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Policy

Functions and Organization of the United Nations Justice and Corrections Standing Capacity (JCSC)

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Contact: *Justice and Corrections Service, OROLSI DPO*

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DPO and DOS POLICY ON THE FUNCTIONS AND ORGANIZATION OF THE UNITED NATIONS JUSTICE AND CORRECTIONS STANDING CAPACITY (JCSC)

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A. PURPOSE AND RATIONALE

1. This policy provides an updated conceptual and operational framework to ensure the effectiveness and coherence of the Justice and Corrections Standing Capacity (JCSC) and outlines its functions and organization. It supersedes previous 2013 policy.¹
2. Early re-establishment, strengthening and reform of justice and corrections systems play a key role in the restoration and consolidation of peace. Upon the recommendation of the Secretary-General to “build on the successful experience with the Standing Police Capacity (SPC) to ensure, from the outset, a holistic and coordinated approach to strengthening rule of law”, the General Assembly, in 2010, authorized the establishment of the JCSC to complement and operate alongside the SPC. Moreover, the Report of the High-Level Independent Panel on Peace Operations underlined the need for increased rapid response capacity and rapidly deployable personnel especially for new missions.
3. Since its establishment, the JCSC has provided timely support to several field missions as acknowledged by the Special Committee on Peacekeeping Operations, which noted the continued demand for JCSC assistance and recognized the need for strengthening its capacity. The support provided has encompassed a wide range of rule of law issues, including strengthening professional, accountable and legitimate rule of law institutions that provide space for political dialogue, creating a protective environment for civilians, extending State

¹ Policy on the Functions and Organization of the United Nations Justice and Corrections Standing Capacity (Ref. 2013.11), review date 31 December 2016.

authority, improving prison security and management, and ensuring accountability for serious crimes that can fuel conflict.

4. Over the past years, the work of the JCSC has evolved both strategically and thematically. The Security Council has increasingly mandated peace missions to provide rapid and effective support in the justice and corrections areas and defined areas of focus for rule of law mandated tasks, requiring specific expertise and on-the-ground and remote support by the JCSC. At the same time, in light of the need for more joined-up, whole-of-pillar and cross-pillar engagement, the Secretary-General underscored, in 2018, the role of the JCSC as part of the Office of Rule of Law and Security Institutions (OROLSI), in contributing to the implementation of the United Nations key priorities of preventing conflict and sustaining peace by continuing to serve as a system-wide service provider for mission and non-mission settings. The JCSC Policy has been revised to take into account these developments.
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B. SCOPE

5. This policy applies to all personnel in the Departments of Peace Operations (DPO), of Political and Peacebuilding Affairs (DPPA) and of Operational Support (DOS), in particular rule of law, justice and corrections components and other entities that request JCSC services.
 6. The policy should be widely disseminated among key partners including but not limited to partners in the Global Focal Point for the Rule of Law (GFP), namely OHCHR, UNDP, UNHCR, UNODC and UN Women,² and all components of United Nations field operations that work on rule of law issues.
 7. This policy complements and shall be applied in conjunction with relevant United Nations policy and guidance, including but not limited to the Policy on Justice Support in United Nations Peace Operations (2016); the Policy on Prison Support in United Nations Peace Operations (2015); the Policy of Integrated Assessment and Planning (2013); the Policy on United Nations Transitions in the Context of Mission Drawdown or Withdrawal (2013); the Decision of the Secretary-General on Rule of Law Arrangements (2012).
 8. This policy should also be read in conjunction with the Policy on the Functions and Organization of the Standing Police Capacity (2021); the Policy on the Protection of Civilians in Peacekeeping Operations (2019) and its Addendum on Accountability for Implementation of the Protection of Civilians Mandates (2018); the Human Rights Due Diligence Policy on UN Support to Non-UN Security Forces (2011); the OHCHR/DPKO/DPA/DFS Policy on Human Rights in United Nations Peace Operations and Political Missions (2011); the OHCHR/DPKO/DPA Policy Directive on Public Reporting by Human Rights Components of United Nations Peace Operations (2008); the Secretary-General's Decision No. 2005/24 on Human Rights in Integrated Missions (2005); and Security Council resolution 1325 (2000) and subsequent ones on Women, Peace and Security.³
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² Decision of the Secretary-General No. 2012/13 on Rule of Law Arrangements, 11 September 2012.

³ Security Council resolutions 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013), 2242 (2015) and 2467 (2019) on Women, Peace and Security.

C. POLICY

9. The JCSC is an integral part of the Justice and Corrections Service (JCS) within OROLSI of DPO.⁴ It operates as a tenant unit of the United Nations Global Service Centre/United Nations Logistics Base (UNGSC-UNLB) in Brindisi, Italy. Administrative and logistical support for the JCSC is provided by DOS through the UNGSC-UNLB.

C.1 Functions

10. The JCSC assists United Nations field missions and where appropriate, other field presences, in implementing their mandates as they relate to strengthening justice and corrections systems by:
 - 10.1. Providing the start-up capability for rule of law, justice and corrections components in peace operations and providing support for the planning and early implementation of transitions; and
 - 10.2. Reinforcing existing United Nations field missions and where appropriate, other United Nations field presences and entities, in the areas of rule of law, justice and corrections, by providing time-limited and targeted support through deployments to field missions and offices facing staffing shortages, surge requirements or requiring specific expertise.
11. When appropriate, the JCSC conducts needs assessments or reviews of rule of law, justice and corrections components or provides analysis of relevant rule of law issues to assist United Nations field missions and presences in determining risks and challenges in the implementation of their mandate priorities and analyzing their overall performance.
12. The JCSC should be part of advance teams establishing new missions. JCSC officers shall ensure that the efforts of those missions in the justice and corrections areas contribute from the outset to consolidating the peace process and laying the foundation for longer-term institution and capacity-building efforts.
13. In start-up situations, the JCSC contributes to the establishment of justice, corrections and other related components. This may include undertaking baseline assessments; developing concepts of operations, workplans and other planning documents; identifying expertise and skills required in the rule of law, justice and corrections areas; and assisting in the recruitment of personnel. The JCSC shall establish effective partnerships with key national counterparts and work together with other mission components to support the national rule of law planning process at the earliest stages.
14. The JCSC also works closely with other components of field missions as well as other United Nations and external partners to ensure from the outset an integrated and well-coordinated approach to rule of law assistance. JCSC officers shall assist in the establishment of an early coordination mechanism for international rule of law assistance providers in accordance with the mission mandate and as deemed appropriate by the mission leadership.
15. To ensure a seamless transition from the planning to the early implementation phase, JCSC

⁴ Secretary-General's Bulletin on the Organization of the Department of Peacekeeping Operations, ST/SGB/2010/1, paras 8.1 to 8.3 and 8.15 to 8.16, as modified by the Secretary-General Decision 2012/23 on Rule of Law arrangements of 11 September 2012.

officers, upon the decision of the Chief of JCS, participate in pre-mission assessment and planning processes. This would include the participation in DPO and DPPA-led assessment missions and integrated assessments and planning processes.

16. Similarly, JCSC officers engage in mission transition planning, both at the duty station and through onsite-deployments and bridge capacity gaps usually occurring in transition and drawdown settings.
17. Under the auspices of the GFP, the JCSC may also be requested to provide support and expertise to other United Nations partners, Agencies, Funds and Programmes, including but not limited to GFP partners. Support may be provided particularly but not limited to situations where the deployment is linked with the delivery of a peace operation's mandate, notably in the framework of a joint rule of law programme, and where it would contribute to conflict prevention and sustaining peace efforts by addressing critical rule of law issues.
18. When serving at their duty station in Brindisi, JCSC officers provide direct support to field operations and to relevant United Nations field presences where appropriate, including, but not limited to: participating in mission pre-planning processes; preparing for upcoming deployments; providing remote and follow-up support to United Nations field presences; reporting and de-briefing following deployments, including end-of-assignment reports; supporting recruitment processes for field operations; and establishing and nurturing partnerships with relevant United Nations and external actors. In addition, they attend to JCSC managerial and administrative functions; support the development of guidance and policy documents; contribute to lessons learned and best practices studies; participate in and organize internal capacity-building workshops to develop skillsets in specific areas; provide training on rule of law assistance for United Nations and government-provided personnel (GPP); and undertake other assignments as directed by the JCSC Team Leader or the Chief of JCS.
19. JCSC officers through their deployments gather practices and lessons learned, which are collated and systematically shared with JCS and field operations to inform strategic planning and follow-up activities by both Headquarters and other partners.

C.2 Composition and expertise

20. The JCSC comprises one Team Leader (P-5), two Judicial Affairs Officers (P-4/P-3), two Corrections Officers (P-4/P-3), a Rule of Law Officer (P-4)⁵ and one Administrative Assistant.
21. The capacity offers expertise in various substantive thematic areas, including prosecution of serious crimes, justice sector reform, corruption, prison reform, management and security, countering violent extremism, organized crime and judicial cooperation. It should also provide assistance with drafting policy and planning documents, transition planning, undertaking assessments and legal analysis, developing and managing programmes or projects and devising fundraising strategies. The capacity's composition shall reflect essential cultural and linguistic diversity and an appropriate gender balance.
22. The JCSC can only be effective if the skills and competencies of its officers are kept up to date on an ongoing basis on thematic areas that are important to field operations. The

⁵ Currently a General Temporary Assistance (GTA) post.

participation of JCSC officers in training activities shall be included in the JCSC annual workplan.

23. The JCSC is included within the budget of the UNGSC-UNLB where it is a tenant unit. Non-post resources required for the effective functioning of the JCSC, including for information technology equipment, travel and training funds and other items relevant to support its activities, are reflected in the budget of the UNGSC-UNLB. During its pre-deployment preparations, the JCSC shall coordinate with DOS through the UNGSC-UNLB on all support requirements.

C.3 Deployments

Purpose and duration of deployments

24. A JCSC deployment may consist of on-the-ground, follow-up or remote support or to United Nations field missions and presences, or by a combination of these modalities.
25. The JCSC officer shall deploy on the basis of agreed Terms of Reference (ToR).⁶ The ToR shall specify the objective(s) of the deployment and the specific deliverables. In the case of a rapid deployment immediately after the adoption of a Security Council resolution establishing a new field operation, the ToR shall be agreed with the Department administering the field operation. Subsequent changes to the ToR by the requesting mission or entity require consultation with and the express agreement of the JCSC Team Leader and the Chief of JCS.
26. The duration of JCSC deployments, whether on temporary duty (TDY) or assignment, shall be determined by the operational needs of the mission or entity, as decided by the mission leadership or head of the requesting entity in consultation with the Chief of JCS.
27. The JCSC is a field-oriented capacity which, subject to the receipt of requests from the field, should aim to ensure that its rate of deployment as a whole is sufficient to meet the demands for support from the field. Attention must be paid to ensuring that individual staff members maintain an appropriate balance between their professional and personal well-being. To that end, the deployment cycle of individual JCSC staff will be managed, including through the use of remote support and flexible working arrangements, to ensure sufficient time between field-based work, planning for upcoming deployments, updating their technical competence and expertise.

Prioritization of deployments

28. Priority shall be given to requests for support from DPO-administered field operations and for deployment to start-up missions and transitions. Other requests shall be considered according to the following criteria: a) the urgency of the request in terms of implementation of the requesting mission's mandate; b) its contribution to the implementation of the United Nations key priorities in terms of conflict prevention and sustaining peace; and c) the availability and respective expertise and experience of the JCSC officer(s) to be deployed.
29. In case of conflicting requests, the Chief of JCS, in consultation with the JCSC Team Leader,

⁶ See section D.4.4. on the process for initiating a deployment and approval process.

will make a recommendation for a final decision by the Assistant Secretary-General for Rule of Law and Security Institutions.

Funding and conditions for deployments

30. The JCSC shall operate at all times as a cost-effective support mechanism for field missions as well as for other United Nations field presences, where appropriate. When the JCSC is deployed, travel expenses, including the Daily Subsistence Allowance (DSA) and other entitlements applicable in the duty station,⁷ shall be borne by the requesting entity⁸, unless other agreed funding arrangements are in place.
31. United Nations field operations, in consultation with the Chief of JCS and the JCSC Team Leader, are encouraged to incorporate adequate funding for expected JCSC deployments into their annual budgetary planning and programme/project planning.
32. While on deployment, the JCSC shall rely for essential services, such as ground transportation, office space, communication, security and IT equipment, on the existing infrastructure of the requesting mission or entity.

Process for initiating a deployment

33. *Deployments to a peace mission:* A consultation process shall be carried out between the receiving mission leadership, the JCSC Team Leader and/or the Chief of JCS until agreement is reached on the ToR, in cooperation with the relevant DPPA/DPO single regional structure. In missions where justice components are part of a joint human rights and rule of law office, the Office of the High Commissioner for Human Rights (OHCHR) should also be consulted. The mission leadership then formally requests the JCSC support through code cable, including the agreed ToR. The Assistant Secretary-General for Rule of Law and Security Institutions authorizes the deployment of the JCSC to new and existing missions, upon the recommendation of the Chief of JCS.⁹
34. *Deployments to other United Nations field presences and entities:* A consultation process shall be carried out between the requesting United Nations entity and the JCSC Team Leader and/or the Chief of JCS to discuss and where appropriate, agree on ToR. The deployment shall be authorized by the JCSC Team Leader and the Chief of JCS, following a formal request/letter by the Head of the receiving entity, including the agreed ToR.
35. The JCSC Team Leader is responsible for recommending to the Chief of JCS the strength and configuration of teams to be deployed for specific mission tasks.

C.4 Relationships with other United Nations entities

Relationship with the Standing Police Capacity

36. The JCSC and the SPC shall retain separate reporting lines as per relevant policies and

⁷ Such as danger pay and benefits related to rest and recuperation, where applicable.

⁸ Funding sources may include programmatic funding from the assessed budget.

⁹ Report of the Secretary-General on the Budget for the United Nations Logistics Base at Brindisi, Italy, for the period from 1 July 2010 to 30 June 2011, A/64/698, 5 March 2010, para 66; General Assembly resolution A/RES/64/270.

guidelines. The JCSC shall coordinate and work closely with the SPC from the early stages of preparation for deployment, particularly for joint or parallel deployments. Where appropriate, the JCSC and the SPC shall undertake joint mission planning, devise joint deployment strategies to maximise the impact of rule of law assistance and deploy together. The JCSC and the SPC may respond jointly to a request directed to one of the capacities, if the other capacity has skills sets that are required to effectively respond to the request.

Relationships with other United Nations Organizational Units

37. The JCSC shall coordinate and work closely with other relevant DPO and DOS offices, particularly with the relevant DPPA/DPO single regional structures, as well as with relevant DPPA divisions, which serve as the primary focal point of integration and provide day-to-day support and overall political guidance to field missions, in order to ensure that the activities of the JCSC are fully aligned with the strategic objectives and priorities of the field missions.
38. The JCSC shall also ensure coordination with other United Nations entities and partners engaged on rule of law work including but not limited to GFP partners.
39. The JCSC shall maintain regular contact with other rapidly deployable mechanisms within the United Nations Secretariat¹⁰ with a view to enhance cooperation and coordination, particularly for the start-up phase of new field missions, and with other relevant partners where appropriate.

D. ROLES AND RESPONSIBILITIES

40. Reporting lines and related arrangements for the JCSC shall be as follows:
 - 40.1 Assistant Secretary-General for Rule of Law and Security Institutions: Approves JCSC deployments and deconflicts competing requests for deployment.
 - 40.2 Chief of JCS: Holds overall operational and supervisory responsibility over the JCSC and acts as the principal adviser to the Assistant Secretary-General for Rule of Law and Security Institutions and the Under-Secretary-General for Peacekeeping Operations on all JCSC-related matters.
 - 40.3 JCSC Team Leader: Provides leadership to and supervises JCSC personnel. When not deployed, as part of the JCS management team, s/he reports to the Chief of JCS. When deployed, s/he reports to the Deputy Special Representative of the Secretary-General (DSRSG) or Head of the rule of law, justice and/or corrections component, unless assuming this function.
41. When deployed to start-up or reinforce a peace operation administered by DPO or DPPA, JCSC officers report, within the reporting structure of the mission, to the Head of the rule of

¹⁰ These include the Standby Team of Mediation of DPPA; the Rapid Response Unit of the OHCHR; the Standing Mine Action Capacity (S-MAC) of DPO; the Team of Experts on Rule of Law/Sexual Violence in Conflict of DPO, OHCHR and UNDP and Justice Rapid Response.

law, justice and/or corrections component, unless otherwise agreed upon in their terms of reference. When deployed to start-up a justice and/or corrections component, JCSC officers may assume the functions and responsibilities of the head of component until this position is encumbered, and report, in accordance with mission reporting lines, to the Head of Mission or his/her designate.

42. When deployed to support United Nations field presences other than those administered by DPO and DPPA, JCSC officers shall report within the established reporting lines of the field presence and be guided by the relevant policies, strategic and operational directives of the relevant Department, Agency, Fund or Programme. This shall be outlined in the terms of reference for each deployment.
43. The Chief of JCS is the first reporting officer for the JCSC Team Leader and the second reporting officer for the other JCSC staff. However, when deployed to the field, the Head of the justice and/or corrections component of the receiving mission or the reporting officer during a deployment to United Nations field presence may assess, where appropriate, the performance of the JCSC staff member for the period of assignment as an additional supervisor.

E. REFERENCES

Normative or Superior References

- Report of the Secretary-General, Budget for the United Nations Logistics Base at Brindisi, Italy, for the period from 1 July 2019 to 30 June 2020, A/73/774, 27 February 2019.
- Report of the Secretary-General, Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations, A/74/736, 6 March 2020.
- Report 2019/063, Audit of the Justice and Corrections Standing Capacity in the Department of Peace Operations, 22 July 2019, Assignment No. 2019/063.
- Report of the Special Committee on Peacekeeping Operations and its Working Group, 2017 Substantive Session, A/71/19, 21 February to 17 March 2017.
- Decision of the Secretary-General No. 2012/13 on Rule of Law Arrangements, 11 September 2012.
- Secretary-General's Decision No. 2005/24 on Human Rights in Integrated Missions (2005).
- Human Rights Due Diligence Policy on Support to Non-United Nations Security Forces, 7 May 2011.
- General Assembly resolution 64/270, Financing of the United Nations Logistics Base at Brindisi, Italy, A/RES/64/270, 14 July 2010.
- Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013), 2242 (2015) and 2467 (2019) on Women, Peace and Security.

Related Policies

- Policy on the Functions and Organization of the Standing Police Capacity (SPC), 2021.07
- 2018 ADDENDUM to 2015.07 Policy on the Protection of Civilians, Accountability for Implementation of the Protection of Civilians Mandates, 2018.
- Essential UN Guidance: A select list prepared by the Department of Political Affairs, 2018.
- Policy on Gender Responsive United Nations Peacekeeping Operations, 2018.01.
- Guidelines on Mandated Programmatic Activities funded through Peacekeeping Assessed Budgets, 2017.25.
- Policy on Quick Impact Projects, 2017.16.
- Policy on Child Protection in United Nations Peace Operations, 2017.11.
- Policy on Planning and Review of United Nations Peacekeeping Operations, 2016.09.
- Policy on Justice Support in United Nations Peace Operations, 2016.22.
- Policy on Prison Support in United Nations Peace Operations, 2015.11.
- Policy on the Protection of Civilians in United Nations Peacekeeping, 2019.17.
- SOP on Government Provided Corrections Personnel on Assignment with PKOs and SPMs, 2014.07.
- Policy on United Nations Police in Peacekeeping Operations and Special Political Missions 2014.01 and Strategic Guidance Framework for International Police Peacekeeping.
- Policy on UN Transitions in the Context of Mission Drawdown or Withdrawal, 2013.
- Handbook for Judicial Affairs Officers in United Nations Peacekeeping Operations, 2013.
- Handbook on Prison Incident Management in Post-conflict Countries, 2013.
- DPA Special Political Missions Start-up Guide, 2012.
- OHCHR/DPKO/DPA/DFS Policy on Human Rights in United Nations Peace Operations and Political Missions, 2011.
- OHCHR/DPKO/DPA Policy Directive on Public Reporting by Human Rights Components of United Nations Peace Operations (2008).
- DPKO/DFS Mission Start-up Field Guide for Mission Managers of United Nations Peace Operations, 2.0 (2010).

F. MONITORING AND COMPLIANCE

44. Compliance with this policy is mandatory.

45. The Chief of JCS and the JCSC Team Leader are responsible for monitoring the implementation of this policy. The ToR for JCSC deployments shall routinely include specific deliverables and indicators of achievement against which their performance can be measured

and assessed. Mechanisms are in place to follow the results of JCSC deployments based on indicators included in the ToR and particularly through JCS regional support teams.

G. CONTACT

46. The contact for the review of this policy shall be the Justice and Corrections Service in the Office of Rule of Law and Security Institutions of DPO.

H. HISTORY

47. This policy supersedes the Policy on the Functions and Organization of the United Nations Justice and Corrections Standing Capacity (Ref. 2013.11).

APPROVAL SIGNATURE:

Jean-Pierre Lacroix,
USG DPO



DATE OF APPROVAL:

25 June 2021

APPROVAL SIGNATURE:

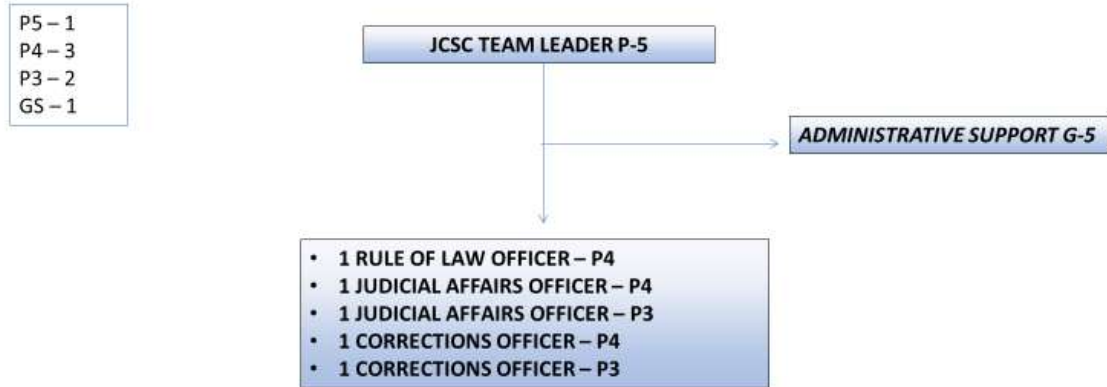
Atul Khare,
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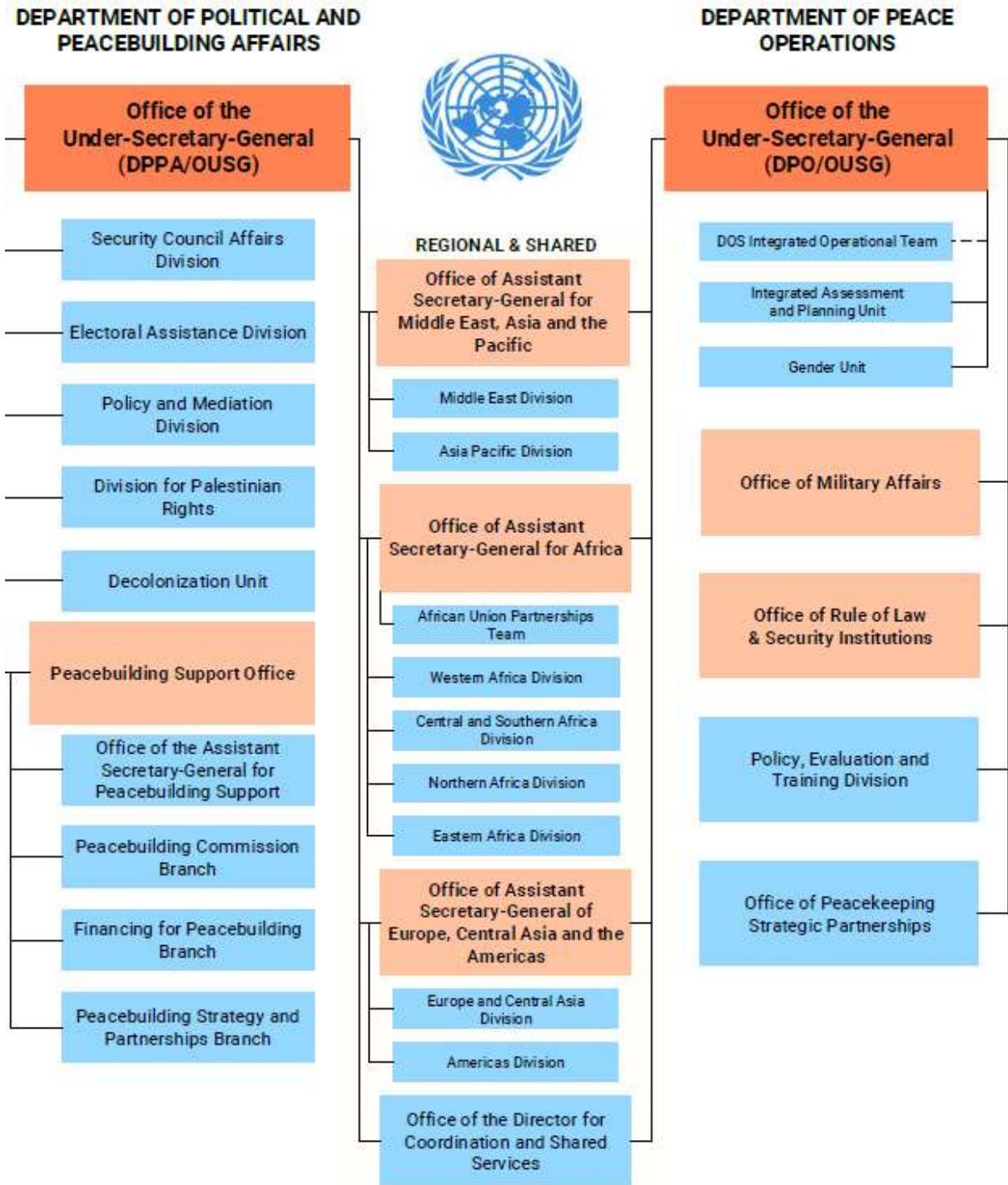
DATE OF APPROVAL:

7 July 2021

ANNEX A - ORGANIGRAMME OF THE JCSC



ANNEX B - ORGANIGRAMME OF DPPA/DPO WITH THE JCSC



ANNEX C - TEMPLATE OF TERMS OF REFERENCE FOR THE DEPLOYMENT OF JCSC OFFICERS

TERMS OF REFERENCE

Deployment of [JCSC Corrections/Judicial Affairs/Rule of Law Officer(s)] to [Name of the Mission or entity] from [date] to [date]

N.B.: Ensure gender mainstreaming and highlight any particular contribution to the Women, Peace and Security Agenda.

1. Background

Include an explanation on the rationale for the assistance, including relevant aspects of the mandate, reference to relevant documents, e.g. United Nations Security Resolution, strategic plan, relevant programme or project if applicable, key challenges, identified needs, etc.

2. Objective(s) of the deployment

The objective(s) of the JCSC deployment to [name of Mission and component or entity] is/are as follows [description of the objectives based on the mandate and UN priorities].

3. Tasks and deliverables of the deployment

List/outline key tasks that the JCSC staff member will undertake to forward implementation of the agreed TORs. Use action verbs, e.g. advise, analyze, assist, identify, support, organize, etc.]. Please list concrete, measurable deliverables to be realistically completed during the deployment, e.g., concept note developed, action plan finalized, draft laws prepared, manuals developed, report finalized, workshop organised, training materials developed.]

4. Composition and reporting lines

Specify the name and function of the JCSC officer(s). During the requested deployment, the JCSC officer(s) will report to the [Chief of component/entity, unless otherwise agreed/specified] as applicable.

5. Duration and modalities

The suggested deployment dates are from [date] to [date]. Specify travel dates. Specify modalities, including timeframe for remote support if applicable.

6. Finance and logistics

[Name of Mission/entity] will bear all travel and other deployment-related costs, including [specify], for the JCSC officer(s) deployment [unless otherwise agreed/specified].

[Name of Mission/entity] shall provide the JCSC officer(s) with the necessary logistical and administrative support, including transportation, office space, communications and security equipment.