute to **Result 5.2.: Increased accountability to the populations served** and, more specifically, **Deliverable 5.2.1.** which aims to “strengthen integrated measures and capabilities to identify and mitigate harm to civilians, considering the risk assessment on the ground, including by tracking, preventing, minimizing and addressing civilian harm resulting from the mission’s mandated activities, including military or police operations that are conducted jointly with, or in support of, non-United Nations security forces”.

Under this deliverable and on behalf of the Working Group on Handling of Detention, JCS will continue to lead the implementation and monitoring of the SOP on the Handling of Detention, promulgated in 2021, to ensure that persons that are temporarily detained by the United Nations personnel in peacekeeping operations are handled in a safe, secure and humane fashion and in a manner consistent with consistent with applicable international norms and standards.

- **How have gender aspects been included in the design and implementation of the project? How does it help the Department implement its women, peace and security and gender parity commitments?**

The two annexes to the SOP Handling of Detention, which relate respectively to *Material conditions, treatment of and access to detained persons in designated United Nations places of detention* and to *Special Considerations for Children in Relation to the Standard Operating Procedures on the Handling of Detention in United Nations Peacekeeping Operations and Special Political Missions* set out gender-specific needs, requirements and considerations for the treatment of detainees.

- **Brief explanation of any risks that the implementation of the project may face and how to mitigate them.**

The deprivation of liberty, if mishandled, can raise serious human rights concerns and present a significant risk to the credibility of the Organization. This project aims to mitigate these risks by supporting the accelerated implementation of the SOP on Handling of Detention.

- **Proposed budget**

Item	Brief Description	Total Amount
Mission-specific procedures are implemented in a total of 5 UN Peacekeeping Operations	Combination of remote and in-person support by relevant members of the HQ Working Group on the Handling of Detention, including the deployment of 2 staff members for a minimum period of 1 week to each mission setting, to provide in-house assistance to align procedures and assign roles and responsibilities to various mission entities involved in the handling of detention	\$100,000
Programme Support Costs (13%)		\$13,000
	Total:	\$113,000