

Increasing the Capacity of the African Union to Engage on Issues of Accountability, Justice and Prison Systems Reform in Conflict and Post-Conflict Settings

(a) Brief description of the project

(i) Objective of the project:

Strengthened implementation by the AU and its members of accountability, justice and corrections provisions of the AU Policy Framework on Post-Conflict Reconstruction and Development and related strategies, in line with the 2017 Joint UN-AU Framework for Enhanced Partnership in Peace and Security.

(ii) Why the project is necessary and how it relates to the implementation of the A4P commitments.

The A4P initiative recognizes the partnership between the United Nations (UN) and the African Union (AU) as a crucial relationship in the domain of peace and security. Cooperation between the two organizations deepened significantly with the establishment of the UN Office to the AU (UNOAU) in 2010 to provide consistent support to the AU on short-term operational support matters and long-term institutional capacity building. The partnership has further progressed with the development of (a) the 2017 Joint UN-AU Framework for Enhanced Partnership in Peace and Security, (b) the 2018 AU-UN Framework for the Implementation of Agenda 2063 and the 2030 Agenda for Sustainable Development, and (c) UN-AU Framework on Human Rights (in development). In parallel, the AU has increasingly mainstreamed rule of law into its policies, including the Silencing the Guns Framework and Agenda 2063. In 2019, the AU also adopted its Transitional Justice Policy which provides a model of how to deal with legacies of conflict and violations, and outlines specific guidance for AU member states on how to achieve sustainable peace and reconciliation through the pursuit of justice, accountability and institutional reform.

The recent Independent Strategic Assessment of the UN-AU Cooperation (May 2020 draft) noted that cooperation between the two organizations in the rule of law area is fragmented and has not led to the desired transformation. UN support to the AU has been geared at developing capacity of the AU Commission in limited areas of the rule of law, resulting in the establishment of dedicated capacities for Police, DDR, SSR and mine action. Such positive developments have not been reflected in the fields of justice and corrections, which is in large part attributed to the UNOAU having a limited focus and no dedicated capacity in these areas. Against this background, the Assessment team recommended that the UN extend and increase support to the AU for the implementation of the *Joint UN-AU Framework for Enhanced Partnership in Peace and Security* and the operationalization of the *AU Policy Framework on Post-Conflict Reconstruction and Development*, with specific focus on provisions relevant to access to justice, building efficient justice systems and prisons, and reform of the judiciary. In parallel, in January 2020, the UNHQ Principal-level UN Task Force on Silencing the Guns in Africa also decided to expand UN support to the AU on accountability matters. The UNOAU however does not have any capacity in the area of accountability, justice and corrections to support the AU.

(iii) What is the expected impact of the project?

Progressively increased access to justice that is efficient, independent and professional to all sectors of society across the African continent and increased accountability for serious violations, through supporting the implementation of the AU Policy on Post-Conflict Reconstruction and Development and the AU Agenda 2063 which recognize justice and the rule of law as a necessary pre-condition for consolidating peace.

(b) Expected Outcomes, Outputs and Proposed Activities

Outcomes	Outputs	Proposed Activities
The AU is better positioned to develop and implement comprehensive strategies and measures to consolidate peace in countries emerging from conflict, and to address the root causes of conflict through strengthening the rule of law and promoting accountability	Progressively increased engagement of the AU in the implementation of justice and accountability elements of the joint frameworks and associated strategies	Provision of strategic advice and enhanced analysis to the SRSG UNOAU of potential conflict drivers in the area of the rule of law; Provision of technical advice and expertise to the AU Commission and other counterparts, including for the elaboration of regional strategies and mechanisms for accountability for crimes fuelling conflict and the development and implementation of justice system reform strategies; Support the development of guidance, policies and best practices on accountability, criminal system reform and other related areas; and Provision of substantive and logistical support for the implementation of the AU regional training initiative which seeks to enhance the capacity of rule of law stakeholders (judges, prosecutors, prison experts, ombudspersons), increase knowledge of regional and international standards, and build national capacity to uphold the rule of law and ensure access to justice under the Agenda 2063 and related strategies.
	Progressively increased engagement of the AU in the implementation of corrections elements of the joint frameworks and associated strategies	Support the AU Special Rapporteur on Prisons, Conditions of Detention and Policing in assessing detention conditions in mission and non-mission settings, with focus on peace and security related prison reform; Provision of substantive expertise for the development of a regional strategy to increase the managerial capacity of senior prison officials to ensure safe, secure and humane detention and address persisting challenges, including overcrowding and escapes; and Provision of expertise for the development of best practices on inmate assessment, separation and conditions of detention to avoid prison radicalization.
	Increased engagement of the AU Advisory Board on Corruption on combating corruption in the rule of law area	Support the AU Advisory Board on Corruption and wider AU efforts to implement provisions of the AU Convention on Preventing and Combating Corruption, particularly in the area of the rule of law, including through enhancing the quality of justice officials and the development of ethical standards, disciplinary and accountability mechanisms.

(c) Implementation Timeline

To be initiated as soon as funding is secured. The full project is designed to be implemented over a minimum period of two years. However, the proposal is budgeted for one year only, with the option of extending to a second year if funding is made available. Subject to the availability of resources, the project may be reinforced, in subsequent years, through support to regional organizations, including ECOWAS and the G5 Sahel, in cooperation with UNOWAS.

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

The project will supplement the support currently provided by UNOAU to the AU in the areas of DDR, SSR, policing and mine action. Project implementation will be supported by existing capacity within DPO/OROLSI/JCS and its Justice and Corrections Standing Capacity. It will engage UN partner

entities under the Global Focal Point Arrangement for the Rule of Law (including UNDP, OHCHR, UNODC, UN Women). It will also build upon existing partnerships with Member States.

(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?

The project aims to advance the implementation of existing UN, AU and joint UN-AU strategies and frameworks that consistently reflect WPS elements. The project will include WPS considerations in all assessments, planning and activities and it will make specific effort to ensure that all advice and support provided is gender sensitive.

(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.

Potential risks include delays due to the ongoing internal re-structuring of the AU, and insufficient resources for full AU engagement on rule of law issues. These risks will be mitigated through increased political engagement through the SRSG UNOAU and other senior UN officials, in parallel with extensive engagement with bilateral and multilateral donors in support of AU rule of law activities. Any potential negative impact of COVID-19 will be mitigated through flexible use of alternative working arrangements and remote collaboration, as needed.

(g) Proposed Budget

Item¹	Brief Description	Total Amount
Programmatic funding	Provision of training for at least 30 AU officers, judges, prosecutors or corrections experts on priority accountability, justice and corrections issues; printing and distribution of guidance and awareness materials	\$18,000
Travel	Two deployments to AU regional offices (Banjul, etc.)	\$17,850
Personnel	One P4 Rule of Law officer for 12 months	\$242,995
Programme Support Costs (13%) ²		\$36,250
Total		\$315,095

¹ Post estimates need to include salary for the period together with standard costs, which include the following costs: (i) Rental Premises; (ii) Office Supplies; (iii) Telephone and Fax; and (iv) Computing Services. For the most recent scale of salaries and standard costs, please consult with the Executive Office. If you need a salary list, please contact ODCSS or the EO.

² Mandatory Programme Support costs to be calculated against the subtotal of the programme support costs.