

Enhancing Access to Justice through Support to Remote Court Hearings

(a) Brief description of the project

The aim of this project is to support national authorities in mission settings to conduct remote court hearings and other internet or phone-based judicial proceedings to enhance access to justice beyond the COVID-19 crisis. The spread of COVID-19 has rendered regular court proceedings nearly impossible, resulting in weakened criminal accountability for crimes - including serious crimes that fuel conflict - as well as prolonged pre-trial detention with its associated health risks due to overcrowded places of detention. The introduction of remote technology in response to COVID-19, however, presents an opportunity beyond the current crisis, for national courts in peace mission and other fragile settings to improve the administration of justice and deliver greater access to justice.

The use of remote technologies to conduct judicial proceedings can help enhance the delivery of justice in settings where conflict, weak infrastructure, absence of state institutions and/or extended distances makes participation in judicial proceedings difficult or impossible. Remote alternatives can reduce timelines for the processing of cases, consequential backlogs and the number of persons held in pre-trial detention. They can also facilitate the participation of individuals from marginalized and isolated populations, including women, who may otherwise be unable to travel to court, as well as high risk prisoners for whom transfer to court may represent a security concern.

In April 2020, OROLSI's Justice and Corrections Service (JCS) issued a paper to assist in the organization of such remote hearings in mission and other fragile settings during the COVID-19 crisis. JCS is currently partnering with the United Nations Institute for Training and Research (UNITAR) to develop preliminary operational and analytical guidance in support of the early introduction of videoconferencing for court proceedings and investigations. As remote hearings are commencing in a number of peace mission settings, the current proposal builds on lessons learned and develops a comprehensive operational toolbox on remote court hearings, thereby enhancing guidance and support in the aftermath of the crisis.

Supporting national authorities to implement innovative approaches such as remote alternatives to justice directly supports the A4P agenda to strengthen prevention efforts and promote political solutions through the more efficient prosecution of crimes that fuel conflict, including those committed in remote regions. This project will have a longer-term and sustainable impact by improving access to justice in contexts where insecurity, limited transport, logistical and other obstacles may continue to severely hamper the delivery of justice services. National capacities will be strengthened to enable the conduct of remote court hearings and investigations, with respect for international standards and rights, and peacekeeping operations will also be better equipped to support such initiatives. This, in turn, can ensure increased accountability for crimes that fuel conflict, as well as improved access to justice for some of the most vulnerable and isolated populations.

(b) Expected Outcomes, Outputs and Proposed Activities

Outcomes	Outputs	Proposed Activities
Introduction of remote court hearings or other judicial proceedings in at least 3 mission settings in accordance with international and fair trial standards	A comprehensive toolbox on remote court hearings is available online in multiple languages and is informed by best practices from mission or other relevant settings A training curriculum developed, and trainings delivered to national authorities and mission personnel	A lessons learning/collection of best practices exercise conducted in 2 - 3 mission or other relevant settings. A training curriculum developed for national authorities and mission personnel Training sessions delivered to national authorities and mission personnel

(c) Implementation Timeline

Activities will take place over the course of 2021:

- Collection of best practices and lessons learned in 2-3 settings – months 1 to 4
- Analysis and Incorporation of findings into comprehensive toolbox – months 5 to 6
- Development of training modules and delivery of training – months 6 to 8
- Delivery of trainings – months 9 to 12

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

This project will be carried out jointly with the **United Nations Institute for Training and Research (UNITAR)**, which is currently assisting with the initial research and preliminary guidance to address immediate COVID-19 related needs in relation to remote hearings and which will co-develop the final toolbox and training activities; UNITAR has been consulted on this project proposal. The project will further be implemented in close consultation with Global Focal Point for Rule of Law partners in the field and at HQ and will benefit multiple audiences, including DPO-DPPA in New York, United Nations peace operations, United Nations agencies, funds and programmes as well as national authorities.

(e) How 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?

Special attention will be given in the lessons learned study and the development of the training materials to the promotion of the participation of women in remote court hearings, thus enhancing their access to justice (which access is often hampered by cultural circumstances and/or security challenges), as well as the investigation of conflict related sexual violence through remote tools.

(f) Brief explanation of any risks that the implementation of the project may face and how to mitigate them, including with regards to the impact of COVID-19.

There is a risk that it may be hard to engage directly with national counterparts (and get their buy-in) as a result of limited travel to conduct the lessons learned study and trainings due to the COVID-19 crisis. This risk can be mitigated by relying on pre-existing personal contacts between national counterparts and colleagues working in the respective PKOs, as well as on blended forms of training.

(g) Proposed Budget

Item	Brief Description	Total Amount
Lessons Learned Study	Conduct of best practice and lessons learned study in 2 to 3 settings, including travel if feasible	17,000
Training Curriculum	Preparation of training materials based on lessons learned study	7,500
Training Sessions	Delivering of 2 training sessions (either remotely or in person) for 20 participants each, dedicated to national authorities and mission personnel, in English and French;	15,000
Translation of materials	Translation of developed materials in relevant languages for use by national counterparts	8,000
Conference services	Conference services for the organization of trainings	2,000
Programme Support Costs (13%)		6,435
Total		55,935