

Enhancing the Capacity of Peace Operations in Support of Criminal Accountability for Serious Crimes

(a) Brief description of the project

The United Nations Security Council has increasingly mandated peace operations to assist host authorities to develop national capacities to investigate and prosecute international and other serious crimes, including conflict-related sexual violence and other crimes that fuel conflict, such as terrorism and transnational organized crime. By combatting impunity, weakening criminal networks, holding security forces accountable and deterring the reoccurrence of violence, addressing serious crimes that fuel conflict has proven an effective protection and prevention tool. In addition, through transitional justice processes, they enable national authorities to negotiate more comprehensive and victim-centered political agreements, thereby advancing lasting political solutions and strengthening the impact of operations on sustaining peace and key priorities of the Action for Peacekeeping agenda. This work also advances the goals of Sustainable Development Goal 16 by promoting responsive and accountable rule of law institutions that provide access to justice for all and legal remedies for victims of violence including women and children.

Currently, five United Nations peace operations, in cooperation with partners, are mandated to support national accountability processes for serious crimes, including in the Democratic Republic of Congo, the Central African Republic, Mali, Darfur and South Sudan. The investigation and prosecution of serious crimes requires dedicated and specialized national capacity throughout the criminal justice process. The absence of such capacity entails major risks, including disappearance or intimidation of victims and witnesses, disappearance of evidence, delayed proceedings, unlawful detention, other grave human rights violations, and ultimately a loss of trust in the legitimacy of the state and the peace process.

Notwithstanding important progress, peace operations continue to face key obstacles in providing this support, including the timely and flexible deployment of specialized expertise in support of investigative techniques (also within the prison system); prioritization and management of complicated cases; prosecutorial strategies; provision of mutual legal assistance; forensics and preservation of evidence; witness support and protection, including within the corrections system; court management and administration; and planning and management of programmes in support of accountability mechanisms. Rule of law personnel in the field or Headquarters cannot be expected to meet requests for support that require a high degree of specialization in the above areas. While some of this support is provided by the Justice and Corrections Standing Capacity (JCSC)¹, at its current capacity JCSC is unable to effectively respond to increased demand in mission and non-mission settings.

In response to these challenges, the Justice and Corrections Service (JCS) has launched an initiative to enhance the operational and strategic capacity of peace operations to meet the increasing demands covering the full spectrum of support on criminal accountability from investigations to detention. JCS proposes that this initiative be funded through the establishment of an HQ administered funding pool to cover the following three elements:

- 1) **deployment of short-term experts** to fill gaps in specialized areas of support who would deploy mainly through existing modalities, such as cross-mission TDYs and consultancies.
- 2) **deployment of project-based specialized teams of government-provided personnel (GPP)** through one pilot project to be developed in consultation with national authorities and UN partners. The Specialized Teams would deploy against clearly defined and time-bound deliverables and would manage seed funding to plan and launch the project. It is anticipated that this element will help generate difficult to find GPP profiles, attract new contributing countries, and facilitate the evidence-based evaluation of GPP impact in mandated areas.
- 3) **a survey of practice on the support provided by peace operations to national criminal accountability** mechanisms, with the aim of strengthening policy and operational support in this area and enhancing impact on conflict prevention and peace sustainment.

(b) Expected Outcomes, Outputs and Proposed Activities

Outcomes	Outputs	Proposed Activities
	1. Provision of flexible, rapid and short-term specialized expertise	
Enhance the effectiveness of	Increased capacity of missions to provide technical and strategic support,	Activities would vary but may include: peer-to-peer mentoring and advising;

¹ JCSC is a rapid response team that deploys to support UN peace operations, is part of JCS and is based at the UN Global Service Centre in Brindisi, Italy.

peace operations in strengthening national capacity and mechanisms to investigate, prosecute, and ensure accountability for crimes fuelling conflicts, and in supporting humane and secure detention	including on investigation and prosecution strategies; assessments and proposals for mechanism(s) to address serious crimes, including planning and managing	development of strategic tools and policies; case management tools; victims and witness protection strategies, including in prisons; trainings and reporting
	2. Specialized GPP Teams:	
	Generation of specialized teams; enhanced performance in advancing mandated tasks on criminal accountability; collection of data on impact of GPP, enabling the development of an evidence-based narrative	Deployment of specialized teams to plan and implement projects developed with relevant partners, and based on existing mandates that advance criminal accountability
	3. Survey of Practice	
	Analysis of practices and initiatives on support to criminal accountability efforts; recommendations to improve policy and operations; tools to mitigate risks and challenges; and lessons learned	Design and implementation of survey, field visits to selected missions; comprehensive report with consolidated analysis; presentation of findings

(c) Implementation Timeline

If funding is secured, the project will be initiated in January 2020 and be implemented for a minimum period of two years.

(d) How does this project relate to internal and external United Nations partners?

In addition to enhancing the capacity of national authorities and peace missions, the proposed initiative will directly benefit partners within the Global Focal Point for the Rule of Law (including UNDP, UNHCR, OHCHR, and UN Women) and other interlocutors, including Member States.

(e) How have gender aspects been included in the design and implementation of the project? How does it help the Department to implement their Women, Peace and Security and Gender Parity commitments?

WPS elements will be incorporated in all elements of the project, including preventing and addressing conflict-related sexual violence and promoting responsive and accountable rule of law institutions that provide access to justice for all, including women and children. In addition, in line with the DPO Uniformed Personnel Gender Parity Strategy, specific outreach will be conducted to attract women candidates for the experts and specialized GPP teams.

(f) Brief explanation of any risks that the implementation of the project may face and how to mitigate them.

Inability to identify/secure specialized expertise for deployment. To mitigate this risk, JCS in consultation with Global Focal Point partners, is identifying key partners and expertise within and outside the United Nations system, which will include existing specialized capacities amongst international accountability mechanisms and many Member States. In addition, JCS will engage in targeted and strategic outreach to contributing countries. An additional risk is lack of national ownership and leadership which would be mitigated through early involvement of national counterparts in project development, co-location of experts with national counterparts, etc.

(g) Proposed Budget

Item	Brief Description	Total Amount
Pool of Funds for short-term deployments, GPP-specialized team projects and survey of practice.	Short term experts: Consultancy fees/travel/DSA	\$437,500
	Seed funding for Specialized GPP Team project	\$150,000
	Survey of Practice consultant/travel/DSA	\$59,000
	Subtotal	\$646,500
Programme Support Costs (13%)		\$84,045
		Total: \$730,545